

BEFORE THE EXPERT CONSENTING PANEL

CONCERNING THE RAIL STATIONS AT DRURY CENTRAL AND PAERATA

IN THE MATTER of the of the Covid-19 Recovery (Fast-Track Consenting) Act 2020 (**Covid Act**) and the deliberations and final decision of the Expert Consenting Panel appointed under Clauses 2, 3, and 4 of Schedule 5 of the Act to consider applications for consents and notices of requirement for the rail stations at Drury Central and Paerata by KiwiRail Holdings Limited.

EXPERT CONSENTING PANEL Alan Webb (Chair)

Steven Wilson – Accredited Independent RMA Commissioner (Member)

Les Simmons – Accredited Independent RMA Commissioner (Member)

COMMENTS RECEIVED UNDER CLAUSE 18 OF SCHEDULE 6 TO THE ACT 17 November 2021 (+ 1 late comment)

DETAILS OF ANY HEARING IF HELD UNDER CLAUSE 21 OF SCHEDULE 6 OF THE ACT: No hearing was held (refer clause 20, Schedule 6 to the Act)

DATE OF HEARING IF HELD: Nil

Date of decision: 3 February 2022 – Date of issue: 3 February 2022

RECORD OF DECISION OF THE EXPERT CONSENTING PANEL UNDER CLAUSE 37 OF SCHEDULE 6 OF THE ACT

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PART A: EXECUTIVE SUMMARY

1. This Expert Consenting Panel (**Panel**) was appointed on 14 October 2021 to consider an application by KiwiRail Holdings Limited (**KRL**) to build rail stations at Drury Central and Paerata (**Project**).¹
2. The Project forms part of the Te Tupu Ngātahi Supporting Growth programme which is a collaboration between the applicant and Auckland Transport, NZ Transport Agency (**Waka Kotahi**), Auckland Council (**Council**) and Mana Whenua. The stations are a central part of a programme to undertake route protection for the strategic transport networks needed to support growth in Auckland's future urban areas over the next 30 years.
3. The stations will also form part of the New Zealand Upgrade Programme (**NZUP**) which is a Crown-funded infrastructure investment programme announced in early 2020. It is planned to eventually have 3 rail stations as part of this programme (the third station being at Drury West). Development of the stations at Drury Central and Paerata has been brought forward under NZUP.
4. To undertake the Project KRL has applied for:
 - a) Four notices of requirement for a designation – two in respect of each station. One set (of two) is to provide for railway infrastructure i.e., the station platform and buildings, and the other set (of two) is to provide for the interchange facilities and accessways; and
 - b) Various applications for resource consent under the Auckland Unitary Plan (**AUP**) for regional consents (together the **Applications**).
5. KRL has taken the “two sets” approach to provide flexibility in the implementation of the designations, and for reasons explained further below, to address issues arising from the imminent proposed extensive urban renewal of the existing environment. The regional consents relate to use of land, rivers, water, to make discharges, and in respect of soil.
6. In support of the Applications, KRL has provided:
 - a) A comprehensive assessment of environmental effects (**AEE**);
 - b) A full set of technical reports;

¹ This is a referred project under the Covid Act.

- c) Draft conditions; and
 - d) Associated plans and drawings (**Application Documents**).
7. KRL has submitted the Applications as discretionary activities. The Panel accepts that activity status application.²
 8. The Panel also acknowledges the extremely high quality of the Application Documents.
 9. As the Panel worked its way through the documents, various requests for further information were made and the Panel thanks the KRL advisors for their prompt attention to those requests.
 10. The Panel would also like to make a special mention of the assistance provided by Marlene Oliver who is well known to the Panel from her work as an Environment Court commissioner and her significant expertise in managing expert caucusing. For the reasons expanded on below, caucusing was considered to be a useful exercise for this application to address issues that arose both for the Panel on reading the Application Documents, but also raised through the invitations to comment.
 11. In her special way, Ms Oliver was able to isolate the key issues for discussion and facilitate outcomes with the parties which materially assisted the Panel in its deliberations. The Panel is very thankful to Ms Oliver for this input.

Decisions by the Panel

12. The Panel approves the applications for resource consent described in Appendix 1, subject to the conditions expressed in that Appendix.
13. The Panel confirms the notices of requirement described in Appendix 1, subject to the conditions expressed in that Appendix.

PART B: INTRODUCTION

14. KRL is a State-Owned Enterprise that is responsible for the construction, maintenance, and operation of New Zealand's rail network. The rail network has two nationally vital functions, being the movement of people and the movement of freight throughout New Zealand.
15. KRL is a requiring authority pursuant to s 167 of the Resource

² The Panel questioned KRL about the activity status under the National Environmental Standard for Freshwater. The Panel considers KRL provided an adequate response in its letter dated 25 November 2021 and as further discussed by the Panel in the section on National Policy considerations at Part F of this decision.

Management Act 1991 (**RMA**) for its network utility operation, being the construction, operation, maintenance, replacement, upgrading, improvement, and extension of its railway line having been approved as a requiring authority in 2013.

16. At an Auckland regional level, the rail network is critical infrastructure for Auckland's economic wellbeing and within Auckland, KRL is responsible for the operation and maintenance of both the Auckland Metro Rail Network (**AMRN**) and sections of the North Island main trunk line outside the urban area. Auckland Transport (**AT**) is then responsible for the operation of passenger services and related investment utilising that infrastructure.
17. The Auckland Metro Network comprises four lines:
 - a) The southern line – Pukekohe to Britomart;
 - b) The eastern line – Manukau to Britomart;
 - c) The western line – Swanson to Britomart; and
 - d) The Onehunga line – Onehunga to Britomart.
18. This Project will increase the connectivity and resilience of the *southern* line (Pukekohe to Britomart).
19. There are currently 41 rail stations across the AMRN. Significant investment is currently being undertaken in this network including with the City Rail Link (**CRL**) in Auckland which will double passenger capacity in Auckland. The CRL will be transformational for the AMRN and peak hour passenger numbers are expected to rise to 54,000/hr.
20. It follows that associated rail network upgrades will also be required and the Project forms part of such upgrades. The Project has been promoted as the upgrade requirements are more pronounced in South Auckland, due to the identified significant greenfield growth areas between Papakura and Pukekohe.

Drury/Paerata

21. The existing main trunk line runs through the centre of Drury and Paerata but the closest stations to both locations are either Pukekōhe or Papakura.
22. An area a little over 80,000m² is requested for the Drury Central designation and a little over 168,000m² for the Paerata designation.
23. The construction of the stations and associated infrastructure is

proposed to occur in stages – the first stage proposed by 2024/5 and full build out of the Drury Central station (anticipated to be) by 2038. The full build out date for the Paerata station is not yet certain. A description of works for each stage is set out at sections 6 and 13 of the AEE respectively.

24. KRL estimate that during the AM peak 2 hours there will be 700 boardings at Drury and 2,100 at Paerata by 2028, rising to 2,300 and 3,900 respectively by 2048. In the long term, 12 trains per hour will be used to service this demand.

Permitted Baseline

25. KRL has used a permitted baseline comprising existing designations and permitted activities under the Schedule 4 of the Covid Act and the AUP.
26. The Panel agrees that is appropriate in respect of the existing designations and Covid Act Schedule 4 activities.

Plan Changes

27. KRL has listed plan changes it says are relevant to the Applications in Table 4-1.³ The Panel notes that plan changes 48 – 50 are all private plan changes (**Plan Changes**) and all the proponents⁴ were invited to comment on the Applications and have done so.
28. As Table 4-1 notes, these Plan Changes were *accepted* by the Council and hearings have been completed and, at the time of this decision, the parties are waiting for the decision to issue. If approved, the Plan Changes would change the current future urban zoning of the land to enable the comprehensive and dynamic urban development of the existing environment. Further, while s104(1)(b) and s171(1)(a) of the RMA expressly direct the Panel to consider a proposed plan, s43AAC(1)(b) of the RMA defines a proposed plan as one which has been “adopted” by (in this case) the Auckland Council (**Council**) under Schedule 1 25(2)(a). However, as above, the Plan Changes were “accepted” by the Council under Schedule 1 25(2)(b) i.e., not adopted. Therefore, they are not proposed plans under either s104 or s171 of the RMA.
29. That said, they are of course highly relevant to the point where the Panel considers them to be other matters reasonably necessary for consideration under both s104(1)(c) and 171(1)(d) of the RMA and can, (and should) be considered. The Panel will consider them, cognisant of

³ AEE p71

⁴ PC 48 Kiwi Property, PC 49 Fulton Hogan and PC 50 Oyster Capital

the appropriate weight to be given them, considering that at the time of this decision they have not been finalised, they are not incorporated into the AUP, and they are not operative.

30. The Plan Changes are pursuing development largely in accordance with the Drury– Opāheke Structure Plan (**Structure Plan**) for this area which provides guidance on the preferred zoning framework (and which the Plan Changes are largely trying to achieve). The Structure Plan estimates an increase of approximately 22,000 dwellings, 12,000 jobs and an increase of population in the Structure Plan area from 3,000 to 60,000.
31. Change is already occurring within the environment, particularly around Paerata and there is building anticipation around the stations being constructed within the timeframes noted above. They will provide a focal point for, and give impetus to, continuing development.
32. However, the fact of the Plan Changes caused the Panel to reflect on what “environment” the Applications should be assessed against.
33. For example, KRL has “split” its assessment of effects on the environment in two blocks: the existing environment in relation to construction effects; and future build out and operational effects against the future urbanised environment.
34. The Panel can see at once that this approach has been taken for practical reasons, in the sense that if the Plan Changes are approved, an assessment of (the full build out) effects against the existing environment would quickly become redundant. The split-level assessment approach anticipates both that the stations will be built and that the Plan Changes will be approved, and that urban development will follow. The Panel considers these to be objectively reasonable assumptions.
35. In resolving this issue, the Panel reminds itself of the matters listed in s19 of the Covid Act about what purpose the Covid Act is trying to achieve. Section 19 expressly refers to:

...providing infrastructure in order to improve economic, employment, and environmental outcomes, and increase productivity

and describes the Project perfectly.

36. There are strong synergies between the Covid Act and the RMA and the expectation is that key infrastructure projects like this can be approved under the “fast-track” consenting process provided by the Covid Act even while other relevant RMA processes (in this case the Plan Changes)

are being finalised.

37. The Panel balances that against the fact that technically, KRL has not provided any accurate assessment of the future build out effects at this stage and has considered whether this factor should be a reason to decline the application. The Panel does not consider it is.
38. The starting point is that this situation must have been clearly contemplated by Parliament when the Covid Act was passed. There can be no criticism of a planning approach that provides a response to a changing environment, and which enables core infrastructure to be approved at pace, to assist the form of urban development surrounding and using it.
39. The form of that urban development will be finalised by the Plan Changes and the Panel records that it is proceeding on the basis that the Plan Changes will be approved in some form or other. To this extent, the Plan Changes will themselves create a portal for consideration of the Project's build out effects against the relevant planning objectives, policies, and rules in place at the time those effects arise.
40. KRL have codified their undertaking to fully assess and respond to such effects through conditions requiring the use of outline plans (to be submitted before any construction commences). KRL's thinking appears to be that as the Plan Change process continues, and the rules become clearer, KRL can tailor construction to ensure the adverse effects are avoid, remedied or mitigated.
41. The Panel understands this logic, but still wanted to ensure that a proper assessment of effects would occur and that relevant effects would be properly controlled. The Panel raised this concern at an early stage with KRL and parties that responded to the invitations to comment (**Stakeholders**).⁵
42. The focus of the Panel's consideration on this future assessment of effects is whether and if so, how, outline plans can be used to dilute this issue.
43. Outline plans are a common planning tool in the RMA armoury. They are equally applicable to Covid Act fast track applications. However, they are designed for "orthodox" RMA applications and their statutory manifestation has some limits. For example, the Panel notes that s176A of the RMA sets out the statutory requirements for outline plans and s176A(3) refers to things that must be shown in an outline plan,

⁵ See Minute 4 issued by the Panel dated 30 November 2021.

and s176A(1) mandates that such plans must be submitted before construction is commenced.⁶

44. However, there is no provision in s176A for other parties (and in this case the Stakeholders) to have any involvement in the production of outline plans, nor set out any procedures for them to be produced.
45. Accordingly, because of the importance to be assumed by outline plans, the Panel investigated with KRL and the Stakeholders whether the statutory requirements for outline plans could be augmented for example by:
 - a) Noting a time by which a draft outline plan should be prepared;
 - b) Requiring KRL to send the draft outline plan to Stakeholders for comment; and
 - c) Requiring KRL to submit the outline plan to the Council either accepting the comments or explaining why it rejects them.
46. The changes proposed are designed to allow Stakeholders a further opportunity for input and still allows the Council to be the final arbiter on effects.
47. The Panel are very pleased indeed that these suggestions were taken on board by the parties, and they have agreed to update the notice of requirement conditions for both stations to such effect.
48. The Panel has accepted those conditions.

PART C: PROCESS ADOPTED BY THE PANEL

49. The role of any expert Panel appointed under the Covid Act has been described by the Panel Convener⁷ (**Convener**) in the decision on the Matawii Water Storage Reservoir at Kaikohe dated 27 October 2020, which was a listed project (**Matawii Decision**). At paragraph [12] of that decision the Convener stated:

Because this decision is the first to issue under this legislation, we will describe in more detail than will be necessary in subsequent decisions, the workings of the Act in processing listed projects.

50. The Panel respectfully adopts the description set out (mainly) at paragraphs [12] – [43] of the Matawii Decision.

⁶ The process for approval is set out in s176A as well.

⁷ His Honour Judge Newhook, appointed by the Minister under clause 2 of Schedule 5 to the Act.

51. There are several key parts of the Covid Act which will be referred to throughout this Decision, but of paramount importance is Schedule 6 of the Act titled “*Applications and decision making for listed projects and referred projects*” (Schedule 6).
52. This is a referred project by an Order in Council after scrutiny by the Ministry for the Environment (**Minister**) taking into account the criteria and related matters at ss 18 and 19 of the Act.
53. It follows that the Minister was satisfied that the Project would be consistent with the purpose of the Covid Act.
54. The Panel is, of course, not bound by the referral decision and our task is to independently determine whether the Applications should be granted.
55. The process to be followed by a Panel for referred projects has been succinctly recorded in the *Kohimarama Retirement Village* decision.⁸ The Panel respectfully adopts the process set out in that decision and thanks that panel for assessing those issues.
56. With the process outlined in that decision in mind, the Panel specifically reminds itself and proceeds on the basis that:
- a) The RMA does not trump the Covid Act or vice versa;
 - b) Any assessment of the Applications under Part 2 of the RMA must occur in accordance with the Court of Appeal decision in *RJ Davidson Family Trust v Marlborough District Council*⁹;
 - c) It is important to bear in mind the overarching purpose of the Act as set out in s 4 of the COVID Act;
 - d) The assessment of effects under clause 31 of the Covid Act is the same as that under s 104 of the RMA but it also includes any offsets, benefits and compensation;
 - e) The purpose of the Covid Act must be considered as well as the purpose and principles of the RMA; and
 - f) The approach to the Treaty of Waitangi is similar but the assessment under the Covid Act includes consideration of any treaty settlements.
57. The key difference between listed projects and referred projects is that

⁸ Decision of expert consenting Panel dated 12 May 2021 concerning a comprehensive care retirement village at Kohimarama, Auckland – Ian Gordon (Chair) – see paragraphs [33] – [39].

⁹ [2018] NZCA 316.

the Panel has a wide(r) discretion to consent or decline a referred project. The grounds on which a Panel can decline a referred project are again succinctly set out in the *Kohimarama Retirement Village* decision at paragraphs [51] – [54] which again the Panel respectfully adopts.

Procedural

58. The Panel records the following matters.

Meetings/Site Visits

59. The Panel was asked to consider this Application during an Alert Level 4 lockdown in Auckland. Two Panel members were within the Auckland boundary, and one was not.

60. Accordingly, all the meetings were held by zoom.

61. There were additional practical difficulties with undertaking a site visit, from difficulties in accessing the Paerata Project site. KRL provided very comprehensive drone footage of both Project sites. The Panel reviewed that footage with interest and relied on that in substitution to a site visit.¹⁰

62. The Panel otherwise undertook zoom conferences as follows:

- a) Monday 18 October 2021;
- b) Thursday 21 October;
- c) Thursday 21 November 2021; and
- d) Friday 26 November 2021

Invitations to Comment

63. By letters dated 27 October 2021, the Panel invited comments on the Project from those parties listed in Clauses 17(6) and 17(7) of Schedule 6.

64. The Panel also invited comments from parties under Clause 17(8) of Schedule 6.¹¹

65. In accordance with Clause 18(1) of Schedule 6, responses were required by 17 November 2021.

¹⁰ The Panel notes that Mr Les Simmons did undertake a site visit of the Drury site and the Paerata locality on 20 October.

¹¹ These parties are listed at Appendix 2 to this Decision.

66. Those comments were all sent to KRL and, in accordance with Clause 19 of Schedule 6, the Panel required its response by 25 November 2021.
67. There was one late comment received on 25 November 2021. The Panel asked KRL if it objected to the late comment and if not, to provide its response.¹²
68. A summary of the comments (prepared by KRL but which the Panel adopts) is set out in Appendix 2. These comments have all been considered by the Panel.

Further Information from KRL

69. The Panel sought the following further information from KRL:
- a) Information about the activity status under the National Environmental Standard for Freshwater (NESFW);
 - b) Clarification in relation to the consents sought to remove three protected willow trees at Paerata. KRL confirmed that the AEE and the Arboricultural Assessment erred in identifying these trees for removal and that consents are not being sought for the removal of these trees. It was noted that these trees are outside the proposed designation boundary; and
 - c) Clarification, of the actual Mana Whenua and Iwi groups, along with alternative names by which they are referred to in the AEE, that were involved in the engagement process.

Caucusing

70. Some of the Stakeholders requested an opportunity for caucusing. The Panel considered that to be a useful initiative and provided timeframes for that to occur¹³. The Panel left it to the parties to otherwise organise caucusing.
71. KRL appointed Marlene Oliver to facilitate the caucusing and Ms Oliver contacted the Chair to double check details and requirements.¹⁴
72. The parties produced caucusing statements as follows:
- a) Drury Central Station – Transport and Planning, 2 December 2021;

¹² KRL did not object and provided its response on 29 November 2021.

¹³ Again, refer to Minute 4 and also note an extension of time was sought and approved.

¹⁴ For example, the requirement for caucusing statements to be produced, and whether expert/non-experts could attend.

- b) Paerata Station – Transport and Planning, 2 December 2021;
- c) Drury Central Station – Stormwater and Water Supply, 3 December 2021;
- d) Drury Central Station – Conditions, 14 December 2021; and
- e) Paerata Station – Conditions, 15 December 2021

PART D: MANA WHENUA

73. The Panel considers it is important to record at some length issues relevant to Mana Whenua. This is not required to resolve issues, but to explain that the Project is located within an environment that is highly significant to Mana Whenua as explained in the detailed cultural history of the area in the Cultural Impact Assessments (**CIA** or **CIAs**) that formed part of the Application Documents. The CIA summaries and the Projects' responses, and the Ngaati Te Ata Waiohau CIA were carefully considered by the Panel.¹⁵
74. The Panel will draw on the following discussion further when it considers the Project against the Principles of the Treaty of Waitangi in [Part F] of this Decision.
75. The Projects have been the subject of several specific phases of engagement activity since 2016, including with Mana Whenua. A Mana Whenua forum, that subsequently met monthly, was set up to have input into the Indicative Business Case (**IBC**), the Detailed Business Case (**DBC**), the NoR, and for operational and kaitiaki level interaction. Te Tupu Ngātahi has provided monthly project updates to this forum since mid-2019, with KRL present in July 2020. A summary of the DBC hui presentations is included in the AEE and is not duplicated here.¹⁶
76. During the Programme Business Case (**PBC**) phase, all 19 iwi groups in Auckland were sent letters with an invitation to participate. A total of 18 Mana Whenua groups participated in at least one of the hui in relation to the Project. Some of the groups were more involved in later, more detailed stages of the project, including the Multi Criteria Analysis (MCA) process. These were Ngāti Manuhiri, Ngāti Whātua o

¹⁵ CIA summaries in Appendices E, F, G, of the AEE, Ngāti Te Ata CIA at Vol 4 – 03 of the application – also refer to AEE Chapter 5: Consultation and Engagement, Chapter 10: Drury Central Station: Assessment of Effects on the Environment (particularly 10.7), Chapter 11: Drury Central Station: Summary of Measures to Manage Adverse Effects, Chapter 14: Paerata Station: Existing and Likely Future Environment (particularly 14.4.5), Chapter 17: Paerata Station: Assessment of Effects on the Environment (particularly 17.7), Appendix C Proposed Conditions (particularly proposed conditions Drury Central NoR DC-S & NoR DC-I—13, 17 & 18; Paerata NoR P-S & NoR P-IA—13, 15 & 16).

¹⁶ AEE 5.2

Kaipara, Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Whātua Ōrākei, Ngāti Tamaoho, Ngaati Te Ata Waiohua, Te Ākitai Waiohua, Te Kawerau a Maki, Te Ahiwaru Waiohua, Ngāti Pāoa, Te Rūnanga o Ngāti Whātua, Te Uri o Hau, Ngāti Tamaterā, Te Patukirikiri, Ngaati Whanaunga, and Ngāti Wai¹⁷. Waikato–Tainui were initially contacted but confirmed that there were happy to defer to mana whenua and did not wish to engage on the project. The AEE notes that seven of the Mana Whenua groups have a direct interest in these Project sites according to the Auckland Council database. The Panel makes no comment on those direct interests.¹⁸

77. A set of Mana Whenua values that were developed in consultation with these groups, to be incorporated into the Multi Criteria Analysis were:

- a) Papakāinga, Māori land and Marae (existing and future),
- b) Mana Whenua Heritage (tangible and intangible),
- c) Giving effect to Treaty settlement outcomes and the principles of redress,
- d) Te Taiao (air, land, water, coast, taonga),
- e) Mana Whenua well-being.¹⁹

Summary of Mana Whenua feedback

78. The AEE provides a summary of Mana Whenua feedback as follows:

- a) Overall, and subject to the satisfactory resolution of issues raised, Mana Whenua support stations at Drury Central and Paerata, in particular the provision of park-and-ride facilities to ensure the stations are accessible;
- b) Through the alternative assessment process, Mana Whenua initially supported the northernmost options for Drury Central Station to reduce impacts on the Hingaia Stream, the Hingaia Stream tributary, and associated ecological and cultural values. KRL and Te Tupu Ngātahi have worked with Mana Whenua to compromise on the final platform location which is located over a culverted tributary due to engineering constraints. Mana Whenua have supported the final location on the basis that offset and mitigation for stream loss is

¹⁷ In the decision the Panel has adopted the use of macrons over vowels (e.g., ā, ē, ī, ō, ū) unless information from the Mana Whenua group suggests they have a preference for the use of the double vowel (e.g., aa, ee, ii, oo, uu).

¹⁸ AEE 5.3.1.1

¹⁹ Ibid.

provided. The proposed location of interchange facilities (including park-and-ride) is consistent with the northern preference of Mana Whenua;

- c) Through the alternative assessment process, Mana Whenua initially supported locations for the Paerata Station which reduced effects on two tributaries of the Whangapouri Stream which are currently culverted under the rail corridor. Subsequent value engineering has resulted in the platform location being moved southwards over one of the culverted tributaries. Mana Whenua have supported the final location on the basis that offset and mitigation for stream loss is provided; and
- d) Mana Whenua have maintained an interest in the stormwater design and ecological mitigation and offset at both Project sites.²⁰

Iwi Environmental Management Plans

- 79. Following a request from Te Tupu Ngātahi, and publicly available information, Iwi Environmental Management Plans (IEMPs) were received from Ngaati Whanaunga and Ngaati Te Ata Waiohū and downloaded from the Waikato Regional Council website for Waikato–Tainui.²¹
- 80. KRL provided an analysis of the Ngaati Whanaunga and Waikato–Tainui IEMPs at 20.4.2.1 of the AEE, summarising in tables the issues they believed are relevant to the Projects and their comment as to the way the Projects resolves those issues.
- 81. The Ngaati Whanaunga IEMP analysis highlighted issues of land, freshwater, coastal and marine areas (not applicable as the Project is not within the coastal environment), biodiversity, air, culture and heritage. KRL’s comments to those issues summarise components that are in the AEE and noted, as required in this decision.
- 82. The Waikato–Tainui IEMP analysis highlighted issues of customary activities, natural heritage and biodiversity, valuable historical items, waahi tapu and waahi tuupuna, natural hazards, land use, freshwater, water quality, wetlands, land erosion and management, air, infrastructure development. Similarly, KRL’s comments to those issues summarise components that are in the AEE and noted, as required in this decision.

²⁰ Ibid.

²¹ AEE 5.3.1.1, 20.4.1

Cultural Impact Assessments

83. Following several informal requests and a formal request to Mana Whenua, Ngāti Whanaunga, Ngāti Tamaoho and Ngaati Te Ata Waiohua provided a Cultural Impact Assessment (CIA). Those three Mana Whenua were concerned at their CIAs being public information if appended to the AEE and, as such, summaries of the CIAs are provided in the AEE. Ngaati Te Ata Waiohua subsequently confirmed their CIA could be attached and this has been provided in Volume 4 of the application.²² The CIAs and the summary of the CIAs' contents within the AEE are discussed below under the heading of each Mana Whenua group who prepared a CIA.

Wāhi Tapu sites and places of significance, land currently being negotiated for or returned under Treaty settlements

84. There are no identified wāhi tapu sites, places of significance, or land currently being negotiated for or returned under Treaty settlements within close proximity of the Project sites. The applicant did not identify any redress in the Treaty settlement documents which affects the natural and physical resources relevant to the Project. The Projects general context or sites sit within the cultural landscape of Mana Whenua and is discussed below. However, on an ongoing basis, the appropriate Mana Whenua authorities will be consulted regarding the possible existence of such sites, and the recommendations in the AEE²³. Conditions were imposed to ensure this occurred.
85. Approximately 1,800 m north-east of the Paerata Project site, Te Māunu a Tūmataunga is the closest recorded pā.²⁴
86. The Project land is within an area over which Ngāti Tamaoho have a statutory acknowledgement²⁵, namely over the Hingaia (for Drury Central) and Whangapouri (for Paerata) Streams. Both streams and their tributaries are identified as important features connecting several of Ngāti Tamaoho's most important sites of occupation and key travel routes in the area.²⁶

Ngaati Te Ata Waiohua (CIA and commentary)

87. Within the Ngaati Te Ata cultural landscape are many sites and features around the Project. The Panel appreciated being provided with a copy

²² AEE 5.3.1.1, 20.4.1, Appendices E F, and G, and Vol 4 – 03

²³ AEE 7.4.5, 10.6, 10.7.1

²⁴ AEE 14.4.4.1

²⁵ Refer PART F: NATIONAL POLICY CONSIDERATIONS, Treaty of Waitangi

²⁶ AEE 7.4.5, 14.4.5

of the full Ngaati Te Ata Waiohua CIA²⁷:

- a) Oopaheke (one of the traditional names given to Drury) was viewed as having a strategic position to Taamaki Makaurau. The main occupational site of the Waiohua people within this area were on the western slopes of the Drury Hills,
 - b) Te Maunu a Tuu (Paerata Bluffs),
 - c) Landscape features such as:
 - (a) Settlement (paa) / occupation (kaainga)
 - (b) Battles
 - (c) Waahi Taonga
 - (d) Animals
 - d) Key cultural resources such as:
 - (a) Tuupuna maunga (ancestral mountains)
 - (b) Ngaa taonga i tuku iho (many isolated waahi tapu and waahi taonga)
 - (c) Te Maanukanuka o Hoturoa (the Manukau Harbour)
 - (d) All the waterways
 - (e) Ara hikoi (walking tracks)
 - (f) Ara tapu (walking tracks of the spirits)
 - e) The areas associated with the Project are places traditionally used for gathering resources, particularly from wetlands, swamps and waterways.
88. For the Paerata site, Ngaati Te Ata Waiohua note that the Ngaakoroa catchment would have been a desirable location for Maaori settlement, in particular for the Waiohua people.²⁸
89. Ngaati Te Ata Waiohua considered the Projects under key elements, summarised below:
- a) *Heritage protection and recognition*—considering it imperative that Ngaati Te Ata Waiohua landscapes are

²⁷ AEE 7.4.5.1, Vol 4 - 03 - Cultural Impact Assessment Ngāti Te Ata

²⁸ AEE 14.4.5.1

identified and preserved, proposing a variety of methods. In the Project's area, they recommended flood plains, wetlands and rivers are identified, preserved and returned to their natural state. KRL noted its proposed offset measures and measures to ensure no net loss of ecological value.

- b) *Whenua*—noting Mana Whenua having strong spiritual bonds to the land and being predominantly concerned about the effect of future development and urbanisation on these areas. This includes the effects of changing land use, large-scale earthworks (including stability, erosion and sediment), on a reduction in native ecosystems, cultural heritage (especially waahi tapu), the ability to use soil as a cultural resource (plant and food production), and any risks to taonga and whaariki that may be stored or preserved in peat soils in wetlands. KRL noted Auckland Council has already identified the area for future urban development and further intensification and loss of productive capacity is anticipated in this zone. KRL anticipates that measures to reduce the impacts of earthworks, avoiding significant features, and stormwater design, etc, manages the effects on the whenua. A proposed Cultural Monitoring Plan and accidental discovery protocol will be developed in collaboration with Mana Whenua. Conditions were imposed to ensure this occurred.
- c) *Wai*—Ngaati Te Ata Waiohua aspire to have waters that are drinkable, swimmable, and fishable. Waterways are also home to taniwha who ensure people's physical and spiritual position. Ngaati Te Ata Waiohua advocate the protection of all natural waterways' mauri including encouraging the highest level of stormwater treatment and protecting the food producing and life supporting capacity of natural waterways. Therefore, mauri should not be altered to the extent that waterways are no longer recognisable as waioira. Ngaati Te Ata Waiohua recognise and name many waterways in the Project's area. KRL noted proposed offset, stormwater, sediment, erosion, and wastewater control measures.
- d) *Biodiversity*—As kaitiaki, Ngaati Te Ata Waiohua are responsible for managing and protecting healthy ecosystems and biodiversity. Species or habitat loss may have a detrimental effect on culture, traditional activities and maatauranga. They support the provisions of the AUP: OP, which requires 10m of native planting along riparian margins, recommend riparian margins or setbacks of 20m, and believe that the applicant should encourage local hydrology

improvements (where possible) to support healthy wetland function and locally appropriate wetland restoration and biodiversity. KRL noted offset measures, proposed replacement of native species in appropriate locations to ensure no net loss in ecological values, and measures to manage impacts on native fauna.

- e) *Open space and greenways plans*—Ngaati te Ata Waiohū supports the use of greenway plans and walkways, improving public access so that there is a greater sense of care for restoration.
- f) *Sustainability*—Ngaati Te Ata Waiohū promotes sustainable development and supports energy efficiency, transition away from fossil fuels, zero waste minimisation initiatives and proposals to reduce, reuse and recycle. Managing natural hazards is also a part of sustainability. Ngaati Te Ata Waiohū seek a balance between works to enable the well-being of an individual or group while also protecting areas of significance to Ngaati Te Ata Waiohū and avoiding environmental adverse effects. KiwiRail noted that the Project encourages the uptake of public transport and subsequent reduction in greenhouse gases with a reduction in private vehicle use. Measures to manage the effect of stormwater and earthworks were also noted.
- g) *Infrastructure*—Ngaati Te Ata Waiohū support creating environments for people rather than cars noting that accessible and affordable public transport is essential for tribal duties to be carried out.
- h) *Urban design*—Ngaati Te Ata Waiohū expect Te Aranga Māori Design Principles to be applied to the Projects in conjunction with meaningful engagement on all design aspects. KRL noted that Mana Whenua will participate in the Urban Landscape and Design Management Plan development.
- i) *Hauora*—Access to safe and affordable public transport is important for contributing to tribal members' safety, ability to access their rohe and carry out tribal responsibilities. Such transport contributes to a healthier environment, improving air quality, reducing oil consumption, reducing commuter stress, encouraging business growth, development, and work opportunities. KRL noted the increased connectivity through the Projects can contribute to health benefits while increasing the transport network's resilience.

- j) *Air*—concern with poor air quality impacting people’s and the environment’s health and well-being, hauanga kai and cultural activities. KiwiRail noted the anticipated reductions in private vehicle air emissions due to increased use of public transport.
- k) *Economic development*—Ngaati Te Ata Waiohua support business and are interested in opportunities which benefit them and the wider community. They are interested in working with the applicant as Treaty partners.²⁹

Ngāti Tamaoho (CIA and commentary)

90. Ngāti Tamaoho list the following features considered relevant in Drury Central³⁰:

- a) Aparangi (a village on the slopes of Pukokoiwiriki) and Pukekoiwiriki (the upper paa site). The cultural landscape for these areas run to the south to the lowlands of Drury.
- b) Te Maketu Paa via Te Ararimu Ara Hikoi – a paa site over 3km from the Project site at Drury Central along with Te Ararimu, which is one of the three main routes to the Waikato. The track connects the Manukau lowlands across the Drury escarpment to Paparimu and then south to Mangatāwhiri.
- c) Taenga Waka Maketu Hingaia Ara Hikoi.
- d) Ngakaroa Maketu, Hingaia, Waihoehoe Ara Hikoi.
- e) Te Maunu a Tu wetlands, headwaters.
- f) Ngā Wai o Waipupuke waterways – various waterways of significance to Ngāti Tamaoho, including Hingaia.

91. For Paerata, Ngāti Tamaoho note Tuhimata Paa (west Ramarama) as a papakāinga of Waiohua, located just to the west of the Project, and a former prosperous trading post. They also recognise the Ngakaora, Maketu, Hingaia, Hayes, Whangamaire, Whangapouri, Oiroa and Waihoehoe catchment in this area³¹.

92. Ngāti Tamaoho have asked that KRL consider the Projects’ impacts on these features in relation to:

²⁹ AEE 10.7, Vol 2 - 09 - Appendix G - Ngāti Te Ata CIA Recommendations and Project Response, Vol 4 - 03 - Cultural Impact Assessment Ngāti Te Ata

³⁰ AEE 7.4.5, 10.7

³¹ [AEE 14.4.5.1]

- a) Historical significance,
- b) Proximity to customary resources,
- c) Proximity to customary need, and
- d) Repository for mātauranga for future/present generations.

93. Ngāti Tamaoho concluded that the Projects alter their cultural landscape.

94. The summary of Ngāti Tamaoho key matters in their CIA are:

- a) *Kaitiakianga* — “*which includes a holistic environmental management approach.*” KRL noted its planned offset features, generally improved public access to these features, no net loss of ecological benefit and asserts that the Projects offer a “*more sustainable way to travel*” thereby having a “*positive impact on the environment as reductions in vehicle air emissions*” due to a shift away from vehicles to using the train.
- b) *Water/wai*—noting that “*it is imperative that nothing adversely impacts the mauri of the resource*”. KRL noted its proposed sediment and erosion control measures, stormwater management, Contaminated Land Management Plan, and the ecological offset measures.
- c) *Sustainability*—A belief that all new development should be self-reliant and self-sustainable in some way. KRL responded as in a and b above.
- d) *Treatment of contaminants*—KRL responded as in a and b above.
- e) *Groundwater recharge*—KRL noted its proposed stormwater management, and the groundwater and ground settlement in Volume 4 and sections 10 and 17 of the AEE.
- f) *Native trees and plants*—The protection of native trees and plants. KRL noted its arboricultural assessment in Volume 4 of the AEE and its recommendation to invite Mana Whenua to participate in the development of the Urban Land and Design Management Plan.
- g) *Landscapes*—The value of landscapes to Ngāti Tamaoho. KRL summarised the Projects’ landscapes and processes to avoid any features and minimise earthworks. KRL also referred to

the offset measures and no net loss in ecological value.³²

95. The Projects' land is within an area over which Ngāti Tamaoho have a statutory acknowledgement³³, namely over the Hingaia (for Drury Central) and Whangapouri (for Paerata) Streams. Both streams and their tributaries are identified as important features connecting several of Ngāti Tamaoho's most important sites of occupation and key travel routes in the area.³⁴

Ngaati Whanaunga (CIA and commentary)

96. Ngaati Whanaunga considered the Project under key tikanga, which are summarised below:
- a) *Mauri*—to respond to mauri preferring any works within the area to be undertaken with best practice and to be as least invasive as possible. KRL notes the Project has sought to reduce earthworks, and the impact of the Project on significant ecological areas and waterbodies, and measures to ensure no net loss in ecological values;
 - b) *Kaitiakitanga*—specifying a duty to care, to protect, and preserve the environment so it can be handed on to succeeding generations in a healthy condition. KRL proposes the requirement for a Cultural Monitoring Plan to be prepared in collaboration with Mana Whenua in the conditions;
 - c) *Tapu*—noting several (unrevealed) waahi tapu are situated near the Project sites, though the Panel notes that no waahi tapu or urupaa have been identified as being affected by the Project. Mana Whenua will be involved in any archaeological plans prepared for the site.
 - d) *Raahui*—requesting the right to exercise raahui in the area and/or the surrounding area during the Project's works, if required, to support their cultural practices;
 - e) *Maatauranga*—noting maatauranga as their ways of knowing and conceptualising their world;
 - f) *Taunahanaha*—the practice of naming places and/or features;
 - g) *Papakaainga*—while no papakaainga have been identified at the Project sites, Ngaati Whanaunga note the physical

³² Vol 2 – 07 – Appendix E – Ngāti Tamaoho CIA Recommendations and Project Response

³³ Refer PART F: NATIONAL POLICY CONSIDERATIONS, Treaty of Waitangi

³⁴ AEE 7.4.5, 14.4.5

evidence of many ancestral papakaainga being completely or substantially destroyed. An accidental discovery protocol is proposed as a part of the conditions.³⁵

Measures to avoid, remedy or mitigate effects Mana Whenua raised

97. Measures to avoid, remedy or mitigate the effects that Mana Whenua have raised are summarised in the AEE at 10.7.2, and discussed at Appendices E, F, and G. In summary:

- a) Design recommendations will be discussed with Mana Whenua;
- b) Establishing a Mana Whenua Engagement Forum (Drury Central Station);
- c) Preparing a Cultural Monitoring Plan prepared in collaboration with Mana Whenua;
- d) Mana Whenua engagement in any archaeological authorities and management plans prepared. KRL notes that preparation of *“an Archaeological Management Plan (AMP) is not proposed as a condition on the NORs but is expected to be prepared as part of the Archaeological Authority process.”*³⁶ The Panel agrees;
- e) Mana Whenua invited to participate in the development of an Accidental Discovery Protocol; and
- f) Mana Whenua invited to participate in the development of the Urban Landscape and Design Management Plan (ULDMP).

98. KRL concludes that it has worked closely with Mana Whenua throughout the Project and have taken their values and concerns into consideration. They note, in particular, the indicative design has responded to minimise impacts on streams and habitat, responds positively to matters Mana Whenua raised, and is consistent with the values Mana Whenua identified during the Project design and engagement processes.³⁷ Having carefully read the comprehensive information provided with the application, including independent information from Mana Whenua, the panel accepts KRL’s conclusion.

99. Various conditions in the Projects’ resource consent conditions provide for Mana Whenua involvement in developing the various Management

³⁵ AEE 10.7, Vol 2 – 08 – Appendix F – Ngaati Whanaunga CIA Recommendations and Project Response.pdf

³⁶ AEE, Table 11–1, p. 205

³⁷ AEE, 10.7.3

Plans that must be developed in the operation of the consents.³⁸

100. Mana whenua matters are referred to again in the Panel's assessment of KRL's obligations under s6 of the Act in Part F of this Decision.

PART E: EVALUATION OF EFFECTS

101. The Panel has touched on the approach to the assessment of effects above.

102. The Covid Act of course establishes an alternative consenting regime for RMA resource consent applications and notices of requirements for both listed and referred projects. This Project is a referred project³⁹ and the process for assessing the Applications relating to the Project is contained in Part 2 of Schedule 6 of the Covid Act.⁴⁰

103. The Covid Act's purpose is set out in section 4:⁴¹

The purpose of this Act is to urgently promote employment to support New Zealand's recovery from the economic and social impacts of Covid-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

104. The role of an expert panel appointed under the Covid Act has been carefully described in the decision on a Matawii Water Storage Reservoir at Kaikohe dated 27 October 2020. However, the *Matawii* decision was in respect of a listed project. This Project is a referred project i.e. one that is referred to a Panel by an Order in Council after scrutiny by the relevant Ministers taking into account the criteria and related matters at ss 18 and 19 of the FTA.

105. The relationship between the Covid Act and the RMA is set out in section 12 of the Covid Act and is addressed above.

106. The matters the Panel shall have regard to when assessing applications for resource consent or notices of requirement for referred projects are set out at Clauses 31 – 33 of Schedule 6. Those clauses contain all the matters one would expect for an assessment carried out under the RMA: – indeed the assessment is subject to Part 2 of the RMA. These clauses also refer specifically to NPS's and to the principles of the Treaty of Waitangi and Treaty settlements.

107. The Panel also notes the additional matters for consideration for the

³⁸ Refer to Part G: Conditions, and Resource Consent Conditions

³⁹ See Schedule 2 of the Act.

⁴⁰ Clauses 29 and 33 of Schedule 6.

⁴¹ Section 4.

notices of requirement (**NOR**) in Clause 33,⁴² and that clause 32(3) of Schedule 6 specifically excludes reference to s104E of the RMA i.e. so effects on climate change can be considered.

Approach taken in Application Documents

108. The assessment of effects is contained in Volume 2 of the Application which consists of Parts A – G. KRL have included project specific details about the Drury Central and Paerata stations in Parts E and F of the AEE respectively which contains a summary of the existing environment and provides a summary of the environmental effects at Chapters 10 and 17 respectively. Both Chapters follow a similar format and address effects arising from: traffic/transport; economics; social; landscape and natural character and visual; historic heritage; cultural; ecology; arboriculture; storm water; hydrogeology; contaminated land; noise and vibration; network utilities.
109. KRL then summarised the effects and the proposed mitigation in Chapters 11 and 18 by way of Tables 11–1 and 18–1. The Panel found this format very helpful.
110. Parts E and F also directed the Panel to Volume 4 of the Application Documents which contained the detailed reports on each of the topics discussed above.
111. Parts E and F also drew on the matters raised in Parts A – D of the AEE.
112. Volume 2 also contained Appendices A– I as follows:
 - a) Assessment of alternatives;
 - b) Relevant statutory sections;
 - c) Proposed conditions;
 - d) Permitted activities table;
 - e) Ngāti Tamoho CIA;
 - f) Ngaati Whanaunga CIA;
 - g) Ngaati Te Ata Waiohua CIA;
 - h) Adjacent properties; and
 - i) The Referral Order.

⁴² Clauses 33(2)(b) and (c) of Schedule 6 respectively.

113. The Panel has considered all these matters.

Approach of the Panel

114. The Panel will discuss each of the topics discussed in the AEE but will comment on each station together and refer to comments from stakeholders and conditions where appropriate.

Traffic and transport

115. The Panel accepts that both stations will have significant positive operational transport effects in providing a safe, reliable public transport network that supports growth, enables sustainable travel choice, combats safety concern from motor vehicle traffic and significantly improves access to employment and social amenities that would not be achieved if the Project did not proceed.

116. The Panel observes that there will be temporary effects on the road network during construction periods, but they are expected to be minimal and temporary. The Panel accepts that they can be adequately controlled through the proposed Construction Traffic Management Plan (**CTMP**) which is a condition to each of the four NoRs.

Economics

117. KRL has identified how the Project will assist the economic recovery (through economic benefits with travel time savings both in the short and long term, for tourism, hospitality and the retail sector), and has separately assessed the likely job creation benefits. The Panel accepts these assessments and accepts the overall conclusion that the Project will have a net positive effect.

Social

118. KRL has identified several positive social effects arising from:

- a) Increased connectivity of the region particularly beneficial for vulnerable groups who do not or cannot use car travel; and
- b) Provision of reliable alternative transport options.

119. These positive effects are also recorded in the Part 2 analysis⁴³.

120. These are temporarily offset to a limited extent from construction effects. As a result, KRL have proposed a Construction and Environmental Management Plan (**CEMP**) that has as a broad objective to:

⁴³ Chapter 20.1.1 and 20.2.3 – 20.2.6.

... avoid remedy or mitigate any adverse effects associated with Construction Works as far as practicable.

- 121. The CEMP then lists several criteria it shall include, but the CEMP is not limited to those criteria.
- 122. The Panel accepts the social effects will be largely positive and any adverse effects will be temporary and that over time, as urbanisation intensifies around the Project area, the positive operational benefits will increase.

Landscape, natural character and visual

- 123. The full assessment of these issues is contained in Volume 4. What stands out for the Panel is that while there will be temporary adverse effects during construction, the stations will be integrated into the planned future urban environment which enables a sound opportunity for an excellent landscape result. The Panel has no reason to believe this will not be achieved, and that KRL has identified adequate measures to avoid remedy or mitigate the effects of construction.
- 124. The Panel also accepts that the Project sites do not currently have sensitive or high landscape values given the substantial modification already occurring.
- 125. The Panel accepts that overall, there will be net positive landscape effects.

Urban design

- 126. The Panel recognises that this critically important issue spans both visual and urban design issues and that it will interface with the requirements from the Plan Changes once they are finalised.
- 127. KRL have proposed that an Urban Landscape and Design Management Plan (**ULDMP**) be prepared before the start of construction (after the enabling works).
- 128. Several parties raised concerns about urban design in their responses to the invitations to comment. As a result, the Panel recommended significant changes to the ULDMP in the draft conditions sent to KRL for comment which have been accepted.
- 129. The Panel's suggested changes were then overtaken by further changes proposed during caucusing. Given the parties were involved and their better and more direct knowledge of the issues, the Panel was interested to review the outcomes. The Panel considers the mediated process that was undertaken by the parties resulted in a

different, and probably better, outcome than proposed by the Panel. It has been adopted.

130. Accordingly, the Panel is satisfied that the Project is a critical component of the future urban development at Drury Central and Paerata and will contribute to a quality urban environment and that adverse visual and other⁴⁴ effects can be adequately managed.

Historic heritage

131. There was one recorded historic heritage site at the Drury railyards (but not considered to be an archaeological site) and there are no identified significant historic heritage sites at the Paerata site.
132. Heritage New Zealand Pouhere Taonga requested (in its response to the invitation to comment) updates to the conditions which were accepted by KRL and incorporated into the final conditions.

Cultural

133. There have been cultural impact assessments prepared for each site and reviewed with interest and carefully by the Panel. The Panel is satisfied that KRL has worked closely with Mana Whenua and taken their values and concerns into consideration including on ecological values, water quality and cultural heritage. The Panel accepts that overall, the indicative design of the Project responds positively to the matters raised by Mana Whenua and is consistent with the values they identified during the project design and engagement process.

Ecology

134. The Panel considers the effects on terrestrial and freshwater ecology have been competently investigated and assessed. In both Project areas the existing ecological state is generally regarded as low. The nature of the effects from the works will range from very low to high and there will be a range of permanent effects across both Project areas, which after mitigation will be between negligible and moderate.
135. That said, KRL aims for a no net loss or a net gain in biodiversity in both areas. For example, while Wetland 1 in the Paerata Project area will be permanently lost, a net biodiversity gain is proposed from compensation. The theme from KRL is that the Project will ultimately result in better biodiversity, and therefore ecological outcomes than what presently exists. KRL point to the Structure Plan for example which it says already recognises the potential to reverse historical

⁴⁴ For example safe environments, adequate station legibility, architectural treatment etc

impacts caused by land conversion to agriculture mainly through ongoing stream enhancement through riparian planting, and that the project design is aligned with that approach.

136. The effects on aquatic ecology are summarised in Tables 10–3 and 17–3 for Drury Central and Paerata respectively, and for terrestrial ecology in tables 10–4 and 17–4 respectively. The more fulsome ecological assessment is contained in Volume 4 *Assessment of Effects on Ecology*. The Panel sounds a note of caution that in some cases it found the fulsome Volume 4 report a little “over summarised” in the Volume 2 assessment of effects.
137. While the Panel generally accepts the conclusions about effects in the Volume 2 assessment (supported by the Volume 4 report), it recognises that achieving them is entirely dependent on the various management plans being prepared, critiqued and implemented. The conditions require:
- a) For Drury Central– a Stream Enhancement and Management Plan, a Native Fish Capture and Relocation Plan and a specific condition relating to native fish passage; and
 - b) For Paerata – a Wetland Restoration and Enhancement Plan (**WREP**) (and an associated implementation condition) and a Native Fish Capture and Relocation Plan.
138. There is also an Advice Note⁴⁵ to the effect that a permit may be required under the Wildlife Act 1953 to address issues arising for bats, birds and lizards. The Panel accepts that KRL is already bound by the statutory permit requirements under the Wildlife Act, and considers that requirement will provide an adequate response to terrestrial ecology effects in relation to birds and bats, but in respect of lizards, KRL’s Ecological Assessment itself states that:
- A Lizard Management Plan is required and should form a consent condition.⁴⁶
139. In both sets of conditions there is a Management Plan Certification Process condition with a requirement that the management plans are to be prepared by a suitably qualified and experienced person.
140. The Council ecologist recorded serious concerns with KRL’s ecological response and suggested further information was required from KRL. The Council ecologist also proposed additional ecological conditions to ensure the issues raised (which were the subject of a further

⁴⁵ See Advice Note to condition 8 and 7 respectively.

⁴⁶ Chapter 3.7.2 and 4.8.3. Note fish also have separate management plan requirements.

information request) could be assessed by the Council as part of its ongoing management of ecological issues. These relate to a range of matters including fish passage, birds and bats, propose a lizard mitigation programme, and ecological management plan and suggest a reporting programme to the Council.⁴⁷

- 141. KRL accepted those conditions as appropriate and the Panel agrees. It will allow KRL to discern a legitimate pathway for the ecological effects to be adequately managed.
- 142. The one final ecological issue relates to the permanent loss of Wetland 1 within the Paerata Project area. Although a bit clumsy, structurally, the Panel discusses this issue in depth at Part F of this decision dealing with national policy statement considerations. Suffice to say at this stage, that the Panel concludes that issue can be resolved adequately as well.

Arboriculture

- 143. The AEE and Arboricultural Assessment stated that there were three protected willow trees which required consent to be removed. In response to the Panel's request for further information KRL confirmed that these trees were outside the proposed designation boundary and no works are planned which would require their removal.
- 144. The Panel accepts that the proposed removal of pests and the landscaping and ecological planting in both Project areas will provide a positive effect.

Stormwater

- 145. The Panel accepts that the provisional Environment and Sediment Control Plan (ESCP) for both stations will provide for the effective prevention of erosion and control of sediment run off from land disturbance activities during construction.
- 146. The Panel also accepts that stormwater effects associated with the operation of the Project can be adequately managed.

Hydrogeology and Contaminated Land

- 147. These two issues have been discussed together as the effects are considered to be negligible and/or capable of management through management plans.
- 148. In relation to hydrogeology the Panel accepts that changes in

⁴⁷ See Appendix 1 Part B to Council's response to invitation to comment.

groundwater levels are likely to be low and unlikely to be detectable beyond 290m and 440m respectively from the Drury Central and Paerata sites. The Panel also accepts that the potential for bore interference is likely to be low at both sites.

149. In relation to contaminated land the Panel accepts the assessment provided in the AEE and considers the conditions now in place will address any issues arising.

Noise and vibration

150. The conditions have adopted the noise and vibration levels from the AUP. KRL accepts that during construction there will be exceedances of these levels for both commercial and residential receivers (the most impacted being those within 10m of the designation boundary). There is therefore considerable importance placed on the Construction Noise and Vibration Management Plan (**CNVMP**) required by the conditions. In the usual way the CNVMP is designed to achieve the best practicable option for the management of construction noise and vibration effects to achieve the limits in the conditions.
151. KRL has also recognised that site specific CNVMP's may be required to be prepared in consultation with owners when certain criteria are met.
152. The construction noise and vibration effects window is approximately 18 months and within that window the exceedances that require mitigation are expected to be intermittent. Testing and analysis shows that the exceedances can be controlled to meet the limits in the conditions and such controls will be part of the CNVMP.
153. The operational effects are also expected to meet the limits required for new urban development without specific mitigation, but KRL accepts that the predicted effects are based on indicative information and so details are to be finalised at the time of detailed design.
154. The Panel of course has concerns about the efficacy of the CNVMP to control the construction noise and vibration effects and to ensure the detailed design controls the operational noise and vibration effects.
155. However, it is not unusual for such effects to be controlled by management plans and/or to be revisited at detailed design stage. The Panel also notes the requirement in the conditions for site specific CNVMPs as required.

156. The Panel accepts there are sufficient controls on noise and vibration effects in the conditions to ensure they are acceptable.

Network utilities

157. The potential adverse effect on network utilities will be appropriately managed through consultation with network utility operators and the Panel accepts they are appropriately assessed as less than minor.

Climate Change

158. The Application Documents make passing reference to climate change issues by assisting with net reduction in greenhouse gas emissions (reduction in vehicle volumes),⁴⁸ and ensuring the platforms will remain above floodwaters.

159. The Panel accepts these effects have been taken into account.

Summary of Effects

160. There are obvious benefits from the Project including in particular the long-term social and short-term economic effects that directly support the s4 purpose of the Covid Act. It will provide a focal point for other development in the environment to anchor development aspiration to, and to demonstrate that intended residents can be certain of a vital transport link along that southern route to various destinations. The Panel considers many tangible and intangible benefits that will follow as a result.
161. Against those benefits, there are the difficulties in being able to determine precisely all the effects of the future build out against a future environment. This was a primary concern for the Panel to begin with.
162. The iterative process that then followed through engagement with KRL and other stakeholders was designed to address those concerns, and it has done.
163. There has been some “shifting” of assessment of effects to a later stage, particularly in relation to later stages of the Project. However, the Panel considers that the model for such assessment produced in the conditions provides for a real time assessment of effects against the environment that exists now (for the initial stage) and the environment which is to be created via the various Plan Changes. The Panel considers the necessary safeguards for such approach are in place to allow the Project to ensure effects are properly avoided,

⁴⁸ Chapter 20.1.1(a).

remedied or mitigated when such assessments occur.

Planning Documents

164. The Panel agrees that KRL has identified the relevant planning documents as required by clauses 9(1)(h) and 13(1)(d) of Schedule 6 of the Covid Act for consideration.⁴⁹ Unless expressly stated otherwise, the Panel adopts the KRL assessment of those documents.⁵⁰ As one would expect, there is considerable overlap and intersection between the relevant provisions.

165. KRL also provided an assessment of alternatives for both stations including setting out the methodology it used to undertake that assessment.⁵¹ The Panel accepts this analysis as sound recognising it is not for the Panel to choose which is the best alternative, just that an objectively sustainable assessment of such has been undertaken.

PART F: NATIONAL POLICY CONSIDERATIONS

166. In the light of the above assessment, the Panel now considers whether the Project, with or without conditions, would be inconsistent with any NPS, particularly the NESFW/NPSFW, or the principles of the Treaty of Waitangi or Treaty Settlements.

National Policy Statements

167. There are 3 national policy considerations to consider.

National Environmental Standard and National Policy Statement for Freshwater

168. The National Environmental Standard for Freshwater (**NESF**) and the National Policy Statement for Freshwater (**NPSF**) are considered together because of the interactions between them.

169. The NPSF came into effect of 3 September 2020. The Objective of the NPSF is:

To ensure that natural and physical resources are managed in a way that prioritises:

- a) First, the health and well-being of water bodies and fresh water ecosystems;
- b) Second, the health needs of people (such as drinking water);

⁴⁹ Chapter 20.4.1 and Table 20-11.

⁵⁰ Chapter 24 – 4 – 20.6 and Table 20-13.

⁵¹ See Volume 2 Appendix A.

and

- c) Third, the ability of people in communities to provide for their social, economic, and cultural well-being, now and in the future.

170. KRL has relied on the stations being *specified infrastructure*.⁵² The definition for specified infrastructure is contained in the NPSF and, as relevant to this application, includes:⁵³

...infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Act 2002).

171. The Civil Defence Emergency Act 2002 definition of a *lifeline utility* refers to a list in Part B of Schedule 1 to that Act, which includes:⁵⁴

An entity that provides a rail network service.

172. Accordingly, KRL is a lifeline utility, and the stations qualify as specified infrastructure.

173. Therefore, under regulation 45(2) of the NESF:

Earthworks or land disturbance within, or within 10m setback from, a natural wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.

174. In this case the earthworks within the 241m² natural wetland extent in question (defined in the Application Documents as “Wetland 1” within the Paerata Project area) consist of fill embankment associated with the proposed new stormwater treatment wetland to the south-east and a maintenance access to that new wetland. There will also be further cut and fill earthworks within 10m, a small extent of the stormwater treatment wetland, a spillway and stormwater pipes.⁵⁵

175. The magnitude of the effect is regarded to be high due to permanent loss of habitat, and the level of effect without mitigation is also regarded to be high.⁵⁶ Even with mitigation, the effects are regarded to be moderate.⁵⁷

176. The NPSF contains an effects management hierarchy that will eventually apply in situations like this. Clause 3.22(3) NPSF requires that every regional council must make or change its regional plan to

⁵² That way earthworks within a wetland are a discretionary activity under regulation 45 NESF.

⁵³ NPSFW clause 3.21(1).

⁵⁴ Section 8.

⁵⁵ KRL response to request for further information dated 25 November 2021

⁵⁶ Table 4-21

⁵⁷ Chapter 4.7.1

ensure that any application referred to in clause 3.22(2) (this Project would be included) is not granted unless:

- (a) the council is satisfied that the applicant has demonstrated how each step of the effects management hierarchy will be applied to any loss of extent or values of the wetland (including cumulative effects and loss of potential value), particularly (without limitation) in relation to the values of: ecosystem health, indigenous biodiversity, hydrological functioning, Māori freshwater values, and amenity value; and
- (b) any consent is granted subject to:
 - (i) conditions that apply the effects management hierarchy; and
 - (ii) a condition requiring monitoring of the wetland at a scale commensurate with the risk of the loss of extent or values of the wetland.

177. The AUP has not been amended yet in accordance with clause 3.22 NPSF.

178. KRL has identified the moderate effects, even after mitigation arise from the permanent loss of habitat – therefore a subset of adverse effects on biodiversity. The Panel regards this as a very serious issue.

179. KRL recognises that offset/compensation is required. KRL say that:⁵⁸

A biodiversity offset is a “measurable outcome” that meets certain principles and balances adverse residual effects, to a demonstrable No Net Loss (NNL) or preferably Net Gain (NG) standard (Maseyk et al 2018; Barber et al 2021).

180. KRL refer to the biodiversity offsetting principles in Appendix 8 of the AUP and Appendix 3 of the draft National Policy Statement for Indigenous Biodiversity and recognise both require a NNL or NG outcome.

181. However, KRL’s proposal is to achieve a NNL or a NG outcome within 10 years through compensation, not offsetting, mainly through wetland planting. It is worth setting out in full what KRL say:

For this project, the proposed wetland habitat restoration and enhancement measures are all defined as forms of compensation. The proposed measures do not meet the definition of offsetting, because the loss of degraded exotic habitat will be compensated for using native wetland plants and native wetland margin buffer plantings. The proposed measures do not include the re-creation of an exotic dominated wetland with similar ecological characteristics and function. Rather it is proposed to exchange the permanent loss

⁵⁸ Chapter 4.7.1.1

of a small exotic wetland with the restoration and enhancement of indigenous biodiversity values in a large, degraded wetland. Importantly, this approach is expected to generate better outcomes for wetland biodiversity than a strict offset approach.

Although biodiversity compensation does not involve the same numerical rigour as offsetting, it is generally recognised that ecological outcomes are improved where offset principles are applied as a guideline when designing compensation packages. The type and magnitude of proposed compensation measures for this project will be guided by the application of a Qualitative Biodiversity Model (QBM) (Baber et al., 2021; Tonkin & Taylor 2021). These models provide additional objective transparency, process and justification for the overall compensation package (Baber et al. 2021). In summary, QBMs:

- Use accounting formulas to estimate whether NNL or NG is likely to be achieved;
- Are informed by field investigations at the impact site(s) and by expected gains at the proposed 'compensation' site(s), using science-based qualitative data where quantifiable data is not available or lacks precision;
- Incorporate the use of a discount rate to account for the time lag between impact associated with project activities and the gain at the proposed compensation site; and
- Adjust for the likelihood of success regarding the proposed compensation actions and account for the risk of under-estimating losses at the impact site or over-estimating gains at enhancement sites (**footnotes omitted**).

182. KRL then set out the proposed compensation (wetland planting) at Chapter 4.7.2 and considers that the Wetland Restoration and Enhancement Plan (WREP)⁵⁹ will ensure the moderate effects on freshwater wetland will be adequately addressed.

183. KRL have annexed as Appendix 10 to the Ecological Assessment of Effects for both stations a report from Alliance Ecology that contains a Wetland Qualitative Biodiversity Model. The conclusion of the Alliance report is that the WREP will achieve a biodiversity NG of 32.91%.⁶⁰

184. The Panel therefore accepts that the works in relation to Wetland 1 are properly considered to be for a discretionary activity and that while the effects management hierarchy referred to in the NPSF is not strictly adhered to as such, that the compensation offered by KRL will result in

⁵⁹ Conditions 4 and 5 of the Paerata Station proposed resource consent conditions

⁶⁰ That Panel is not clear if this gain is after 5, 10 or 15 years i.e. see 2nd paragraph of page 6 of the Alliance Report.

a net gain for biodiversity and that the application is consistent with both the NESF and the NPSF.

National Policy Statement for Urban Development 2020

185. The National Policy for Urban Development (**NPSUD**) came into effect on 20 August 2020.
186. The NPSUD broadly requires planned growth resulting in a well-functioning urban environment that will enable all people and communities to provide for their social, economic and cultural wellbeing and for their health and safety now and into the future.⁶¹
187. The NPSUD seeks to achieve this through local authorities and infrastructure providers in particular (like KRL) working in a collaborative planning manner⁶² and that specific attention is paid to the Treaty of Waitangi.⁶³
188. Objective 8 of the NPSUD also directs that New Zealand's urban environments should be resilient to the effects of climate change.
189. There has been no suggestion from any of the parties invited to comment that the Project is inconsistent with the NPSUD.
190. The Panel considers that both stations are critical components of the emerging and future urban environments at Paerata and Drury Central and that they are consistent with and/or support the relevant objectives and policies of the NPSUD, particularly objectives 1, 2, 3, 4, 5, 6, 8 and policies 1, 2, 3, 5, 6 and 9. The Panel considers the Project is not inconsistent with the NPSUD.

New Zealand Coastal Policy Statement

191. The purpose of the New Zealand Coastal Policy Statement (**NZCPS**) is to:⁶⁴

... state policies in order to achieve the purpose of the Act [RMA] in relation to the coastal environment of New Zealand.

192. The Panel agrees with KRL that the NZCPS is not relevant.

Treaty of Waitangi

193. Section 6 of the Act expressly provides that in achieving the purpose of the Act:

⁶¹ See NPSUD Objective 1.

⁶² See Policy 1 and Policy 10 MPSUD.

⁶³ See Objective 5 and Policy 9 MPSUD.

⁶⁴ Preamble to NZCPS.

All persons performing functions and exercising powers under it must act in a manner that is consistent with –

- a) The principles of the Treaty of Waitangi; and
- b) Treaty settlements.

194. The Panel notes that these obligations are imposed on the Panel itself, as opposed to KRL as the applicant. However, the Panel has taken the time to set out above, the procedures followed by KRL to develop the Project in partnership with Mana Whenua to reflect the Crown–Māori partnership formalised by the Treaty of Waitangi and achieve adherence to its principles.

195. In respect of Treaty settlements, the Panel has considered whether:

- a) There are any relevant statutory acknowledgements; and whether
- b) The Project involves a temporary occupation of cultural land.

And in its decision, the Panel has had regard⁶⁵ to the Ngāti Tamaoho Statutory Acknowledgement over the Hingaia (for Drury Central) and Whangapouri (for Paerata) Streams. The Project does not involve a temporary occupation of cultural land and so this aspect is not considered further.

196. There has been no suggestion either from Mana Whenua that the Project is (to use the words of the Covid Act) inconsistent with the principles of the Treaty or any Treaty settlements.

197. The Panel also notes that the Covid Act requires the Panel to have regard to any resource management matters and any applicable planning document prepared by a customary marine title group under the Marine and Coastal Area (Takutai Moana) Act 2011. The Panel has considered this and there are not.

198. For these reasons, the Panel finds that the Project is not inconsistent with the principles of the Treaty of Waitangi or with Treaty settlements.

Conclusion on national policy statements and Part of the RMA

199. KRL assessed Part 2 of the RMA in Part G of the AEE and Section 20.1 in particular. The Panel are satisfied that this assessment adequately addresses Part 2 matters as they are relevant to the Project. In particular we find that the Project will promote the sustainable management of natural and physical resources as contemplated by section 5 and recognises and provides for the relevant matters of

⁶⁵ Paragraphs [86] and [95] of this decision

national importance.

200. For these reasons the Panel finds that the granting the Applications, with conditions, would not be inconsistent with any relevant NPS or s6 of the Act.

PART G: CONDITIONS

201. KRL included a set of conditions in the Application Documents.

202. As above, a feature of the conditions proposed by KRL was a heavy reliance on management plans and has proposed a condition accepted by the Panel requiring a certification process for all such plans.

203. The Panel notes that such an approach has been used by Waka Kotahi in the Te Ahu a Tauranga – Manawatu – Tararua Highway and, subject to the further observations below, the Panel considers such an approach is appropriate here.

204. However, in this case KRL did not provide any draft management plans – these are timetabled for production in the conditions. While that approach is also accepted, it meant the Panel had to ensure that the matters to be addressed by the management plans would in fact address all the potential effects identified.

205. In respect of the management plans the key tenets of a “fit for purpose” management plan condition are:

- a) A requirement to prepare it by a suitably qualified person;
- b) A clear objective, a stated scope and performance management requirements;
- c) Specification of a process for council certification;
- d) Specification of process for amending a certified plan; and
- e) A requirement to comply with the management plan once certified.

206. As discussed above, the final conditions have been altered by the Panel to reflect these matters. The Panel has also been careful in relation to:

- a) Cross referencing between conditions;
- b) Reviewing responses to proposed changes to conditions;
- c) Including a s 128 review condition for those consents related to the operational aspects of the Project; and

- d) Providing more specificity about monitoring and reporting and identification of what information has been filed since the Application Documents were submitted.
207. As above, the Panel carefully considered the more substantive matters raised by the Stakeholders and some suggestions from the Stakeholders have been incorporated into the final conditions. The Panel has not included conditions or amendments that would: extend the level of compensation beyond that proffered by KRL; provide a reservation of discretion; or duplicate provisions that have already been addressed by the Stakeholders or indeed us. In addition, the Panel considered that suggested amendments that had the potential to substantially prolong the construction period for the Project would not align with the purpose of the Act.

Summary of conditions

208. Based on the above analysis, the Panel is of the view that final set of conditions adopted by them and included in Appendix 1 are practical and feasible.

PART H: FINAL DECISION

209. The Panel approves the applications for resource consent described in Appendix 1 and approves the notices of requirement described in Appendix 1, both subject to the conditions expressed in that Appendix. The conditions are also set out in Appendix 1 to this Decision.
210. As required by Clause 38 of Schedule 6, the Panel refers to Clause 45 of Schedule 6 which provides a 15-day period for appeal after the persons entitled to appeal (as listed in Clause 44 of Schedule 6) are notified of this Decision.

DATED 3 February 2022



Alan Webb
(Chair)



Steven Wilson
(Member)



Les Simmons
(Member)

APPENDIX 1 – CONDITIONS

Drury Central Station – Designation Conditions (NoR DC-S)

Definitions

The tables below defines the acronyms and terms used in the conditions.

Term	Definition
Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991.
Certification	Certification shall be achieved by confirmation from the Council that the plan has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) Fifteen (15) working days from the submission of the material change to the management plan where no written confirmation of certification has been received.
Completion of Construction	When construction of the Project is complete and it is available for use.
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council.
Enabling Works	Includes, but is not limited to, the following and similar activities: • geotechnical investigations (including trial embankments) • archaeological site investigations • formation of access for geotechnical investigations • establishment of site yards, site entrances and fencing • constructing and sealing site access roads • demolition or removal of buildings and structures • relocation of services • ecological surveys • vegetation removal ancillary to Enabling Works • establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.

Project	For NOR DC-S means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1. For NOR DC-I means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1. Reference to "Project" in the conditions means each or either of the Projects as the case may be.
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Stage of Work	Any physical works that require the development of an Outline Plan.
Stage One works	Means the physical works to construct the Project in its Stage One configuration, which includes but is not limited to station platforms, transport interchange facilities, and accessways.
Stakeholder	Means the following: • Kiwi Property Holdings No. 2 Limited; • Oyster Capital Limited; • Fulton Hogan Land Development Limited; • Watercare Services Limited; • Counties Power; • Minister of Housing; and The owners and occupiers of: • The land on which the Project is to be undertaken; and • The Surrounding Land (as defined below).
stakeholder	Means a relevant affected party to be consulted on a construction specific management plan.
Surrounding Land	Means the properties listed and identified in Schedule 2.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified and Experienced Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.
Urban Design Evaluation and Framework	Means the ' <i>Drury Central and Paerata Stations Urban Design Evaluation and Framework (UDEP)</i> ', version 1.0, dated September 2021, prepared by Te Tupu Ngātahi Supporting Growth.
Any reference to number of days	Has the same meaning as Working Days under section 2 of the Resource Management Act 1991.

Acronyms

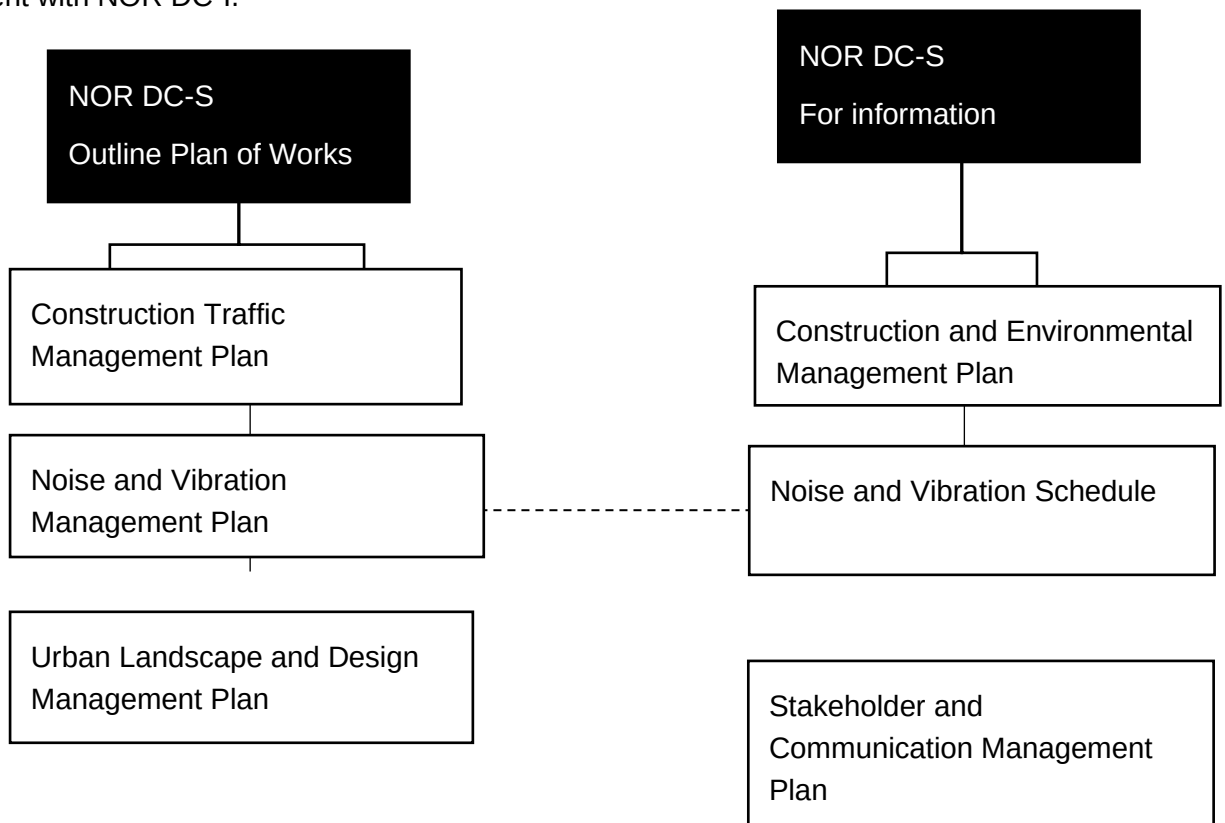
Acronym	Description
AUP:OP	Auckland Unitary Plan: Operative in Part
BPO	Best Practicable Option
CEMP	Construction and Environmental Management Plan
CMP	Cultural Monitoring Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTED	Crime Prevention through Environmental Design
CTMP	Construction Traffic Management Plan
MEF	Mana Whenua Engagement Forum
NOR	Notice of Requirement
NOR DC-S	Notice of Requirement - Drury Central Station
NOR DC-I	Notice of Requirement – Drury Central Interchange
RMA	Resource Management Act 1991 and its subsequent amendments
ULDMP	Urban Landscape and Design Management Plan
SCMP	Stakeholder and Communication Management Plan
SID	Safety in Design
SQEP	Suitably Qualified and Experienced Person

Drury Central Station

Ref	Notice of Requirement Purpose
NOR DC-S:	The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.

Summary of Plans identified in Conditions

Management plans and documentation required by these conditions for NOR DC-S may be prepared as a joint document with NOR DC-I.



Drury Central Station: NoR conditions

Ref	Condition
General Conditions	
1	Activity in general accordance with plans and information Except as modified by the conditions below, and subject to final design and Outline Plan(s), works shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.
2	Designation Review As soon as practicable following Completion of Construction the Requiring Authority shall: (a) review the extent of the designation to identify any areas of designated land that it no longer requires for the long-term development, operation, maintenance or mitigation of effects of the Project; and (b) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
3	Designation Lapse In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, this designation will lapse if not given effect to within two years from the date on which it is included in the Auckland Unitary Plan. Advice Note – <i>For the avoidance of doubt the designation will be given effect to at the implementation of Stage 1.</i>
Outline Plan of Works	
4	(a) An Outline Plan for the Project shall be prepared and submitted to the Council in accordance with these conditions. (b) An Outline Plan shall include any relevant management plan for the particular design, construction, or operational matters being addressed in the Outline Plan. (c) An Outline Plan shall be prepared in consultation with Stakeholders, where the works involve any of the matters identified in condition 12(a). (d) Where an Outline Plan is required to be prepared under condition 4(c), the following consultation process is required to be followed: (i) Four months prior to any Construction Works being undertaken, a Draft Outline Plan prepared by the Requiring Authority shall be submitted to the Stakeholders for comment; (ii) The Stakeholders will have three weeks from the date of receipt of the Draft Outline Plan to send comments on the Draft Outline Plan to the Requiring Authority; and (iii) The Requiring Authority shall consider the comments to the Draft Outline Plan, record whether it accepts the comments or not, and if not provide reasons why when it submits the Outline Plan to Council.

Ref	Condition
5	Management Plans (a) Any management plan shall be: (i) prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 6-17); (ii) prepared by a Suitably Qualified and Experienced Person(s); and (iii) submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCMPs, CEMPs and CNVMP Schedules. (b) Any management plan shall summarise comments received from Mana Whenua and other Stakeholders, along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why; (c) Any management plan developed in accordance with Condition 5 may: (i) Be prepared and submitted as a joint document for both Projects. (ii) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (iii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects and submitted to the Council for information without further process. (iv) If there is a material change required to a management plan which has been submitted with an Outline Plan in accordance with Condition 5, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; (d) Any material changes to the SCMPs or CEMPs are to be submitted to the Council for information as soon as practicable following identification for the need for any material changes. (e) The Projects shall be undertaken in accordance with the most recent version of the management plans required in Conditions 6-17.

Ref	Condition
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Construction and Environmental Management Plan (CEMP)	
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| 6 | <p>(a) A CEMP shall be prepared prior to the Start of Construction.</p> <p>(b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve this objective the CEMP shall include:</p> <ul style="list-style-type: none">(i) the roles and responsibilities of staff and contractors;(ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address);(iii) the Construction Works programmes and the staging approach, and the proposed hours of work;(iv) drawings of the proposed site layouts (including construction yards, temporary buildings and construction vehicle parking),(v) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places;(vi) methods for providing for the health and safety of the general public;(vii) procedures for incident management;(viii) methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances;(ix) procedures for responding to complaints about Construction Works;(x) details of any environmental awareness training procedures for staff as relevant;(xi) methods for amending and updating the CEMP as required;(xii) identification of cultural monitoring activities as set out in the Cultural Monitoring Plan;(xiii) description of how the Construction Works will be undertaken in conjunction or coordination with, and will not preclude, any construction or other works to the extent known by the Requiring Authority (including watermain connections(s) to the Watercare Flanagan Road pump station) to implement the development of the surrounding existing and planned urban environment; and(xiv) any other measures to achieve the objective set out in Condition 6(b). <p>(c) Any CEMP shall be submitted to the Manager for information at least ten working days before the Start of Construction for the relevant Stage of Work.</p> |
|---|--|

Ref	Condition
Construction Traffic Management Plan (CTMP)	
7	(a) A CTMP shall be prepared prior to the Start of Construction. (b) A CTMP shall be submitted to the Manager for information at least 10 working days prior to the Start of Construction. (c) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic and transport effects. To achieve this objective, the CTMP shall include: (i) methods to manage the effects of temporary traffic management activities on traffic, with consideration of cumulative construction effects from other projects occurring in the area (as relevant); (ii) measures to manage the safety of all transport users. This may include, but shall not be limited to: a. identification of detour routes b. temporary speed limits; and c. other methods to safely manage and maintain traffic flows, pedestrians and cyclists, on existing roads (e.g. Great South Road); (iii) methods to maintain functional and operational vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be maintained; (iv) methods for recognising and providing for the on-going operation of Auckland Transport managed passenger transport services (including along Great South Road); (v) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (vi) identification of site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (vii) identification of any appropriate traffic management measures; (viii) methods that will be undertaken to communicate traffic management measures to affected road users, pedestrians and cyclists (e.g. residents/public/stakeholders/emergency services); (ix) any other measures to achieve the objective set out in Condition 8(b). Advice Note - The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits are obtained from Auckland Transport. See Auckland Transport's website www.aucklandtransport.govt.nz for more information.
Construction Noise and Vibration	
8	Construction Noise standards (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards at any occupied residential building set out in the following table as far as practicable:

Table 1: Construction noise standards

Day of week	Time period	L _{Aeq} (15min)	L _{AFmax}
Occupied activity sensitive to noise			
Weekday	0630h - 0730h	55 dB	75 dB
		70 dB	85 dB
	0730h - 1800h	65 dB	80 dB
		45 dB	75 dB
	1800h - 2000h		
	2000h - 0630h		
Saturday	0630h - 0730h	45 dB	75 dB
		70 dB	85 dB
	0730h - 1800h	45 dB	75 dB
		45 dB	75 dB
	1800h - 2000h		
	2000h - 0630h		
Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB
		55 dB	85 dB
	0730h - 1800h	45 dB	75 dB
		45 dB	75 dB
	1800h - 2000h		
	2000h - 0630h		
Other occupied buildings			
All	0730h – 1800h	70 dB	
	1800h – 0730h	75 dB	

- (b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply

Ref	Condition
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9	Construction Vibration Standards
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| 9 | <p>(a) Construction vibration shall be measured in accordance with German Standard DIN 4150-3:1999 '<i>Structural Vibration – Part 3: Effects of Vibration on Structures</i>' for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> |
|---|---|

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

- | | |
|---|--|
| 9 | <p>(b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply.</p> |
|---|--|

Ref	Condition
10	Construction Noise and Vibration Management Plan (CNVMP) (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve, or otherwise minimise any exceedances of, the construction noise and vibration standards set out in Conditions 8 and 9 as far as practicable. (c) The CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 '<i>Acoustics – Construction Noise</i>' (NZS6803:1999) and shall as a minimum, address the following: (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities will occur; (iii) The construction noise and vibration standards for the Project; (iv) Identification of receivers where noise and vibration standards apply; (v) Management and mitigation options, and identification of the Best Practicable Option; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedure for responding to monitored exceedances (viii) 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. (ix) Contact details of the Project Liaison Person or site supervisor; (x) 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; (xi) Procedures for monitoring construction noise and vibration and reporting to the Council. (xii) Identification of areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xiii) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls; (xiv) Procedures for review and update of the CNVMP; and (xv) Any other measures to achieve Condition 10(b).

Ref	Condition
11	Schedule to a CNVMP (a) A Site-Specific Construction Noise and/or Vibration Management Schedule (Schedule) shall be prepared 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 8, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: a. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 9. (b) The objective of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as: (i) activity location, start and finish dates; (ii) The nearest neighbours to the activity; (iii) a location plan; (iv) predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Clause (a); (v) The proposed Best Practicable Option mitigation for the activity/location; (vi) The proposed communications with neighbours; and (vii) Location, times and types of monitoring.
Urban Landscape and Design Management Plan (ULDMP)	
12	(a) An Urban Landscape and Design Management Plan (ULDMP) shall be prepared and submitted with the relevant Outline Plan for: (i) The design of the Stage One works; and (ii) The design of subsequent stages where they involve works materially affecting movement in and around the station and/or the interface of the station with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority). (b) The objective of the ULDMP is to set out how the Project will manage or mitigate potential adverse visual effects and contribute to a quality urban environment. (c) To achieve this objective, the ULDMP shall include an overall concept plan that shows the layout of the Project and in particular urban landscape and design elements relating to access, connectivity, and interface with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority), with particular regard to: (i) How the works in the Outline Plan will be integrated into the surrounding existing and planned-urban environment, with particular regard to:

Ref	Condition
	a. Provision for safe active mode facilities within the station and transport interchange area and safe multi-modal access between the station and the surrounding existing and planned urban environment; b. Ensuring that the new Flanagan Road alignment is constructed and operational prior to the existing alignment of this road being closed; c. The specific elements listed and alphabetically referenced at the approximate locations shown in Schedule 3 (as relevant to the specific designation); d. Active mode facilities on Waihoehoe Road between the park-and-ride access intersection and Great South Road, including over the Waihoehoe Road rail bridge and at the Great South Road intersection; and e. The Urban Design Evaluation and Framework. (ii) How the Project works will be coordinated and integrated with the planned development of Surrounding Land to the extent practicable, with particular regard to: a. The extent to which the Requiring Authority, the owners of Surrounding Land and infrastructure providers can coordinate the provision of new or upgraded infrastructure; b. The location and design of connecting roads between the Project and the surrounding existing and planned urban environment; c. The timing of works planned on Surrounding Land; and d. Any other relevant access, servicing, engineering, or other matters. (iii) how the project will enable a safe and inclusive environment. This may be achieved by use of; a. Crime Prevention through Environmental Design principles (CPTED); and b. Safety in Design principles (SID). (iv) how the project will provide for walking and cycling connectivity; (v) architectural treatment of major structures (e.g. bridges and retaining walls) with reference to the Urban Design Evaluation and Framework, (vi) accessway design, including roadside and median treatments (e.g. furniture and lighting); (vii) methods to enhance station legibility such as, arrival treatments, signage, wayfinding and interchange between transport modes; (viii) As relevant to the Stage of Work, details of; a. the reinstatement of construction and site compound areas, treatment of cut-and-fill slopes and interface of stormwater devices; and b. how the Project's permanent works will be integrated into the built environment and the landscape context; (ix) landscape treatments and planting with reference to the Urban Design Evaluation and Framework, such as: a. the intended plant species, planting locations and plant sizes at the time of planting and on maturity; b. the planting methodology and programme; and

Ref	Condition
	c. a maintenance and monitoring regime, including provision for replacement of dead or poorly performing plants. (d) Mana-Whenua shall be invited through the Mana Whenua Engagement Forum (MEF) to participate in the development of the ULDMP to provide input into the relevant cultural landscape and design matters and how desired outcomes may be reflected in the ULDMP.
Mana Whenua Engagement Forum (MEF)	
13	(a) Within three months of confirmation of the designation the Requiring Authority must establish a kaitiaki Mana Whenua Engagement Forum (MEF) (or similar) to provide for an on-going role in the design and construction of the Project and is to maintain this forum for the duration of the Construction Works. (b) The objective of the MEF is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection in the Project design and construction phases and to develop agreed measures and mechanisms to avoid, remedy or mitigate adverse effects on Mana Whenua values including opportunities for expression of cultural values through design and input into relevant management plans. (c) The frequency at which the MEF meets and the format or nature of the meetings shall be agreed between the Requiring Authority and the MEF. (d) The role of the MEF is to facilitate consultation and enable Mana Whenua to provide input into (but not limited to): (i) roles and responsibilities of Mana Whenua, including in relation to design and development of the Project; (ii) preparation of management plans; (iii) cultural monitoring activities to be undertaken; (iv) developing and participating in archaeological investigations and processes; (v) identifying opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the project area; (vi) Mana Whenua outcomes and wellbeing aspirations; and (vii) incorporating cultural narratives into the design of the Project. (e) The Requiring Authority must extend an invitation for membership on the MEF to (but not limited to) representatives of: (i) Ngāi Tai ki Tāmaki Tribal Trust; (ii) Ngāti Maru Runanga; (iii) Ngāti Tamaoho Trust; (iv) Ngaati Te Ata Waiohū; (v) Ngaati Whanaunga Inc Soc; (vi) Te Ākitai Waiohū; (vii) Te Ahiwaru Waiohū; Advice Note – If the Requiring Authority holds an existing forum for engagement with Mana Whenua that forum may continue. Should the existing forum for engagement cease, an alternative forum for engagement will need to be established.

Ref	Condition
Stakeholder and Communication Management Plan (SCMP)	
14	(a) A SCMP shall be prepared prior to the Start of Construction. (b) The objective of the SCMP is to set out how the public and stakeholders will be communicated with throughout the Construction Works. (c) The SCMP shall include the following details and measures setting out how the Requiring Authority will: (i) Provide the contact details for the Project Liaison Person which shall be prominently displayed at the main entrance(s) to the site(s); (ii) Communicate with stakeholders, infrastructure service providers, transport operators, organisations, businesses, and the public; (iii) Provide a communications framework that details the Requiring Authority's communication strategies, the accountabilities and timeframes for responding to inquiries and complaints, frequency of communications and consultation, the range of communication and consultation methods to be used, and any other relevant communication matters; (iv) Specify methods for how stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns, and complaints; (v) Inform the stakeholders and parties consulted of construction progress and future construction activities; (vi) Specify methods to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; (vii) Outline details of the inquiry and complaint management process including who is responsible for responding, how responses will be provided and the timeframes within which the responses will be provided; (viii) Maintain a complaint register which shall detail the date, nature and complainant contact details (if provided) of any complaints received regarding the construction of the Project and the Requiring Authority's response (or confirmation of no action) to each complaint; (ix) Outline any linkages and cross-references to communication methods set out in other conditions and management plans where relevant; (x) any arrangements for post-construction communications; and (xi) any other measures to achieve Condition 14(b). (d) Any SCMP prepared for a Stage of Work shall be submitted to the Manager for information ten (10) working days prior to the Start of Construction.

Ref	Condition
Building Damage Pre-Condition Survey	
15	(a) The Requiring Authority shall write to identified owners of buildings predicted to receive vibration levels exceeding Category A (Condition 9), to offer a pre-construction condition survey of such buildings. The objective of the survey is to document the building's current condition and any existing damage. The pre-condition survey shall include the following: (i) building classification (i.e. commercial, industrial, historic or other sensitive structure); (ii) building specific vibration damage risk thresholds; (iii) recordings (including photographs) of major building features, including location, type, construction type (including foundation type), age and present condition; and (iv) any damage, either aesthetic or structural. (b) For each Building identified as likely to receive vibration levels exceeding Category A, the Requiring Authority is deemed to have complied with clause (a) if (i) The Requiring Authority's specialist has visited the building and assessed the pre-construction condition of the building; or (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 three months of the date of the Requiring Authority's letter sent in accordance with clause (b) (including where the owner did not respond within that period); or (iv) The building owner cannot, after reasonable enquiry, be found prior to Start of Construction of the Project. (c) If any of clause b (i) to (iv) above apply to an identified building, the Requiring Authority is not required to implement building damage rectification to that building under Condition 16.
16	Building Damage Rectification (a) The Requiring Authority shall write to landowners of the identified buildings (subject of a pre-condition survey) to offer a post construction condition survey when construction is completed. Any damage shown to be caused by the Project construction shall be rectified by the Requiring Authority (Building Damage Rectification). (b) Once an agreement on Building Damage Rectification is reached between the Requiring Authority and the owner of a damaged building under Condition 16 (a) the mitigation shall be implemented, including any third-party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner. (c) Where Building-Damage Rectification is required, the Requiring Authority is deemed to have complied with Condition 16 if: (i) The Requiring Authority has completed Building Damage Rectification to the building; or (ii) An alternative agreement 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 Damage Rectification within three months of the date of the Requiring Authority's letter sent in accordance with Condition 16 (a) (including where the

Ref	Condition
	owner did not respond within that period following reasonable inquiries with the owner by the Requiring Authority); or (iv) The building owner cannot, after reasonable enquiry, be found post Completion of Construction of the Project.
Cultural Monitoring Plan	
17	(a) Prior to the start of Construction Works, a Cultural Monitoring Plan (CMP) shall be prepared in collaboration with Mana Whenua through the MEF. (b) The objective of the Cultural Monitoring Plan is to provide Mana Whenua the opportunity to reconnect with the whenua as kaitiaki and express tikanga and kawa responsibilities. (c) The Cultural Monitoring Plan shall include: (i) requirements for formal dedication and / or cultural oversight to be undertaken prior to start of Construction; (ii) requirements and protocols for cultural inductions for contractors and subcontractors working on the site; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol developed under Condition 18. (d) If the Requiring Authority and Mana Whenua agree, other matters can be included in the CMP. (e) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan. Advice Note - Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.
18	Accidental Discovery Protocol (a) An Accidental Discovery Protocol, for areas of the project not covered by an Archaeological Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014 shall be developed in consultation with Mana Whenua through the MEF for the Project to address accidental archaeological discoveries during the Enabling Works and Construction Works. (b) The Accidental Discovery Protocol shall be consistent with the accidental discovery rule in Chapter E11 (Land disturbance – Regional) of the Auckland Unitary Plan: Operative in Part or any subsequent version.

Ref	Condition
19	Heritage Monitoring Report (a) A Monitoring Report shall be prepared to document changes to the Railway Yards. This shall be provided to the Council for the purpose of updating its Cultural Heritage Inventory, and to HNZPT. This shall include: (i) Documentation recording changes that have occurred to the site by the project in accordance with <i>HNZPT AGS1 Guidelines for the Identification and Recording of Buildings and Structures 2018</i>. This will include areas that have been demolished, salvaged fabric and items that have been repositioned and/or repurposed and any fabric that has been retained in place; and (ii) A photographic record with supporting drawings and annotation sufficient to provide context. The Report shall be provided to Council and HNZPT within 12 months of completion of the construction works associated with the Project.

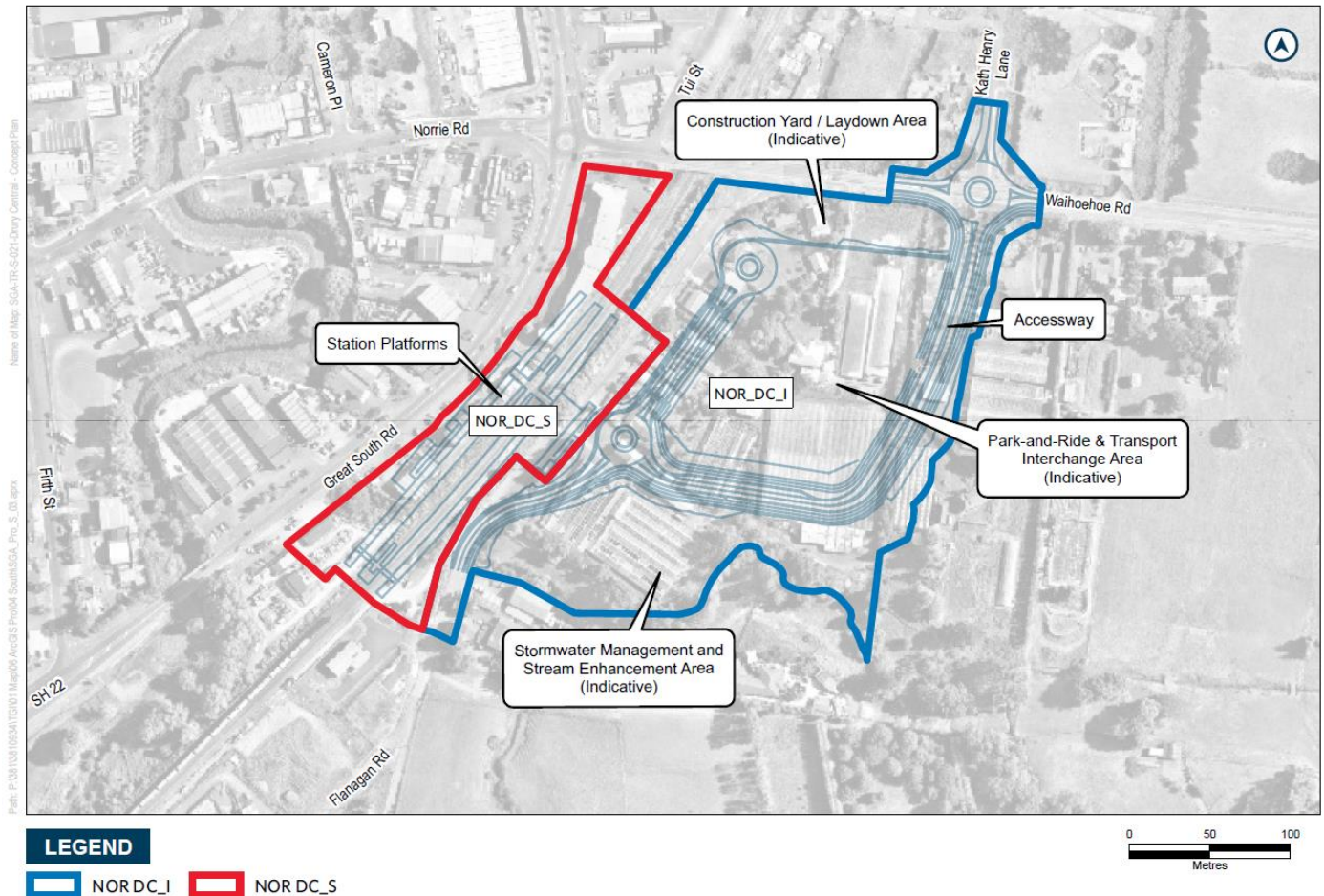
Schedule 1: General Accordance Plans

(NOR DC-S) Drury Central Station Project Description

The proposed work is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005 at Drury Central, to the south of Waihoehoe Road and north of the existing Watercare Services Limited (Watercare) pump station, located along the existing North Island Main Trunk rail line (NIMT)

The proposed works are shown in the following Concept Plan:

NOR DC-S Concept Plan



Schedule 2 – Surrounding Land

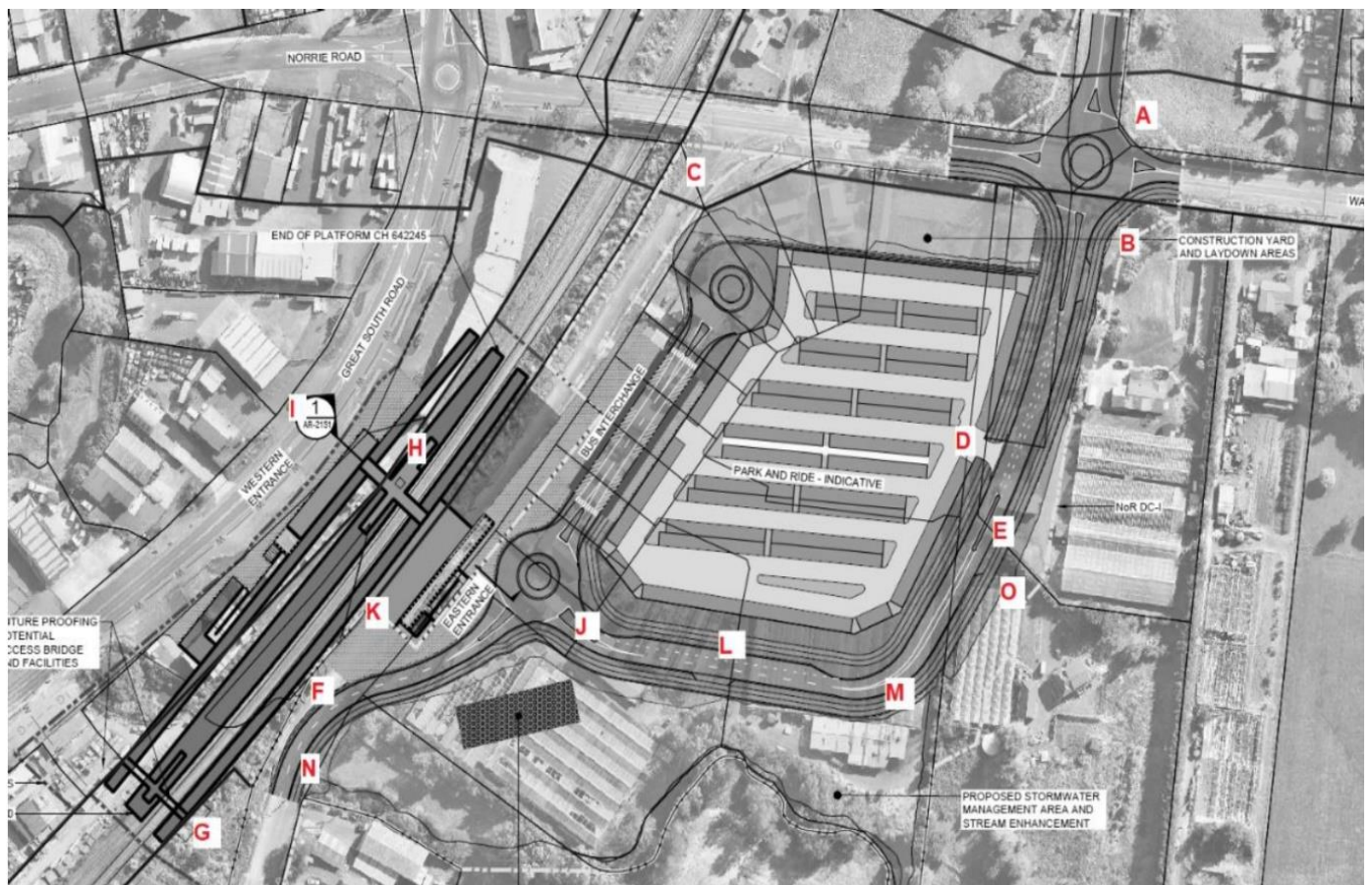
Surrounding Land means the properties listed and mapped below.

Address	Legal Description
108 Flanagan Road	Pt Lot 1 DP 62094, Lot 1 DP 80559
116 Flanagan Road	Part Lot 1 DP 620994
132 Flanagan Road	Part Allotment 33 Parish of Opaheke
120 Flanagan Road	NA99D/313 Lot 1 DP 165262, 1/6 SH Lot 10 DP 165262
68 Flanagan Road	Lot 8 DP 165262
117 Fitzgerald Road	Pt Allot 33 Parish of Opaheke NA1085/196
113 Fitzgerald Road	Lot 5 DP 165262, 1/6 SH Lot 10 DP 165262 NA99D/317
71 Waihoehoe Road	NA64D/685 Lot 1 DP 105542
81 Waihoehoe Road	NA93B/570 Lot 4 DP 156240, 1/2 SH Lot 5 DP 156240
263 Great South Road	NA129D/318
267 Great South Road	NA129D/317
271 Great South Road	NA129D/316
275 Great South Road	NA129D/315
1/257 Great South Road	NA88C/269
257 Great South Road	NA88B/843
257-261 Great South Road	NA88B/844 Lot 1 DP 148749
255 Great South Road	518014 Lot 1 DP 148749
251 Great South Road	518013 Lot 2 DP 430342
8 Norrie Road	Lot 1 DP 20398
6 Norrie Road	Lot 2 DP 20398
2 Norrie Road	Pt Allot 34 Parish of Opaheke
239-243 Great South Road	Lot 1 Deeds Reg WHAU 72, Lot 2 Deeds Reg WHAU 72, Lot 5 Deeds Reg WHAU 72
18 Waihoehoe Road	NA80A/485 Lot 10 DP 135804
15 Kath Henry Lane	NA80A/484 Lot 9 DP 135804
27 Kath Henry Lane	NA80A/483 Lot 8 DP 135804, 1/6 SH Lot 12 DP 135804
45 Kath Henry Lane	NA80A/482 Lot 7 DP 135804, 1/6 SH Lot 12 DP 135804
49 Kath Henry Lane	NA80A/481 Lot 6 DP 135804, 1/6 SH Lot 12 DP 135804, 1/2 SH Lot 13 DP 135804
50 Kath Henry Lane	NA80A/480 Lot 5 DP 135804, 1/6 SH Lot 12 DP 135804, 1/2 SH Lot 13 DP 135804
44 Kath Henry Lane	NA80A/479 Lot 4 DP 135804 and 1/6 share Lot DP 135804
34 Kath Henry Lane	NA80A/478 Lot 3 DP 135804, 1/6 SH Lot 12 DP 135804
18 Kath Henry Lane	NA91D/603 Lot 2 DP 135804
76 Waihoehoe Road	Lot 2 DP 115881NA65D/732



Schedule 3 – Specific Elements relevant to condition 12(c)(i)(c)

Map ref.	Element	Relevant NoR
A	Active mode facilities on the north side of the proposed access roundabout on Waihoehoe Road / Kath Henry Lane.	DC-I
B	Active mode crossings with raised traffic calming and active mode priority at the roundabout.	DC-I
C	Access routes from the eastern end of the rail bridge to ensure people travelling to and from the old Drury Town Centre can do so efficiently.	DC-I
D	A raised priority crossing with the walkway and cycleway recessed allowing a vehicle to wait between the crossing and the access road.	DC-I
E	Omission of the median island, should this not be required.	DC-I
F	Cycle and walking facilities on the western side of Flanagan Road.	DC-I
G	A southern entrance to the rail station adjacent to the future southern platform overbridge to enable convenient entry into the and from the Drury Metropolitan Centre including gateline facilities and a clear entrance statement as viewed from the south.	DC-S
H	A public active mode crossing over the rail line, independent of station entry gates, to integrate east-west path connectivity into the station design.	DC-S
I	An active mode signalised crossing over Great South Road adjacent to the rail station entry to enable station access from the existing Drury Industrial Estate and bus stops along Great South Road.	DC-S
J	Safe crossings on all sides of the southwestern roundabout, with active mode priority.	DC-I
K	Pedestrian entrances into the station building and an overbridge from the southwest.	DC-S
L	Drop-off spaces to be designed in a way that ensures safety for patrons, pedestrians, and cyclists.	DC-I
M	At the southeast bend of the entry road, enabling a connection southward to provide a link to the new Drury Metropolitan Centre.	DC-I
N	Cycleways are compliant with regulatory requirements for safe cycleways.	DC-I
O	Prioritisation of active mode safety on crossings.	DC-I



Drury Central Station – Designation Conditions (NoR DC-I)

Definitions

The tables below defines the acronyms and terms used in the conditions.

Term	Definition
Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991.
Certification	Certification shall be achieved by confirmation from the Council that the plan has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) fifteen (15) working days from the submission of the material change to the management plan where no written confirmation of certification has been received.
Completion of Construction	When construction of the Project is complete and it is available for use.
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council.
Enabling Works	Includes, but is not limited to, the following and similar activities: • geotechnical investigations (including trial embankments) • archaeological site investigations • formation of access for geotechnical investigations • establishment of site yards, site entrances and fencing • constructing and sealing site access roads • demolition or removal of buildings and structures • relocation of services • ecological surveys • vegetation removal ancillary to Enabling Works • establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Project	For NOR DC-S means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1.

	For NOR DC-I means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1. Reference to "Project" in the conditions means each or either of the Projects as the case may be.
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Stage of Work	Any physical works that require the development of an Outline Plan.
Stage One works	Means the physical works to construct the Project in its Stage One configuration, which includes but is not limited to station platforms, transport interchange facilities, and accessways.
Stakeholder	Means the following: • Kiwi Property Holdings No. 2 Limited; • Oyster Capital Limited; • Fulton Hogan Land Development Limited; • Watercare Services Limited; • Counties Power; • Minister of Housing; and The owners and occupiers of: • The land on which the Project is to be undertaken; and • The Surrounding Land (as defined below).
stakeholder	Means a relevant affected party to be consulted on a construction specific management plan.
Surrounding Land	Means the properties listed and identified in Schedule 2.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified and Experienced Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.
Urban Design Evaluation and Framework	Means the ' <i>Drury Central and Paerata Stations Urban Design Evaluation and Framework (UDEP)</i> ', version 1.0, dated September 2021, prepared by Te Tupu Ngātahi Supporting Growth.
Any reference to number of days	Has the same meaning as Working Days under section 2 of the Resource Management Act 1991.

Acronyms

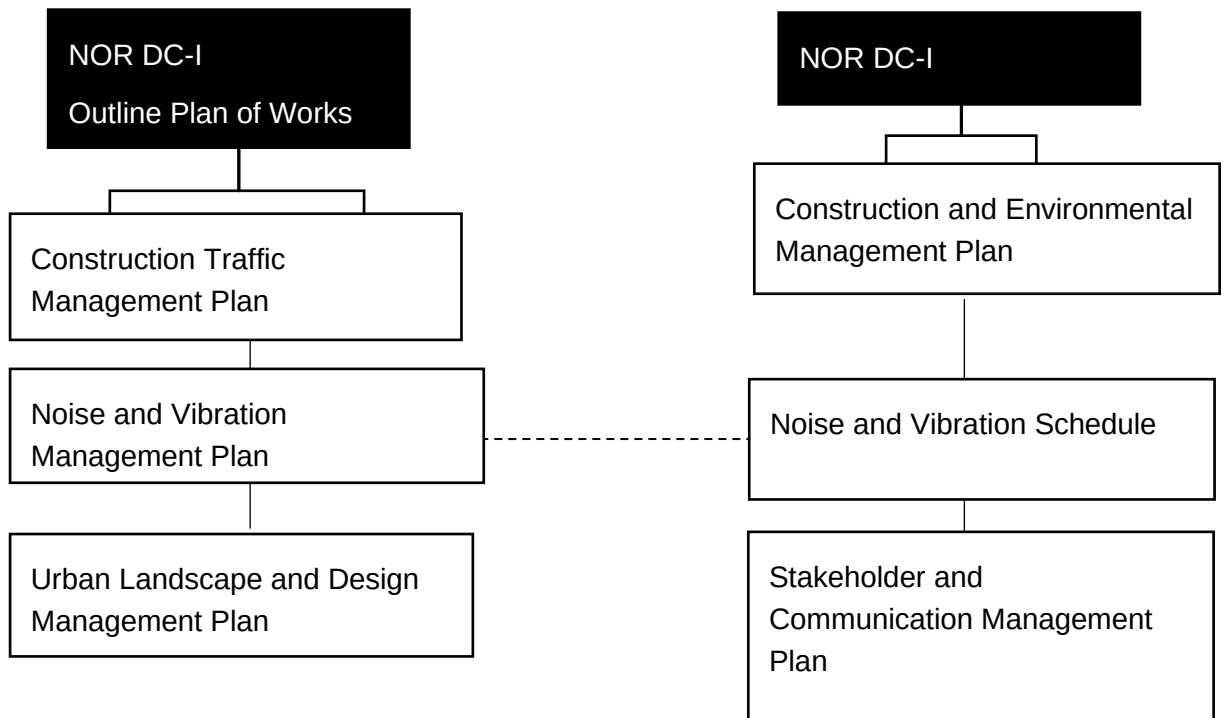
Acronym	Description
AUP:OP	Auckland Unitary Plan: Operative in Part
BPO	Best Practicable Option
CEMP	Construction and Environmental Management Plan
CMP	Cultural Monitoring Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTED	Crime Prevention through Environmental Design
CTMP	Construction Traffic Management Plan
MEF	Mana Whenua Engagement Forum
NOR	Notice of Requirement
NOR DC-S	Notice of Requirement - Drury Central Station
NOR DC-I	Notice of Requirement – Drury Central Interchange
RMA	Resource Management Act 1991 and its subsequent amendments
ULDMP	Urban Landscape and Design Management Plan
SQEP	Suitably Qualified and Experienced Person
SCMP	Stakeholder and Communication Management Plan

Drury Central Interchange

Ref	Notice of Requirement Purpose
NOR DC-I:	The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.

Summary of Plans identified in Conditions

Management plans and documentation required by these conditions for NOR DC-I may be prepared as a joint document with NOR DC-S.



Drury Central Interchange: NOR conditions

Ref	Condition
General Conditions	
1	Activity in general accordance with plans and information Except as modified by the conditions below, and subject to final design and Outline Plan(s), works shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.
2	Designation Review As soon as practicable following Completion of Construction the Requiring Authority shall: (a) review the extent of the designation to identify any areas of designated land that it no longer requires for the long-term development, operation, maintenance or mitigation of effects of the Project; and (b) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
3	Designation Lapse In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, this designation will lapse if not given effect to within two years from the date on which it is included in the Auckland Unitary Plan. Advice Note – <i>For the avoidance of doubt the designation will be given effect to at the implementation of Stage 1.</i>
Outline Plan of Works	
4	(a) An Outline Plan for the Project shall be prepared and submitted to the Council in accordance with these conditions. (b) An Outline Plan shall include any relevant management plan for the particular design, construction, or operational matters being addressed in the Outline Plan. (c) An Outline Plan shall be prepared in consultation with Stakeholders, where the works involve any of the matters identified in condition 12(a). (d) Where an Outline Plan is required to be prepared under condition 4(c), the following consultation process is required to be followed: (i) Four months prior to any Construction Works being undertaken, a Draft Outline Plan prepared by the Requiring Authority shall be submitted to the Stakeholders for comment; (ii) The Stakeholders will have three weeks from the date of receipt of the Draft Outline Plan to send comments on the Draft Outline Plan to the Requiring Authority; and (iii) The Requiring Authority shall consider the comments to the Draft Outline Plan, record whether it accepts the comments or not, and if not provide reasons why when it submits the Outline Plan to Council.

Ref	Condition
5	Management Plans (a) Any management plan shall be: (i) prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 6-17); (ii) prepared by a Suitably Qualified and Experienced Person(s); and (iii) submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCMPs, CEMPs and CNVMP Schedules. (b) Any management plan shall summarise comments received from Mana Whenua and other Stakeholders, along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why; (c) Any management plan developed in accordance with Condition 5 may: (i) Be prepared and submitted as a joint document for both Projects. (ii) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (iii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects and submitted to the Council for information without further process. (iv) If there is a material change required to a management plan which has been submitted with an Outline Plan in accordance with Condition 5, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; (d) Any material changes to the SCMPs or CEMPs are to be submitted to the Council for information as soon as practicable following identification of the need for any material changes. (e) The Projects shall be undertaken in accordance with the most recent version of the management plans required in Conditions 6-17.
Construction and Environmental Management Plan (CEMP)	
6	(a) A CEMP shall be prepared prior to the Start of Construction. (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve this objective the CEMP shall include: (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) drawings of the proposed site layouts (including construction yards, temporary buildings and construction vehicle parking),

Ref	Condition
	(v) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vi) methods for providing for the health and safety of the general public; (vii) procedures for incident management; (viii) methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances; (ix) procedures for responding to complaints about Construction Works; (x) details of any environmental awareness training procedures for staff as relevant; (xi) methods for amending and updating the CEMP as required; (xii) identification of cultural monitoring activities as set out in the Cultural Monitoring Plan; (xiii) description of how the Construction Works will be undertaken in conjunction or coordination with, and will not preclude, any construction or other works to the extent known by the Requiring Authority (including watermain connections(s) to the Watercare Flanagan Road pump station) to implement the development of the surrounding existing and planned urban environment; and (xiv) any other measures to achieve the objective set out in Condition 6(b). (c) Any CEMP shall be submitted to the Manager for information at least ten working days before the Start of Construction for the relevant Stage of Work.
Construction Traffic Management Plan (CTMP)	
7	(a) A CTMP shall be prepared prior to the Start of Construction. (b) A CTMP shall be submitted to the Manager for information at least 10 working days prior to the start of construction. (c) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic and transport effects. To achieve this objective, the CTMP shall include: (i) methods to manage the effects of temporary traffic management activities on traffic, with consideration of cumulative construction effects from other projects occurring in the area (as relevant); (ii) measures to manage the safety of all transport users. This may include, but shall not be limited to: a. identification of detour routes b. temporary speed limits; and c. other methods to safely manage and maintain traffic flows, pedestrians and cyclists, on existing roads (e.g. Great South Road); (iii) methods to maintain functional and operational vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be maintained; (iv) methods for recognising and providing for the on-going operation of Auckland Transport managed passenger transport services (including along Great South Road); (v) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;

Ref	Condition																											
	(vi) identification of site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (vii) identification of any appropriate traffic management measures; (viii) methods that will be undertaken to communicate traffic management measures to affected road users, pedestrians and cyclists (e.g. residents/public/stakeholders/emergency services); (ix) any other measures to achieve the objective set out in Condition 7(b). Advice Note - The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits are obtained from Auckland Transport. See Auckland Transport’s website www.aucklandtransport.govt.nz for more information.																											
7A	Road Safety Audit (a) Prior to the Start of Construction, the Requiring Authority shall engage an independent and suitably qualified Safety Engineer to undertake and complete an independent, Preliminary Design Road Safety Audit of all site access points and road layout changes associated with the Project. (b) The Preliminary Design Road Safety Audit shall be completed in accordance with the New Zealand Transport Agency Procedure Manual (“Road Safety Audit Procedures for projects”) by an independent and appropriately qualified safety audit team. (c) The Requiring Authority shall adopt and address any recommendations made in the Road Safety Audit, which are agreed with the Council (in consultation with Auckland Transport).																											
Construction Noise and Vibration																												
8	Construction Noise standards (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards at any occupied residential building set out in the following table as far as practicable: Table 1: Construction noise standards <table><tr><th>Day of week</th><th>Time period</th><th>L_{Aeq}(15min)</th><th>L_{AF}max</th></tr><tr><td colspan="4">Occupied activity sensitive to noise</td></tr><tr><td rowspan="6">Weekday</td><td>0630h - 0730h</td><td>55 dB</td><td>75 dB</td></tr><tr><td></td><td>70 dB</td><td>85 dB</td></tr><tr><td>0730h - 1800h</td><td>65 dB</td><td>80 dB</td></tr><tr><td></td><td>45 dB</td><td>75 dB</td></tr><tr><td>1800h - 2000h</td><td></td><td></td></tr><tr><td>2000h - 0630h</td><td></td><td></td></tr></table>	Day of week	Time period	L _{Aeq} (15min)	L _{AF} max	Occupied activity sensitive to noise				Weekday	0630h - 0730h	55 dB	75 dB		70 dB	85 dB	0730h - 1800h	65 dB	80 dB		45 dB	75 dB	1800h - 2000h			2000h - 0630h		
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	1800h - 2000h																											
	2000h - 0630h																											

Ref		Condition				
	Saturday	0630h - 0730h	45 dB	75 dB		
		0730h - 1800h	70 dB	85 dB		
		1800h - 2000h	45 dB	75 dB		
		2000h - 0630h	45 dB	75 dB		
	Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB		
		0730h - 1800h	55 dB	85 dB		
		1800h - 2000h	45 dB	75 dB		
		2000h - 0630h	45 dB	75 dB		
Other occupied buildings						
All	0730h – 1800h	70 dB				
	1800h – 0730h	75 dB				
(b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply						
9	Construction Vibration Standards (a) Construction vibration shall be measured in accordance with German Standard DIN 4150-3:1999 ' <i>Structural Vibration – Part 3: Effects of Vibration on Structures</i> ' for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable. Table 2 Construction vibration criteria					
Receiver		Details	Category A	Category B		
Occupied Activities sensitive to noise	Night-time 2000h - 0630h		0.3mm/s ppv	2mm/s ppv		
	Daytime 0630h - 2000h		2mm/s ppv	5mm/s ppv		

Ref Condition					
	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	
	All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999		
	(b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply.				
10	Construction Noise and Vibration Management Plan (CNVMP) (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve, or otherwise minimise any exceedances of, the construction noise and vibration standards set out in Conditions 8 and 9 as far as practicable. (c) The CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 ' <i>Acoustics – Construction Noise</i> ' (NZS6803:1999) and shall as a minimum, address the following: (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities will occur; (iii) The construction noise and vibration standards for the Project; (iv) Identification of receivers where noise and vibration standards apply; (v) Management and mitigation options, and identification of the Best Practicable Option; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedure for responding to monitored exceedances (viii) 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. (ix) Contact details of the Project Liaison Person or site supervisor; (x) 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; (xi) Procedures for monitoring construction noise and vibration and reporting to the Council. (xii) Identification of areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xiii) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category B] will not be practicable and where				

Ref	Condition
	sufficient information is not available at the time of the CNVMP to determine the area specific management controls; (xiv) Procedures for review and update of the CNVMP; and (xv) Any other measures to achieve Condition 10(b).
11	Schedule to a CNVMP (a) A Site Specific Construction Noise and/or Vibration Management Schedule (Schedule) shall be prepared 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 8, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: a. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 9. (b) The objective of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as: (i) Activity location, start and finish dates; (ii) The nearest neighbours to the activity; (iii) A location plan; (iv) Predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Clause (a); (v) The proposed Best Practicable Option mitigation for the activity/location; (vi) The proposed communications with neighbours; and (vii) Location, times and types of monitoring.
Urban Landscape and Design Management Plan (ULDMP)	
12	(a) An Urban Landscape and Design Management Plan (ULDMP) shall be prepared and submitted with the relevant Outline Plan(s) for: (i) The design of the Stage One works; and (ii) The design of subsequent stages where they involve works materially affecting movement in and around the station and/or the interface of the station with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority). (b) The objective of the ULDMP is to set out how the Project will manage or mitigate potential adverse visual effects and contribute to a quality urban environment. To achieve this objective, the ULDMP shall include an overall concept plan that shows the layout of the Project and in particular urban landscape and design elements relating to access, connectivity, and interface with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority).

Ref	Condition
	(c) An Outline Plan involving any works described in Condition 12(a) is to depict and explain how it addresses the following matters as relevant to the overall concept plan: (i) How the works in the Outline Plan will be integrated into the surrounding existing and planned urban environment, with particular regard to: a. Provision for safe active mode facilities within the station and transport interchange area and safe multi-modal access between the station and the surrounding existing and planned urban environment; b. Ensuring that the new Flanagan Road alignment is constructed and operational prior to the existing alignment of this road being closed; c. The specific elements listed and alphabetically referenced at the approximate locations shown in Schedule 3 (as relevant to the specific designation): d. Active mode facilities on Waihoehoe Road between the park-and-ride access intersection and Great South Road, including over the Waihoehoe Road rail bridge and at the Great South Road intersection; and e. The Urban Design Evaluation and Framework. (ii) How the Project works will be coordinated and integrated with the planned development of Surrounding Land to the extent practicable, with particular regard to: a. The extent to which the Requiring Authority, the owners of Surrounding Land and infrastructure providers can coordinate the provision of new or upgraded infrastructure; b. The location and design of connecting roads between the Project and the surrounding existing and planned urban environment; c. The timing of works planned on Surrounding Land; and d. Any other relevant access, servicing, engineering, or other matters. (iii) how the project will enable a safe and inclusive environment. This may be achieved by use of; a. Crime Prevention through Environmental Design principles (CPTED); and b. Safety in Design principles (SID). (iv) how the project will provide for walking and cycling connectivity; (v) architectural treatment of major structures (e.g. bridges and retaining walls) with reference to the Urban Design Evaluation and Framework, (vi) accessway design, including roadside and median treatments (e.g. furniture and lighting); (vii) methods to enhance station legibility such as, arrival treatments, signage, wayfinding and interchange between transport modes; (viii) As relevant to the Stage of Work, details of; a. the reinstatement of construction and site compound areas, treatment of cut-and-fill slopes and interface of stormwater devices; and b. how the Project's permanent works will be integrated into the built environment and the landscape context; (ix) landscape treatments and planting with reference to the Urban Design Evaluation and Framework, such as:

Ref	Condition
	a. the intended plant species, planting locations and plant sizes at the time of planting and on maturity; b. the planting methodology and programme; and c. a maintenance and monitoring regime, including provision for replacement of dead or poorly performing plants. (d) Mana-Whenua shall be invited through the Mana Whenua Engagement Forum (MEF) to participate in the development of the ULDMP to provide input into the relevant cultural landscape and design matters and how desired outcomes may be reflected in the ULDMP.
Mana Whenua Engagement Forum (MEF)	
13	(a) Within three months of confirmation of the designation the Requiring Authority must establish a kaitiaki Mana Whenua Engagement Forum (MEF) (or similar) to provide for an on-going role in the design and construction of the Project and is to maintain this forum for the duration of the Construction Works. (b) The objective of the MEF is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection in the Project design and construction phases and to develop agreed measures and mechanisms to avoid, remedy or mitigate adverse effects on Mana Whenua values including opportunities for expression of cultural values through design and input into relevant management plans. (c) The frequency at which the MEF meets and the format or nature of the meetings shall be agreed between the Requiring Authority and the MEF. (d) The role of the MEF is to facilitate consultation and enable Mana Whenua to provide input into (but not limited to): (i) roles and responsibilities of Mana Whenua, including in relation to design and development of the Project; (ii) preparation of management plans; (iii) cultural monitoring activities to be undertaken; (iv) developing and participating in archaeological investigations and processes; (v) identifying opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the project area; (vi) Mana Whenua outcomes and wellbeing aspirations; and (vii) incorporating cultural narratives into the design of the Project. (e) The Requiring Authority must extend an invitation for membership on the MEF to (but not limited to) representatives of: (i) Ngāi Tai ki Tāmaki Tribal Trust; (ii) Ngāti Maru Runanga; (iii) Ngāti Tamaoho Trust; (iv) Ngaati Te Ata Waiohū; (v) Ngaati Whanaunga Inc Soc; (vi) Te Ākitai Waiohū; (vii) Te Ahiwaru Waiohū;

Ref	Condition
	Advice Note – <i>If the Requiring Authority holds an existing forum for engagement with Mana Whenua that forum may continue. Should the existing forum for engagement cease, an alternative forum for engagement will need to be established.</i>
Stakeholder and Communication Management Plan (SCMP)	
14	(a) A SCMP shall be prepared prior to the Start of Construction. (b) The objective of the SCMP is to set out how the public and stakeholders will be communicated with throughout the Construction Works. (c) The SCMP shall include the following details and measures setting out how the Requiring Authority will: (i) Provide the contact details for the Project Liaison Person which shall be prominently displayed at the main entrance(s) to the site(s); (ii) Communicate with stakeholders, infrastructure service providers, transport operators, organisations, businesses, and the public; (iii) Provide a communications framework that details the Requiring Authority's communication strategies, the accountabilities and timeframes for responding to inquiries and complaints, frequency of communications and consultation, the range of communication and consultation methods to be used, and any other relevant communication matters; (iv) Specify methods for how stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns, and complaints; (v) Inform the stakeholders and parties consulted of construction progress and future construction activities; (vi) Specify methods to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; (vii) Outline details of the inquiry and complaint management process including who is responsible for responding, how responses will be provided and the timeframes within which the responses will be provided; (viii) Maintain a complaint register which shall detail the date, nature and complainant contact details (if provided) of any complaints received regarding the construction of the Project and the Requiring Authority's response (or confirmation of no action) to each complaint; (ix) Outline any linkages and cross-references to communication methods set out in other conditions and management plans where relevant; (x) any arrangements for post-construction communications; and (xi) any other measures to achieve Condition 14(b). (d) Any SCMP prepared for a Stage of Work shall be submitted to the Manager for information ten (10) working days prior to the Start of Construction.

Ref	Condition
Building Damage Pre-Condition Survey	
15	(a) The Requiring Authority shall write to identified owners of buildings predicted to receive vibration levels exceeding Category A (Condition 9), to offer a pre-construction condition survey of such buildings. The objective of the survey is to document the building's current condition and any existing damage. The pre-condition survey shall include the following: (i) building classification (i.e. commercial, industrial, historic or other sensitive structure); (ii) building specific vibration damage risk thresholds; (iii) recordings (including photographs) of major building features, including location, type, construction type (including foundation type), age and present condition; and (iv) any damage, either aesthetic or structural. (b) For each Building identified as likely to receive vibration levels exceeding Category A, the Requiring Authority is deemed to have complied with clause (a) if (i) The Requiring Authority's specialist has visited the building and assessed the pre-construction condition of the building; or (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 three months of the date of the Requiring Authority's letter sent in accordance with clause (b) (including where the owner did not respond within that period); or (iv) The building owner cannot, after reasonable enquiry, be found prior to Start of Construction of the Project. (c) If any of clause b (i) to (iv) above apply to an identified building, the Requiring Authority is not required to implement building damage rectification to that building under Condition 16.
16	Building Damage Rectification (a) The Requiring Authority shall write to landowners of the identified buildings (subject of a pre-condition survey) to offer a post construction condition survey when construction is completed. Any damage shown to be caused by the Project construction shall be rectified by the Requiring Authority (Building Damage Rectification). (b) Once an agreement on Building Damage Rectification is reached between the Requiring Authority and the owner of a damaged building under Condition 16 (a) the mitigation shall be implemented, including any third-party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner. (c) Where Building-Damage Rectification is required, the Requiring Authority is deemed to have complied with Condition 16 if: (i) The Requiring Authority has completed Building Damage Rectification to the building; or (ii) An alternative agreement 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 Damage Rectification within three months of the date of the Requiring Authority's letter sent in accordance with Condition 16 (a) (including where the

Ref	Condition
	owner did not respond within that period following reasonable inquiries with the owner by the Requiring Authority); or (iv) The building owner cannot, after reasonable enquiry, be found post Completion of Construction of the Project.
Cultural Monitoring Plan	
17	(a) Prior to the start of Construction Works, a Cultural Monitoring Plan (CMP) shall be prepared in collaboration with Mana Whenua through the MEF. (b) The objective of the Cultural Monitoring Plan is to provide Mana Whenua the opportunity to reconnect with the whenua as kaitiaki and express tikanga and kawa responsibilities. (c) The Cultural Monitoring Plan shall include: (i) requirements for formal dedication and / or cultural oversight to be undertaken prior to start of Construction; (ii) requirements and protocols for cultural inductions for contractors and subcontractors working on the site; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol developed under Condition 18. (d) If the Requiring Authority and Mana Whenua agree, other matters can be included in the Cultural Monitoring Plan. (e) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan. Advice Note - Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.
18	Accidental Discovery Protocol (a) An Accidental Discovery Protocol, for areas of the project not covered by an Archaeological Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014 shall be developed in consultation with Mana Whenua through the MEF for the Project to address accidental archaeological discoveries during the Enabling Works and Construction Works. (b) The Accidental Discovery Protocol shall be consistent with the accidental discovery rule in Chapter E11 (Land disturbance – Regional) of the Auckland Unitary Plan: Operative in Part or any subsequent version.

Ref	Condition
19	Heritage Monitoring Report (a) A Monitoring Report shall be prepared to document changes to the Railway Yards. This shall be provided to the Council for the purpose of updating its Cultural Heritage Inventory, and to HNZPT. This shall include: (i) Documentation recording changes that have occurred to the site by the project in accordance with <i>HNZPT AGS1 Guidelines for the Identification and Recording of Buildings and Structures 2018</i>. This will include areas that have been demolished, salvaged fabric and items that have been repositioned and/or repurposed and any fabric that has been retained in place; and (ii) A photographic record with supporting drawings and annotation sufficient to provide context. The Report shall be provided to Council and HNZPT within 12 months of completion of the construction works associated with the Project.

Schedule 1: General Accordance Plans

(NOR DC-I) Drury Central Interchange Project Description

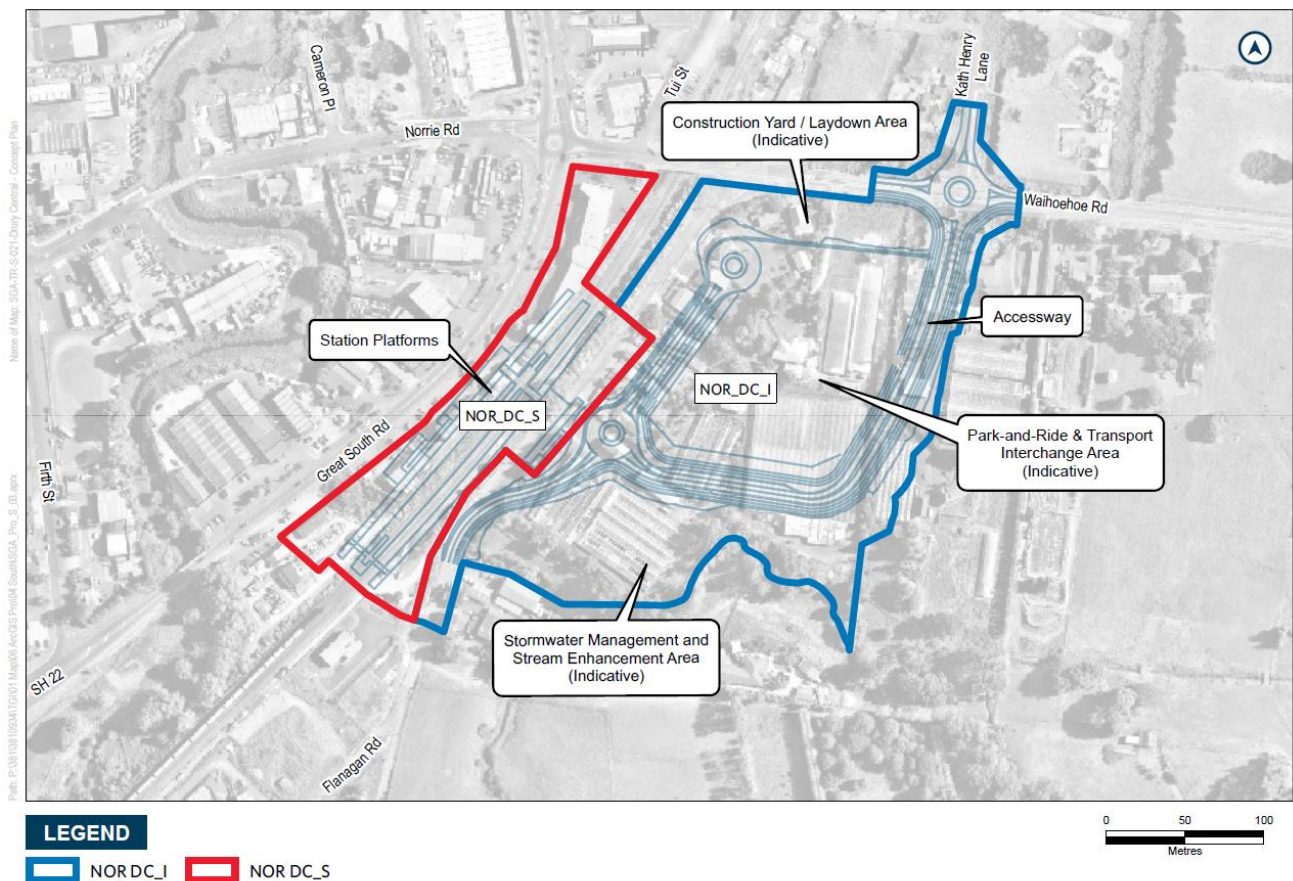
The proposed work is the construction, operation, and maintenance of the transport interchange, accessways, and ancillary and associated structures serving Drury Central Station, including, but not limited to:

- Park-and-ride and kiss-and-ride
- Transport interchange and layover facilities
- Accessways, paths and plazas
- Bicycle parking facilities
- Associated transport facilities

This will be located adjacent the Drury Central Station, east of the existing rail line, between Waihoehoe Road and the Hingaia Stream tributary.

The proposed work is shown in the following Concept Plan.

NOR DC-I Concept Plan



Schedule 2 – Surrounding Land

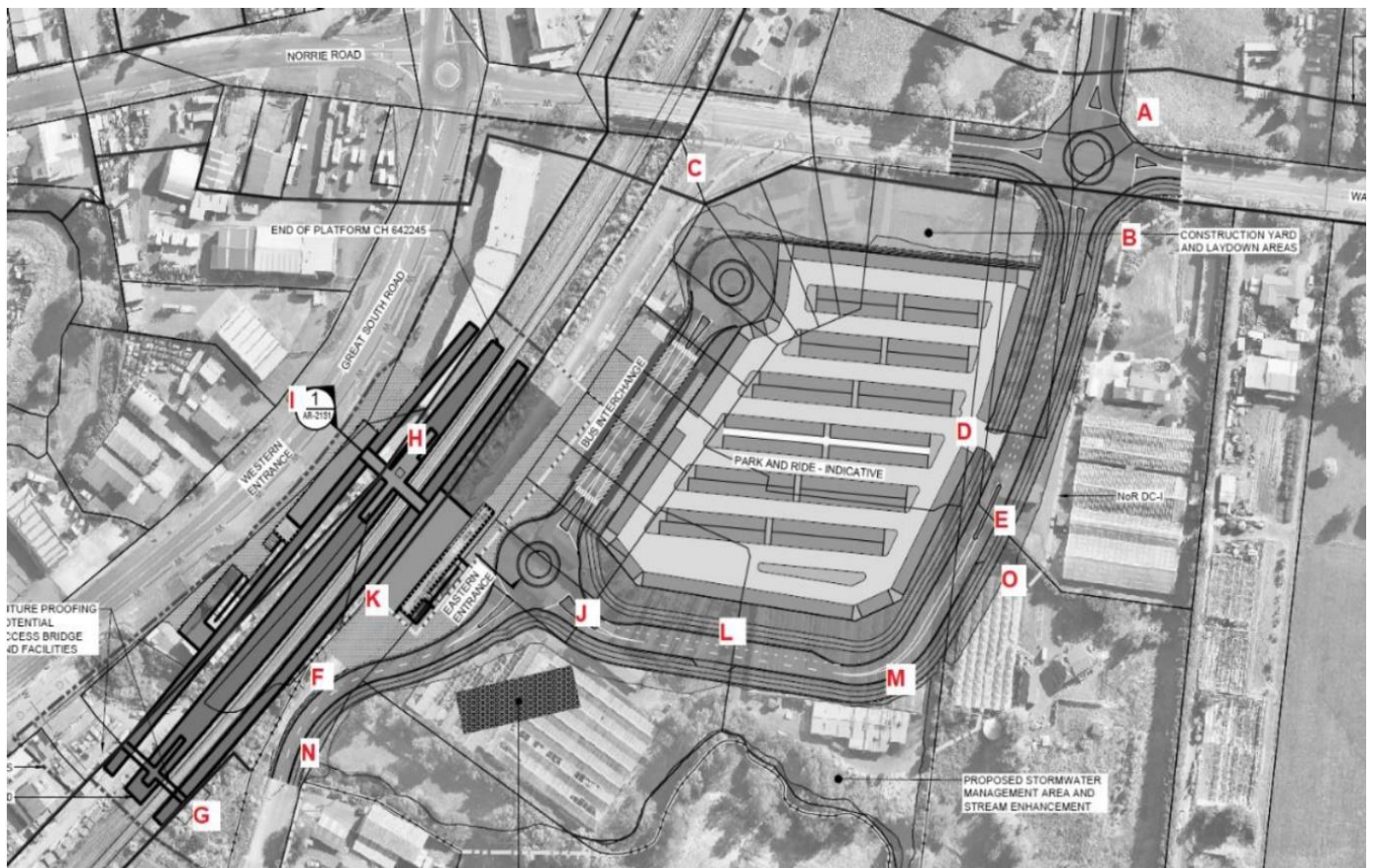
Surrounding Land means the properties listed and mapped below.

Address	Legal Description
108 Flanagan Road	Pt Lot 1 DP 62094, Lot 1 DP 80559
116 Flanagan Road	Part Lot 1 DP 620994
132 Flanagan Road	Part Allotment 33 Parish of Opaheke
120 Flanagan Road	NA99D/313 Lot 1 DP 165262, 1/6 SH Lot 10 DP 165262
68 Flanagan Road	Lot 8 DP 165262
117 Fitzgerald Road	Pt Allot 33 Parish of Opaheke NA1085/196
113 Fitzgerald Road	Lot 5 DP 165262, 1/6 SH Lot 10 DP 165262 NA99D/317
71 Waihoehoe Road	NA64D/685 Lot 1 DP 105542
81 Waihoehoe Road	NA93B/570 Lot 4 DP 156240, 1/2 SH Lot 5 DP 156240
263 Great South Road	NA129D/318
267 Great South Road	NA129D/317
271 Great South Road	NA129D/316
275 Great South Road	NA129D/315
1/257 Great South Road	NA88C/269
257 Great South Road	NA88B/843
257-261 Great South Road	NA88B/844 Lot 1 DP 148749
255 Great South Road	518014 Lot 1 DP 148749
251 Great South Road	518013 Lot 2 DP 430342
8 Norrie Road	Lot 1 DP 20398
6 Norrie Road	Lot 2 DP 20398
2 Norrie Road	Pt Allot 34 Parish of Opaheke
239-243 Great South Road	Lot 1 Deeds Reg WHAU 72, Lot 2 Deeds Reg WHAU 72, Lot 5 Deeds Reg WHAU 72
18 Waihoehoe Road	NA80A/485 Lot 10 DP 135804
15 Kath Henry Lane	NA80A/484 Lot 9 DP 135804
27 Kath Henry Lane	NA80A/483 Lot 8 DP 135804, 1/6 SH Lot 12 DP 135804
45 Kath Henry Lane	NA80A/482 Lot 7 DP 135804, 1/6 SH Lot 12 DP 135804
49 Kath Henry Lane	NA80A/481 Lot 6 DP 135804, 1/6 SH Lot 12 DP 135804, 1/2 SH Lot 13 DP 135804
50 Kath Henry Lane	NA80A/480 Lot 5 DP 135804, 1/6 SH Lot 12 DP 135804, 1/2 SH Lot 13 DP 135804
44 Kath Henry Lane	NA80A/479 Lot 4 DP 135804 and 1/6 share Lot DP 135804
34 Kath Henry Lane	NA80A/478 Lot 3 DP 135804, 1/6 SH Lot 12 DP 135804
18 Kath Henry Lane	NA91D/603 Lot 2 DP 135804
76 Waihoehoe Road	Lot 2 DP 115881NA65D/732
76A Waihoehoe Road	NA65D/733 Lot 3 DP 115881



Schedule 3 – Specific Elements relevant to condition 12(c)(i)(c)

Map ref.	Element	Relevant NoR
A	Active mode facilities on the north side of the proposed access roundabout on Waihoehoe Road / Kath Henry Lane.	DC-I
B	Active mode crossings with raised traffic calming and active mode priority at the roundabout.	DC-I
C	Access routes from the eastern end of the rail bridge to ensure people travelling to and from the old Drury Town Centre can do so efficiently.	DC-I
D	A raised priority crossing with the walkway and cycleway recessed allowing a vehicle to wait between the crossing and the access road.	DC-I
E	Omission of the median island, should this not be required.	DC-I
F	Cycle and walking facilities on the western side of Flanagan Road.	DC-I
G	A southern entrance to the rail station adjacent to the future southern platform overbridge to enable convenient entry into the and from the Drury Metropolitan Centre including gateline facilities and a clear entrance statement as viewed from the south.	DC-S
H	A public active mode crossing over the rail line, independent of station entry gates, to integrate east-west path connectivity into the station design.	DC-S
I	An active mode signalised crossing over Great South Road adjacent to the rail station entry to enable station access from the existing Drury Industrial Estate and bus stops along Great South Road.	DC-S
J	Safe crossings on all sides of the southwestern roundabout, with active mode priority.	DC-I
K	Pedestrian entrances into the station building and an overbridge from the southwest.	DC-S
L	Drop-off spaces to be designed in a way that ensures safety for patrons, pedestrians, and cyclists.	DC-I
M	At the southeast bend of the entry road, enabling a connection southward to provide a link to the new Drury Metropolitan Centre.	DC-I
N	Cycleways are compliant with regulatory requirements for safe cycleways.	DC-I
O	Prioritisation of active mode safety on crossings.	DC-I



Drury Central Station – Resource Consent Conditions

Definitions

The tables below defines the acronyms and terms used in the conditions.

Term	Definition
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council.
Enabling Works	Includes, but is not limited to, the following and similar activities: • preloading site for ground stability • geotechnical investigations (including trial embankments) • archaeological site investigations • formation of access for geotechnical investigations • establishment of site yards, site entrances and fencing • constructing and sealing site access roads • demolition or removal of buildings and structures • relocation of services • ecological surveys • vegetation removal ancillary to Enabling Works • establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Project	For NOR DC-S means the works and activities described in the Project Description in Schedule 1 to the NoR conditions, and as indicatively shown in the Concept Plan in Schedule 1 to the NoR conditions. For NOR DC-I means the works and activities described in the Project Description in Schedule 1 to the NoR conditions, and as indicatively shown in the Concept Plan in Schedule 1 to the NoR conditions. Reference to “Project” in the conditions means each or either of the Projects as the case may be.
Project Liaison Person	The person or persons appointed for the duration of the Project’s Construction Works to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Completion of Construction	When construction of the Project is complete and it is available for use.

Suitably Qualified and Experienced Person	A person (or persons) person who can provide sufficient evidence to demonstrate their suitability and competence.
Any reference to number of days	Has the same meaning as Working Days under section 2 of the Resource Management Act 1991.
Definitions related to ground dewatering and groundwater diversion conditions	
Alarm Level	Specific levels at which actions are required.
Alert Level	Specific levels at which actions are required.
Bulk Excavation	Includes all excavation that affects groundwater excluding minor enabling works and piling less than 1.5m in diameter.
Commencement of Dewatering	Means commencement of Bulk Excavation and/or the commencement of the taking or diversion of groundwater, other than for initial state monitoring purposes
Completion of Dewatering	Means, in the case of a drained excavation the stage where the permanent drainage system(s) are in place and no further groundwater is being taken for the construction of the excavation.
Commencement of Excavation	Means commencement of Bulk Excavation
Completion of Excavation	Means the stage when all Bulk Excavation has been completed and all foundation/footing excavations within 10 meters of the perimeter have been completed.
Condition Survey	Means an external visual inspection or a detailed condition survey (as defined in the relevant conditions).
Damage	Includes Aesthetic, Serviceability, Stability, but does not include Negligible Damage. Damage as described in the table below.
External visual inspection	A condition survey undertaken for the purpose of detecting any new external Damage or deterioration of existing external Damage. Includes as a minimum a visual inspection of the exterior and a dated photographic record of all observable exterior Damage.
Monitoring Station	Means any monitoring instrument including a ground or building deformation station, inclinometer, groundwater monitoring bore, retaining wall deflection station, or other monitoring device required by this consent.
Seasonal Low Groundwater Level	Means the annual lowest groundwater level – which typically occurs in summer.

Services	Include fibre optic cables, sanitary drainage, stormwater drainage, gas and water mains, power and telephone installations and infrastructure, road infrastructure assets such as footpaths, kerbs, catch-pits, pavements and street furniture.
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Acronyms

Acronym	Description
AUP:OP	Auckland Unitary Plan: Operative in Part
DSI	Detailed Site Investigation
RMA	Resource Management Act 1991 and its subsequent amendments
SQEP	Suitably Qualified and Experienced Person
SQBS	Suitably Qualified Building Surveyor
RL	Reduced Level
GSMCP	Groundwater and Settlement Monitoring and Contingency Plan
HAIL	Hazardous Activities and Industries List
PSI	Preliminary Site Investigation
SMP	Site Management Plan
HEC-14	Hydraulic Engineering Circular No. 14,
HEC-15	Hydraulic Engineering Circular No. 15
WCR	Works Completion Report

Description of damage relating to groundwater diversion and take

Category of Damage	Normal Degree of Severity	Description of Typical Damage (Building Damage Classification after Burland (1995), and Mair et al (1996))	General Category (after Burland – 1995)
0	Negligible	Hairline cracks.	Aesthetic Damage
1	Very Slight	Fine cracks easily treated during normal redecoration. Perhaps isolated slight fracture in building. Cracks in exterior visible upon close inspection. Typical crack widths up to 1mm.	
2	Slight	Cracks easily filled. Redecoration probably required. Several slight fractures inside building. Exterior cracks visible, some repainting may be required for weather-tightness. Doors and windows may stick slightly. Typically crack widths up to 5mm.	
3	Moderate	Cracks may require cutting out and patching. Recurrent cracks can be masked by suitable linings. Brick pointing and possible replacement of a small amount of exterior brickwork may be required. Doors and windows sticking. Utility services may be interrupted. Weather tightness often impaired. Typical crack widths are 5mm to 15mm or several greater than 3mm.	Serviceability Damage
4	Severe	Extensive repair involving removal and replacement of walls especially over door and windows required. Window and door frames distorted. Floor slopes noticeably. Walls lean or bulge noticeably. Some loss of bearing in beams. Utility services disrupted. Typical crack widths are 15mm to 25mm but also depend on the number of cracks.	
5	Very Severe	Major repair required involving partial or complete reconstruction. Beams lose bearing, walls lean badly and require shoring. Windows broken by distortion. Danger of instability. Typical crack widths are greater than 25mm but depend on the number of cracks.	Stability Damage

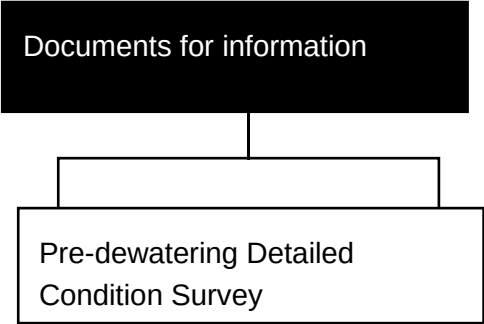
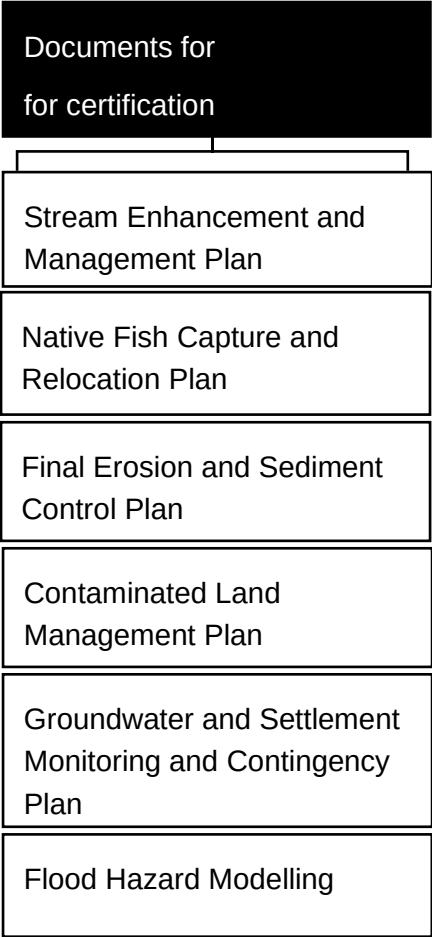
Table 1: Building Damage Classification

Note: In the table above the column headed “Description of Typical Damage” applies to masonry buildings only and the column headed “General Category” applies to all buildings.

Drury Central Station – Index of Resource Consents

Ref	Drury Central Resource Consents	General	Specific
RC 1	Water Permit (s13) and (s14) and (s15) – works in watercourses and associated diversion activities Dewatering, diverting groundwater, stream works, reclamation of intermittent stream	1- 4	5, 6, 7, 8 20, 21, 22, 23, 24
RC 2	Land use (s9(2)) – Stormwater quality and Stormwater Management Flow Contaminant generating activity, discharge within a SMAF	1-4	16, 17, 18, 19
RC 3	Land use (s9(2)) – Land disturbance activities Earthworks, vegetation clearance	1-4	9, 10, 11, 12, 13
RC 4	Discharge Permit (s15) Discharge of contaminants Disturbing contaminated land or potentially contaminated land.	1-4	14, 15
RC 5	Land use (s9(1)) – NES:Soil Disturbing the soil of a piece of land	1-4	14, 15
RC 6	Water Permit (s13) – NES:FW Reclamation of intermittent stream, extension of culverts	1-4	5, 6, 7, 8

Summary of documents identified in Conditions



Drury Central Station: Regional Consent Conditions

Ref	Condition												
General Conditions													
1	Activity in general accordance with plans and information (a) The activity is to be carried out in general accordance with the plans and information submitted with the application detailed below, and all referenced by the Council as consent number “BUNXXXXX”:[Yet to be allocated]. - Resource consent application form in Volume 1 of the Assessment of Environmental Effects prepared by Te Tupu Ngātahi, dated 29 of September 2021. - Documents as follows: <table><tr><th>Reference</th><th>Document Title</th><th>Author</th><th>Date</th></tr><tr><td>AEE, drawings and technical reports in Volumes 2, 3, 4A and 4B</td><td>Drury Central and Paerata Rail Stations Assessment of Effects on the Environment, version 1</td><td>Te Tupu Ngātahi / Supporting Growth Alliance</td><td>September 2021</td></tr><tr><td>General Arrangement Plan</td><td>General Arrangement Plan – Drury Central Station (SGA-DRG-STH-003-CI-2201)</td><td>Te Tupu Ngātahi / Supporting Growth Alliance</td><td>September 2021</td></tr></table> (b) Where there is inconsistency between the documents listed above and the requirements of the following conditions, the conditions shall prevail. (c) Where there is inconsistency between the conditions, and the management plans under the conditions, the requirements of the management plans shall prevail.	Reference	Document Title	Author	Date	AEE, drawings and technical reports in Volumes 2, 3, 4A and 4B	Drury Central and Paerata Rail Stations Assessment of Effects on the Environment, version 1	Te Tupu Ngātahi / Supporting Growth Alliance	September 2021	General Arrangement Plan	General Arrangement Plan – Drury Central Station (SGA-DRG-STH-003-CI-2201)	Te Tupu Ngātahi / Supporting Growth Alliance	September 2021
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General Arrangement Plan	General Arrangement Plan – Drury Central Station (SGA-DRG-STH-003-CI-2201)	Te Tupu Ngātahi / Supporting Growth Alliance	September 2021										
2	Consent Lapse Pursuant to clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, the various resource consents shall lapse two years from the date of commencement unless they have been given effect to. Advice Note – Lapse Dates <i>For the avoidance of doubt the resource consents will be given effect to at the implementation of Start of Construction.</i>												
3	Consent Expiry Pursuant to section 36 of Schedule 6 of the COVID-19 Recovery (Fast-Track Consenting) Act 2020, the consents for ground dewatering and diversion, stream works, reclamation of stream and discharge of contaminants to land will expire 35 years from the date of commencement.												

Ref	Condition
3A	Monitoring The Consent Holder must pay the Council an initial consent compliance monitoring charge of \$2,000.00 (inclusive of GST), and the Consent Holder must pay any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.
3B	Review under section 128 Under s.128 of the RMA the conditions of this consent may be reviewed by the Council at the Consent Holder's cost. The reason for this review condition is to deal with any material adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage.

Management Plan Certification Process

- (a) The management plans listed in (b) shall be submitted to the Manager at least twenty (20) working days prior to the anticipated Start of Construction (unless otherwise specified) to be certified. The certification process shall be confined to confirming that the management plan adequately gives effect to the relevant condition(s).
- (b) The following plans shall be submitted for certification:
 - (i) Stream Enhancement and Management Plan;
 - (ii) Native Fish Capture and Relocation Plan;
 - (iii) Final Erosion and Sediment Control Plan;
 - (iv) Contaminated Land Management Plan;
 - (v) Groundwater and Settlement Monitoring and Contingency Plan;
- (c) Management Plans under clause (b) shall include evidence of having provided opportunity for Mana Whenua to be involved in the development of the management plan and a summary of how any comments are addressed.
- (d) Within ten (10) working days of the management plan being provided to the Manager under clause (a) above, the Manager shall confirm with the Consent Holder if changes are required to enable certification.
- (e) If the Manager's response is that they are not able to certify the management plan, the Consent Holder shall request that the Managers provide reasons and recommendations for changes to the management plan in writing.
- (f) Within ten (10) working days of the Manager's response under clause (e) the Consent Holder shall consider any of the reasons and recommendations of the Manager and resubmit an amended management plan to be certified;
- (g) If the Consent Holder has not received a response from the Manager within five (5) working days of the date of resubmission under clause (f) above, or fifteen (15) days where no changes were requested under clause (d), the management plan will be deemed to be certified.
- (h) Any certified management plan may be updated or revised to reflect any changes in design, construction methods or management of effects:
 - (i) Any material changes are to be submitted to the Manager for certification as soon as practicable following identification of the need for an update or revision. If the Consent Holder has not received a response from the Manager within five (5) working days of submitting the revised information, the management plan will be deemed to be certified.
 - (ii) Except for material changes, management plans may be amended to reflect any changes in design, construction methods or management of effects and submitted to Council for information, without the need for recertification.
- (i) Each management plan in condition 4(b) shall be Prepared by a Suitably Qualified and Experienced Person(s).
- (j) The Projects shall be undertaken in accordance with the most recent version of the management plans required in Conditions 5, 8, 11 14 and 24.

Advice Note – If an amendment under condition 4(h) has no or a de minimis adverse effect on the environment or is an administrative change (including nominating personnel) that will not be a material change.

Ref	Condition
Stream works – Section 13 (Land use consent and Water Permit)	
5	Stream Enhancement and Management Plan (SEMP) (a) A Stream Enhancement and Management Plan (SEMP) must be prepared prior to Start of Construction. (b) The purpose of the SEMP is to set out measures which offset the impacts of culvert extension on the Hingaia Stream and reclamation of the Flanagan Tributary. (c) The SEMP shall be prepared in general accordance with the <i>‘Rail Environmental Compensation Memorandum’ prepared by Te Tupu Ngātahi dated 19 July 2021 (Appendix 9 to the Ecological Assessment of Effects) and “Auckland Regional Council (ARC) Riparian Zone Management Guidelines”</i> Technical Publication 148 June 2001 (or any subsequent edition). (d) The SEMP shall use the Environmental Compensation Ratio to establish the quantum of stream offset/enhancement that is required to achieve no net loss in ecological value but shall provide a minimum of 20m of riparian planting width along the Hingaia Tributary. (e) The SEMP shall include: (i) identification of areas of stream(s) to be enhanced; (ii) detail the measures proposed to minimise the loss of stream habitat and riparian margin as far as practicable; (iii) a description of any pre-existing riparian vegetation and existing limitations on the area available for planting; (iv) details of the proposed plant species, plant sourcing, plant sizes at time of planting, plan of the planted area within the planting area required, density of planting, and timing of planting; and (v) a programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, maintenance programme). (f) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the SEMP to provide input into the design and mitigation measures, and the SEMP shall summarise comments received from Mana Whenua along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes: <i>The certification and amendment of the SEMP is covered by Condition 4.</i>
6	Implementation of the Stream Enhancement and Management Plan Within one (1) year following Completion of Construction, the planting must be fully implemented in accordance with the certified SEMP and must be maintained for a duration of five years.
7	Native Fish Passage Access for native fish species to pass through the length of the Maketu culvert of the Hingaia Tributary (including any retrofitted or new section of this culvert) at all times between the peak winter migration period June to October must be provided by creating and maintaining fish

Ref	Condition
	passage in accordance with <i>New Zealand Fish Passage Guidelines 2018</i>, or any subsequent version unless otherwise agreed with the Manager. Fish passage measures may include use of: (i) Baffles; (ii) Backwatering to reduce water velocities; (iii) A ramp at the outlet of the culvert to ensure passage for fish travelling upstream, if required.
7A	Fish Passage Monitoring and Maintenance (a) Twenty (20) working days following completion of the installation of the extended culverts, new culvert and apron structures, the consent holder must submit to the Manager the information required by regulations 62, 63 (culverts) and 68 (aprons and ramps) of the National Environmental Standard for Freshwater (2020), specifying the time and date of collection. (b) Within twenty (20) working days following completion of the culvert and apron structures, the consent holder must submit a Fish Passage Monitoring and Maintenance Plan (FPMMP) to the Manager for certification. The FPMMP must specify the ongoing monitoring and maintenance measures of the structures to ensure fish passage is maintained and does not reduce over the lifetime of the structures, and include the following detail and processes: (i) Specific aspects of the structure to be monitored to ensure that the structure's provision for the passage of fish does not reduce over its lifetime. (ii) Programme and frequency of routine monitoring and maintenance. (iii) Method of visual inspection of the structure within 5 days following a significant natural hazard, or events that may otherwise affect the structure's provision for fish passage. (iv) Record keeping of monitoring results including photos, (v) Follow up actions including the preparation of as-built plans and supporting information, further steps, and remediation measures. (c) If any of the routine monitoring or visual inspections identify that provision for fish passage has been reduced, or the culvert and/or apron structures are damaged, the consent holder must undertake maintenance or remediation works as soon as practicable to remedy the issues identified. Advice Note: <i>Prior to any remedial works being undertaken, the consent holder should assess whether the works meet the permitted activity regulations in the Resource Management (National Standards for Freshwater) Regulations 2020.</i> (d) The consent holder must maintain a record of: (i) All placement, alteration, extension and reconstruction works for the culvert and/or apron structures, including when the works commence, how long they take, and when the works are completed; and (ii) Details of all monitoring and maintenance works undertaken on the culvert and/or apron structures in accordance with condition 7A, including photos and evidence of any maintenance works undertaken.

Ref	Condition
	(e) If requested, the consent holder must provide this record to the Council within 10 working days of the date of request. (f) Within twenty (20) working days of any changes to the structure or detail as submitted within condition 7A above, as a result of routine monitoring and maintenance, or following a significant natural hazard or event that may otherwise affect the culvert and/or apron structure's provision for fish passage, the consent holder must provide: (i) Updated as-built information of the structure and associated fish passage, and (ii) Further steps to be taken to ensure that the structure's provision for the passage of fish does not reduce over its lifetime. (g) Fish passage must be maintained through the culvert and apron structures in perpetuity, and monitoring, maintenance and remediation measures must be undertaken in accordance with the FPMMP throughout the lifetime of the structures.
8	Native Fish Capture and Relocation Plan (a) A Native Fish Capture and Relocation Plan must be prepared prior to the Start of Construction. (b) The objective of the Native Fish Capture and Relocation Plan is to detail how native fish will be captured and relocated prior to reclamation and dewatering of the Flanagan Road Stream or in stream works such as culvert extension or replacement on the Hingaia Tributary. (c) The Native Fish Capture and Relocation Plan shall include: (i) methodologies to capture fish; (ii) details of the qualified ecologist to undertake the capture and relocation and to be present on-site during dewatering to rescue and relocate any remaining fish present; (iii) details of the relocation site; and (iv) storage and transport measures. (d) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the Native Fish Capture and Relocation Plan and any comments received from Mana Whenua shall be summarised along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes – The certification and amendment of the Native Fish Capture and Relocation Plan is covered by Condition 4.
8A	Lizard mitigation programme (a) Prior to the commencement of any vegetation removal works the Consent Holder must submit and have certified by Council, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan must be designed so as to achieve the following two objectives:

Ref	Condition
	(i) The population of each species of native lizard present on the site at which vegetation clearance is to occur must be maintained or enhanced, either on the same site or at an appropriate alternative site; and (ii) The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development. (b) The LMP must address the following (as appropriate): (i) Credentials and contact details of the ecologist/herpetologist who will implement the plan. (ii) Timing of the implementation of the LMP. (iii) A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols. (iv) A description of the relocation site; including discussion of: - provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released skinks that have been rescued. - any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc. - any weed and pest management to ensure the relocation site is maintained as appropriate habitat. (v) Monitoring methods, including but not limited to the following: baseline surveying within the site, baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites, ongoing annual surveys to evaluate translocation success, pre- and post-translocation surveys, and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control. (vi) A post-vegetation clearance search for remaining lizards. (c) A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the Lizard Management Plan (LMP) must certify that the lizard related works have been carried out according to the certified LMP within two weeks of completion of the vegetation clearance works. (d) All works on site must comply with the certified Lizard Management Plan. (e) Upon completion of works, all findings resulting from the implementation of the Lizard Management Plan must be recorded by a suitably qualified and experienced ecologist/herpetologist approved by the council on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) which must be sent to Council. Advice Note: Please note that it is recommended that the lizard rescue plan is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko's following felling of trees and shrubs and to rescue any skinks from ground cover vegetation and terrestrial retreats.

Ref	Condition
8B	Bird Management (a) All vegetation clearance must occur outside the main native bird nesting season (early September until the end of February) to minimise any disturbance risk that vegetation removal would have on nesting birds. (b) If vegetation clearance is unavoidable during the main native bird nesting season, an approved and experienced ecologist or ornithologist must visually inspect all trees and shrubs proposed for removal within 24 hours of felling to identify any active nests. This includes checking cavities and hollows for nesting birds. (c) Should any nesting be observed, a 10-metre buffer of vegetation must be required to remain around the nest site until an approved and experienced ecologist or ornithologist has confirmed that the nest has failed, or the chicks have hatched and naturally left the natal site. (d) Following inspection and confirmation of absence of nesting birds, the consent holder must submit a completion report to the Council, within 30 working days.
8C	Bat management (a) The area containing high-risk potential bat roosting tree (or group of high-risk trees where adjoining) to be removed must be monitored overnight (from one hour before dusk until dawn), for a minimum of three fine nights using an Automatic Bat Monitor (ABM; or multiple ABMs as required). A fine night is when the temperature is above 10° with no precipitation during the first two hours after sunset and before sunrise. Surveys must not commence if the dusk temperature is below 7°C. (b) The ABM(s) must be placed at least 1.5 m above the ground, at the base of the high-risk tree or tree group. (c) If no bat activity indicative of potential roosting behaviour is recorded, the tree may be removed – removal must occur on the same day that the survey ends so there is no opportunity for reoccupation of the roost by bats. A suitably qualified ecologist (i.e., a Level D competent bat ecologist) should be onsite for the duration of all tree felling operations to advise staff should bats be detected (leaving trees or injured) and to inspect each felled tree for signs of bats roosts. (d) If bat activity indicative of potential roosting behaviour is recorded, each tree must be climbed and visually inspected by (e.g.) an arborist. The arborist will photograph any potential evidence of bats (staining, cavities, guano), which will be reviewed by the Level D competent bat ecologist prior to felling. The arborist will also check for signs of bats using a hand-held bat detector set to detect at 40kHz (to detect social and echolocation calls from roosting long-tailed bats, under supervision of the ecologist). If no signs of bats presence are evident, the tree can be felled – removal must occur on the same day as the visual inspection. (e) If bats are seen leaving or entering the tree, or are found to be living in the tree after visual inspection, then it must not be removed until the bats have abandoned the roost. If bats use the tree for more than three nights in a row then it is likely to be an important maternity colony and the removal of the tree should only occur after the Level D bat ecologist has confirmed that all bats have abandoned the roost. A 50 m buffer must be retained for the duration of roosting to preserve microclimate conditions and protect the tree/s from windthrow.

Ref	Condition
	(f) The following procedures must be implemented in the event of finding dead or injured bats: (i) Injured bats should be immediately taken for assessment by a vet experienced in treating small mammals. (ii) If after hours treatment is required, the Department of Conservation (DOC) (DOC Hotline 0800 362 468) or the Wildbase Hospital (0800 738 363) should be contacted within 2 hours after the injured bat is found. (iii) Any bat found during the felling (dead, injured or otherwise) will be inspected by the ecologist should bat handling and short-term retention be required. The ecologist must determine on site if the bat is able to be released immediately or the most appropriate method for the safe dispersal of the animal. DOC must be notified immediately of each such event. (iv) DOC advice must be sought with regards to the rehabilitation requirements of any injured bats. (v) Any rehabilitated bat should be released in the same general location in which it was found, or the nearest suitable location as determined by the Level D competent bat ecologist. Advice Note – A permit under the Wildlife Act 1953 may be required from the Department of Conservation, this may address: • <i>Bats: Tree removal protocols prior to the removal of any trees within the Project area with bat roost potential and restricted to the high bat activity period, (November to April).</i> • <i>Birds: Any vegetation clearance of exotic treeland and planted vegetation within the bird nesting season, (September – February).</i> • <i>Lizards: Any vegetation clearance where indigenous skinks are likely to occur including lizard salvage and relocation, restricted to the high lizard activity period, (November to April).</i> • <i>Fish: Instream works, timed to avoid native fish migration periods (November to May)</i>
Earthworks – Section 9(2) Land Use Conditions	
9	Earthworks Period (a) No bulk earthworks shall be undertaken on the subject site(s) between 1 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to the Council. (b) Unless otherwise agreed in the approval obtained under (a) above, all winter works will be re-assessed monthly or as required to ensure that significant adverse effects are not occurring in the receiving environment (c) No bulk earthworks shall occur outside the earthwork season, unless written approval has been received from the Council or their delegate.

Ref	Condition
10	Erosion and Sediment Control Measures (a) All practicable measures shall be taken during construction to reduce to the smallest amount practicable erosion and the discharge of sediment beyond the footprint of the Project. (b) Erosion and sediment control measures shall be constructed and maintained in general accordance with <i>Auckland Council Guideline Document GD2016/005</i> and any amendments to this document, except where a higher standard is detailed in the certified FESCP, in which case the higher standard shall apply.
11	Final Erosion and Sediment Control Plan (FESCP) (a) A finalised ESCP shall be prepared in general accordance with the '<i>Drury Central Rail Station – Provisional Erosion and Sediment Control Plan</i>' prepared by Te Tupu Ngātahi and dated September 2021. (b) The purpose of the FESCP is to set out measures to be implemented during construction to meet the requirements of Condition 10. (c) The FESCP shall include, but is not limited to: (i) specific erosion and sediment control works for the earthworks (location and dimensions, capacity); (ii) supporting calculations and design drawings as necessary; (iii) details of construction methods; (iv) monitoring and maintenance requirements; catchment boundaries and contour information; (v) details relating to the management of dust generated by earthworks; (vi) links to the contaminated land measures set out in the CLMP; and, (vii) details relating to the management of exposed areas (e.g. grassing, mulching). (viii) Any other measures to achieve compliance with Condition 11(b); (d) Where flocculant treatment is proposed for use on site, the FESCP shall include flocculation management details which shall include as a minimum: (i) specific design details of the chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds, decanting earth bunds, and any other impoundment systems; (ii) monitoring, maintenance (including post storm) and contingency programme (including a record sheet); (iii) details of optimum dosage (including assumptions); (iv) results of initial chemical treatment trial; (v) use of organic flocculant where practicable; (vi) a spill contingency plan; and (vii) details of the person or bodies that will hold responsibility for operation and maintenance of the flocculation treatment system. (e) Flocculation management measures shall be implemented prior to commencement of any flocculation dosing onsite. (f) No earthworks or flocculation dosing activity on the Project site shall commence until certification of the FESCP from the Manager is provided in accordance with Condition 4.

Ref	Condition
	(g) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the FESCP and any comments received from Mana Whenua shall be summarised along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes – The certification and amendment of the FESCP is covered by Condition 4.
12	Earthworks – General Performance Standards (a) There shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from bulk earthworks on the Project site. In the event that such deposition does occur, it shall be removed as soon as practicable taking into account safety. In no instance, shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters. (b) The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent, including the FESCP, shall be maintained throughout the duration of earthworks, or until the Project site is permanently stabilised against erosion. (c) The Project site shall be progressively stabilised against erosion at all stages of earthworks activity and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.
13	Earthworks pre-construction meeting (a) Prior to the commencement of any earthworks within each stage, the Consent Holder shall hold a pre-start meeting that: (i) is located on the subject site; (ii) is scheduled not less than five (5) days before the anticipated commencement of earthworks; (iii) includes a representative from Council Compliance Monitoring and any other relevant Council specialist (if invited by Auckland Council); (iv) invite Mana Whenua representatives to provide for identification and protection of cultural values in works area; and (v) includes representation from the contractors who will undertake the works. (b) The meeting shall discuss the erosion and sediment control measures, the earthworks methodologies and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent. (c) The following information shall be made available at the pre-start meeting: (i) timeframes for key stages of the works authorised under this consent; (ii) defined extent of the relevant works; (iii) any archaeological authority for the works; (iv) resource consent conditions; and (v) the certified Final Erosion and Sediment Control Plan (FESCP).

Ref	Condition
	(d) In addition to the requirements in Condition 13(a), a pre-start meeting shall be held prior to the commencement of the earthworks activity in each period between October 1 and April 30 this consent is exercised.
Section 9 / NES:SOIL Contaminated Land Environmental Health	
14	Contaminated Land Management Plan (CLMP) (a) A Contaminated Land Management Plan (CLMP) shall be prepared prior to the commencement of land disturbance activities associated with the Project. (b) The purpose of the CLMP is to set out measures to be implemented to control the discharge of contaminants from land disturbance. (c) The CLMP shall be prepared by a SQEP in accordance with the <i>Ministry for the Environment Contaminated Land Management Guidelines No. 1, Reporting on Contaminated Sites in New Zealand</i> (revised 2021), and shall include: (i) Detail of land disturbance activities to be carried out. (ii) Summary of relevant site information and known contaminant conditions (if a Detailed Site Investigation (DSI) has been undertaken). (iii) Details of the roles and responsibilities (including contact details) for parties involved in the land disturbance activities (iv) Summary of health and safety protection measures to be implemented; (v) identification of specific environmental management procedures including for: a. soil and groundwater during disturbance; b. stockpiles (if relevant); c. erosion, sediment, dust and odour; and d. offsite soil transport and disposal, including additional testing as required to confirm disposal to an appropriately licensed facility. e. contingency measures in the event of an accidental discovery (for example asbestos, unknown fill, odour, staining). f. post development controls (if required). (d) If a DSI has been completed in general accordance with the <i>Ministry for the Environment's Contaminated Land Management Guideline No 5, Site Investigation and Analysis of Soils</i> (revised 2011) for the project, this CLMP shall also identify: (i) locations of contaminated land within the Project area; and (ii) any non-contaminated land, which may be treated as clean fill. (e) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the CLMP and any comments received from Mana Whenua shall be summarised along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Note – <i>The certification and amendment of the CLMP is covered by Condition 4.</i>

Ref	Condition
15	Post Land Disturbance Works (a) Within three months of the completion of land disturbance associated with the Project, a Works Completion Report (WCR) shall be submitted to the Manager. The WCR shall be prepared by a SQEP and shall include the following: (i) A summary of land disturbance works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated; (ii) Details and results of any soil testing completed in association with the land disturbance activities; (iii) Records/evidence of the appropriate disposal for any soil material removed from the site; and (iv) Records of any unexpected contamination encountered during the works and response actions, if applicable.
Stormwater – Diversion and Discharge	
16	Pre-construction Meeting (a) A pre-construction meeting shall be held by the Consent Holder prior to commencement of the construction of any stormwater devices onsite, and must: (i) be arranged five (5) working days prior to initiation of the construction of any stormwater devices on the site; (ii) be located on the subject area; (iii) include representation from the Council; (iv) invite representation from Mana Whenua (through the Mana Whenua Engagement Forum established under the designation conditions); and (v) include representation from the site stormwater engineer or site contractor who will undertake the works and any other relevant parties.
17	Stormwater System – Design (a) The stormwater management system design shall achieve the following outcomes: (i) Manages the operational runoff from the whole of the Drury Central Station and Interchange to achieve an average annual removal efficiency of at least 75% Total Suspended Solid levels (TSS); (ii) be designed in general accordance with Auckland Council's Guidance Document 01 (GD01) (iii) be designed for long-term durability, ease of maintenance access, and to minimise ongoing operation and maintenance requirements; (iv) Management of erosion and scour effects at all locations where concentrated flow is released from the Project site (including piped outfalls, wetland spillways and steep channels). Erosion counter measure shall be designed in accordance with HEC-14 and HEC-15. (v) Stormwater detention achieves the Stormwater Management Area – Flow 2 hydrologic mitigations set out in the Auckland Unitary Plan, Operative in Part Section E10, Table E10.6.3.1.1

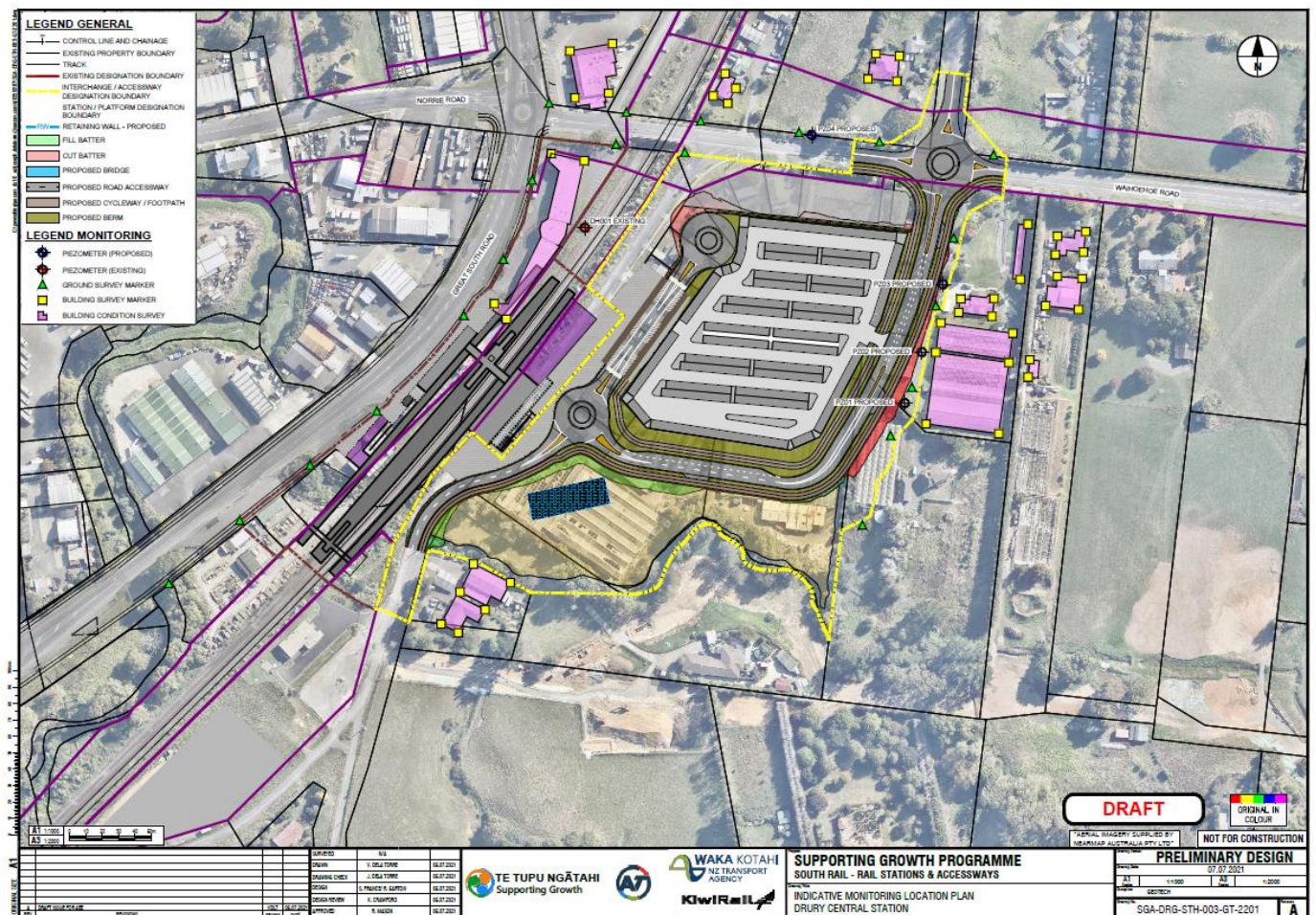
Ref	Condition
	(b) The Consent Holder shall consult with Mana Whenua (through the Mana Whenua Engagement Forum established under the designation conditions) on the design of stormwater devices. (c) In the event that any modifications to the stormwater management system are needed that do not result in a reduction to the performance or capacity of the system, an application under section 127 of the RMA will not be required, and the following information is to be certified by the Council, prior to implementation: (i) Plans and drawings outlining the details of the modifications; and (ii) Supporting information that details how the proposed change does not reduce the capacity or performance of the stormwater management system.
18	Operation and certification of stormwater management works (a) The stormwater management system must be fully operational before the use of the impervious area. (b) Within three months of the Completion of Construction, the Consent Holder must provide the following to the Council: (i) Written evidence in the form of a validation report that the stormwater management device or system was installed or built generally in accordance with the design specifications in Condition 17, and (ii) As-built plans of the stormwater management device or system, certified (signed) by a suitably qualified service provider as a true record of the stormwater management system.
19	Stormwater - Inspection and maintenance records Details of all inspections and maintenance for the stormwater management system, for the preceding three years, shall be retained by the Consent Holder. These records shall be provided to the Council on request.
Groundwater Diversion	
20	Damage Avoidance All excavation, dewatering systems, retaining structures and works associated with the diversion or taking of groundwater, shall be designed, constructed and maintained so as to avoid Damage to buildings, structures and Services within or immediately adjacent to the Project existing as of the date of consent being granted, outside that considered in the report titled “<i>Assessment of Groundwater and Ground Settlement Effects</i>” prepared by Te Tupu Ngātahi dated September 2021.
21	Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) (a) At least twenty (20) days prior to the Commencement of Dewatering, a Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) prepared by a SQEP, shall be submitted to the Council for certification. (b) The objective of the GSMCP shall be to confirm that the effects of the Detailed Design are in accordance with Condition 20, and where necessary to set out the practices and

Ref	Condition
	procedures to be adopted, including monitoring to avoid, remedy or mitigate any adverse effect. The GSMCP shall include, at a minimum, the following information: (i) A final monitoring location plan, showing the location and type of all Monitoring Stations including groundwater monitoring bores, ground and building deformation pins. The monitoring plan should be based on “<i>Indicative Monitoring Location Plan – Drury Central</i>” prepared by Te Tupu Ngātahi dated September 2021 and included in Schedule 1. Where the location of a Monitoring Station differs substantively from the “<i>Indicative Monitoring Location Plan – Drury Central</i>” a written explanation for the difference shall be provided. (ii) A schedule of proposed groundwater monitoring well locations, and the recommended pre-construction, construction and post-construction monitoring frequency. (iii) A schedule of proposed ground and building deformation markers, and the recommended pre-construction, construction and post-construction monitoring frequency. (iv) A risk assessment to identify existing buildings and structures at risk of damage due to settlement caused by dewatering or excavation activities (v) A schedule of buildings and / or utilities for pre- and post-construction condition surveys, or interim external visual inspections; (vi) All pre-construction monitoring data, and all pre-construction building/Service condition surveys required by the GSMCP. (vii) A bar chart or a schedule, showing the timing and frequency of condition surveys, visual inspections and all other monitoring required by this GSMCP, and a sample report template for regular monitoring. (viii) All Alert and Alarm Level Triggers as a result of recommendations in the building condition surveys and / or data obtained from pre-dewatering monitoring. (ix) Details of the contingency actions to be implemented if Alert or Alarm Levels are exceeded, and procedures and notification of parties if Damage is detected. (x) Details of and need for a maintenance programme for any permanent backfill or drainage systems. (c) All construction, dewatering, monitoring and contingency actions shall be carried out in accordance with the certified GSMCP. No Bulk Excavation (that may affect groundwater levels) or other dewatering activities shall commence until the GSMCP is certified in writing by the Council. (d) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the GSMCP and any comments received from Mana Whenua shall be summarised along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes - The certification and amendment of the Groundwater and Settlement Monitoring and Contingency Plan is covered by Condition 4.

Ref	Condition
22	De-watering Services Condition Survey (a) Prior to the Commencement of Dewatering, a condition survey of potentially affected stormwater, water and wastewater services (as identified in the GSMCP) shall be undertaken in consultation with the relevant service provider. (b) This condition does not apply to any service where written evidence is provided to the Council that the owner of that service has confirmed they do not require a condition survey.
23	Pre-Dewatering Detailed Condition Survey (a) Prior to the Commencement of Dewatering, the Consent Holder shall undertake a risk assessment to identify existing buildings and structures at risk of damage due to settlement caused by dewatering or excavation activities. The risk assessment process shall be set out in the GSMCP required by Condition 21(b) iv. and shall be based on the detailed design and construction methodology, the groundwater and settlement monitoring required under this consent, and groundwater and settlement modelling completed using this data. (b) Prior to the Commencement of Dewatering, the Consent Holder shall write to identified owners of buildings and structures identified in “<i>Final Monitoring Location Plan – Drury Central</i>” in the certified GSCMP and offer to undertake a pre-dewatering Detailed Condition Survey. The survey shall be undertaken by a SQEP or SQBS and a written report shall be prepared and reviewed by the SQEP responsible for overseeing the monitoring. The report shall be submitted for information to the Council. The Detailed Condition Survey shall include: (i) Confirmation of the installation of building deformation stations as required by the risk assessment in Condition 23 (a) and / or in the locations shown on the plan titled “<i>Final Monitoring Location Plan – Drury Central</i>” in the certified GSCMP; (ii) A description of the type of foundations; (iii) A description of existing levels of Damage considered to be of an aesthetic or superficial nature; (iv) A description of existing levels of Damage considered to affect the serviceability of the building where visually apparent without recourse to intrusive or destructive investigation; (v) An assessment as to whether existing Damage may or may not be associated with actual structural Damage and an assessment of the susceptibility of buildings/structures to further movement and Damage; (vi) Photographic evidence of existing observable Damage; (vii) A review of proposed Alarm and Alert Levels to confirm they are appropriately set and confirmation that any ground settlement less than the Alarm Level will not cause Damage; (viii) An assessment of whether the monitoring frequency is appropriate; (ix) An assessment of whether the locations and density of existing building deformation stations are adequate and appropriate for the effective detection of change to building and structure condition;

Ref	Condition
	(x) The Consent Holder has the discretion to redact condition surveys and photographic records in the report provided to Council, if an owner has provided a written request to withhold their information; (c) The Consent Holder is deemed to have complied with Condition 23 if: (i) The Consent Holder has completed the Detailed Condition Survey of all identified properties and services at Condition 23 (b); or (ii) An alternative agreement is reached between the Consent Holder and any owner; or (iii) The owner did not accept the Consent Holders offer to undertake a Detailed Condition Survey within three months of the date of the Consent Holders request, (including where the owner did not respond within that period, following reasonable inquiries made with the owner by the Consent Holder); or (iv) The property or service owner cannot, after reasonable enquiry, be found.
24	Completion of Dewatering Condition Survey (a) The Consent Holder shall write to owners of the identified buildings and structures (subject of a pre-dewatering Detailed Condition Survey) to offer a completion of Dewatering Condition Survey. Any Damage shown to be caused by the Project dewatering shall be rectified by the Consent Holder (Damage Rectification). (b) Once an agreement on Damage Rectification is reached between the Consent Holder and the owner of a damaged building or structure under Condition 24(a) the mitigation shall be implemented, including any third-party authorisations required, in a reasonable and practical timeframe agreed between the Consent Holder and the owner. (c) Where Damage Rectification is required, the Consent Holder is deemed to have complied with Condition 24 if: (i) The Consent Holder has completed Damage Rectification to the building or structure; or (ii) An alternative agreement is reached between the Consent Holder and the owner; or (iii) The owner did not accept the Consent Holders offer to implement Damage Rectification within three months of the date of the Consent Holders letter sent in accordance with Condition 24 (a) (including where the owner did not respond within that period following reasonable inquiries with the owner by the Consent Holder); or (iv) The owner cannot, after reasonable enquiry, be found post completion of construction of the Project. Advice note - Where the identified buildings or structures are also subject to noise and vibration surveys, Surveys and Damage Rectification may be undertaken jointly.
Advice Note - The Consent Holder is advised that the discharge of pumped groundwater to a stormwater system or waterbody will need to comply with any other regulations, bylaws or discharge rules that may apply.	

Schedule 1 – Indicative Hydrogeology Monitoring Location Plan



Paerata Station – Designation Conditions (NoR P-S)

Definitions

The tables below defines the acronyms and terms used in the conditions.

Term	Definition
Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991.
Certification	Certification shall be achieved by confirmation from the Council that the plan has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) fifteen (15) working days from the submission of the material change to the management plan where no written confirmation of certification has been received.
Completion of Construction	When construction of the Project is complete and it is available for use.
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council.
Enabling Works	Includes, but is not limited to, the following and similar activities: • geotechnical investigations (including trial embankments) • archaeological site investigations • formation of access for geotechnical investigations • establishment of site yards, site entrances and fencing • constructing and sealing site access roads • demolition or removal of buildings and structures • relocation of services • ecological surveys • vegetation removal ancillary to Enabling Works • establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Project	For NOR P-S means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1.

	For NOR P-IA means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1. Reference to "Project" in the conditions means each or either of the Projects as the case may be.
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Stage of Work	Any physical works that require the development of an Outline Plan.
Stage One works	Means the physical works to construct the Project in its Stage One configuration, which includes but is not limited to station platforms, transport interchange facilities, and accessways.
Stakeholder	Means the following parties: • Newland Holdings Pty Ltd; • Paerata 5 Farms Limited; • Grafton Downs Limited; • Counties Power; • The Minister of Housing; and The owners and occupiers of: • The land on which the Project is to be undertaken; and • The Surrounding Land (as defined below).
stakeholder	Means a relevant affected party to be consulted on a construction specific management plan.
Surrounding Land	Means the properties listed and identified in Schedule 2.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified and Experienced Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.
Urban Design Evaluation and Framework	Means the ' <i>Drury Central and Paerata Stations Urban Design Evaluation and Framework (UDEF)</i> ', version 1.0, dated September 2021, prepared by Te Tupu Ngātahi Supporting Growth.
Any reference to number of days	Has the same meaning as Working Days under section 2 of the Resource Management Act 1991.

Acronyms

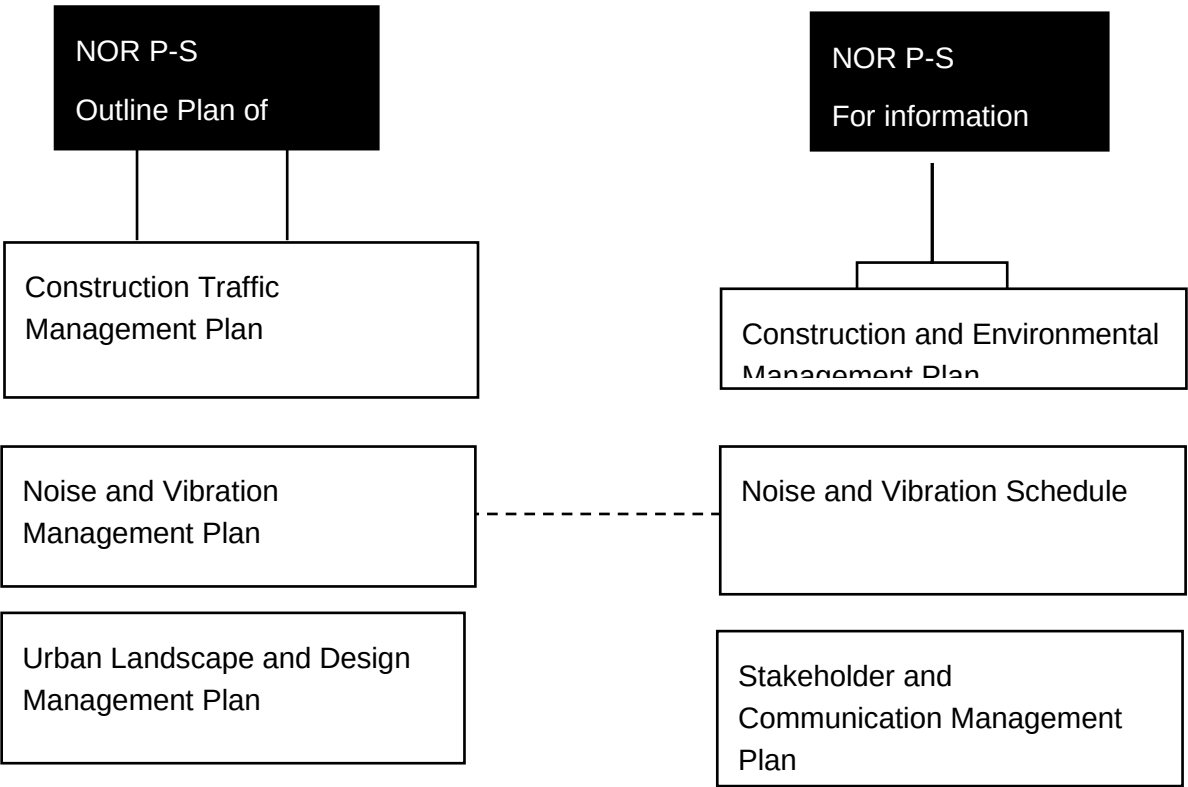
Acronym	Description
AUP:OP	Auckland Unitary Plan: Operative in Part
BPO	Best Practicable Option
CEMP	Construction Environmental Management Plan
CMP	Cultural Monitoring Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTED	Crime Prevention through Environmental Design
CTMP	Construction Traffic Management Plan
MEF	Mana Whenua Engagement Forum
NoR	Notice of Requirement
NoR P-S	Notice of Requirement – Paerata Station
NoR P-IA	Notice of Requirement – Paerata Interchange and Accessway
RMA	Resource Management Act 1991 and its subsequent amendments
ULDMP	Urban Design and Landscape Management Plans
SQEP	Suitably Qualified and Experienced Person
SCMP	Stakeholder and Communication Management Plan

Paerata Station

Ref	Notice of Requirement Purpose
NOR P-S	The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.

Summary of Plans identified in Conditions

Management plans and documentation required by these conditions for NOR P-S may be prepared as a joint document with NOR P-IA.



Paerata Station: NoR Conditions

Ref.	Condition
General Conditions	
1	Activity in General Accordance with Plans and Information Except as modified by the conditions below, and subject to final design and Outline Plan(s), works shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.
2	Designation Review As soon as practicable following Completion of Construction, the Requiring Authority shall: (a) review the extent of the designation to identify any areas of designated land that it no longer requires for the long-term development, operation, maintenance or mitigation of effects of the Project; and (b) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
3	Designation Lapse In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, this designation will lapse if not given effect to within two years from the date on which it is included in the Auckland Unitary Plan. Advice Note – <i>For the avoidance of doubt the designation will be given effect to at the implementation of Stage 1.</i>
Outline Plan of Works	
4	(a) An Outline Plan or Plans for the Project shall be prepared and submitted to the Council where required in accordance with these conditions. (b) The Outline Plan(s) referred to in this condition shall include any relevant management plan for the particular design, construction, or operational matters being addressed in the Outline Plan. (c) An Outline Plan shall be prepared in consultation with Stakeholders, where the works involve any of the matters identified in condition 12(a). (d) Where an Outline Plan is required to be prepared under condition 4(c), the following consultation process is required to be followed: (i) Four months prior to any Construction Works being undertaken, a Draft Outline Plan prepared by the Requiring Authority shall be submitted to the Stakeholders for comment; (ii) The Stakeholders will have three weeks from the date of receipt of the Draft Outline Plan to send comments on the Draft Outline Plan to the Requiring Authority; and (iii) The Requiring Authority shall consider the comments to the Draft Outline Plan, record whether it accepts the comments or not, and if not provide reasons why when it submits the Outline Plan to Council.

Ref.	Condition
5	Management Plans (a) Any management plan shall be: (i) prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 6 to 15); (ii) prepared by a Suitably Qualified and Experienced Person(s); and (iii) submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCMPs, CEMPs and CNVMP Schedules. (b) Any management plan shall summarise comments received from Mana Whenua and other Stakeholders, along with a summary of where comments have: (i) been incorporated; and (ii) where not incorporated, the reasons why. (c) Any management plan developed in accordance with Condition 5 may: (i) be prepared and submitted as a joint document for both Projects. (ii) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (iii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects and submitted to the Council for information without further process. (iv) if there is a material change required to a management plan which has been submitted with an Outline Plan in accordance with Condition 5, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; (d) Any material changes to the SCMPs or CEMPs are to be submitted to the Council for information as soon as practicable following identification for the need for any material changes. (e) The Projects shall be undertaken in accordance with the most recent version of the management plans required in Conditions 6 to 15.
Construction and Environmental Management Plan (CEMP)	
6	(a) A CEMP shall be prepared prior to the Start of Construction. (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve this objective the CEMP shall include: (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work;

Ref.	Condition
	(iv) drawings of the proposed site layouts (including construction yards, temporary buildings and construction vehicle parking), (v) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vi) methods for providing for the health and safety of the general public; (vii) procedures for incident management; (viii) methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances; (ix) procedures for responding to complaints about Construction Works; (x) details of any environmental awareness training procedures for staff as relevant; (xi) methods for amending and updating the CEMP as required; (xii) identification of cultural monitoring activities as set out in the Cultural Monitoring Plan; and (xiii) any other measures to achieve the objective set out in Condition 6(b). (c) Any CEMP shall be submitted to the Manager for information at least ten (10) working days before the Start of Construction for the relevant Stage of Work.
Construction Traffic Management Plan (CTMP)	
7	(a) A CTMP shall be prepared prior to the Start of Construction. (b) A CTMP shall be submitted to the Manager for information at least 10 working days prior to the start of construction. (c) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic and transport effects. To achieve this objective, the CTMP shall include: (i) methods to manage the effects of temporary traffic management activities on traffic, with consideration of cumulative construction effects from other projects occurring in the area (as relevant); (ii) measures to manage the safety of all transport users. This may include, but shall not be limited to: a. identification of detour routes b. temporary speed limits; and c. other methods to safely manage and maintain traffic flows, pedestrians and cyclists, on existing roads; (iii) methods to maintain functional and operational vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be maintained; (iv) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (v) identification of site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (vi) identification of any appropriate traffic management measures;

Ref. Condition

- (vii) methods that will be undertaken to communicate traffic management measures to affected road users, pedestrians and cyclists (e.g. residents/public/stakeholders/emergency services);
- (viii) any other measures to achieve the objective set out in Condition 7(b).

Advice Note - The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits are obtained from Auckland Transport. See Auckland Transport's website www.aucklandtransport.govt.nz for more information.

Construction Noise and Vibration Management Plan (CNVMP)

8 Construction Noise standards

- (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards at any occupied residential building set out in the following table as far as practicable:

Table 1: Construction noise standards

Day of week	Time period	L _{Aeq} (15min)	L _{AFmax}
Occupied activity sensitive to noise			
Weekday	0630h - 0730h	55 dB	75 dB
		70 dB	85 dB
	0730h - 1800h	65 dB	80 dB
		45 dB	75 dB
	1800h - 2000h		
	2000h - 0630h		
Saturday	0630h - 0730h	45 dB	75 dB
		70 dB	85 dB
	0730h - 1800h	45 dB	75 dB
		45 dB	75 dB
	1800h - 2000h		
	2000h - 0630h		
Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB
		55 dB	85 dB
	0730h - 1800h	45 dB	75 dB
		45 dB	75 dB

Ref. Condition

	1800h - 2000h		
	2000h - 0630h		
Other occupied buildings			
All	0730h – 1800h 1800h – 0730h	70 dB 75 dB	

- (b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply

9 Construction Vibration Standards

- (a) Construction vibration shall be measured in accordance with German Standard DIN 4150-3:1999 '*Structural Vibration – Part 3: Effects of Vibration on Structures*' for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.

Table 2 Construction vibration criteria

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

- (b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply.

10 Construction Noise and Vibration Management Plan (CNVMP)

- (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.

Ref.	Condition
	(b) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve, or otherwise minimise any exceedances of, the construction noise and vibration standards set out in Conditions 8 and 9 as far as practicable. (c) The CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 '<i>Acoustics – Construction Noise</i>' (NZS6803:1999) and shall as a minimum, address the following: (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities will occur; (iii) The construction noise and vibration standards for the Project; (iv) Identification of receivers where noise and vibration standards apply; (v) Management and mitigation options, and identification of the Best Practicable Option; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedure for responding to monitored exceedances (viii) 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. (ix) Contact details of the Project Liaison Person or site supervisor; (x) 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; (xi) Procedures for monitoring construction noise and vibration and reporting to the Council. (xii) Identification of areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xiii) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls. (xiv) Procedures for review and update of the CNVMP; and (xv) Any other measures to achieve Condition 10(b).
11	Schedule to a CNVMP (a) A Site-Specific Construction Noise and/or Vibration Management Schedule (Schedule) shall be prepared in consultation with the owners and occupiers of sites subject to the Schedule, when:

Ref.	Condition
	(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 8, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: a. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 9. (b) The objective of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as: (i) Activity location, start and finish dates; (ii) The nearest neighbours to the construction activity; (iii) A location plan; (iv) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Clause (a); (v) The proposed Best Practicable option mitigation for the activity/location, including measures to address impacts on farming operations (including animal safety and welfare); (vi) The proposed communications with neighbours; and (vii) Location, times and types of monitoring.
Urban Landscape and Design Management Plan (ULDMP)	
12	(a) An Urban Landscape and Design Management Plan (ULDMP) shall be prepared and submitted with the relevant Outline Plan(s) for: (i) The design of the Stage One works; and (ii) The design of subsequent stages where they involve works materially affecting movement in and around the station and/or the interface of the station with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority), including changes resulting from the addition of an accessway from Sim Road. (b) The objective of the ULDMP is to set out how the Project will manage or mitigate potential adverse visual effects and contribute to a quality urban environment. (c) To achieve this objective, the ULDMP shall include an overall concept plan that shows the layout of the Project and in particular urban landscape and design elements relating to access, connectivity, and interface with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority), with particular regard to: (i) How the works in the Outline Plan Project will be integrated into the future urban environment, with particular regard to: a. Provision for safe active mode facilities within the station, and safe and efficient multi-modal access between the station and the surrounding existing and planned urban environment;

Ref.	Condition
	b. The Urban Design Evaluation and Framework; (ii) How the Project works will be coordinated and integrated with the planned future urban development of Surrounding Land to the extent practicable, with particular regard to: a. The extent to which the Requiring Authority, the owners of Surrounding Land and infrastructure providers can coordinate the provision of new or upgraded infrastructure including stormwater management communal device location and sizing to serve the wider future urban catchment, and how stormwater infrastructure can be provided so as to enable integration with the surrounding existing and planned urban environment; b. How the finished levels will integrate with the adjacent land; c. The location and design of connecting roads between the Project and surrounding land (including future connections to the accessway); d. The timing of works planned on Surrounding Land; e. Any delineation between temporary and permanent land take; f. Any other relevant access, servicing, engineering, or other matters; and g. Any adjustments to the extent of the designation in light of the above analysis. (iii) how the project will enable a safe and inclusive environment. This may be achieved by use of; a. Crime Prevention through Environmental Design principles (CPTED); and b. Safety in Design principles (SID). (iv) how the project will provide for walking and cycling connectivity, (v) architectural treatment of major structures (e.g. bridges and retaining walls), (vi) accessway design, including roadside and median treatments (e.g. furniture and lighting); (vii) methods to enhance station legibility such as, arrival treatments, signage, wayfinding and interchange between transport modes; (viii) As relevant to the Stage of Work, details of; a. the reinstatement of construction and site compound areas, treatment of cut-and-fill slopes and interface of stormwater devices; and b. how the Project's permanent works will be integrated into the built environment and the landscape context; (ix) landscape treatments and planting, such as: a. the intended plant species, planting locations and plant sizes at the time of planting and on maturity; b. the planting methodology and programme; and (x) a maintenance and monitoring regime, including provision for replacement of dead or poorly performing plants. (d) Mana-Whenua shall be invited through the Mana Whenua Engagement Forum (MEF) to participate in the development of the ULDMP to provide input into the relevant cultural landscape and design matters and how desired outcomes may be reflected in the ULDMP.

Ref. Condition**Mana Whenua Engagement Forum (MEF)**

- 13**
- (a) Within three months of confirmation of the designation the Requiring Authority must establish a kaitiaki Mana Whenua Engagement Forum (MEF) (or similar) to provide for an on-going role in the design and construction of the Project and is to maintain this forum for the duration of the Construction Works.
 - (b) The objective of the MEF is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection in the Project design and construction phases and to develop agreed measures and mechanisms to avoid, remedy or mitigate adverse effects on Mana Whenua values including opportunities for expression of those cultural values through design and input into relevant management plans.
 - (c) The frequency at which the MEF meets and the format or nature of the meetings shall be agreed between the Requiring Authority and the MEF.
 - (d) The role of the MEF is to facilitate consultation about and enable Mana Whenua to provide input into (but not limited to):
 - (i) roles and responsibilities of Mana Whenua, including in relation to design and development of the Project;
 - (ii) preparation of management plans;
 - (iii) cultural monitoring activities to be undertaken;
 - (iv) developing and participating in archaeological investigations and processes; and
 - (v) identifying opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;
 - (vi) Mana Whenua outcomes and wellbeing aspirations; and
 - (vii) incorporating cultural narratives into the design of the Project.
 - (e) The Requiring Authority must extend an invitation for membership on the MEF to (but not limited to) representatives of:
 - (i) Ngāi Tai ki Tāmaki Tribal Trust;
 - (ii) Ngāti Maru Runanga;
 - (iii) Ngāti Tamaoho Trust;
 - (iv) Ngaati Te Ata Waiohū;
 - (v) Ngaati Whanaunga Inc Soc;
 - (vi) Te Ākitai Waiohū;
 - (vii) Te Ahiwaru Waiohū;
- Advice Note** – If the Requiring Authority holds an existing forum for engagement with Mana Whenua that forum may continue. Should the existing forum for engagement cease, an alternative forum for engagement will need to be established.

Stakeholder and Communication Management Plan (SCMP)

- 14**
- (a) A SCMP shall be prepared prior to the Start of Construction.
 - (b) The objective of the SCMP is to set out how the public and stakeholders will be communicated with throughout the Construction Works.

Ref.	Condition
	(c) The SCMP shall include the following details and measures setting out how the Requiring Authority will: (i) Provide the contact details for the Project Liaison Person which shall be prominently displayed at the main entrance(s) to the site(s); (ii) Communicate with a list of stakeholders, infrastructure service providers, transport operators, organisations, businesses, and the public persons who will be communicated with; (iii) Provide a communications framework that details the Requiring Authority's communication strategies, the accountabilities and timeframes for responding to inquiries and complaints, frequency of communications and consultation, the range of communication and consultation methods to be used, and any other relevant communication matters; (iv) Specify methods for how stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns, and complaints; (v) Inform the stakeholders and parties consulted of construction progress and future construction activities; (vi) Specify methods to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; (vii) Outline details of the inquiry and complaint management process including who is responsible for responding, how responses will be provided and the timeframes within which the responses will be provided; (viii) Maintain a complaint register which shall detail the date, nature and complainant contact details (if provided) of any complaints received regarding the construction of the Project and the Requiring Authority's response (or confirmation of no action) to each complaint; (ix) Outline any linkages and cross-references to communication methods set out in other conditions and management plans where relevant; (x) any arrangements for post-construction communications; and (xi) any other measures to achieve Condition 14(b). (d) Any SCMP prepared for a Stage of Work shall be submitted to the Manager for information ten (10) working days prior to the Start of Construction.
Cultural Monitoring Plan (CMP)	
15	(a) Prior to the start of Construction Works, a Cultural Monitoring Plan (CMP) shall be prepared in collaboration with Mana Whenua through the MEF. (b) The objective of the Cultural Monitoring Plan is to provide Mana Whenua the opportunity to reconnect with the whenua as kaitiaki and express tikanga and kawa responsibilities. (c) The Cultural Monitoring Plan shall include: (i) requirements for formal dedication and or cultural oversight to be undertaken prior to Start of Construction;

Ref.	Condition
	(ii) requirements and protocols for cultural inductions for contractors and subcontractors working on the site; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol developed under Condition 16. (d) If the Requiring Authority and Mana Whenua agree, other matters can be included in the CMP. (e) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person identified and in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan. Advice Note - Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.
16	Accidental Discovery Protocol (a) An Accidental Discovery Protocol, for areas of the Project not covered by an Archaeological Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014 shall be developed in consultation with Mana Whenua for the Project through the MEF to address accidental archaeological discoveries during the Enabling Works and Construction Works. (b) The Accidental Discovery Protocol shall be consistent with the accidental discovery rule in Chapter E11 (Land disturbance – Regional) of the Auckland Unitary Plan: Operative in Part or any subsequent version.

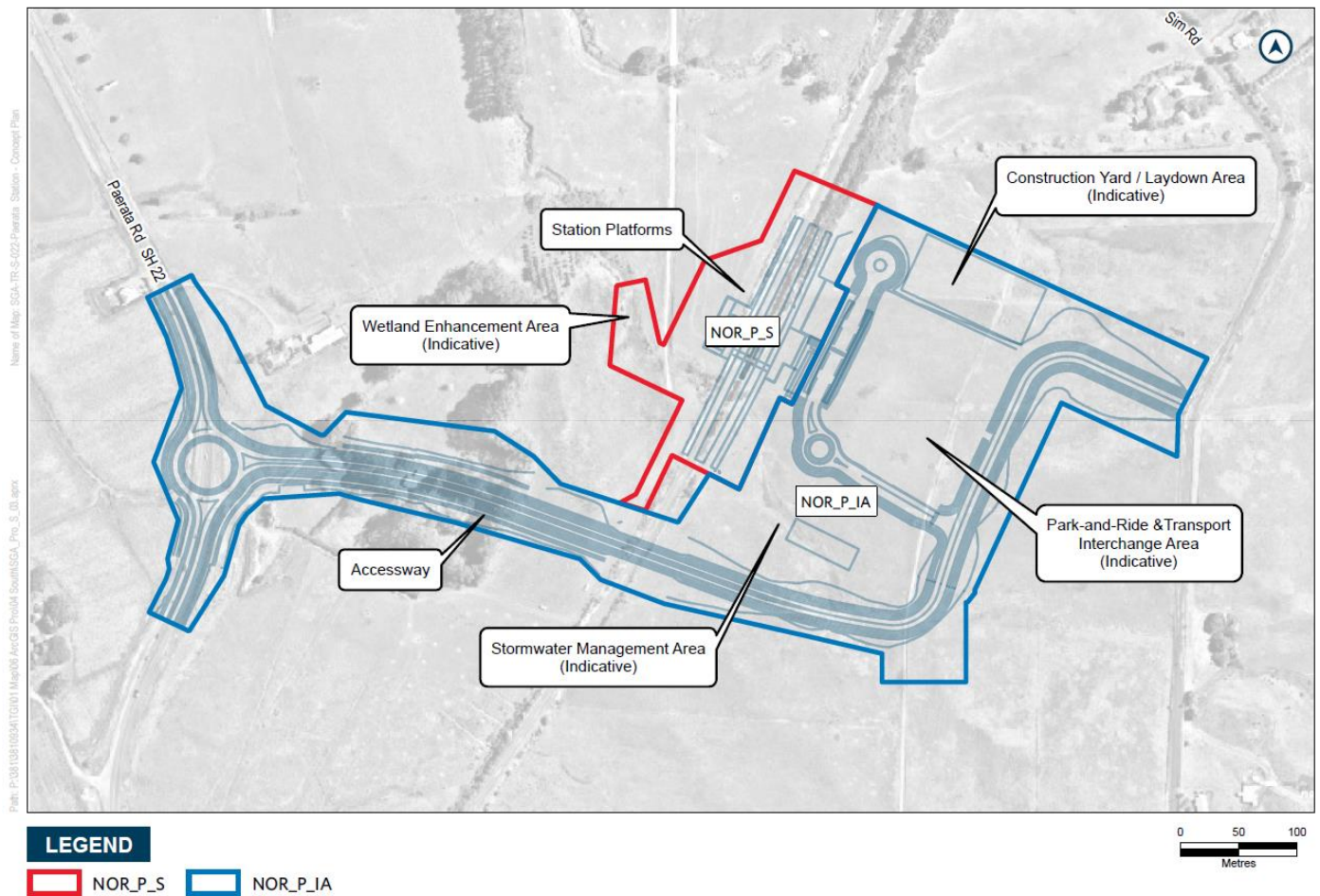
Schedule 1: General Accordance

(NOR P-S) Paerata Station Project Description

The proposed work is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005 at Paerata along the existing North Island Main Trunk (NIMT) rail line.

The proposed work is shown in the following Concept Plan.

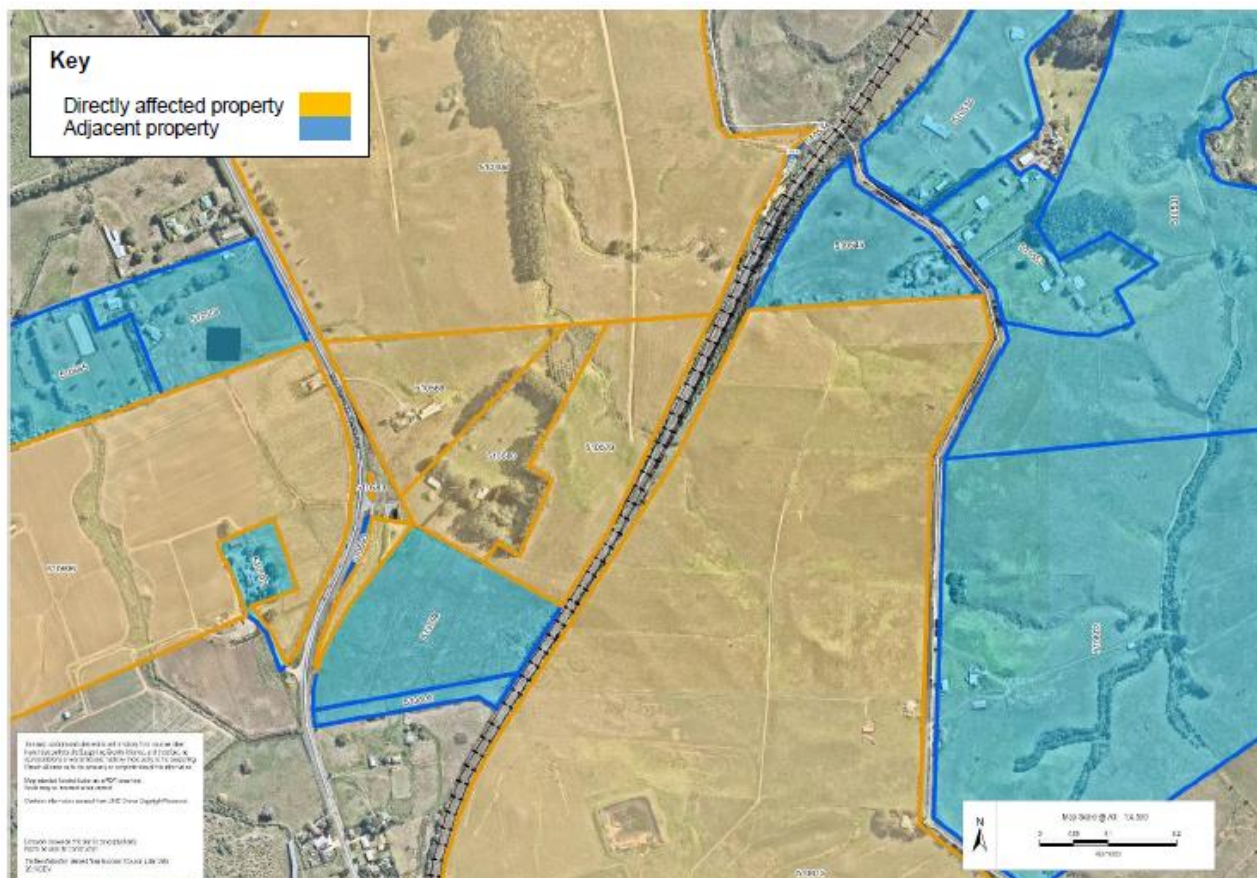
NOR P-S Concept Plan



Schedule 2 – Surrounding Land

Surrounding Land means the properties listed and mapped below.

Property Address	Legal Description
Paerata Road, Pukekohe, Auckland 2120	NA75A/940 Lot 1 DP 129047
890 Paerata Road, Pukekohe, Auckland 2120	NA77B/437 Lot 2 DP 132003
888A Paerata Road	NA77B/436 Lot 1 DP 132003
319A Sim Road	NA85B/435 Lot 3 DP 143670
325 Sim Road, Pukekohe, Auckland 2676	NA129D/104 Lot 1 DP 201006
328 Sim Road Pukekohe Auckland 2676	Pt Lot 1 DP 9026
349 Sim Road, Pukekohe, Auckland 2676	NA129D/105 Lot 2 DP 201006
401 Sim Road, Pukekohe, Auckland 2676	NA762/277 Part Lot 77 DEEDS Whau 24
975 Paerata Road, Pukekohe, Auckland 2120	NA51D/1015 Part Lot 9 DEEDS 188
	NA51D/1015 Part Lot 8 DEEDS 188



Paerata Station – Designation Conditions (NoR P-IA)

Definitions

The tables below defines the acronyms and terms used in the conditions.

Term	Definition
Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991.
Certification	Certification shall be achieved by confirmation from the Council that the plan has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) fifteen (15) working days from the submission of the material change to the management plan where no written confirmation of certification has been received.
Completion of Construction	When construction of the Project is complete and it is available for use.
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council.
Enabling Works	Includes, but is not limited to, the following and similar activities: • geotechnical investigations (including trial embankments) • archaeological site investigations • formation of access for geotechnical investigations • establishment of site yards, site entrances and fencing • constructing and sealing site access roads • demolition or removal of buildings and structures • relocation of services • ecological surveys • vegetation removal ancillary to Enabling Works • establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Project	For NOR P-S means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1.

	For NOR P-IA means the works and activities described in the Project Description in Schedule 1, and as indicatively shown in the Concept Plan in Schedule 1. Reference to "Project" in the conditions means each or either of the Projects as the case may be.
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Stage of Work	Any physical works that require the development of an Outline Plan.
Stage One works	Means the physical works to construct the Project in its Stage One configuration, which includes but is not limited to station platforms, transport interchange facilities, and accessways.
Stakeholder	Means the following parties: • Newland Holdings Pty Ltd; • Paerata 5 Farms Limited; • Grafton Downs Limited; • Counties Power; • The Minister of Housing; and The owners and occupiers of: • The land on which the Project is to be undertaken; and • The Surrounding Land (as defined below).
stakeholder	Means a relevant affected party to be consulted on a construction specific management plan.
Surrounding Land	Means the properties listed and identified in Schedule 2.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified and Experienced Person	A person (or persons) person who can provide sufficient evidence to demonstrate their suitability and competence.
Urban Design Evaluation and Framework	Means the ' <i>Drury Central and Paerata Stations Urban Design Evaluation and Framework (UDEP)</i> ', version 1.0, dated September 2021, prepared by Te Tupu Ngātahi Supporting Growth.
Any reference to number of days	Has the same meaning as Working Days under section 2 of the Resource Management Act 1991.

Acronyms

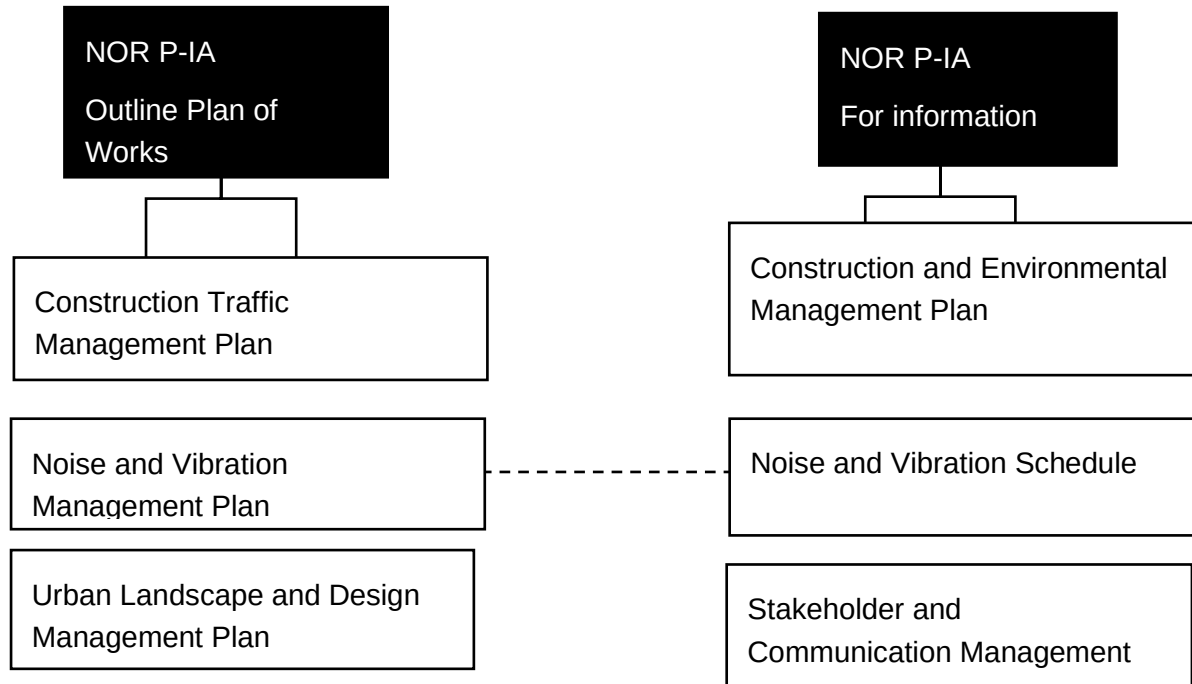
Acronym	Description
AUP:OP	Auckland Unitary Plan: Operative in Part
BPO	Best Practicable Option
CEMP	Construction Environmental Management Plan
CMP	Cultural Monitoring Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTED	Crime Prevention through Environmental Design
CTMP	Construction Traffic Management Plan
MEF	Mana Whenua Engagement Forum
NOR	Notice of Requirement
NOR P-S	Notice of Requirement – Paerata Station
NOR P-IA	Notice of Requirement – Paerata Interchange and Accessway
RMA	Resource Management Act 1991 and its subsequent amendments
ULDMP	Urban Landscape and Design Management Plan
SQEP	Suitably Qualified and Experienced Person
SCMP	Stakeholder and Communication Management Plan

Paerata Interchange and Accessway

Ref	Notice of Requirement Purpose
NOR P-IA	The construction, operation and maintenance of railway premises and transport interchange facilities including but not limited to: Park-and-ride and kiss-and-ride; transport interchange and layovers; accessways, paths and plazas; and bicycle facilities.

Summary of Plans identified in Conditions

Management plans and documentation required by these conditions for NOR P-IA may be prepared as a joint document with NOR P-S.



Paerata Interchange and Accessway: NoR Conditions

Ref.	Condition
General Conditions	
1	Activity in General Accordance with Plans and Information Except as modified by the conditions below, and subject to final design and Outline Plan(s), works shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.
2	Designation Review As soon as practicable following Completion of Construction, or completion of the Accessway as generally shown in the Concept Plan in Schedule 1, the Requiring Authority shall: (a) review the extent of the designation to identify any areas of designated land that it no longer requires for the long-term development, operation, maintenance or mitigation of effects of the Project, including any areas of road to be vested; and (b) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
3	Designation Lapse In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, this designation will lapse if not given effect to within two years from the date on which it is included in the Auckland Unitary Plan. Advice Note – <i>For the avoidance of doubt the designation will be given effect to at the implementation of Stage 1.</i>
Outline Plan of Works	
4	(a) An Outline Plan for the Project shall be prepared and submitted to the Council in accordance with these conditions. (b) An Outline Plan shall include any relevant management plan for the particular design, construction, or operational matters being addressed in the Outline Plan. (c) An Outline Plan shall be prepared in consultation with Stakeholders, where the works involve any of the matters identified in condition 12(a). (d) Where an Outline Plan is required to be prepared under condition 4(c), the following consultation process is required to be followed: (i) Four months prior to any Construction Works being undertaken, a Draft Outline Plan prepared by the Requiring Authority shall be submitted to the Stakeholders for comment; (ii) The Stakeholders will have three weeks from the date of receipt of the Draft Outline Plan to send comments on the Draft Outline Plan to the Requiring Authority; and (iii) The Requiring Authority shall consider the comments to the Draft Outline Plan, record whether it accepts the comments or not, and if not provide reasons why when it submits the Outline Plan to Council.

Ref.	Condition
5	Management Plans (a) Any management plan shall be: (i) prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 6 to 14); (ii) prepared by a Suitably Qualified and Experienced Person(s); and (iii) submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCMPs, CEMPs and CNVMP Schedules. (b) Any management plan shall summarise comments received from Mana Whenua and other Stakeholders, along with a summary of where comments have: (i) been incorporated; and (ii) where not incorporated, the reasons why. (c) Any management plan developed in accordance with Condition 5 may: (i) be prepared and submitted as a joint document for both Projects. (ii) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (iii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects and submitted to the Council for information without further process. (iv) if there is a material change required to a management plan which has been submitted with an Outline Plan in accordance with Condition 5, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; (d) Any material changes to the SCMPs or CEMPs are to be submitted to the Council for information as soon as possible following the need for any material change. (e) The Projects shall be undertaken in accordance with the most recent version of the management plans required in Conditions 6 to 14.
Construction and Environmental Management Plan (CEMP)	
6	(a) A CEMP shall be prepared prior to the Start of Construction. (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve this objective the CEMP shall include: (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) drawings of the proposed site layouts (including construction yards, temporary buildings and construction vehicle parking),

Ref.	Condition
	(v) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vi) methods for providing for the health and safety of the general public; (vii) procedures for incident management; (viii) methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances; (ix) procedures for responding to complaints about Construction Works; (x) details of any environmental awareness training procedures for staff as relevant; (xi) methods for amending and updating the CEMP as required; (xii) identification of cultural monitoring activities as set out in the Cultural Monitoring Plan; and (xiii) any other measures to achieve the objective set out in Condition 6(b). (c) Any CEMP shall be submitted to the Manager for information at least ten (10) working days before the Start of Construction for the relevant Stage of Work.
Construction Traffic Management Plan (CTMP)	
7	(a) A CTMP shall be prepared prior to the Start of Construction. (b) A CTMP shall be submitted to the Manager for information at least 10 working days prior to the start of construction. (c) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic and transport effects. To achieve this objective, the CTMP shall include: (i) methods to manage the effects of temporary traffic management activities on traffic, with consideration of cumulative construction effects from other projects occurring in the area (as relevant); (ii) measures to manage the safety of all transport users. This may include, but shall not be limited to: a. identification of detour routes b. temporary speed limits; and c. other methods to safely manage and maintain traffic flows, pedestrians and cyclists, on existing roads; (iii) methods to maintain functional and operational vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be maintained; (iv) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (v) identification of site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (vi) identification of any appropriate traffic management measures; (vii) methods that will be undertaken to communicate traffic management measures to affected road users, pedestrians and cyclists (e.g. residents/public/stakeholders/emergency services);

Ref.	Condition																											
	(viii) any other measures to achieve the objective set out in Condition 7(b). Advice Note - The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits are obtained from Auckland Transport. See Auckland Transport’s website www.aucklandtransport.govt.nz for more information. Advice Note – Prior to any physical works being undertaken on the state highway, it is a legal requirement to apply to Waka Kotahi for a Corridor Access request (CAR) and for that request to be approved. Any CAR application should be submitted to Waka Kotahi via networkaccess@asm.nzta.nz a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.																											
7A	Road Safety Audit (a) Prior to the Start of Construction, the Requiring Authority shall engage an independent and suitably qualified Safety Engineer to undertake and complete an independent, Preliminary Design Road Safety Audit of all site access points and road layout changes associated with the Project. (b) The Preliminary Design Road Safety Audit shall be completed in accordance with the New Zealand Transport Agency Procedure Manual (“Road Safety Audit Procedures for projects”) by an independent and appropriately qualified safety audit team. The Requiring Authority shall adopt and address any recommendations made in the Road Safety Audit, which are agreed with the Council (in consultation with Auckland Transport).																											
Construction Noise and Vibration Management Plan (CNVMP)																												
8	Construction Noise standards (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards at any occupied residential building set out in the following table as far as practicable: Table 1: Construction noise standards <table><tr><th>Day of week</th><th>Time period</th><th>L_{Aeq}(15min)</th><th>L_{AFmax}</th></tr><tr><td colspan="4">Occupied activity sensitive to noise</td></tr><tr><td rowspan="6">Weekday</td><td>0630h - 0730h</td><td>55 dB</td><td>75 dB</td></tr><tr><td></td><td>70 dB</td><td>85 dB</td></tr><tr><td>0730h - 1800h</td><td>65 dB</td><td>80 dB</td></tr><tr><td></td><td>45 dB</td><td>75 dB</td></tr><tr><td>1800h - 2000h</td><td></td><td></td></tr><tr><td>2000h - 0630h</td><td></td><td></td></tr></table>	Day of week	Time period	L _{Aeq} (15min)	L _{AFmax}	Occupied activity sensitive to noise				Weekday	0630h - 0730h	55 dB	75 dB		70 dB	85 dB	0730h - 1800h	65 dB	80 dB		45 dB	75 dB	1800h - 2000h			2000h - 0630h		
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	0730h - 1800h	65 dB	80 dB																									
		45 dB	75 dB																									
	1800h - 2000h																											
	2000h - 0630h																											

Ref. Condition						
	Saturday	0630h - 0730h	45 dB	75 dB		
			70 dB	85 dB		
		0730h - 1800h	45 dB	75 dB		
			45 dB	75 dB		
		1800h - 2000h				
	Sunday and Public Holidays	2000h - 0630h				
		0630h - 0730h	45 dB	75 dB		
			55 dB	85 dB		
		0730h - 1800h	45 dB	75 dB		
			45 dB	75 dB		
Other occupied buildings	1800h - 2000h					
	2000h - 0630h					
	All	0730h – 1800h	70 dB			
		1800h – 0730h	75 dB			
	(b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply					
9	Construction Vibration Standards (a) Construction vibration shall be measured in accordance with German Standard DIN 4150-3:1999 ' <i>Structural Vibration – Part 3: Effects of Vibration on Structures</i> ' for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable. Table 2 Construction vibration criteria					
	Receiver	Details	Category A	Category B		
	Occupied Activities	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv		

Ref. Condition

sensitive to noise	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999	

- (b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 10, then the methodology in Condition 11 [Schedule] shall apply.

10 Construction Noise and Vibration Management Plan (CNVMP)

- (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve, or otherwise minimise any exceedances of, the construction noise and vibration standards set out in Conditions 8 and 9 as far as practicable.
- (c) The CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 '*Acoustics – Construction Noise*' (NZS6803:1999) and shall as a minimum, address the following:
- (i) Description of the works and anticipated equipment/processes;
 - (ii) Hours of operation, including times and days when construction activities will occur;
 - (iii) The construction noise and vibration standards for the Project;
 - (iv) Identification of receivers where noise and vibration standards apply;
 - (v) Management and mitigation options, and identification of the Best Practicable Option;
 - (vi) Methods and frequency for monitoring and reporting on construction noise and vibration;
 - (vii) Procedure for responding to monitored exceedances
 - (viii) 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.
 - (ix) Contact details of the Project Liaison Person or site supervisor;
 - (x) 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;
 - (xi) Procedures for monitoring construction noise and vibration and reporting to the Council.
 - (xii) Identification of areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category A or Category B] will not be practicable and the

Ref.	Condition
	specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xiii) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 8] and/or vibration standards [Condition 9 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls. (xiv) Procedures for review and update of the CNVMP; and (xv) Any other measures to achieve Condition 10(b).
11	Schedule to a CNVMP (a) A Site-Specific Construction Noise and/or Vibration Management Schedule (Schedule) shall be prepared 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 8, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: a. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 9. (b) The objective of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as: (i) Activity location, start and finish dates; (ii) The nearest neighbours to the construction activity; (iii) A location plan; (iv) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Clause (a); (v) The proposed Best Practicable Option mitigation for the activity/location, including measures to address impacts on farming operations (including animal safety and welfare); (vi) The proposed communications with neighbours; (vii) Location, times and types of monitoring.
Urban Landscape and Design Management Plan (ULDMP)	
12	(a) An Urban Landscape and Design Management Plan (ULDMP) shall be prepared and submitted with the relevant Outline Plan(s) for: (i) The design of the Stage One works; and (ii) The design of subsequent stages where they involve works materially affecting movement in and around the station and/or the interface of the station with the surrounding existing and planned urban environment (to the extent known by the

Ref.	Condition
	Requiring Authority), including changes resulting from the addition of an accessway from Sim Road. (b) The objective of the ULDMP is to set out how the Project will manage or mitigate potential adverse visual effects and contribute to a quality urban environment. (c) To achieve this objective, the ULDMP shall include an overall concept plan that shows the layout of the Project and in particular urban landscape and design elements relating to access, connectivity, and interface with the surrounding existing and planned urban environment (to the extent known by the Requiring Authority), with particular regard to: (i) How the works in the Outline Plan Project will be integrated into the future urban environment, with particular regard to: a. Provision for safe active mode facilities within the station, and safe and efficient multi-modal access between the station and the surrounding existing and planned urban environment; b. The Urban Design Evaluation and Framework; (ii) How the Project works will be coordinated and integrated with the planned future urban development of Surrounding Land to the extent practicable, with particular regard to: a. The extent to which the Requiring Authority, the owners of Surrounding Land and infrastructure providers can coordinate the provision of new or upgraded infrastructure including stormwater management communal device location and sizing to serve the wider future urban catchment, and how stormwater infrastructure can be provided so as to enable integration with the surrounding existing and planned urban environment; b. How the finished levels will integrate with the adjacent land; c. The location and design of connecting roads between the Project and surrounding land (including future connections to the accessway); d. The timing of works planned on Surrounding Land; e. Any delineation between temporary and permanent land take; and f. Any other relevant access, servicing, engineering, or other matters; and g. Any adjustments to the extent of the designation in light of the above analysis. (iii) how the project will enable a safe and inclusive environment. This may be achieved by use of; a. Crime Prevention through Environmental Design principles (CPTED); and b. Safety in Design principles (SID). (iv) how the project will provide for walking and cycling connectivity (v) architectural treatment of major structures (e.g. bridges and retaining walls), (vi) accessway design, including roadside and median treatments (e.g. furniture and lighting); (vii) methods to enhance station legibility such as, arrival treatments, signage, wayfinding and interchange between transport modes; (viii) As relevant to the Stage of Work, details of;

Ref.	Condition
	a. the reinstatement of construction and site compound areas, treatment of cut-and-fill slopes and interface of stormwater devices; and b. how the Project's permanent works will be integrated into the built environment and the landscape context; (ix) landscape treatments and planting, such as: a. the intended plant species, planting locations and plant sizes at the time of planting and on maturity; b. the planting methodology and programme; and c. a maintenance and monitoring regime, including provision for replacement of dead or poorly performing plants. (d) Mana-Whenua shall be invited through the Mana Whenua Engagement Forum (MEF) to participate in the development of the ULDMP to provide input into the relevant cultural landscape and design matters and how desired outcomes may be reflected in the ULDMP.
Mana Whenua Engagement Forum (MEF)	
13	(a) Within three months of confirmation of the designation the Requiring Authority must establish a kaitiaki Mana Whenua Engagement Forum (MEF) (or similar) to provide for an on-going role in the design and construction of the Project and is to maintain this forum for the duration of the Construction Works. (b) The objective of the MEF is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection in the Project design and construction phases and to develop agreed measures and mechanisms to avoid, remedy or mitigate adverse effects on Mana Whenua values including opportunities for expression of those cultural values through design and input into relevant management plans. (c) The frequency at which the MEF meets and the format or nature of the meetings shall be agreed between the Requiring Authority and the MEF. (d) The role of the MEF is to facilitate consultation about and enable Mana Whenua to provide input into (but not limited to): (i) roles and responsibilities of Mana Whenua, including in relation to design and development of the Project; (ii) preparation of management plans; (iii) cultural monitoring activities to be undertaken; (iv) developing and participating in archaeological investigations and processes; and (v) identifying opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (vi) Mana Whenua outcomes and wellbeing aspirations; and (vii) incorporating cultural narratives into the design of the Project. (e) The Requiring Authority must extend an invitation for membership on the MEF to (but not limited to) representatives of: (i) Ngāi Tai ki Tāmaki Tribal Trust; (ii) Ngāti Maru Runanga;

Ref.	Condition
	(iii) Ngāti Tamaoho Trust; (iv) Ngaati Te Ata Waiohua; (v) Ngaati Whanaunga Inc Soc; (vi) Te Ākitai Waiohua; (vii) Te Ahiwaru Waiohua; Advice Note – If the Requiring Authority holds an existing forum for engagement with-Mana Whenua that forum may continue. Should the existing forum for engagement cease, an alternative forum for engagement will need to be established.
Stakeholder and Communication Management Plan (SCMP)	
14	(a) A SCMP shall be prepared prior to the Start of Construction. (b) The objective of the SCMP is to set out how the public and stakeholders will be communicated with throughout the Construction Works. (c) The SCMP shall include the following details and measures setting out how the Requiring Authority will: (i) Provide the contact details for the Project Liaison Person which shall be prominently displayed at the main entrance(s) to the site(s); (ii) Communicate with stakeholders, infrastructure service providers, transport operators, organisations, businesses, and the public; (iii) Provide a communications framework that details the Requiring Authority's communication strategies, the accountabilities and timeframes for responding to inquiries and complaints, frequency of communications and consultation, the range of communication and consultation methods to be used, and any other relevant communication matters; (iv) Specify methods for how stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns, and complaints; (v) Inform the stakeholders and parties consulted of construction progress and future construction activities; (vi) Specify methods to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; (vii) Outline details of the inquiry and complaint management process including who is responsible for responding, how responses will be provided and the timeframes within which the responses will be provided; (viii) Maintain a complaint register which shall detail the date, nature and complainant contact details (if provided) of any complaints received regarding the construction of the Project and the Requiring Authority's response (or confirmation of no action) to each complaint; (ix) Outline any linkages and cross-references to communication methods set out in other conditions and management plans where relevant; (x) any arrangements for post-construction communications; and (xi) any other measures to achieve Condition 14(b).

Ref.	Condition
	(d) Any SCMP prepared for a Stage of Work shall be submitted to the Manager for information ten (10) working days prior to the Start of Construction.
Cultural Monitoring Plan (CMP)	
15	(a) Prior to the start of Construction Works, a Cultural Monitoring Plan (CMP) shall be prepared in collaboration with Mana Whenua through the MEF. (b) The objective of the Cultural Monitoring Plan is to provide Mana Whenua the opportunity to reconnect with the whenua as kaitiaki and express tikanga and kawa responsibilities. (c) The Cultural Monitoring Plan shall include: (i) requirements for formal dedication and / or cultural oversight to be undertaken prior to Start of Construction; (ii) requirements and protocols for cultural inductions for contractors and subcontractors working on the site; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol developed under Condition 16. (d) If the Requiring Authority and Mana Whenua agree, other matters can be included in the CMP. (e) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person identified and in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan. Advice Note - Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.
16	Accidental Discovery Protocol (a) An Accidental Discovery Protocol, for areas of the Project not covered by an Archaeological Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014 shall be developed in consultation with Mana Whenua for the Project through the MEF to address accidental archaeological discoveries during the Enabling Works and Construction Works. (b) The Accidental Discovery Protocol shall be consistent with the accidental discovery rule in Chapter E11 (Land disturbance – Regional) of the Auckland Unitary Plan: Operative in Part or any subsequent version.

Schedule 1: General Accordance

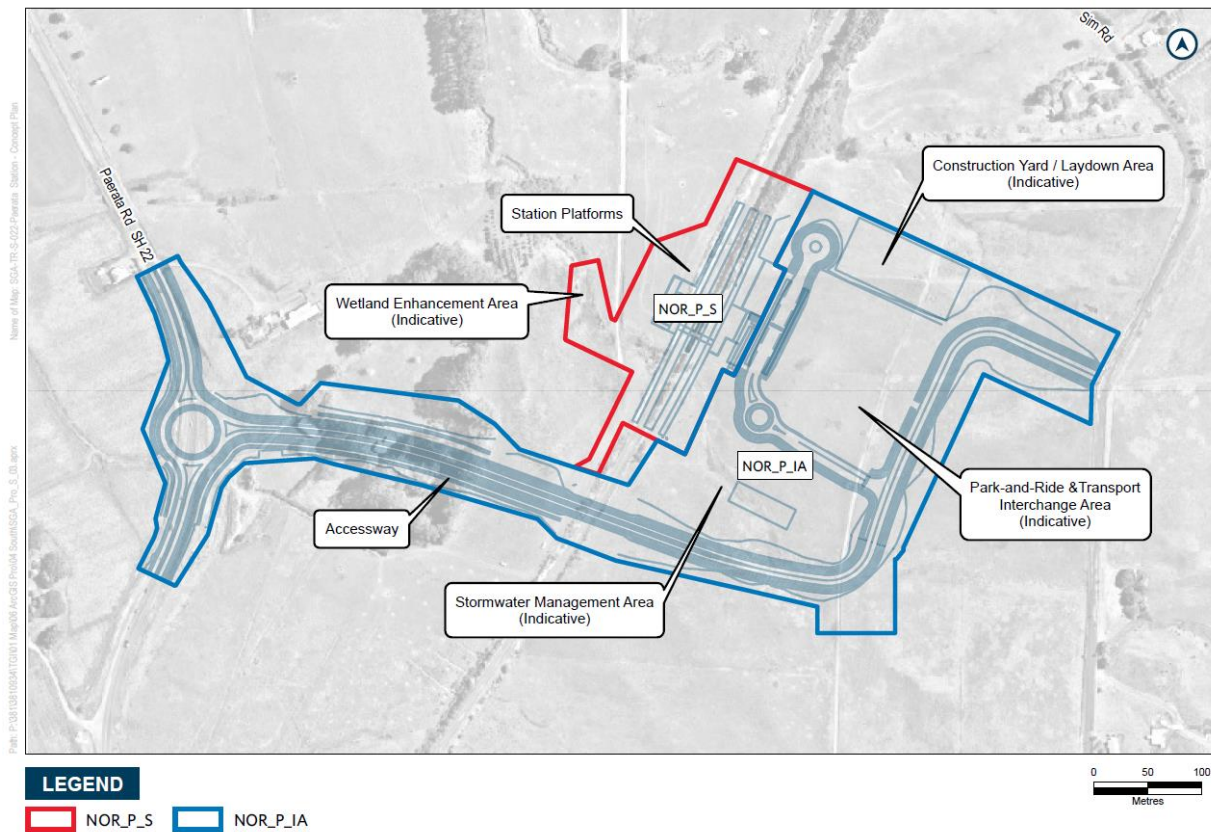
(NOR P-IA) Paerata Interchange and Accessway Project Description

The proposed work is the construction, operation, and maintenance of the transport interchange, accessways, and ancillary and associated structures and facilities serving Paerata Station and includes, but is not limited to:

- Park-and-ride and kiss-and-ride
- Bus interchange and layover facilities
- Accessways, paths and plazas
- Bicycle parking facilities
- Associated transport facilities

The proposed work is shown in the following Concept Plan.

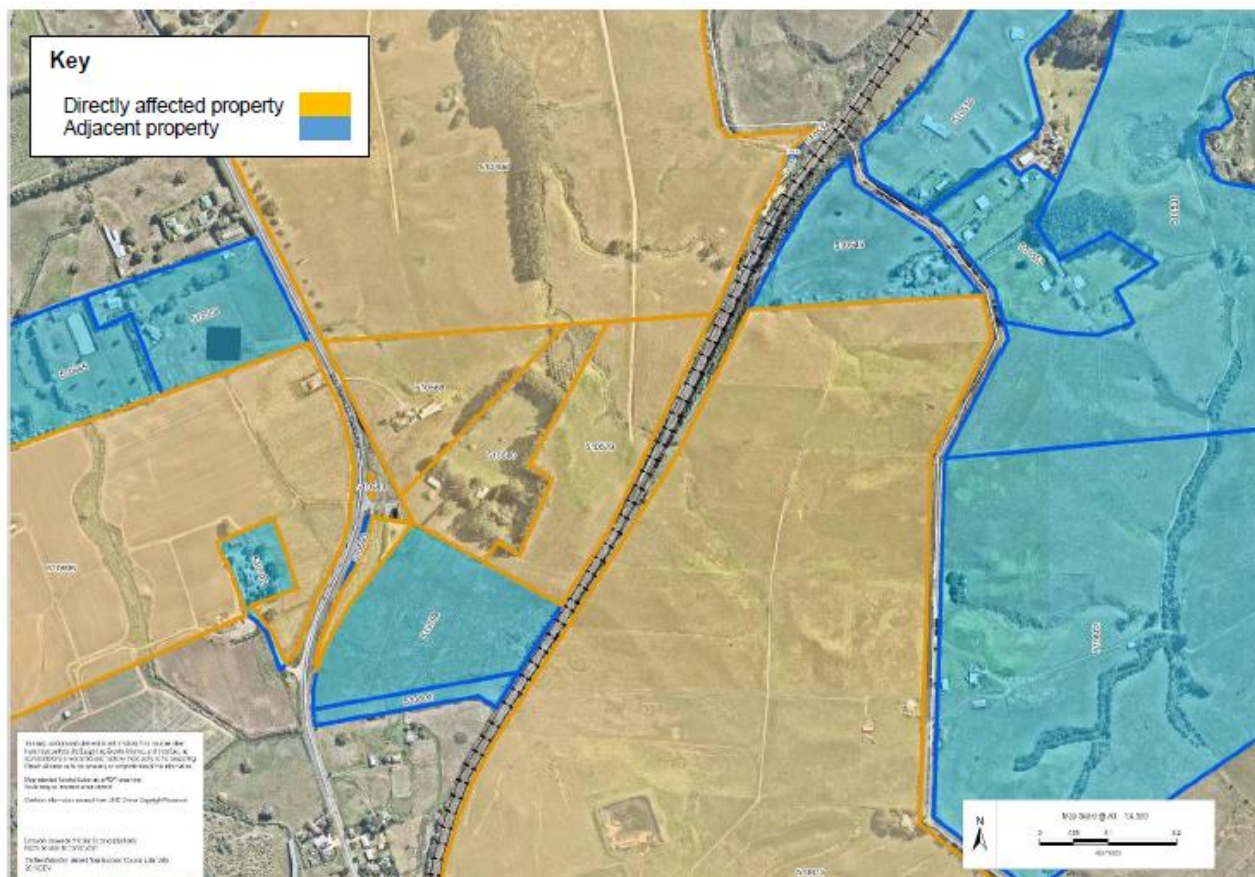
NOR P-IA Concept Plan



Schedule 2 – Surrounding Land

Surrounding Land means the properties listed and mapped below.

Property Address	Legal Description
Paerata Road, Pukekohe, Auckland 2120	NA75A/940 Lot 1 DP 129047
890 Paerata Road, Pukekohe, Auckland 2120	NA77B/437 Lot 2 DP 132003
888A Paerata Road	NA77B/436 Lot 1 DP 132003
319A Sim Road	NA85B/435 Lot 3 DP 143670
325 Sim Road, Pukekohe, Auckland 2676	NA129D/104 Lot 1 DP 201006
328 Sim Road Pukekohe Auckland 2676	Pt Lot 1 DP 9026
349 Sim Road, Pukekohe, Auckland 2676	NA129D/105 Lot 2 DP 201006
401 Sim Road, Pukekohe, Auckland 2676	NA762/277 Part Lot 77 DEEDS Whau 24
975 Paerata Road, Pukekohe, Auckland 2120	NA51D/1015 Part Lot 9 DEEDS 188
	NA51D/1015 Part Lot 8 DEEDS 188



Paerata Station – Resource Consent Conditions

Definitions

The tables below defines the acronyms and terms used in the conditions.

Term	Definition
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council.
Enabling Works	Includes, but is not limited to, the following and similar activities: • preloading site for ground stability • geotechnical investigations (including trial embankments) • archaeological site investigations • formation of access for geotechnical investigations • establishment of site yards, site entrances and fencing • constructing and sealing site access roads • demolition or removal of buildings and structures • relocation of services • ecological surveys • vegetation removal ancillary to Enabling Works establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Project	For NOR P-S means the works and activities described in the Project Description in Schedule 1 to the NoR conditions, and as indicatively shown in the Concept Plan in Schedule 1 to the NoR conditions. For NOR P-IA means the works and activities described in the Project Description in Schedule 1 to the NoR conditions, and as indicatively shown in the Concept Plan in Schedule 1 to the NoR conditions. Reference to "Project" in the conditions means each or either of the Projects as the case may be.
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Completion of Construction	When construction of the Project is complete and it is available for use.

Suitably Qualified and Experienced Person	A person (or persons) person who can provide sufficient evidence to demonstrate their suitability and competence.
Any reference to number of days	Has the same meaning as Working Days under section 2 of the Resource Management Act 1991.
Definitions related to ground dewatering and groundwater diversion conditions	
Alert Level	Specific levels at which actions are required.
Bulk Excavation	Includes all excavation that affects groundwater excluding minor enabling works and piling less than 1.5m in diameter.
Commencement of Dewatering	Means commencement of Bulk Excavation and/or the commencement of the taking or diversion of groundwater, other than for initial state monitoring purposes
Completion of Dewatering	Means, in the case of a drained excavation, the stage where the permanent drainage system(s) are in place and no further groundwater is being taken for the construction of the excavation.
Commencement of Excavation	Means commencement of Bulk Excavation
Completion of Excavation	Means the stage when all Bulk Excavation has been completed and all foundation/footing excavations within 10 meters of the perimeter have been completed.
Condition Survey	Means an external visual inspection or a detailed condition survey.
Damage	Includes Aesthetic, Serviceability, Stability, but does not include Negligible Damage. Damage as described in the table below.
Monitoring Station	Means any monitoring instrument including a ground or building deformation station, inclinometer, groundwater monitoring bore, retaining wall deflection station, or other monitoring device required by this consent.
Seasonal Low Groundwater Level	Means the annual lowest groundwater level – which typically occurs in summer.
Services	Include fibre optic cables, sanitary drainage, stormwater drainage, gas and water mains, power and telephone installations and infrastructure, road infrastructure assets such as footpaths, kerbs, catch-pits, pavements and street furniture.

Acronyms

Acronym	Description
AUP:OP	Auckland Unitary Plan: Operative in Part
DSI	Detailed Site Investigation
RMA	Resource Management Act 1991 and its subsequent amendments
SQEP	Suitably Qualified and Experienced Person
SQBS	Suitably Qualified Building Surveyor
RL	Reduced level
GSMCP	Groundwater and Settlement Monitoring and Contingency Plan
HAIL	Hazardous Activities and Industries List
PSI	Preliminary Site Investigation
SMP	Site Management Plan
WCR	Works Completion Report

Description of damage relating to groundwater diversion and take

Category of Damage	Normal Degree of Severity	Description of Typical Damage (Building Damage Classification after Burland (1995), and Mair et al (1996))	General Category (after Burland – 1995)
0	Negligible	Hairline cracks.	Aesthetic Damage
1	Very Slight	Fine cracks easily treated during normal redecoration. Perhaps isolated slight fracture in building. Cracks in exterior visible upon close inspection. Typical crack widths up to 1mm.	
2	Slight	Cracks easily filled. Redecoration probably required. Several slight fractures inside building. Exterior cracks visible, some repainting may be required for weather-tightness. Doors and windows may stick slightly. Typically crack widths up to 5mm.	
3	Moderate	Cracks may require cutting out and patching. Recurrent cracks can be masked by suitable linings. Brick pointing and possible replacement of a small amount of exterior brickwork may be required. Doors and windows sticking. Utility services may be interrupted. Weather tightness often impaired. Typical crack widths are 5mm to 15mm or several greater than 3mm.	Serviceability Damage
4	Severe	Extensive repair involving removal and replacement of walls especially over door and windows required. Window and door frames distorted. Floor slopes noticeably. Walls lean or bulge noticeably. Some loss of bearing in beams. Utility services disrupted. Typical crack widths are 15mm to 25mm but also depend on the number of cracks.	
5	Very Severe	Major repair required involving partial or complete reconstruction. Beams lose bearing, walls lean badly and require shoring. Windows broken by distortion. Danger of instability. Typical crack widths are greater than 25mm but depend on the number of cracks.	Stability Damage

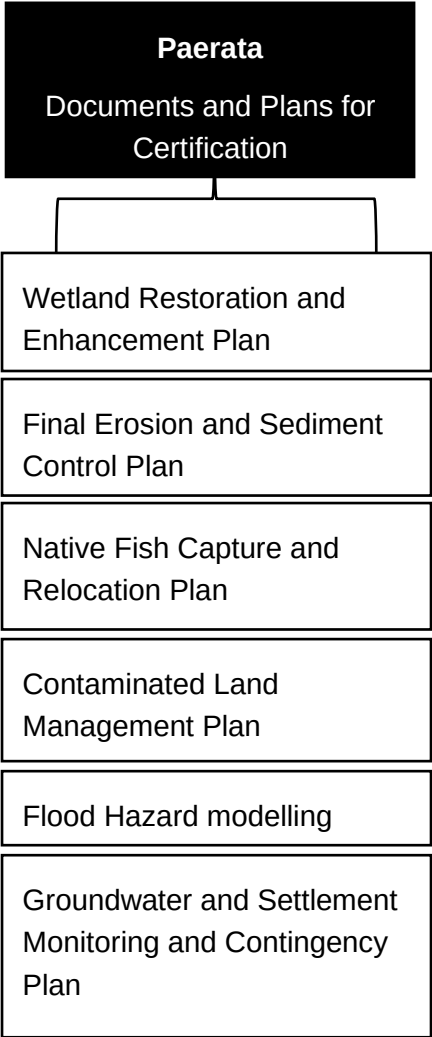
Table 1: Building Damage Classification

Note: In the table above the column headed “Description of Typical Damage” applies to masonry buildings only and the column headed “General Category” applies to all buildings.

Paerata Station – Index of resource consents

Ref	Paerata Resource Consents	General	Specific
RC 1	Water Permit (s13) and (s14) and (s15) works in watercourses and associated diversion activities Dewatering, diverting groundwater, stream works, loss of wetland	1-4	5, 6, 7 20, 21
RC 2	Land use (s9(2)) – Stormwater quality and Stormwater Management Flow Contaminant generating activity, discharge within a SMAF	1-4	15, 16, 17, 18, 19
RC 3	Land use (s9 (2)) – Land disturbance activities Earthworks, vegetation clearance	1-4	8, 9, 10, 11, 12
RC 4	Discharge Permit (s15) Discharge of contaminants Disturbing contaminated land or potentially contaminated land.	1-4	13, 14
RC 5	Land use (s9(1)) - NES:Soil Disturbing the soil of a piece of land	1-4	13, 14
RC 6	Water Permit (s13) NES: FW Reclamation of wetland, extension of culverts	1-4	5, 6, 7

Summary of documents identified in Conditions



Regional Consent Conditions (BUNXXXX)[Yet to be allocated]

Ref	Condition												
General Conditions													
1	Activity in general accordance with plans and information (a) The activity is to be carried out in general accordance with the plans and information submitted with the application detailed below, and all referenced by the Council as consent number “BUNXXXXX”:[Yet to be allocated]. - Resource consent application form in Volume 1 of the AEE prepared by Te Tupu Ngātahi, dated 29 of September 2021. - Documents as follows: <table><tr><th>Reference</th><th>Document Title</th><th>Author</th><th>Date</th></tr><tr><td>AEE, drawings and technical reports in Volumes 1, 2, 3, 4A and 4B</td><td>Drury Central and Paerata Rail Stations Assessment of Effects on the Environment, version 1</td><td>Te Tupu Ngātahi / Supporting Growth Alliance</td><td>September 2021</td></tr><tr><td>General Arrangement Plans</td><td>General Arrangement Plans – Paerata Station (SGA-DRG-STH-003-CI-2203; SGA-DRG-STH-003-CI-2215)</td><td>Te Tupu Ngātahi / Supporting Growth Alliance</td><td>September 2021</td></tr></table> (b) Where there is inconsistency between the documents listed above and the requirements of the following conditions, the conditions shall prevail. (c) Where there is inconsistency between the conditions, and the management plans under the conditions, the requirements of the management plans shall prevail.	Reference	Document Title	Author	Date	AEE, drawings and technical reports in Volumes 1, 2, 3, 4A and 4B	Drury Central and Paerata Rail Stations Assessment of Effects on the Environment, version 1	Te Tupu Ngātahi / Supporting Growth Alliance	September 2021	General Arrangement Plans	General Arrangement Plans – Paerata Station (SGA-DRG-STH-003-CI-2203; SGA-DRG-STH-003-CI-2215)	Te Tupu Ngātahi / Supporting Growth Alliance	September 2021
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General Arrangement Plans	General Arrangement Plans – Paerata Station (SGA-DRG-STH-003-CI-2203; SGA-DRG-STH-003-CI-2215)	Te Tupu Ngātahi / Supporting Growth Alliance	September 2021										
2	Consent Lapse (a) Pursuant to clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, the various resource consents shall lapse two years from the date of commencement unless they have been given effect to. Advice Note – For the avoidance of doubt the resource consents will be given effect to at the completion of Start of Construction.												
3	Consent Expiry Pursuant to section 36 of Schedule 6 of the COVID19 Recovery (Fast-Track Consenting) Act 2020, the consents for ground dewatering and diversion, stream works and discharge of contaminants to land will expire 35 years from the date of commencement.												

3A	Monitoring The Consent Holder must pay the Council an initial consent compliance monitoring charge of \$2,000.00 (inclusive of GST), and the Consent Holder must pay any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.
3B	Review under section 128 Under s.128 of the RMA the conditions of this consent may be reviewed by the Council at the Consent Holder's cost. The reason for this review condition is to deal with any material adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage.
4	Management Plan Certification Process (a) The management plans listed in (b) shall be submitted to the Manager at least twenty (20) working days prior to the anticipated Start of Construction (unless otherwise specified) to be certified. The certification process shall be confined to confirming that the management plan adequately gives effect to the relevant condition(s). (b) The following plans shall be submitted for certification: (i) Wetland Restoration and Enhancement Plan (ii) Native Fish Capture and Relocation Plan; (iii) Final Erosion and Sediment Control Plan; (iv) Contaminated Land Management Plan; (v) Groundwater and Settlement Monitoring and Contingency Plan; (c) Management Plans under (b) shall include evidence of having provided opportunity for Mana Whenua to be involved in the development the management plan and a summary of how any comments are addressed. (d) Within ten (10) working days of the management plan being provided to the Manager under clause (a) above, the Manager shall confirm with the Consent Holder if changes are required to enable certification. (e) If the Manager's response is that they are not able to certify the management plan, the Consent Holder shall request that the Manager provide reasons and recommendations for changes to the management plan in writing. (f) Within ten (10) working days of the Manager's response under clause (e) the Consent Holder shall consider any of the reasons and recommendation of the Manager and resubmit an amended management plan to be certified. (g) If the Consent Holder has not received a response from the Manager within five (5) working days of the date of resubmission under clause (e) above, or fifteen (15) working days where no changes were requested under clause (d) the management plan will be deemed to be certified. (h) Any certified management plan may be updated or revised to reflect any changes in design, construction methods or management of effects: (i) Any material changes are to be submitted to the Manager for certification as soon as practicable following identification of the need for an update or revision. If the Consent Holder has not received a response from the Manager within five (5)

	working days of submitting the revised information, the management plan will be deemed to be certified. (ii) Except for material changes, management plans may be amended to reflect any changes in design, construction methods or management of effects and submitted to Council for information, without the need for recertification. (i) Each management plan in condition 4(b) shall be Prepared by a Suitably Qualified and Experienced Person(s). (j) The Projects shall be undertaken in accordance with the most recent version of the management plans required in Conditions 5, 8, 11 14 and 24. Advice Note - <i>If an amendment under condition 4(h) has no or a de minimis adverse effect on the environment or is an administrative change (including nominating personnel) that will not be a material change.</i>
Water Permit (s13) and (s14) and (s15) works in watercourses and associated diversion activities NES:FW Section 45	
5	Wetland Restoration and Enhancement Plan (WREP) (a) Prior to works commencing within Wetland 1, the Consent Holder shall submit a Wetland Restoration and Enhancement Plan (WREP) to Council for certification in accordance with Condition 4. (b) The purpose of the WREP is to describe the management and monitoring practices and procedures to be implemented to compensate for residual effects associated with the loss of Wetland 1. (c) The WREP shall be prepared by a suitably qualified ecologist using the Biodiversity Offset Accounting Model as developed by Maseyk et al. (2015) to confirm the quantum of enhancement proposed at Wetland 2 will achieve no net loss in ecological value; (d) The WREP shall include details of: (i) the proposed wetland hydrological system which allows for a wide range of facultative and obligate indigenous wetland plants to establish and become a self-sustaining native wetland system; (ii) initial and infill planting of an array of wetland and wetland edge native plants (including a mosaic of permanently submerged wetland vegetation and low-growing shrubby species with thick, strong root systems) to achieve a minimum 80% native wetland plant canopy cover three years from establishment. (iii) a programme of establishment and post establishment plant pest control to minimise exotic plant cover in the wetland; and (iv) measures to protect the wetland from development so it is protected in perpetuity (such as covenants); (e) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the WREP to provide input into the design and mitigation measures, and the WREP shall summarise comments received from Mana Whenua along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes - <i>The certification and amendment of the WREP is covered by Condition 4</i>

6	Implementation of Wetland Restoration and Enhancement Plan Within one (1) year following Completion of Construction, the works must be fully implemented in accordance with the certified WREP and must be maintained for a duration of five years.
7	Native Fish Capture and Relocation Plan (a) A Native Fish Capture and Relocation Plan must be prepared prior to Start of Construction. (b) The objective of the Native Fish Capture and Relocation Plan is to detail how native fish will be captured and relocated prior to dewatering or culvert extension within the Whangapouri stream. (c) The Native Fish Capture and Relocation Plan shall include: (i) methodologies to capture fish (ii) details of the qualified ecologist to undertake the capture and relocation and to be present on-site during dewatering to rescue and relocate any remaining fish present; (iii) details of the relocation site; (iv) storage and transport measures and (v) any other measures to achieve compliance with Condition 7(b). (d) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the Native Fish Capture and Relocation Plan and any comments received from Mana Whenua shall be summarised along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes - The certification and amendment of the Native Fish Capture and Relocation Plan is covered by Condition 4.
	Advice Note - A permit to hold, catch, handle or release wildlife under the Wildlife Act 1953 may be required from the Department of Conservation, this may address: • Bats – Tree removal protocols prior to the removal of any trees within the Project area with bat roost potential and restricted to the high bat activity period, (November to April). • Birds – Any vegetation clearance of exotic treeland and planted vegetation within the bird nesting season, (September – February). • Lizards – Any vegetation clearance where indigenous skinks are likely to occur including lizard salvage and relocation. • Fish – Instream works, timed to avoid native fish migration periods (November to May)
7A	Fish Passage Monitoring and Maintenance (a) Twenty (20) working days following completion of the installation of the extended culverts, new culvert and apron structures, the consent holder must submit to the Manager the information required by regulations 62, 63 (culverts) and 68 (aprons and ramps) of the National Environmental Standard for Freshwater (2020), specifying the time and date of collection. (b) Within twenty (20) working days following completion of the culvert and apron structures, the consent holder must submit a Fish Passage Monitoring and Maintenance Plan (FPMMP) to the Manager for certification. The FPMMP must specify the ongoing

	monitoring and maintenance measures of the structures to ensure fish passage is maintained and does not reduce over the lifetime of the structures, and include the following detail and processes: (i) Specific aspects of the structure to be monitored to ensure that the structure's provision for the passage of fish does not reduce over its lifetime. (ii) Programme and frequency of routine monitoring and maintenance. (iii) Method of visual inspection of the structure within 5 days following a significant natural hazard, or events that may otherwise affect the structure's provision for fish passage. (iv) Record keeping of monitoring results including photos, (v) Follow up actions including the preparation of as-built plans and supporting information, further steps, and remediation measures. (c) If any of the routine monitoring or visual inspections identify that provision for fish passage has been reduced, or the culvert and/or apron structures are damaged, the consent holder must undertake maintenance or remediation works as soon as practicable to remedy the issues identified. Advice Note: <i>Prior to any remedial works being undertaken, the consent holder should assess whether the works meet the permitted activity regulations in the Resource Management (National Standards for Freshwater) Regulations 2020.</i> (d) The consent holder must maintain a record of: (i) All placement, alteration, extension and reconstruction works for the culvert and/or apron structures, including when the works commence, how long they take, and when the works are completed; and (ii) Details of all monitoring and maintenance works undertaken on the culvert and/or apron structures in accordance with condition 7A, including photos and evidence of any maintenance works undertaken. (e) If requested, the consent holder must provide this record to the Manager within 10 working days of the date of request. (f) Within twenty (20) working days of any changes to the structure or detail as submitted within condition 7A above, as a result of routine monitoring and maintenance, or following a significant natural hazard or event that may otherwise affect the culvert and/or apron structure's provision for fish passage, the consent holder must provide: (i) Updated as-built information of the structure and associated fish passage, and (ii) Further steps to be taken to ensure that the structure's provision for the passage of fish does not reduce over its lifetime. (g) Fish passage must be maintained through the culvert and apron structures in perpetuity, and monitoring, maintenance and remediation measures must be undertaken in accordance with the FPMMP throughout the lifetime of the structures.
7B	Lizard mitigation programme (a) Prior to the commencement of any vegetation removal works the Consent Holder must submit and have certified by Council, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist. The LMP Plan must be designed so as to achieve the following two objectives:

	(i) The population of each species of native lizard present on the site at which vegetation clearance is to occur must be maintained or enhanced, either on the same site or at an appropriate alternative site; and (ii) The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development. (b) The LMP must address the following (as appropriate): (i) Credentials and contact details of the ecologist/herpetologist who will implement the plan. (ii) Timing of the implementation of the LMP. (iii) A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols. (iv) A description of the relocation site; including discussion of: • provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released skinks that have been rescued. • any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc. • any weed and pest management to ensure the relocation site is maintained as appropriate habitat. (v) Monitoring methods, including but not limited to the following: baseline surveying within the site, baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites, ongoing annual surveys to evaluate translocation success, pre- and post-translocation surveys, and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control. (vi) A post-vegetation clearance search for remaining lizards. (c) A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the Lizard Management Plan (LMP) must certify that the lizard related works have been carried out according to the certified LMP within two weeks of completion of the vegetation clearance works. (d) All works on site must comply with the certified Lizard Management Plan. (e) Upon completion of works, all findings resulting from the implementation of the Lizard Management Plan must be recorded by a suitably qualified and experienced ecologist/herpetologist approved by the council on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) which must be sent to Council. Advice Note: Please note that it is recommended that the lizard rescue plan is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko's following felling of trees and shrubs and to rescue any skinks from ground cover vegetation and terrestrial retreats.
7C	Bird Management

	(a) All vegetation clearance must occur outside the main native bird nesting season (early September until the end of February) to minimise any disturbance risk that vegetation removal would have on nesting birds. (b) If vegetation clearance is unavoidable during the main native bird nesting season, an approved and experienced ecologist or ornithologist must visually inspect all trees and shrubs proposed for removal within 24 hours of felling to identify any active nests. This includes checking cavities and hollows for nesting birds. (c) Should any nesting be observed, a 10-metre buffer of vegetation must be required to remain around the nest site until an approved and experienced ecologist or ornithologist has confirmed that the nest has failed, or the chicks have hatched and naturally left the natal site. (d) Following inspection and confirmation of absence of nesting birds, the consent holder must submit a completion report to the Council, within 30 working days.
7D	Bat management (a) The area containing high-risk potential bat roosting tree (or group of high-risk trees where adjoining) to be removed must be monitored overnight (from one hour before dusk until dawn), for a minimum of three fine nights using an Automatic Bat Monitor (ABM; or multiple ABMs as required). A fine night is when the temperature is above 10° with no precipitation during the first two hours after sunset and before sunrise. Surveys must not commence if the dusk temperature is below 7°C. (b) The ABM(s) must be placed at least 1.5 m above the ground, at the base of the high-risk tree or tree group. (c) If no bat activity indicative of potential roosting behaviour is recorded, the tree may be removed – removal must occur on the same day that the survey ends so there is no opportunity for reoccupation of the roost by bats. A suitably qualified ecologist (i.e., a Level D competent bat ecologist) should be onsite for the duration of all tree felling operations to advise staff should bats be detected (leaving trees or injured) and to inspect each felled tree for signs of bats roosts. (d) If bat activity indicative of potential roosting behaviour is recorded, each tree must be climbed and visually inspected by (e.g.) an arborist. The arborist will photograph any potential evidence of bats (staining, cavities, guano), which will be reviewed by the Level D competent bat ecologist prior to felling. The arborist will also check for signs of bats using a hand-held bat detector set to detect at 40kHz (to detect social and echolocation calls from roosting long-tailed bats, under supervision of the ecologist). If no signs of bats presence are evident, the tree can be felled – removal must occur on the same day as the visual inspection. (e) If bats are seen leaving or entering the tree, or are found to be living in the tree after visual inspection, then it must not be removed until the bats have abandoned the roost. If bats use the tree for more than three nights in a row then it is likely to be an important maternity colony and the removal of the tree should only occur after the Level D bat ecologist has confirmed that all bats have abandoned the roost. A 50 m buffer must be retained for the duration of roosting to preserve microclimate conditions and protect the tree/s from windthrow. (f) The following procedures must be implemented in the event of finding dead or injured bats: (i) Injured bats should be immediately taken for assessment by a vet experienced in treating small mammals.

	(ii) If after hours treatment is required, the Department of Conservation (DOC) (DOC Hotline 0800 362 468) or the Wildbase Hospital (0800 738 363) should be contacted within 2 hours after the injured bat is found. (iii) Any bat found during the felling (dead, injured or otherwise) will be inspected by the ecologist should bat handling and short-term retention be required. The ecologist must determine on site if the bat is able to be released immediately or the most appropriate method for the safe dispersal of the animal. DOC must be notified immediately of each such event. (iv) DOC advice must be sought with regards to the rehabilitation requirements of any injured bats. (v) Any rehabilitated bat should be released in the same general location in which it was found, or the nearest suitable location as determined by the Level D competent bat ecologist.
Earthworks – Section 9(2) Land Use Conditions	
8	Earthworks Period (a) No bulk earthworks shall be undertaken on the subject site(s) between 1 May and 30 September in any year, without the submission of a '<i>Request for winter works</i>' for approval to the Council. (b) Unless otherwise agreed in the approval obtained under (a) above, all winter works will be re-assessed monthly or as required to ensure that significant adverse effects are not occurring in the receiving environment (c) No bulk earthworks shall occur outside the earthwork season, unless written approval has been received from the Council or their delegate.
9	Earthworks – General Performance Standards (a) There shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from bulk earthworks on the Project site. In the event that such deposition does occur, it shall be removed as soon as practicable taking into account safety. In no instance, shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters. (b) The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent, including the FESCP, shall be maintained throughout the duration of earthworks, or until the Project site is permanently stabilised against erosion. (c) The Project site shall be progressively stabilised against erosion at all stages of earthworks activity and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.
10	Erosion and Sediment Control Measures (a) All practicable measures shall be taken during construction to reduce to the smallest amount practicable erosion and the discharge of sediment beyond the footprint of the Project. (b) Erosion and sediment control measures shall be constructed and maintained in general accordance with <i>Auckland Council Guideline Document GD2016/005</i> and any amendments

	to this document, except where a higher standard is detailed in the certified FESCP, in which case the higher standard shall apply.
11	Final Erosion Sediment Control Plan (FESCP) (a) A finalised ESCP (FESCP) shall be prepared in general accordance with the '<i>Paerata Station – Provisional Erosion and Sediment Control Plan</i>' prepared by Te Tupu Ngātahi and dated September 2021. (b) The purpose of the FESCP is to set out measures to be implemented during construction to meet the requirements of Condition 9. (c) The FESCP shall include, but is not limited to: (i) specific erosion and sediment control works for the earthworks (location and dimensions, capacity); (ii) supporting calculations and design drawings as necessary; (iii) details of construction methods; (iv) monitoring and maintenance requirements; catchment boundaries and contour information; (v) details relating to the management of dust generated by earthworks; and, (vi) links to the contaminated land measures set out in the CLMP; and (vii) details relating to the management of exposed areas (e.g. grassing, mulching). (d) Where flocculant treatment is proposed for use on site, the FESCP shall include flocculation management details, which shall include as a minimum: (i) specific design details of the chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds, decanting earth bunds, and any other impoundment systems; (ii) monitoring, maintenance (including post storm) and contingency programme (including a record sheet); (iii) details of optimum dosage (including assumptions); (iv) results of initial chemical treatment trial; (v) use of organic flocculant where practicable; (vi) a spill contingency plan; and (vii) details of the person or bodies that will hold responsibility for operation and maintenance of the flocculation treatment system. (e) Flocculation management measures shall be implemented prior to commencement of any flocculation dosing onsite. (f) No earthworks or flocculation dosing activity on the subject site shall commence until certification of the FESCP from the Manager is provided in accordance with Condition 4. (g) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the FESP to provide input into the design and mitigation measures, and the FESP shall summarise comments received from Mana Whenua along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes - The certification and amendment of the FESCP is covered by Condition 4.
12	Earthworks pre-construction meeting

	(a) Prior to the commencement of any earthworks within each stage, the Consent Holder shall hold a pre-start meeting that: (i) is located on the subject site; (ii) is scheduled not less than five (5) days before the anticipated commencement of earthworks; (iii) includes a representative from Council Compliance Monitoring and any other relevant Council specialist (if invited by Auckland Council); (iv) invite Mana Whenua representatives (via the Mana Whenua Engagement Forum established under the designation conditions) to provide for identification and protection of cultural values in works areas: and (v) includes representation from the contractors who will undertake the works. (b) The meeting shall discuss the erosion and sediment control measures, the earthworks methodologies and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent. (c) The following information shall be made available at the pre-start meeting: (i) timeframes for key stages of the works authorised under this consent; (ii) defined extent of the relevant works; (iii) any archaeological authority for the works; (iv) resource consent conditions; and (v) the certified Final Erosion and Sediment Control Plan (FESCP); (d) In addition to the requirements in Condition 11(a), a pre-start meeting shall be held prior to the commencement of the earthwork's activity in each period between October 1 and April 30 this consent is exercised.
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Section 9 / NES:SOIL Contaminated Land Environmental Health

13	Contaminated Land Management Plan (CLMP) (a) A Contaminated Land Management Plan (CLMP) shall be prepared prior to the commencement of land disturbance activities associated with the Project. (b) The purpose of the CLMP is to set out measures to be implemented to control the discharge of contaminants from land disturbance. (c) The CLMP shall be prepared by a SQEP in accordance with the Ministry for the Environment Contaminated Land Management Guidelines No. 1, Reporting on Contaminated Sites in New Zealand (revised 2021), including: (i) Detail of land disturbance activities to be carried out; (ii) Summary of relevant site information and known contaminant conditions (if a Detailed Site Investigation (DSI) has been undertaken); (iii) a summary of PSI information and overview of the Project methodology; (iv) summary of any soil sampling works undertaken; (v) details of roles and responsibilities (including contact details) for parties involved in the land disturbance activities; (vi) summary of health and safety protection measures to be implemented; (vii) identification of specific environmental management procedures including for: a. soil and groundwater during disturbance; b. stockpiles (if relevant);
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	c. erosion, sediment, dust and odour; d. offsite soil transport and disposal, including additional testing as required to confirm disposal to an appropriately licensed facility; e. contingency measures in the event of an accidental discovery (for example asbestos, unknown fill, odour, staining); and f. post development controls (if required). (d) If a DSI has been completed in general accordance with the Ministry for the Environment's Contaminated Land Management Guideline No 5, Site Investigation and Analysis of Soils (revised 2021) for the project, this CLMP shall also identify: (i) locations of contaminated land within the Project area; and (ii) any non-contaminated land, which may be treated as clean fill. (e) Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) shall be invited to participate in the development of the CLMP to provide input into the design and mitigation measures, and the CLMP shall summarise comments received from Mana Whenua along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Note - The certification and amendment of the CLMP is covered by Condition 4.
14	Post Land Disturbance Works Within three months of the completion of land disturbance associated with the Project, a Works Completion Report (WCR) shall be submitted to the Manager. The WCR shall be prepared by a SQEP and include the following: (i) a summary of land disturbance works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated; (ii) details and results of any soil testing completed in association with the land disturbance activities; (iii) records/evidence of the appropriate disposal for any soil material removed from the site; and (iv) records of any unexpected contamination encountered during the works and response actions, if applicable.
Stormwater – Water Diversion and Discharge	
15	Pre-construction Meeting (a) A pre-construction meeting shall be held by the Consent Holder prior to commencement of the construction of any stormwater devices onsite, and must: (i) Be arranged five (5) working days prior to initiation of the construction of any stormwater devices on the site; (ii) Be located on the subject area; (iii) Include representation from the Council; (iv) Invite representation from Mana Whenua (through the Mana Whenua Engagement Forum established under the designation conditions); and

	(v) Include representation from the site stormwater engineer or site contractor who will undertake the works and any other relevant parties.
16	Stormwater System - Design (a) The stormwater management design shall achieve the following outcomes: (i) Manages the operational runoff from the whole of the Paerata Station and Interchange to achieve an average annual removal efficiency of at least 75% Total Suspended Solid levels (TSS); (ii) be designed in general accordance with Auckland Council's Guidance Document 01 (GD01). (iii) be designed for long-term durability, ease of maintenance access, and to minimise ongoing operation and maintenance requirements. (iv) management of erosion and scour effects at all locations where concentrated flow is released from the project site (including piped outfalls, wetland spillways and steep channels). Erosion counter measure shall be designed in accordance with HEC-14 and HEC-15 (v) stormwater detention achieves the Stormwater Management Area – Flow 2 hydrologic mitigations set out in the Auckland Unitary Plan, Operative in Part Section E10, Table E10.6.3.1.1 (b) The Consent Holder shall consult with Mana Whenua (via the Mana Whenua Engagement Forum established under the designation conditions) on the design of stormwater devices. (c) In the event that any modifications to the stormwater management system are needed that do not result in a reduction to the performance or capacity of the system, an application under section 127 of the RMA will not be required, and the following information is to be certified by the Council, prior to implementation: (i) Plans and drawings outlining the details of the modifications; and (ii) Supporting information that details how the proposed change does not reduce the capacity or performance of the stormwater management system.
17	Operation and certification of stormwater management works (a) The stormwater management system must be fully operational before the use of the impervious area. (b) Within three months of Completion of Construction, the Consent Holder must provide the following to the Council: (i) Written evidence in the form of a validation report that the stormwater management device or system was installed or built generally in accordance with the design specifications Condition 16. (ii) As-built plans of the stormwater management device or system, certified (signed) by a suitably qualified service provider as a true record of the stormwater management system.
18	Stormwater - Inspection and maintenance records Details of all inspections and maintenance for the stormwater management system, for the preceding three years, shall be retained by the Consent Holder. These records shall be provided to the Council on request.

19	Peak flow attenuation Peak flow attenuation shall be incorporated into the design of the Paerata Station and Interchange such that downstream effects do not exceed flood level increase conditions in conjunction with all other design features.
Groundwater Diversion	
20	Damage Avoidance All excavation, dewatering systems, retaining structures and works associated with the diversion or taking of groundwater, shall be designed, constructed and maintained so as to avoid Damage to buildings, structures and Services within or immediately adjacent to the Project existing as of the date consent is granted, outside that considered in the report titled “<i>Assessment of Groundwater and Ground Settlement Effects</i>” prepared by Te Tupu Ngātahi dated September 2021.
21	Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) (a) At least twenty (20) days prior to the Commencement of Dewatering, a Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) prepared by a SQEP, shall be submitted to the Council for certification. (b) The objective of the GSMCP shall be to confirm that the effects of the Detailed Design are in accordance with Condition 20, and where necessary to set out the practices and procedures to be adopted, including monitoring to avoid, remedy or mitigate any adverse effect. The GSMCP shall include, at a minimum, the following information: (i) A Final Monitoring Location Plan, showing the location and type of all Monitoring Stations including groundwater monitoring bores, and if required any ground and building deformation pins. The monitoring plan should be based on the “<i>Indicative Monitoring Location Plan – Paerata</i>” prepared by Te Tupu Ngātahi dated September 2021 and included in Schedule 1. Where the location of a Monitoring Station differs substantively from the “<i>Indicative Monitoring Location Plan – Paerata</i>” prepared by Te Tupu Ngātahi dated September 2021, a written explanation for the difference shall be provided. (ii) A schedule of proposed groundwater monitoring well locations and the recommended pre-construction, construction and post-construction monitoring frequency. (iii) A bar chart or a schedule, showing the timing and frequency of any required condition surveys, visual inspections and all other monitoring required by the GSMCP, and a sample report template for regular monitoring. (iv) Alert Level Triggers as a result of recommendations of data obtained from pre-dewatering monitoring. (v) Details of the contingency actions to be implemented if Alert Levels are exceeded, and procedures (including notification of parties) if Damage is detected (vi) Details of and need for a maintenance programme for any permanent backfill or drainage systems. (c) All construction, dewatering, monitoring and contingency actions shall be carried out in accordance with the certified GSMCP. No Bulk Excavation (that may affect groundwater

	levels) or other dewatering activities shall commence until the GSMCP is certified in writing by the Council. (d) The Mana Whenua Engagement Forum (established under the designation conditions) shall be invited to participate in the development of the GSMP to provide input into the design and mitigation measures, and the GSMP shall summarise comments received from Mana Whenua along with a summary of where comments have: (i) Been incorporated; and (ii) Where not incorporated, the reasons why. Advice Notes - <i>The certification and amendment of the Groundwater and Settlement Monitoring and Contingency Plan is covered by Condition 4.</i>
	Advice Note - <i>The Consent Holder is advised that the discharge of pumped groundwater to a stormwater system or waterbody will need to comply with any other regulations, bylaws or discharge rules that may apply.</i>

Schedule 1 – Indicative Hydrogeology Monitoring Location Plan

