NORTHLAND CORRIDOR – BRYNDERYWN HILLS SECTION OF THE ALTERNATIVE TO THE BRYNDERWYN HILLS PROJECT – PROPOSED DESIGNATION CONDITIONS

Draft as at 13 July 2026

Brynderwyn Hills section of the Alternative to the Brynderwyn Hills Project	
Designation unique identifier	*To be confirmed when the final confirmed designations are included in the relevant District Plans.*
Designation purpose	To construct, operate, maintain and improve a state highway and associated infrastructure for the Brynderwyn Hills section of the Alternative to the Brynderwyn Hills project.
Site identifier	*To be confirmed when the final confirmed designations are included in the relevant District Plans.*
Lapse date	20 years from the date on which the designation is included in the District Plan. **Review Comment**: Amend lapse date provision. A 20-year lapse period is excessive given the potential for significant changes to cultural, ecological and environmental values over that timeframe. If the designation is not given effect to within a specified period, updated cultural, ecological and environmental assessments should be undertaken prior to commencement of Project Works. Amended wording: Lapse Date If Project Works have not commenced within 10 years of the designation being included in the District Plan, updated Cultural Impact Assessments, ecological assessments, freshwater assessments and environmental assessments shall be completed at least 12 months prior to commencement of Project Works and provided to Hapū and the relevant Councils for review.
Designation hierarchy under section 177 of the Resource Management Act	*To be confirmed when the final confirmed designations are included in the relevant District Plans.*
Conditions	As specified below.
Additional information	N/A

Definitions

Term	Definition
AS2187-2:2006	Australian Standard 2187-2:2006 Explosives – Storage and use - Part 2: Use of explosives.
Active Nest	A nest containing or suspected to contain one or more nesting bird(s) and/or viable nest contents, being one or more egg(s) and/or chick(s) as identified by a Suitably Qualified Person. Amend as follows: By a specialist Ornithologist or other Suitably Qualified Person.
Best Practicable Option	Has the meaning in s2 of the RMA.
Completion of Construction	When the Project Works, or any relevant part of the Project Works, is complete.
Consents	The resource consents issued by the Expert Panel authorising the Project (reference #RC01-RC05).
Council	[Kaipara District Council / Whangārei District Council]

Term	Definition
Cultural Values Assessments	The following documents: a. Cultural Impact Assessment: Section 2B prepared by Te Pou Taiao o Patuharakeke Te Iwi Trust Board dated March 2026; b. Aromatawai Ngā Uara Ahurea o Te Pouwhenua o Tiakiriri Kūkupa Trust me Te Parawhau Hapū prepared on behalf of Te Parawhau ~~ki Tai~~ dated July 2026; and c. Cultural Values and Impacts Assessment: Northern Corridor Section 2B prepared by Te Uri o Hau Environs Holdings Limited dated March 2026.
Designation	The designation(s) subject to these conditions, included in the Kaipara District Plan / Whangārei District Plan.
District Plan	The Kaipara District Plan / Whangārei District Plan
Ecological Works	Any landscape planting, ecological mitigation planting or ecological compensation, enhancement works, activities required, and or relocation of wildlife or other measures under the Wildlife Approval. **Review Comment:** The amendment broadens the definition to ensure all ecological assessments, monitoring, mitigation, compensation, enhancement, offsetting and fauna management activities required by the Project and Wildlife Approval are captured. Amend as follows: Any landscape planting, ecological mitigation, compensation, enhancement or offset works, ecological assessments and monitoring, fauna management activities, wildlife relocation, or other measures required under the Wildlife Approval.

Establishment Works	Preliminary activities undertaken in advance of Project Works commencing, including within a particular stage or geographic area, as follows: a. Site-wide geotechnical investigations and material reuse testing and earthwork methodology; b. Topographical surveys; c. Ecological, cultural, archaeological and heritage surveys; d. Ecological works required as a part of site-wide establishment; e. Baseline monitoring; f. Contaminated land testing; g. Protection of and/or relocation of utilities; h. Formation of access tracks and haul roads, or reconfiguration of existing of tracks or roads; i. Deposition of materials, fill and soil; j. Any works required within 100 m of any watercourse or wetland; k. Development of construction yards and main site offices; l. Property fencing and demarcation of areas where construction activities shall not occur; and m. Clearance of vegetation and or habitats associated with establishment works (and clearing buildings, structures and other natural or artificial features that have ecological value*).* **Review Comment** The definition of Establishment Works should be expanded to ensure all activities with the potential to affect ecological values, freshwater environments, wetlands, habitats and wildlife are captured. The amendments recognise that adverse effects may occur during establishment activities prior to the commencement of Project Works and ensure appropriate ecological assessment, management and mitigation measures apply to those activities.
First Gas	First Gas Limited.
Gas Pipeline	First Gas Maungaturoto Gas Mainline.

Term	Definition
Hapū	Representatives authorised by Te Uri o Hau, Patuharakeke Te Iwi Trust Board and Te Pouwhenua o Tiakiriri Kukupa Trust on behalf of Te Parawhau ~~ki Tai~~. **Review comment:** To align with the terminology used in Te Parawhau Cultural Impact Assessment and provide certainty regarding representation of Te Parawhau Hapū. Amendment: delete Te Parawhau ki Tai.
ISO 4866:2010	ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures.
Management Plans	Refers to the management plans, reports and plans required by Conditions [D21] and [D35].
National Grid Transmission Assets	Henderson to Marsden A (220kV high voltage transmission line) (HEN-MDN-A).
NZS6803	New Zealand Standard 6803:1999: Acoustics – Construction Noise.
NZS6806	New Zealand Standard 6806:2010 Acoustics – Road- traffic noise – New and altered roads.
Occupied buildings used for activities sensitive to noise	Any dwelling, visitor accommodation, boarding house, marae, papakāinga, supported residential care, care centres, and classrooms in education facilities occupied by receivers of noise including domestic and, or farm animal facilities. **Review Comment:** To recognise noise-sensitive domestic animal and livestock facilities that may be affected by Project Works.
Outline Plan	An outline plan prepared in accordance with s176A of the RMA.
PPF (what does this stand for)?	Habitable spaces in buildings used for residential activities, marae, spaces within buildings used for overnight patient medical care, teaching areas and sleeping rooms in buildings used as educational facilities; and playgrounds that are part of educational facilities that are within 20 m of buildings used for teaching purposes.
Project	The construction, operation and maintenance of the Brynderwyn Hills to Waipū section of the Alternative to the Brynderwyn Hills project. **Review Comment**

	The project extends from the Brynderwyn Hills to Waipū. The definition should accurately describe the full extent of the Project and align with the project description used throughout the application documents. Amendment: blue font above.
Project Works	Activities undertaken to construct the Project, excluding Establishment Works.
Requiring Authority	New Zealand Transport Agency Waka Kotahi.
RMA	Resource Management Act 1991.

Term	Definition
Sensitive Site	A sensitive site includes houses and low-rise residential buildings, theatres, schools, and other similar buildings occupied by people. A site is sensitive in relation to blasting. **Review Comment** The definition should recognise working farms, marae, papakāinga and other sites of significance identified by Hapū that may be sensitive to blasting effects. Amendment: A sensitive site includes houses and low-rise residential buildings, working farms, theatres, schools, marae, papakāinga, and other similar buildings occupied by people. A site is sensitive in relation to blasting.
Suitably Qualified and Experienced Person(s)	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise, including any relevant qualifications and or certifications required by the Department of Conservation.
Transpower	Transpower NZ Ltd.
Underground Services	Underground services (ie. Gas Pipeline) that will be operational during the Project Works and are: (a) Located within the Designation; (b) Lawfully established; and (c) Not proposed to be relocated as part of the Project.
Existing Indigenous Vegetation	The indigenous ~~plant species~~ vegetation identified in the map series in **Appendix C and Appendix E.** **Review Comment** Appendix C does not illustrate all indigenous vegetation; it excludes wetland vegetation and any vegetation identified in the NZTA Terrestrial report as low only illustration is of moderate value and upwards as determined by NZTA reporting. We disagreed with the allocation of significance throughout the terrestrial reporting which is based on flawed process as discussed in Te Parawhau CIA evidence. Appendix E has the same inadequacies for example mixed exotic/indigenous cover – Crack Willow Riparian areas will be difficult to partition the indigenous vegetation in a practical manner E.G for D27(B) mitigation planting.
Wildlife Approval	The approval issued by the Expert Panel under the Wildlife Act 1953 for the Project (Reference WA#).

Working Day	Has the meaning in s2 of the RMA.

GENERAL CONDITIONS

D1 Project Works shall not be undertaken in the "Avoid Areas" shown on the Map in **Appendix** [**A**].

Review Comment:

Amend Condition D1Appendix A is generated from a flawed significance assessment process and does not adequately identify all areas requiring avoidance. The mapping should be updated to include all significant ecological features, wetlands, watercourses, habitats, sites of significance and areas identified through the Te Parawhau Cultural Impact Assessment and independent ecological reviews. Establishment Works must be included. Appendix A depicted the kahikatea does not encompass all of the stands in the area.

Proposed Amendment

D1 Establishment Works and Project Works shall not be undertaken in the "Avoid Areas" shown on the Map in Appendix [A].

Appendix [A] shall include all Avoid Areas identified through the Te Parawhau Cultural Impact Assessment, independent ecological reviews, freshwater assessments, wetland assessments and field verification undertaken for the Project. Additional areas may be included based on the extent of as yet undetermined Establishment Works

D2 Except for Ecological Works, neither Establishment Works or Project Works shall ~~not~~ be undertaken in the "Ecological Areas" shown on the map in **Appendix** [**D**].

Review Comment:

To ensure Ecological Areas are protected from adverse effects arising from both Establishment Works and Project Works. Establishment Works have the potential to cause significant ecological effects prior to the commencement of Project Works and should therefore be subject to the same avoidance requirements. APPENDIX D is also inadequate in terms of the avoidance significant features identified in the CIA & independent ecological reviews.

Amendment:

Additional blue font above

D3 Following Completion of Construction, Conditions [DX]-[DX] cease to have effect and do not apply to any subsequent work associated with the ongoing operation and maintenance of the Project.

Review Comment:

The condition is incomplete and does not identify which conditions are proposed to cease following Completion of Construction. Te Parawhau cannot support the condition until the relevant conditions are identified and it can be confirmed that cultural, ecological, freshwater, wetland, monitoring and restoration obligations will continue where necessary.

Please confirm what conditions cease to have effect. Conditions [DX]-[DX] cease.

OUTLINE PLAN OF WORKS AND MANAGEMENT PLANS

D4 An Outline Plan(s) may be submitted in stages to reflect any proposed staging (eg. activity, location or timing) of the Project Works, and if submitted in stages, the scope is to be commensurate with the nature, scale and effects of the proposed works of that stage.

D5 An Outline Plan for Establishment Works is not required pursuant to section 176A(2)(c) of the RMA.

Review comment:

The definition of Establishment Works is very broad and includes activities that could give rise to adverse taiao effects. Activities undertaken prior to Project Works should not be exempt from Outline Plan requirements.

Amendment:

D5 should be deleted or rewritten as follows:

D5 An Outline Plan shall be required for Establishment Works where those works have the potential to interact with ecological areas, watercourses, wetlands, indigenous vegetation, indigenous wildlife, sites of significance, or cultural values identified by Hapū.

D6 A Management Plan(s) required by these conditions shall be included as part of an Outline Plan and may therefore address a specific stage in the manner described in Condition [D4].

D7 A Management Plan may be updated at any time by submitting the amendment to the Management Plan to Council for information. However, where an update to a Management Plan may result in more than minor adverse effects, the amendment to the Management Plan must be submitted to Council as an update to the Outline Plan at least 20 Working Days before implementation of the amendment.

Review comment:

Management Plans may contain requirements relating to cultural values, freshwater environments, wetlands, ecological values and mitigation measures. Amendments to Management Plans should be provided to Te Parawhau prior to implementation to ensure ongoing participation in matters that may affect ngā uara ahurea o Te Parawhau.

Amendment:

Any amendment to a Management Plan shall be provided to Te Parawhau for review and comment prior to implementation.

D8 A Management Plan(s) shall be implemented for the duration of the specific activities and / or stage to which it relates.

D9 Management Plans, Schedules, plans, reports and actions required by Conditions [D15], [D17], [D21], [D31], [D33] and [D43] including D21 Landscape Concept Plan, D27-D30 Indigenous Vegetation and Ecological Restoration Plan (IVERP), D31-D34 Bat Management Plan, D35-D37 Avifauna Management Plan, Any Fish Management Plan, Any Freshwater Management Plan, Any Wetland Management Plan required by the Consents shall be prepared and / or undertaken by Suitably Qualified Person(s).

Review Comment:

There is no other referral to an Indigenous Vegetation and Ecological Restoration Plan (IVERP) or Fish Management Plan. Te Parawhau considers that these are required. Refer amendment to the "Suitably Qualified Person" and Experienced Person definition above. The designation conditions recognise avifauna and bats through dedicated management provisions; however no equivalent provision exists for herpetofauna. We recognise that indigenous frogs and lizards are addressed through the Wildlife Approval and associated species management requirements. The designation conditions should however require integration with those requirements to ensure ecological management is undertaken in a coordinated manner and avoids adverse effects on herpetofauna, all taonga species and their habitats.

Amendment D9:

D9 Management Plans, schedules, plans and reports required by these conditions shall be prepared and/or undertaken by Suitably Qualified and Experienced Person(s).

This includes:

(a) Landscape Concept Plans;

(b) Indigenous Vegetation and Ecological Restoration Plans;

(c) Bat Management Plans;

(d) Avifauna Management Plans;

(e) Fish Management Plans;

(f) Freshwater Management Plans;

(g) Frog Management Plan

(h) Herpetofauna Management Plan

(i) Wetland Management Plans; and

(j) Any species-specific management plans required under the Wildlife Approval.

D10 Management Plans, plans and reports required by Conditions [D21], [D35] and [D37] shall:

(a) Be prepared in ~~consultation~~ collaboration with Hapū;
(b) Include a summary of this consultation; and
(c) Outline either how feedback has been incorporated, or if not, the reasons for that.

Review Comment:

Consultation does not provide meaningful participation in the preparation of Management Plans. Te Parawhau should be involved in the development, review and finalisation of Management Plans that may affect cultural values, freshwater environments, wetlands and ecological values. Furthermore, meaningful collaboration requires sufficient time for Te Parawhau to review technical information, seek specialist advice where required, and provide informed feedback. A minimum review period should be specified to provide certainty to all parties and ensure consistent implementation across all Management Plans.

Management Plans should not be prepared or implemented in isolation. Freshwater, wetland, avifauna, bat, fish, indigenous vegetation, restoration and stormwater management are interconnected and collectively contribute to the protection of ecological integrity, te taiao and ngā uara ahurea o Te Parawhau. Management Plans should therefore demonstrate integration across all disciplines and identify how objectives, timing, methodologies, monitoring and restoration outcomes have been aligned. Te Parawhau must be provided all Management Plans and amendments for review and comment prior to certification and implementation.

Amendment D10:

(a) be prepared in collaboration with Hapū

(b) Include a summary of engagement undertaken with Hapū during preparation of the Management Plans, plan or report;

(c) Identify matters raised by Hapū; and

(d) Outline how Hapū feedback and recommendations have been incorporated into the final document, or where recommendations have not been adopted, the reasons why, and;.

(e) Identify all other relevant Management Plans, plans, reports and any management plans or requirements prepared under the Wildlife Approval that are relevant to the subject matter of the Management Plan, and describe how any overlapping management measures,

timing requirements, monitoring requirements and adaptive management measures have been addressed.

(f) Draft Management Plans, plans, reports and any amendments shall be provided to Te Parawhau for review and input no less than 40 Working Days prior to certification, finalisation or implementation, unless otherwise agreed in writing by Te Parawhau.

CULTURAL

Conditions D10A-D10I are Augier conditions.

Cultural Values Management Plan (CVMP)

D10A The Requiring Authority shall prepare a **Cultural Values Management Plan (CVMP)**. The purpose of the CVMP is to identify measures to manage effects on the cultural sites and values identified in the Cultural Values Assessments prepared by Hapū that may be impacted by the final design.

Review Comment:

It is inappropriate and unacceptable for NZTA, as the Requiring Authority, to prepare a Cultural Values Management Plan. It is ngā uara ahurea o Te Parawhau that are potentially affected by the Project. The CVMP should recognise and provide for ngā uara ahurea o Te Parawhau as identified in the Cultural Impact Assessment. These uara extend beyond identified sites and include broader cultural relationships, tikanga, mauri and te taiao. Accordingly, the CVMP should be prepared by Te Parawhau prior to Establishment Works commencing, with implementation remaining the responsibility of NZTA as the Requiring Authority.

Amendment to D10A as follows:

D10A Te Parawhau shall prepare a Cultural Values Management Plan (CVMP).

The purpose of the CVMP is to identify measures to avoid, remedy or mitigate adverse effects on ngā uara ahurea o Te Parawhau identified in the Cultural Values Assessments that may be impacted by the Project.

The CVMP shall be completed no less than 3 months prior to commencement of Establishment Works and implemented throughout Establishment Works and Project Works. The CVMP may be reviewed and updated by Te Parawhau where changes to the final design may affect ngā uara ahurea o Te Parawhau identified in the Cultural Values Assessments.

D10B The Requiring Authority must engage with Hapū during preparation of the CVMP.

Review comment:

The CVMP shall be prepared by Te Parawhau. It is ngā uara ahurea o Te Parawhau that are potentially affected by the Project. NZTA's role should be to provide information, technical inputs and design material reasonably required by Te Parawhau to prepare, implement and maintain the CVMP.

Amendment to D10B as follows:

D10B The Requiring Authority shall provide Te Parawhau with all information, plans, reports and design information reasonably required to prepare the CVMP and to review and update the CVMP where changes to the Project or final design may affect ngā uara ahurea o Te Parawhau identified in the Cultural Values Assessments.

D10C The CVMP must include:

(a) cultural sites and values identified in the Cultural Values Assessments prepared by Hapū that may be impacted by the final design;

(b) measures to manage effects on those cultural sites and values during Project Works, where the Requiring Authority considers it practicable to do so;

(c) roles and responsibilities for Hapū during Project Works;

(d) procedures for communicating with Hapū during the Project Works; and

(e) tikanga to be implemented during specific Project Works.

Review comments:

(a) Ngā uara ahurea o Te Parawhau extend beyond identified cultural sites and include broader cultural relationships, tikanga, mātauranga Māori and the mauri ora o te taiao.

(b) It is inappropriate for The Requiring Authority to determine which measures are required to protect ngā uara ahurea o Te Parawhau. The CVMP should identify measures to avoid, remedy or mitigate adverse effects on those values.

(c) Te Parawhau involvement should extend throughout Establishment Works and Project Works.

(d) Replace "Hapū" with "Te Parawhau" to align with the Te Parawhau Cultural Impact Assessment and the proposed CVMP framework.

(e) Tikanga may be required during both Establishment Works and Project Works and should apply throughout the duration of the Project.

Proposed Amendments

(a) ngā uara ahurea o Te Parawhau identified in the Cultural Values Assessments that may be affected by the Project;

(b) measures identified by Te Parawhau to avoid, remedy or mitigate adverse effects on ngā uara ahurea o Te Parawhau during Establishment Works and Project Works;

(c) roles and responsibilities for Te Parawhau during Establishment Works and Project Works;

(d) procedures for communication and engagement with Te Parawhau, including the implementation of tikanga during Establishment Works and Project Works; and

(e) tikanga to be implemented during specific Establishment Works and Project Works.

D10D The CVMP should be completed at least [2] months prior to construction.

Review comments:

The condition uses the term "should" rather than “shall", which does not create a mandatory obligation. The proposed timeframe of two months prior to construction also fails to recognise that Establishment Works may occur before construction and have the potential to affect ngā uara ahurea o Te Parawhau.

Proposed Amendments

D10D The CVMP shall be completed no less than 3 months prior to commencement of Establishment Works.

D10E The Requiring Authority shall provide a draft of the CVMP to Hapū prior to finalisation and shall provide at least 15 Working Days for their comments. The Requiring Authority shall consider any written feedback received from Hapū on the draft CVMP and incorporate that feedback into the CVMP as the Requiring Authority considers appropriate.

Review comments:

The amended D10A provides that the CVMP is to be prepared by Te Parawhau. Accordingly, D10E should be amended to read as follows:

D10E Te Parawhau shall provide a draft of the CVMP to the Requiring Authority prior to finalisation.

Upon receipt of the draft CVMP, the Requiring Authority shall provide written comments to Te Parawhau within 15 Working Days.

Te Parawhau may consider any feedback received from the Requiring Authority when finalising the CVMP.

Amendment

D10E Te Parawhau shall provide a draft of the CVMP to the Requiring Authority prior to finalisation.

The Requiring Authority shall provide any written comments on the draft CVMP within 15 Working Days of receipt.

Te Parawhau may consider any feedback received from the Requiring Authority when finalising the CVMP.

D10F Where feedback received in accordance with [D10E] is not incorporated into the final CVMP, the Requiring Authority shall provide Hapū with a summary of the reasons for that (such as operational, technical, financial, health and safety or engineering reasons).

Review Comment

The amended D10A provides that the CVMP is to be prepared by Te Parawhau. Accordingly, D10F should be amended to reflect that Te Parawhau may consider feedback received from the Requiring Authority, while retaining responsibility for the content and finalisation of the CVMP.

D10F Te Parawhau shall retain responsibility for the content and finalisation of the CVMP. Feedback received from the Requiring Authority in accordance with D10E may be considered by Te Parawhau when finalising the CVMP.

D10G The final CVMP must be implemented throughout the Project Works.

Review Comment

The CVMP should apply to all Establishment Works and Project Works, as adverse effects on ngā uara ahurea o Te Parawhau may arise before Project Works commence. The condition needs to be amended to reflect this change.

Proposed Amendment

D10G The final CVMP shall be implemented throughout the Establishment Works and Project Works.

Brynderwyn Hills Bus Crash Memorial Site

Restrictions on works

D10H Project Works and Establishment Works shall not be undertaken in the "Brynderwyn Bus Crash Site" Avoid Area shown on the Map in **Appendix** [**X**], except for:

(a) Ecological Works; or

(b) any works agreed with Te Uri o Hau.

D10I Before the start of Project Works within [x]m of the "Brynderwyn Bus Crash Site" Avoid Area shown on the map in **Appendix** [**X**], the Requiring Authority must:

(a) notify Te Uri o Hau of when works are proposed to start; and

(b) install measures to manage effects on the Brynderwyn Bus Crash Site (such as setbacks and fencing).

CONSTRUCTION NOISE AND VIBRATION

Noise Criteria

D11 Construction noise shall be measured and assessed in accordance with NZS6803 and shall, as far as practicable, comply with the following criteria:

(a) Occupied buildings used for activities sensitive to noise:

	Time period	dB L_{Aeq}	dB L_{AFmax}
Weekdays	0630-0730	55	75
	0730-1800	70	85
	1800-2000	65	80
	2000-0630	45	75
Saturdays	0630-0730	45	75
	0730-1800	70	85
	1800-2000	45	75

	2000-0630	45	75
Sundays and public holidays	0630-0730	45	75
	0730-1800	55	85
	1800-2000	45	75
	2000-0630	45	75

(b) Other occupied buildings:

Time period	dB L_{Aeq}
0730-1800	70
1800-0730	75

Review Comment

Consider whether construction activities generating significant noise should occur on Sundays and public holidays.

Te Parawhau seeks periods of respite for affected communities and cultural activities. Discussion required. Noting the additional time in the long term required for construction.

Vibration Criteria

D12 Construction vibration shall be measured in accordance with ISO 4866:2010 and as far as practicable, comply with the following criteria:

(a) At buildings:

Receiver	Location	Detail	Category A	Category B
Buildings occupied by activities sensitive to noise	Inside the building	Night-time 2000h – 0630h	0.3mm/s PPV	1mm/s PPV
		Daytime 0630h – 2000h	1mm/s PPV	5mm/s PPV
Other occupied buildings	Inside the building	Daytime 0630h – 2000h	2mm/s PPV	5mm/s PPV
All other buildings	Building Foundation	Vibration – transient	5mm/s PPV	BS 5228-2 Table B.2
		Vibration – continuous	5mm/s PPV	BS 5228-2 50% of Table B.2 values

(b) At Underground Services:

Pipe material	**Guideline value for short term vibration criteria at the pipe**	**Guideline value for long term vibration criteria at the pipe**
Steel, welded	100 PPV	50 PPV

Vitrified clay, concrete, reinforced concrete, prestressed concrete, metal (with or without flange)	80 PPV	40 PPV
Masonry, plastics	50 PPV	25 PPV

vibration effects on:

Blasting noise and vibration criteria

D13 Any blasting shall:

(a) Only occur between 0730h – 1800h; and

(b) Be undertaken in accordance with the following noise and vibration limits:

Category	**Type of blasting operations**	**Peak component particle velocity (PPV)**	**Peak sound pressure level**
Sensitive Site	Operations lasting longer than 12 months or more than 20 blasts	5 mm/s for 95% blasts per year, 10 mm/s maximum unless agreement is reached with the occupier(s) of the relevant Sensitive Site that a higher limit may apply	115 dBL for 95% blasts per year, 120 dBL maximum unless agreement is reached with the occupier(s) of the relevant Sensitive Site that a higher limit may apply
Occupied non-Sensitive Sites	All blasting	25 mm/s maximum unless agreement is reached with occupier(s) of the Relevant Sensitive Site that a higher limit may apply.	125 dBL maximum unless agreement is reached with occupier(s) of the relevant Sensitive Site that a higher limit may apply.

Construction Noise and Vibration Management Outcomes

D14 During the Project Works, the following noise and vibration management measures shall be implemented:

(a) Best Practicable Option management and mitigation to be applied on and off-Site (where access can be practicably obtained) to avoid generating unreasonable noise and vibration;

(b) Measures to communicate with receivers within Occupied buildings used for activities sensitive to noise within 200 m of:

(i) Project Works, about the timing, duration and noise and vibration levels from Project Works; and

(ii) Blasting activities, about the timing, duration and frequency of blasting prior to blasting taking place; and

Review Comment

D14(b) needs to include communication and engagement with marae, papakāinga and other culturally sensitive receivers where noise and vibration effects may occur.

Proposed Amendment

(b) Measures to communicate and engage with receivers within Occupied buildings used for activities sensitive to noise, including marae and papakāinga, within 200 m of:

Retain (i) and (ii).

(c) A training programme for staff undertaking activities that may generate adverse noise and vibration effects so that they understand potential noise and vibration effects and how to manage them.

Site-specific Schedules

D15 If a construction activity during Project Works is predicted or measured to result in an exceedance of the noise and/or vibration criteria in Conditions [D11] to [D13], a Schedule shall be prepared. The objective of a Schedule is to set out the Best Practicable Option for minimising the noise and/or vibration effects of a construction activity that cannot practicably comply with the criteria in Conditions [D11] to [D13].

D16 A Schedule shall include, as a minimum, the following details:

(a) The start and finish dates, equipment and methodology for the activity;

(b) A plan showing the location of the activity and the receivers affected by a measured or predicted exceedance. The Noise and Vibration Management Plan shall consider the impacts of noise and vibrational disturbance to ecological values (i.e., native wildlife) and include provisions to minimize and mitigate noise and vibrational related impacts in accordance with recommendations by relevant SQPs for Ecology.

(c) For each identified receiver, the levels and durations of the measured or predicted exceedance;

(d) The site-specific noise and/or vibration mitigation measures that will be implemented;

(e) A summary of the consultation undertaken with each identified receiver, and how the views of owners and occupiers have been taken into account;

Review Comment

D16(e) The condition should also recognise engagement with Te Parawhau where predicted or measured exceedances may affect marae, papakāinga, sites of significance or ngā uara ahurea o Te Parawhau.

Proposed Amendment

(e) A summary of the consultation undertaken with each identified receiver and engagement with Te Parawhau, and how the views of owners, occupiers and Te Parawhau have been taken into account;

(f) The locations, times and types of any monitoring; and

(g) Where a construction activity is predicted to exceed the daytime Category A vibration criteria in Condition [D12], a requirement to offer to undertake a pre-activity building condition survey in accordance with the requirements of Condition [D19].

D17 A Schedule shall be prepared if a vibration inducing construction activity during Project Works is proposed to occur within:

(a) 50 m of National Grid Transmission Assets; or

(b) 20 m of the Gas Pipeline (where operational).

Review comment

The condition recognises potential vibration effects on infrastructure assets but does not recognise vibration effects on sites of significance to Te Parawhau. Equivalent consideration should be given to culturally significant sites where vibration-inducing construction activities may occur.

Amendment

Add: D17 (c) Any site of significance identified by Te Parawhau within the Cultural Values Assessments.

D18 Each Schedule required by Conditions [D15] and [D17] shall be submitted to Council for information.

Review Comment

Schedules prepared in response to predicted or measured exceedances may contain information relevant to Te Parawhau, particularly where noise or vibration effects may affect sites of significance, cultural values, marae or papakāinga. Te Parawhau should receive copies of the Schedule for information.

Amendment

D18 Each Schedule required by Conditions [D15] and [D17] shall be submitted to Council and Te Parawhau for information.

Building condition survey

D19 If an exceedance of the Daytime Category A vibration criteria in Condition [D12] is predicted to occur due to the Project Works, the Requiring Authority shall:

(a) Engage with receivers expected to be, or have been affected by the exceedance;

(b) Offer to undertake a pre-construction building condition survey to any buildings affected by the exceedance;

Review Comment

Potential vibration effects may arise during Establishment Works as well as Project Works. The condition should apply to both phases of the Project to ensure receivers are afforded the same level of protection throughout all project activities. The condition should also recognise engagement with Te Parawhau where vibration exceedances may affect sites of significance, wāhi taonga, wāhi tapu or other areas identified through the Cultural Values Assessments. While a Suitably Qualified Person may be appropriate for assessing effects on buildings and structures, assessments relating to sites of significance to Te Parawhau should also involve Te Parawhau.

Amendments

D19 If an exceedance of the Daytime Category A vibration criteria in Condition [D12] is predicted to occur due to Establishment Works or Project Works, the Requiring Authority shall:

(a) Engage with receivers expected to be, or have been affected by the exceedance and, where relevant, engage with Te Parawhau where vibration exceedances may affect sites of significance, wāhi taonga, wāhi tapu or other areas identified through the Cultural Values Assessments;

(b) Offer to undertake a pre-construction building condition survey to any buildings affected by the exceedance and, where relevant, undertake pre-construction documentation and condition assessments of sites of significance, wāhi taonga, wāhi tapu or other areas identified through the Cultural Values Assessments that may be affected by vibration. Such assessments shall be undertaken in collaboration with Te Parawhau;

(c) If the offer in (b) is accepted, conduct a condition survey. The survey shall be undertaken by a Suitably Qualified Person and shall document the condition of the building and structures following best practice, using written descriptions, photographs and measurements as required. The survey shall also confirm the Line 1, 2 or 3 classification(s) of the building(s) in accordance with DIN4150-3;

Amendment

(c) If the offer in (b) is accepted, conduct a condition survey. The survey shall be undertaken by a Suitably Qualified Person and shall document the condition of the building and structures following best practice, using written descriptions, photographs and measurements as required. The survey shall also confirm the Line 1, 2 or 3 classification(s) of the building(s) in accordance with DIN4150-3. Where the survey relates to a site of significance, wāhi taonga, wāhi tapu or other area identified through the Cultural Values Assessments, the survey shall be undertaken in collaboration with Te Parawhau;

(d) Where a pre-construction building survey has been undertaken in accordance with (c), offer to undertake a post-construction building condition survey following completion of the exceeding activity;

(e) If the offer in (d) is accepted, the survey shall be undertaken by a Suitably Qualified Person as soon as practicable and shall identify any damage (being detrimental cosmetic or structural damage to the building) that is more likely than not to have been caused or exacerbated by the Project Works (as assessed by a Suitably Qualified Person);

Amendment

(e) If the offer in (d) is accepted, the survey shall be undertaken by a Suitably Qualified Person as soon as practicable and shall identify any damage to a building, site of significance, wāhi taonga, wāhi tapu or other area identified through the Cultural Values Assessments that is more likely than not to have been caused or exacerbated by Establishment Works or Project Works. Where the survey relates to a site of significance, wāhi taonga, wāhi tapu or other area identified through the Cultural Values Assessments, the survey shall be undertaken in collaboration with Te Parawhau;

(f) Where damage to a building is identified as more likely than not to have been caused or exacerbated by the Project Works in accordance with (e), within 10 Working Days of completion of the post-construction building survey offer to the owners of the building to fix that damage; and

Amendment

(f) Where damage to a building, site of significance, wāhi taonga, wāhi tapu or other area identified through the Cultural Values Assessments is identified as more likely than not to have been caused or exacerbated by Establishment Works or Project Works in accordance with (e), within 10 Working Days of completion of the post-construction building survey or post-construction condition assessment offer to the owners of the building, or where relevant Te Parawhau, to remedy that damage; and

(g) If the offer is accepted, fix the damage without undue delay following acceptance of the offer.

D20 If an offer made under Condition [D19](b), (d) or (f) is not responded to within four weeks of the offer being made, the offer shall be deemed to have not been accepted (unless the Requiring Authority agrees to a longer time period in the particular circumstance). If an offer is responded to but not accepted within twelve weeks of the offer being made, it shall be deemed to have not been accepted.

Review Comment

The condition should recognise that offers relating to sites of significance, wāhi taonga, wāhi tapu or other areas identified through the Cultural Values Assessments may require consideration by Te Parawhau. A four-week response period may not always provide sufficient time for internal consideration and decision-making. The response period should commence from acknowledgement of receipt of the offer rather than the date the offer is issued.

Amendment

D20 If an offer made under Condition (b), (d) or (f) is not acknowledged by the recipient within 10 Working Days of the offer being made, the Requiring Authority shall make further reasonable attempts to contact the recipient using alternative contact methods.

The response periods specified in this condition shall commence from the date the offer is acknowledged as received by the recipient.

If an offer made under Condition (b), (d) or (f) is not responded to within four weeks of acknowledgement of receipt, the offer shall be deemed not to have been accepted (unless a longer period is agreed between the Requiring Authority and the recipient, including where the offer relates to a site of significance, wāhi taonga, wāhi tapu or other area identified through the Cultural Values Assessments).

If an offer is responded to but not accepted within twelve weeks of acknowledgement of receipt, it shall be deemed not to have been accepted.

LANDSCAPE

Landscape Planting

D21 Before starting Project Works, a **Landscape Concept Plan (LCP)** shall be prepared. The LCP shall include drawings and descriptions (where appropriate) of the landscape planting to be implemented during the Project Works.

Review Comment

The LCP should be prepared prior to Establishment Works commencing, as landscape and vegetation effects may arise before Project Works commence. The LCP should also be provided to Te Parawhau for review and comment prior to finalisation.

Amendment

D21 Before starting Establishment Works, a Landscape Concept Plan (LCP) shall be prepared. The LCP shall be provided to Te Parawhau for review and comment prior to finalisation in accordance with Condition D10.

The LCP shall include drawings and descriptions (where appropriate) of the landscape planting to be implemented during Establishment Works and Project Works.

D22 The LCP shall, where practicable, include drawings or a description of the following matters:

(a) Retention of existing substantial, indigenous vegetation (as determined by a Suitably Qualified Person);

(b) Use of eco-sourced indigenous plants for revegetation; and

Review Comment

The term *substantial* in D22a is undefined. The LCP should reflect ecological values and ngā uara ahurea o Te Parawhau and be prepared in accordance with Condition D10.

Te Parawhau supports the use of eco-sourced plants in principle. However, the term "eco-sourced" is uncertain without a mechanism to verify plant provenance. The condition should require documentation confirming seed source, nursery source and ecological

district of origin to demonstrate suitability for the substrate topography and receiving environment of specific planting areas for compliance.

Amendment

(b) Use of plants appropriate to the predicted ecosystem type of the receiving environment sourced from the relevant ecological district where possible or east coast Northland at a minimum. Evidence of plant provenance, including seed source, nursery source and ecological district of origin, shall be maintained and made available to Council and Te Parawhau upon request.

(c) Planting specifications (including for site preparation and planting), such as density, species composition, and species micro-siting.

Review Comment

The LCP should reflect the indigenous vegetation communities naturally occurring within the affected environment. Species selection should be informed by NZTA's vegetation surveys, plant inventories and ecological assessments, together with information contained within Hapū reports and the Cultural Values Assessments, to ensure restoration planting reflects the ecological character and ngā uara ahurea of the area.

Amendment

(c) Planting specifications (including for site preparation and planting), such as density, species composition, species micro-siting and the rationale for species selection, including indigenous species that naturally occur within the affected area as identified through the Project's ecological assessments, vegetation surveys, NRC predicted ecosystem mapping ; Hapū reports and Cultural Values Assessments.

D23 The LCP shall include the following elements as shown on the maps in Appendix [B – to be provided in next version], where relevant:

(a) Replacement planting of kahikatea / tōtara if the alignment impacts the kahikatea / tōtara stands;

(b) Revegetation of cut and fill batters if these are to occur in the following locations ~~(unless such revegetation is impracticable due to gradient of the batters)~~:

(i) If the alignment crosses the Bush-clad Escarpment, in proximity to the Puriri Downs Stream or the wetland; and

(ii) The summit area, northern slopes and northern approaches of the Brynderwyn Hills;

(c) Revegetation of any spoil disposal sites that are located in the Summit Area of the Brynderwyn Hills ~~(unless such revegetation is impracticable due to gradient);~~

(d) Indigenous riparian planting of any stream diversions if these occur in the Tributary of the Pukekaroro Stream:

(e) If the meander loop of the Waihoihoi River is diverted, recreation of an equivalent meander loop, including planting of indigenous riparian vegetation;

(f) A 10 m wide indigenous riparian buffer on the southern side of the Piroa Stream; and

(g) Where cuts are proposed to occur through the Saddle of the Volcanic Hills north of Kaiwaka, planting of indigenous plant species in the following areas (unless such planting impracticable due to gradient):

(i) On cut batters; and

(ii) Within the upper parts of the tributary valley of the Pukekaroro Stream.

Review Comment

The condition assumes that loss of mature broadleaved podocarp associations including but not limited to kahikatea and tōtara stands is acceptable provided replacement planting is undertaken. Te Parawhau does not support this approach. Existing kahikatea, pūriri and tōtara stands should be retained and protected. Replacement planting is not considered an equivalent outcome to the loss of established indigenous vegetation and associated ecosystem functions.

Furthermore, the condition does not identify which kahikatea and tōtara stands are subject to the requirement. The condition should clearly identify the relevant stands on the plans. Te Parawhau is particularly concerned about the indigenous vegetation remnants near The Braigh and the SH1/Waipū intersection. The condition should also recognise the ecological significance of mature broadleaves including pūriri within these remnants, including cavity-bearing trees that may provide habitat for indigenous fauna such as pekapeka. These areas should be identified on the plans and reviewed with Te Parawhau prior to finalisation of the LCP.

The condition creates an exemption from revegetation where batter gradients are considered impracticable. Te Parawhau does not support this approach. The current Project design relies on extensive cut and fill batters that are incongruous with ngā uara ahurea o Te Parawhau, compromise the mauri ora o te taiao, and conflict with Te Parawhau kaitiakitanga obligations to te taiao, the Hapū and ngā hapori.

Te Parawhau does not support leaving cut and fill batters or spoil disposal sites unrestored. If the Project is approved, cut and fill batters and spoil disposal sites should be designed, constructed and managed to achieve successful indigenous revegetation and restoration outcomes that support ecological integrity, the mauri ora o te taiao and ngā uara ahurea o Te Parawhau. The Requiring Authority should not be able to rely on gradients created by the Project design as justification for avoiding revegetation obligations.

In terms of the Waihoihoi Awa, the existing meander loop should be retained and protected. Te Parawhau does not accept that recreation of an "equivalent" meander loop will necessarily restore or replicate the ecological, hydrological, geomorphological and cultural values, functions and relationships associated with the existing meander loop.

Amendment

(a) Existing mature broadleaved podocarp associations including but not limited to kahikatea, pūriri and tōtara stands shall be retained and protected.

(b-c) Delete all references to (unless such revegetation is impracticable due to gradient of the batters):

(d, f-g) These conditions are best left to Te Uri o Hau to comment on.

(e) The existing Waihoihoi River meander loop shall be retained and protected.

D24 A description of how the landscape planting required by this condition will integrate with and/or form part of any planting required by Conditions [D27] and conditions of the Consents.

Review Comment

An IVERP mentioned in D09 has no further reference. This condition should clarify that integration of landscape planting, ecological mitigation planting and consent planting forms part of the LCP required by D21. The LCP should demonstrate how these planting requirements support ecological restoration appropriate to locality, topography and substrate; habitat provision; indigenous vegetation communities naturally occurring within the affected area, and ngā uara ahurea o Te Parawhau identified through the Cultural Values Assessments.

Amendment

D24 The LCP shall include a description of how the landscape planting required by this condition will integrate with and/or form part of any planting required by Conditions [D27] and the conditions of the Consents, including how the planting supports ecological restoration, indigenous vegetation communities naturally occurring within the affected area, and ngā uara ahurea o Te Parawhau identified through the Cultural Values Assessments.

D25 The LCPs shall be implemented during the Project Works and for the periods following the Project Works as described in Condition [D26].

Review Comment

The LCP should apply throughout Establishment Works and Project Works. Landscape and vegetation effects may arise prior to Project Works commencing and associated planting and restoration measures should be implemented from the earliest practicable stage.

Amendment

D25 The LCPs shall be implemented throughout Establishment Works and Project Works and for the periods following Completion of Construction as described in Condition [D26].

~~(c) Be maintained and/or replaced for a minimum period of five years and until 80% canopy cover is achieved, whichever is greater.~~

D26 Planting implemented through the LCPs under Condition [D25] shall:

(a) ~~Where practicable~~, be completed before or within the first planting season following Completion of Construction;

(b) Have pest plant control for a five-year period following planting; and

(c) Be maintained and / or replaced for a five-year period or until 80% canopy cover is achieved (whichever is less).

Review Comment

The condition creates an exemption from planting where the Requiring Authority determines planting is not practicable. Te Parawhau ***does not support*** this approach. Planting should be completed at the earliest practicable opportunity and no later than the first planting season following Completion of Construction.

Five years is insufficient time to ensure planting establishment and long-term restoration success. The pest plant management period should be reviewed by the ecological specialists. Browser control should be integrated including rabbits; hares; rabbits and feral stock (known to occur in the Bryderwyns).

The condition allows maintenance and replacement obligations to cease after five years or once 80% canopy cover is achieved, whichever occurs first. Te Parawhau does not support this approach. Canopy cover alone does not demonstrate successful restoration, ecological function or long-term establishment. The objectives should include retention of the original diversity of the planting and year 3 enhancement of more sensitive species e.g. priority canopy species taraire; miro; rimu etc

Amendment

(a) Be completed before or within the first planting season following Completion of Construction; other than species that may require some shelter establishment, to be introduced by YR 3

(b) Have pest plant and grazer control for the for the lifetime of the consent, and

(c) Be maintained and/or replaced until 80% survival and canopy cover is achieved including the prescribed diversity and sustained for a minimum period of five years.

ECOLOGY

Indigenous vegetation

D27 Mitigation planting shall be undertaken at the following ratios where the Project results in the loss of:

(a) At least 50:1 for kauri (*Agathis australis*) greater than 50 cm in diameter at breast height (1.4 m); and

(b) 1:1 (area) for areas of Existing Indigenous Vegetation.

Review Comment

The condition assumes that loss of mature kauri is acceptable provided mitigation planting is undertaken. Te Parawhau does not support this approach. Existing kauri should be retained and protected. Mitigation planting is not considered an

equivalent outcome to the loss of established kauri and the ecological, cultural and environmental values they provide.

The current conditions rely primarily on mitigation planting ratios and do not require a comprehensive ecological restoration framework. Te Parawhau considers that ecological restoration and management outcomes should be planned and managed through a dedicated Ecological Management and Restoration Plan (EMRP).

The EMRP is a foundational ecological management document that integrates restoration, freshwater, wetland, fish, herpetofauna and taonga species management measures. Consistent with the AMP and BMP, the EMRP should be prepared sufficiently in advance of Establishment Works and Project Works to enable meaningful review and comment by Te Parawhau prior to implementation.

The EMRP should address restoration objectives, eco-sourcing requirements, habitat restoration, ecological connectivity, taonga species management, monitoring, maintenance, adaptive management and long-term ecological outcomes. Planting ratios alone are insufficient to demonstrate that ecological function, habitat values and indigenous ecological communities will be appropriately restored.

Amendment

The following condition is required to prepare an EMRP.

D27 At least 40 days prior to Establishment Works and Project Works, an Ecological Management and Restoration Plan (EMRP) shall be prepared by a Suitably Qualified and Experienced Ecologist in collaboration with Te Parawhau in accordance with Condition D10.

The purpose of the EMRP is to identify measures to avoid, remedy or mitigate adverse effects on indigenous vegetation, taonga species, habitat values, ecological connectivity and ecological function resulting from the Project.

The EMRP shall include, as a minimum:

(a) ecological restoration objectives and outcomes;

(b) indigenous vegetation restoration measures;

(c) habitat restoration and enhancement measures;

(d) eco-sourcing and plant provenance requirements;

(e) ecological connectivity measures;

(f) Freshwater and wetland protection, restoration and ecological connectivity measures;

(g) Freshwater fish and herpetofauna management measures, including fish and frog salvage, fish and frog passage, aquatic habitat protection

measures and protection of habitats utilised by indigenous freshwater fish and herpetofauna;

(h) taonga species management measures;

(i) Monitoring and reporting requirements, including monitoring frequency, reporting timeframes and provision of monitoring reports to Council and Te Parawhau;

(j) triggers, incident response and adaptive management measures

(k) restoration success criteria;

(l) maintenance requirements;

(m) Identification of all relevant Wildlife Approval requirements that contribute to the ecological restoration and management outcomes of the EMRP; and

(n) Identification of all ecological management plans required by the Designation and Resource Consents relevant to the EMRP, and the ecological restoration, habitat management, monitoring and adaptive management measures relevant to the EMRP contained within those plans.

~~D28 Any mitigation planting required by Condition [D27] shall be determined by a Suitably Qualified Person and shall be:~~

~~(a) Undertaken within two years of the loss;~~

~~(b) Planted in locations appropriate for the relevant indigenous plant species, including in locations that connect or infill existing patches of indigenous vegetation;~~

~~(c) With suitable characteristics and at appropriate spacing for the relevant indigenous plant species;~~

~~(d) Eco-sourced from the same ecological district as the indigenous vegetation lost, or a neighbouring ecological district; and~~

~~(e) Of a suitable species and plant composition to address the indigenous species or community lost.~~

Amendment

D28 All ecological restoration, mitigation, enhancement and management measures identified in the EMRP shall be implemented in accordance with the EMRP.

D29 ~~The requirements of Conditions [D27] and [D28] may be satisfied by any planting undertaken in accordance with the requirements of the Wildlife Approvals.~~

Amendment

D29 The EMRP shall be reviewed and updated where monitoring identifies that restoration outcomes or success criteria are not being achieved, trigger exceedance or environmental incidents are occurring.

D30 ~~Any mitigation planting shall be maintained for a period of five years.~~

D30 Ecological restoration measures required by the EMRP shall be maintained until the restoration success criteria identified in the EMRP have been achieved.

Bats

D31 During vegetation clearance, protocols shall be implemented to seek to avoid direct mortality to bats. The protocols shall:

(a) Be consistent with the Department of Conservation 'Protocols for minimising the risk of felling bat roosts' (Version 4, October 2024); and

(b) Include physical delineation of works, communication procedures and protective banding of potential roost trees to minimise the risk of accidental or unnecessary removal of those trees.

Review Comment

The current conditions prescribe individual bat management protocols but do not require a dedicated Bat Management Plan. Te Parawhau considers that a comprehensive Bat Management Plan (BMP) is required to address bat survey requirements, habitat management, monitoring, adaptive management, contingency measures, and mitigation of direct and indirect effects on pekapeka.

Consistent with the EMRP and AMP framework, the BMP should be provided to Te Parawhau for review and input prior to finalisation and implementation.

The conditions should also require sufficient survey effort, undertaken across multiple seasons prior to Establishment Works and Project Works, to determine roost locations, movement corridors, seasonal habitat use and the significance of habitats potentially affected by the Project.

The BMP should recognise and address adverse effects associated with vegetation clearance, habitat loss and fragmentation, lighting, noise, vibration and dust, and identify measures to protect important roosting habitat and ecological connectivity.

Amendment

D31 At least 40 Working Days prior to Establishment Works and Project Works, a Bat Management Plan (BMP) shall be prepared by a Suitably Qualified and Experienced Person holding relevant Department of Conservation authorisations and experience in long-tailed bat management and provided to Te Parawhau for review and input in accordance with Condition D10.

The purpose of the BMP is to avoid, remedy or mitigate adverse effects on pekapeka resulting from Establishment Works and Project Works.

The BMP shall include, as a minimum:

(a) Survey requirements;

(b) Monitoring requirements;

(c) Habitat management measures;

(d) Contingency responses;

(e) Triggers, environmental incidents and adaptive management measures;

(f) Mitigation measures addressing lighting, noise, vibration, dust, habitat loss and fragmentation;

(g) Long-term protection measures for important roosting habitat;

(h) Requirements for reporting and provision of monitoring reports to Council, Te Parawhau and the Department of Conservation; and

(i) Protocols consistent with the Department of Conservation 'Protocols for minimising the risk of felling bat roosts' (Version 4, October 2024).

D32 Where an active roost tree is identified within 50 m of Project Works, a setback determined by a Suitably Qualified Person must be implemented. No activities generating noise, vibration and / or artificial lighting that a Suitably Qualified Person determines is excessive for bats may be undertaken within the setback distance until a Suitably Qualified Person has determined that the bats have left the roost tree.

Review comment

The condition should apply to both Establishment Works and Project Works. The Suitably Qualified Person should also hold relevant Department of Conservation certifications and experience in pekapeka management.

Amendment

D32 Where an active roost tree is identified within 50 m of Establishment Works or Project Works, a setback determined by a Suitably Qualified and Experienced Person holding relevant Department of Conservation certifications must be implemented.

No activities generating noise, vibration and/or artificial lighting that the Suitably Qualified and Experienced Person determines is excessive for bats may be undertaken within the setback distance until the bats have left the roost tree.

D33 Before the start of Project Works, a report shall be prepared outlining the protocols that will be implemented during any vegetation clearance, and how they will meet the requirements of Conditions [D31] and [D32].

Review Comment

A report limited to vegetation clearance protocols is insufficient. Survey effort should be undertaken across multiple seasons to determine roost locations, movement corridors,

seasonal habitat use and the significance of habitats potentially affected by the Project. The results of this work should inform the BMP.

Amendment

D33 The BMP shall include the results of survey effort undertaken across multiple seasons prior to Establishment Works and Project Works to determine roost locations, movement corridors, seasonal habitat use and the significance of habitats potentially affected by the Project.

The BMP shall outline the measures that will be implemented to manage adverse effects on bats and demonstrate how the requirements of Conditions D31 and D32 will be achieved.

D34 The report prepared in accordance with [D33] shall be provided to Council for information.

Review Comment

Monitoring and reporting should continue throughout implementation of the BMP and be provided to Council, Te Parawhau and the Department of Conservation.

Amendment

D34 The BMP and any monitoring reports prepared in accordance with the BMP shall be provided to Council, Te Parawhau and the Department of Conservation.

An annual report shall be prepared following completion of seasonal bat management work and provided to Council, Te Parawhau and the Department of Conservation.**Avifauna**

Vegetation clearance

D35 Before starting Project Works, an **Avifauna Management Plan (AMP)** shall be prepared**.** The purpose of the AMP is to appropriately manage adverse effects on indigenous bird species.

Review Comment

The AMP should be prepared sufficiently in advance of Establishment Works and Project Works to enable meaningful review and comment by Te Parawhau. Indigenous bird management is closely linked to habitat management, vegetation clearance, wetlands, freshwater environments and other ecological management measures. The AMP should therefore be provided to Te Parawhau prior to finalisation and implementation.

The purpose of the AMP should extend beyond management of adverse effects and explicitly address avoidance, minimisation, remedy and mitigation of adverse and residual effects on indigenous bird species. D36 should also include methods to minimise impacts

on indigenous birds through blasting and other potential adverse effects (e.g. other noise, lighting, vibration).

Te Parawhau queries the exclusion of avifauna from any Wildlife Act application. Interaction is not limited to nesting birds. Birds of low mobility or flying ability e.g. kiwi; fernbird may require capture; handling and physical relocation. We also consider failure of nests = mortality as a potential adverse effect due to disturbance or exposure. This would require notification to DoC

Amendment

D35 At least 40 Working Days prior to Establishment Works and Project Works, an Avifauna Management Plan (AMP) shall be prepared and provided to Te Parawhau for review and input in accordance with Condition D10.

The purpose of the AMP is to avoid, minimise, remedy and mitigate adverse and residual effects on indigenous bird species.

D36 The AMP shall include:

(a) Methods to undertake pre-construction surveys before clearing vegetation (excluding grazed pasture) during the indigenous bird breeding season (August to February inclusive). The methods shall include:

The methods shall include:

(i) A description of indigenous bird species habitat known or anticipated to be within the Designation that are proposed for removal (including trees, rank grass and shrubs); and

(ii)Procedures for visually observing and inspecting the habitat described in

(iii) above within three days prior to felling to identify any Active Nests (including checking cavities and hollows for nesting birds such as morepork, kingfisher and kaka).

(b) An incidental discovery protocol to be implemented if an Active Nest is discovered within 100 m of the Project Works to manage impacts of construction on nesting indigenous bird species;

(c) Methods for establishing and maintaining “exclusion zones” around any Active Nest identified during the pre-construction surveys required by [D36] or if an Active Nest is incidentally discovered. No vegetation clearance or earthworks activities shall occur inside any exclusion zone until a Suitably Qualified Person has confirmed that the nest has failed or the chicks have left the nest. Exclusion zones shall be clearly marked with temporary cordoning for the attention of construction workers, and shall be established in accordance with the following parameters:

(i) Within 50 m or 100 m radius for all indigenous bird species that are classified as ‘Threatened’ or ‘At Risk’ under the New Zealand Threat Classification System (depending on the species); and

(ii) Within 25 m (in all directions) for all other indigenous bird species (excluding spurwinged plover (*Vanellus miles*) and pūkeko (*Porphyrio melanotus melanotus*); or

(iii) A distance that is less than the distance(s) set out in (i) and/or (ii), that is determined by the Suitably Qualified Person; and

(d) Methods to monitor Active Nests to confirm when the chicks have left the nest or the nest has failed. Once the chicks have left the nest or the nest has failed, the exclusion zones may be disestablished.

Review Comment

D36 as currently written is inadequate and should be reworded.

The condition should require surveys to be undertaken prior to Establishment Works and Project Works and across multiple annual breeding seasons where works extend over multiple breeding seasons. Reliance on a single survey period may not adequately identify changes in species presence, nesting activity, habitat utilisation or breeding success over time.

The examples of habitat currently identified within the condition are too narrow and may not adequately recognise all habitats utilised by indigenous bird species. Te Parawhau notes that indigenous avifauna may utilise a range of habitats including wetlands, wetland margins, riparian vegetation, pasture, rank grassland, banks, cut faces and other modified environments for nesting, breeding, foraging, shelter or movement. Surveys should therefore assess all habitats potentially affected by Establishment Works and Project Works.

The AMP should identify Threatened, At Risk and regionally significant indigenous bird species that may be affected by the Project and specify the management measures required to avoid, remedy or mitigate adverse effects on those species.

The incidental discovery protocol is narrowly focused on Active Nests discovered within 100 metres of Project Works and does not adequately provide for Establishment Works, Threatened species, At Risk species or regionally significant indigenous bird species, or situations where nests, chicks or breeding habitat may be adversely affected by Project activities.

The protocol should establish clear procedures for cessation of works, assessment by a Suitably Qualified and Experienced Ornithologist, establishment of exclusion zones, notification requirements, monitoring and procedures for recommencement of works.

The exclusion zone framework is generally supported. However, the condition relies on a generic Suitably Qualified Person and does not clearly provide for specialist ornithological assessment when determining exclusion zone requirements.

Te Parawhau considers that exclusion zones should be established, monitored and modified only by a Suitably Qualified and Experienced Ornithologist. Monitoring records should be maintained and made available to Council, the Department of Conservation and Te Parawhau. Nest failure attributable to Project activities should be treated as a mortality event and reported to the Department of Conservation and Te Parawhau.

The condition relating to Active Nest monitoring is narrowly focused on determining when exclusion zones can be removed and does not adequately provide for monitoring of nesting outcomes, nest success, nest failure, chick survival or adverse effects arising from Project activities.

Nest failure attributable to Project activities, disturbance, vegetation clearance, habitat modification or exposure should be recorded and reported as an adverse ecological outcome and appropriate management responses implemented where required.

Interaction with indigenous avifauna is not limited to nesting birds. Te Parawhau notes that species with limited mobility or flying ability, including kiwi and mātātā (fernbird), may require capture, handling, salvage or relocation where Establishment Works or Project Works have the potential to adversely affect individuals or their habitats. The AMP should therefore provide species-specific procedures for these circumstances where relevant.

Te Parawhau also considers that nest failure attributable to Project activities, disturbance, vegetation clearance, habitat modification or exposure should be treated as a mortality event and a significant adverse ecological outcome. Such events should be recorded, investigated and reported to the Department of Conservation and Te Parawhau, together with any corrective actions or adaptive management measures implemented in response.

Amendment

D36(a) Methods to undertake pre-construction surveys before clearing all vegetation and habitats potentially affected by Establishment Works and Project Works, as determined by the project Ornithologist.

Surveys shall be undertaken across multiple annual breeding seasons (May to February inclusive), where relevant to the timing and staging of works, to establish the presence, distribution, nesting activity, habitat utilisation and breeding success of indigenous bird species.

The methods shall include:

(i) A description of indigenous bird habitat known or anticipated to occur within, adjacent to and connected with the Designation that is proposed to be

removed, modified or disturbed, including trees, pasture, rank grassland, wetlands, wetland margins, shrubs, riparian vegetation, banks, cut faces and other habitats utilised by indigenous bird species;

(ii) Identification of Threatened, At Risk and regionally significant indigenous bird species that may be affected by the Project and the management measures required to avoid, remedy or mitigate adverse effects on those species; and

(iii) Procedures for visually observing and inspecting the habitat described in (i) within three days prior to vegetation or habitat clearance to identify any Active Nests, including cavities, hollows, banks and other nesting features used by species such as ruru, kōtare and kākā.

D36(b) An Incidental Discovery Protocol shall be prepared and implemented where an Active Nest, indigenous bird species, Threatened species, At Risk species, regionally significant indigenous bird species, or habitats supporting those species are discovered during Establishment Works or Project Works.

The protocol shall include:

(i) Procedures for immediate cessation of works where required;

(ii) Procedures for establishing and maintaining exclusion zones;

(iii) Assessment requirements to be undertaken by a Suitably Qualified and Experienced Ornithologist;

(iv) Monitoring requirements;

(v) Adaptive management measures and contingency actions;

(vi) Procedures for notifying the Department of Conservation and Te Parawhau where Active Nests, Threatened species, At Risk species or regionally significant indigenous bird species are discovered or adversely affected; and

(vii) Procedures for determining when works may recommence.

(viii) Procedures for capture, handling, salvage or relocation of indigenous bird species where required, including species of limited mobility or flying ability such as kiwi and mātātā (fernbird).

D36(c) Methods for establishing and maintaining exclusion zones around any Active Nest identified during the pre-construction surveys required by Condition D36 or if an Active Nest is incidentally discovered.

No vegetation clearance or earthworks activities shall occur inside any exclusion zone until a Suitably Qualified and Experienced Ornithologist has confirmed that the nest has failed or the chicks have left the nest.

Exclusion zones shall be clearly marked with temporary cordoning and established in accordance with the following parameters:

(i) Within 100 m of nests of species classified as At Risk under the New Zealand Threat Classification System or relevant Regional Threat Classification;

(ii) Within 200 m of nests of species classified as Threatened under the New Zealand Threat Classification System or relevant Regional Threat Classification;

(iii) Within 25 m (in all directions) for all other indigenous bird species (excluding spur-winged plover (*Vanellus miles*) and pūkeko (*Porphyrio melanotus melanotus*)); or

(iv) A lesser distance determined by a Suitably Qualified and Experienced Ornithologist may only apply to indigenous bird species that are not classified as Threatened and where species sensitivity, nest stage and site-specific conditions demonstrate that a reduced exclusion zone will not increase the risk of nest abandonment or nest failure.

D36(d) Methods for monitoring Active Nests by a Suitably Qualified and Experienced Ornithologist to confirm when chicks have fledged, left the nest or the nest has failed.

Monitoring records shall be maintained and provided to Council, the Department of Conservation and Te Parawhau upon request and in accordance with Condition D10.

Any nest failure, mortality, injury or adverse effect attributable to Project activities shall be recorded and reported to the Department of Conservation and Te Parawhau.

Exclusion zones shall remain in place until a Suitably Qualified and Experienced Ornithologist has confirmed that chicks have fledged, left the nest or the nest has failed.

D36(e) The AMP shall identify all Management Plans, plans, reports and Wildlife Approval requirements relevant to indigenous bird management and describe the habitat management, monitoring, timing, trigger events and adaptive management measures relevant to the AMP.

D36(f) The AMP shall include a dedicated kiwi and bittern management section where kiwi and bittern are present, likely to be present, or may be affected by Establishment Works or Project Works.

D36(g) The AMP shall include species-specific management protocols for Threatened, At Risk and regionally significant indigenous bird species.

D37 The AMP shall be implemented for the duration of Project Works.

Review Comment

The AMP should apply throughout Establishment Works and Project Works, as adverse effects on indigenous bird species and their habitats may occur prior to the commencement of Project Works.

Amendment

D37 The AMP shall be implemented for the duration of Establishment Works and Project Works.

OPERATIONAL CONDITIONS OPERATIONAL

NOISE

D38 The Project shall be designed or have noise mitigation measures constructed so that the predicted operational noise levels meet the Noise Criteria Categories in Table [2] at each of the identified PPFs. If, at the start of Project Works, any of the PPFs listed in Table [2] do not exist or are on land owned by the Crown, this condition no longer applies to that PPF. Predicted operational noise levels will be assessed using traffic forecasts provided by a Suitably Qualified Person for a high growth scenario in a 2054 design year.

D39 If noise mitigation measures need to be implemented outside the Designation to comply with Condition [D38] (including any building modifications), the Requiring Authority must provide to the owners(s) of the property on which the PPF is located written notice:

(a) Outlining the proposed noise mitigation measures;

(b) Offering to undertake those noise mitigation measures on the property; and

(c) Advising that the owner has six weeks to decide whether to accept those noise mitigation measures.

D40 If an offer made under Condition [D39] is not responded to within four weeks after it is made, the offer shall be deemed to have not been accepted (unless the Requiring Authority agrees to a longer time period in the particular circumstance).

D41 Noise mitigation measures are not required to be implemented to address operational noise impacts at a PPF and shall be deemed in compliance with Condition [D38] if:

(a) An offer made under Condition [D39] is not accepted; or

(b) An offer made under Condition [D39] is deemed not to be accepted pursuant to Condition [D40]; or

(c) The owner of the property on which the PPF cannot (after reasonable inquiry) be found prior to the Completion of Construction.

D42 All mitigation measures required to achieve compliance with Condition [D38] shall be implemented prior to Completion of Construction.

D43 Within 12 months of the installation of all noise mitigation measures, a report shall be prepared demonstrating compliance with Condition [D38] and provided to the Council for information. This report shall include a description of any acoustic mitigation implemented to mitigate operational noise to within the Noise Criteria Category specified in Table [2].

Review Comment

The compliance report should also be provided to Te Parawhau for information to ensure transparency regarding implementation of operational noise mitigation measures affecting areas of relevance to Te Parawhau.

Amendment

D43 Within 12 months of the installation of all noise mitigation measures, a report shall be prepared demonstrating compliance with Condition D38 and provided to Council and Te Parawhau for information. This report shall include a description of any acoustic mitigation implemented to mitigate operational noise to within the Noise Criteria Category specified in Table [2].

Table [2] – Noise Category Criteria

PPF Address	PPF Legal description	Noise Criteria Category	New or altered road category (as per NZS6806)
3817 State Highway 1	Lot 2 DP 194000	A	Altered
Lot 1 DP 179379 State Highway 1	Lot 1 DP 179379	A	Altered
4212A State Highway 1	Lot 4 DP 566376	A	Altered
10 Brooks Road	Lot 3 DP 187151	A	Altered
4164 State Highway 1	Lot 5 DP 181062	A	Altered
7 Finlayson Brook Road	Pt Allot 8 Parish of Waipu	A	New
3781 State Highway 1	Lot 2 DP 309994	A	New
3819 State Highway 1	Lot 3 DP 194000	A	New
3783 State Highway 1	Lot 3 DP 309994	A	New
3821 State Highway 1	Lot 1 DP 370402	A	New
90 Glenmohr Road	Lot 1 DP 125679	A	New
39 Tiria Lane	Lot 4 DP 200091	A	New
4068 State Highway 1	Lot 1 DP 145770	A	New
57 Tiria Lane	Lot 2 DP 200091	A	New
11 Tiria Lane	Lot 7 DP 340683	A	New
123 Ahuroa Road	Lot 2 DP 469193	A	New

PPF Address	PPF Legal description	Noise Criteria Category	New or altered road category (as per NZS6806)
159 Ahuroa Road	Lot 1 DP 469193	A	New
112 Ahuroa Road	Pt Allot 68 Parish of Waipu	A	New
36 Finlayson Brook Road	Lot 1 DP 190682	A	New
164 Ahuroa Road	Lot 1 DP 407737	A	New
8 Waipu Gorge Road	Lot 2 DP 322657	A	New
4482 State Highway 1	Lot 1 DP 187339	A	New
4476 State Highway 1	Lot 2 DP 473375	A	New
95 Glenmohr Road	Lot 1 DP 617876	A	New
4212 State Highway 1	Lot 4 DP 566376	A	New
4480 State Highway 1	Lot 1 DP 149294	A	New
57 The Braigh	Lot 2 DP 196819	A	New
69 The Braigh	Lot 1 DP 196819	A	New
9 Robert Bruce Place	Lot 21 DP 612956	A	New
232 Glenmohr Road	Lot 3 DP 325255	A	New
89A The Braigh	Lot 1 DP 352088	A	New
89 The Braigh	Lot 2 DP 352088	A	New
91 The Braigh	Lot 1 DP 183886	A	New

PPF Address	PPF Legal description	Noise Criteria Category	New or altered road category (as per NZS6806)
62 Ryan Road	Lot 2 DP 382380	A	New
54 The Braigh	Lot 4 DP 308117	A	New
44 The Braigh	Lot 8 DP 308117	A	New
64 The Braigh	Lot 1 DP 308117	A	New
39 The Braigh	Lot 1 DP 538893	A	New
60 The Braigh	Lot 2 DP 308117	A	New
85 Millbrook Road	Pt Allot 6 Psh of Waipu	A	New
48B The Braigh	Lot 6 DP 308117	A	New
58 The Braigh	Lot 3 DP 308117	A	New
48A The Braigh	Lot 7 DP 308117	A	New
33 Tiria Lane	Lot 3 DP 340683	A	New
12 Brooks Road	Lot 2 DP 187151	B	New
40 The Braigh	Lot 9 DP 308117	A	New
36 The Braigh	Pt Allot 3 Parish of Waipu	A	New
33 The Braigh	Lot 1 DP 198879	A	New
4683 State Highway 1	Lot 1 DP 211877	A	Altered
4683A State Highway 1	Lot 1 DP 211877	A	Altered
4800 State Highway 1	Lot 1 DP 44001	A	Altered
2941A State Highway 1	Lot 1 DP 171842	A	New
2941B State Highway 1	Lot 1 DP 417208	A	New

PPF Address	PPF Legal description	Noise Criteria Category	New or altered road category (as per NZS6806)
Lot 2 DP 196115 State Highway 1	Lot 8 DP 196115	A	Altered
2414B State Highway 1	Lot 1 DP 41345	A	Altered
2730 State Highway 1	Lot 1 DP 41074	A	Altered
2395 State Highway 1	Lot 9 DP 196115	A	Altered
2523B State Highway 1	Lot 3 DP 596420	A	Altered
2523A State Highway 1	Lot 2 DP 596420	A	Altered
33 Baldrock Road	Sec 10 SO 456515	A	Altered
Lot 3 DP 196115 State Highway 1	Lot 3 DP 196115	A	New
Lot 5 DP 196115 State Highway 1	Lot 5 DP 196115	A	New
Lot 4 DP 196115 State Highway 1	Lot 4 DP 196115	A	New
Lot 7 DP 196115 State Highway 1	Lot 7 DP 196115	A	New
Lot 6 DP 196115 State Highway 1	Lot 6 DP 196115	A	New
Lot 1 DP 407949 State Highway 1	Lot 1 DP 407949	A	New
Lot 2 DP 407949 State Highway 1	Lot 2 DP 407949	A	New