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Mary Hill
Chair
Alternative to Byrnderwyn Hills Expert Panel

By email: substantive@fasttrack.govt.nz

4 September 2026

Dear Mary

Alternative to Brynderwyn Hills – FTAA-2603-1178

Introduction

1 In Minute 3 of the Expert Panel, dated 15 July 2026, the Expert Panel invited First Gas Limited (**First Gas**) to provide comments on this application, as utility operator potentially affected by the project (see paragraph 5 of the Minute).

First Gas' interest in this application

2 First Gas holds an existing designation within the NZTA Proposed Designation area (Designation D62 in the Kaipara operative plan and FGL-D-1 in the Kaipara proposed plan) for "the operation, maintenance, repair, upgrade and renewal of the existing gas transmission pipeline and ancillary facilities".

3 This designation is shown in the Drawings in Appendix D2 of the NZTA application as a yellow corridor. The drawings also show the indicative location of the new road. The new road will cross over the existing gas pipeline and works associated with the new road will be in close proximity to the gas pipeline – see Sheet 1 of 5 - Vol.A-Appendix-D2-Roads-Drawings.pdf.

4 It is recognised in the NZTA application that the First Gas Maungaturoto high-pressure gas pipeline is within the Proposed Designation area (B3.5) and that the Indicative Alignment will cross over the gas mainline between Pukekaroro and SH12. It also states that the First Gas pipeline is likely to need relocating (C4.2.8):

4.1 "Early establishment works may include the protection and/or relocation of major or critical infrastructure such as … First Gas … assets, particularly where these intersect with haul roads, access tracks, or early construction zones. Initial works will include the identification of critical infrastructure, confirmation of clearance requirements and coordination/staging of relocation activities to avoid service disruption, maintain NUO access, and support construction sequencing".

4.2 First Gas assets which are likely to be affected are - "Relocation of First Gas' Maungaturoto branch transmission pipeline within the Proposed Designation near the southern end of the Indicative Alignment. In this location the Indicative Alignment crosses over the gas pipeline at CH 24,300 and a nearby earthworks cutting will require a relocation of the service (between approximately CH 24,400 to 25,100)."

5 In the same part of the application, it states that "impacts to network utilities will be avoided, protected or relocated in coordination with the relevant NUO and in accordance with the relevant legislation and industry standards".

6 However, the effects of the proposed relocation of the First Gas pipeline are not assessed in the application and the effects of any designation works near the existing pipeline, and how

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they will be managed appropriately, are not adequately reflected in the proposed conditions provided.

How works may affect the First Gas pipeline

7 First Gas supports the development of nationally significant transport infrastructure. However, the gas pipeline is nationally and regionally significant infrastructure and must remain safe, accessible and operational throughout NZTA's project.

8 First Gas anticipates that the detailed arrangements associated with any pipeline relocation, including design, construction interfaces, approvals, programming, access, risk management, cost allocation and ongoing operational matters, will be addressed through a project-specific Infrastructure Relocation Agreement between the relevant parties (which will also address any approval under section 177 of the Resource Management Act 1991 from First Gas, prior to any works occurring within its existing designation).

9 In First Gas' view, those project-specific arrangements are best addressed through such an agreement because they will necessarily evolve through detailed design and construction planning.

10 However, the existence of a future Infrastructure Relocation Agreement should not remove the need for appropriate conditions that protect the existing operational pipeline and ensure that works that potentially affect it are carried out in a coordinated and safe manner.

11 The effects from works near the gas pipeline do need consideration and in First Gas' view, the proposed conditions do need to ensure those effects are appropriately mitigated and managed. This is because working near operational high-pressure gas transmission pipelines can involve serious risks to life, property, continuity of supply and the environment. Potential causes of damage or interference include:

11.1 vibration from blasting, piling, drilling, compaction, operating heavy machinery, tree felling, drilling, heavy vehicle movements, construction of vehicle crossings and excavation,

11.2 excavation, cuts, fills, dewatering, ground improvement, settlement or loss of support;

11.3 slope instability, erosion, altered drainage, flooding or ponding,

11.4 tree root incursion or undermining of the land near the pipeline,

11.5 inadequate inspection, maintenance, repair or renewal of permanent slopes, drainage, retaining or erosion-control features on which pipeline protection depends,

11.6 construction or permanent structures, barriers, foundations, culverts, wetlands or stormwater devices that restrict access to the pipeline, and

11.7 settlement of ground around the pipeline.

12 The conditions proposed by NZTA do not effectively manage these risks and First Gas' comments on the proposed conditions are set out below.

Gaps in scope of the proposed conditions

13 The proposed conditions contain two material scope gaps:

13.1 First, D15 to D18 apply only to "Project Works". "Project Works" expressly exclude "Establishment Works", although Establishment Works include protection or relocation

of utilities, access tracks and haul roads, construction yards and vegetation clearance. D5 also waives the outline plan requirement for Establishment Works. Potentially high-risk early works could therefore occur without the pipeline-specific safeguards in D15 to D18. Those safeguards must apply to both Establishment Works and Project Works.

13.2 Second, “Underground Services” excludes services proposed to be relocated. Any existing section of the Gas Pipeline should remain protected while operational, irrespective of whether it will ultimately be relocated. Any conditions relating to utility protection (including the definition of ‘Underground Services’) should therefore continue to apply to the existing pipeline until the relevant section has been relocated, decommissioned or removed. This affects D12(b), as it is the only condition that references "Underground Services".

14 Further, the conditions should:

14.1 require consultation with First Gas in relation to works that may affect the gas transmission pipeline or First Gas' ability to safely operate, maintain, inspect, repair, replace or access the pipeline and

14.2 recognise the need for First Gas to retain safe and practical access to the pipeline for operational, maintenance and emergency response purposes during construction and following completion of the Project.

15 First Gas has proposed this is addressed via a Gas Pipeline Management Plan. Attached as **Appendix A** is suggested wording for the conditions, to reflect the comments in this letter.

Vibration

16 Proposed condition D12 states construction vibration will be measured using ISO 4866:2010 and it should "**as far as practicable, comply** with the following criteria." Of relevance to First Gas is the "Underground Services" in Table (b), which has a vibration limit of 100PPV for short term vibration criteria at the pipe and 50 PPV for long term vibration criteria at the pipe (the pipes in question are steel). As per the comments at paragraph 13.2 above, these vibration criteria should apply to any part of the Gas Pipeline while operational, irrespective of whether it will ultimately be relocated. Hence, in Appendix A the heading to Table (b) is amended and the definition of Underground Services deleted (it is only used in this condition).

17 This condition does not impose a **requirement** to comply with the vibration limits but instead proposes in D15 that if an activity during Project Works is predicted or measured to result in an exceedance of those vibration criteria, a Schedule shall be prepared to set out the BPO for minimising vibration effects. D16 then identifies what should be included in that Schedule. D17 then refers to "a Schedule" being required if a vibration inducing construction activity is proposed to occur within 20m of the First Gas Pipeline. D18 requires the Schedule to be submitted to Council "for information".

18 First Gas' comments on these conditions regarding vibration are:

18.1 50 PPV is the maximum acceptable vibration for First Gas, with any breaches of this level being unacceptable due to the safety risk and also due the potential long-term effects/consequences from vibration on the Gas Pipeline that may not be immediately apparent.

18.2 As exceeding this level is not acceptable, conditions D12-D18 are not fit for purpose and First Gas has proposed amendments in Appendix A to address this issue and the fact that this group of conditions seems to anticipate the Requiring Authority being

able to exceed vibration levels on the basis they provide a Schedule to Council for its information. Considering the risks involved in vibration near operational high-pressure gas transmission pipelines, this approach is not robust enough.

18.3 The changes to these conditions will also require some consequential amendments to condition D10.

Tree planting

19 Proposed conditions D21-D26 address landscaping, which does contemplate some large trees being planted (there is reference to canopy cover, kahikatea and tōtara) which can create issues with root incursion around the pipeline and issues with access to the pipeline. First Gas seeks that:

19.1 The Landscape Concept Plan in proposed condition D21 is a management plan and it includes a provision that there is no planting of trees within 10m of the gas pipeline. This would include all large trees, including any woody species expected to exceed three metres in mature height.

19.2 Consultation with First Gas on this Landscape Management Plan should also be required, with the outcome of that consultation included in what is provided to Council and the management plan should be subject to Council certification.

Settlement

20 RC29 – this proposed condition requires that settlement effects on the First Gas Pipeline are no more than 50mm total settlement and within 1/200 and 1/300 differential settlement.

21 Under proposed condition RC31 a report is to be provided to Council before any "major cuts" (more than 2m below the water table) for certification that demonstrates the settlement standard is met and it will include "records of any consultation with First Gas".

22 First Gas' comments on these conditions are:

22.1 First Gas seeks that it is consulted on the design and construction methodology for any major cuts occurring within 40m of the centreline of the gas transmission pipeline.

22.2 In this regard, First Gas requests that a specific consideration for First Gas be included within RC31 to require that design and methodology modelling is undertaken in consultation with First Gas, where major cuts occur within 40m of the pipeline and that such modelling results are provided to First Gas prior to Council certification, with First Gas given a reasonable opportunity to review and comment on the findings. Any concerns raised by First Gas should be appropriately considered and addressed before certification is granted.

22.3 First Gas further considers that a requirement to simply provide records of engagement is insufficient, and that the condition should instead require evidence demonstrating how First Gas' technical feedback has been taken into account in the final assessment and design response.

23 First Gas is happy to provide further information on any of the above if that is useful for the Expert Panel.

Yours sincerely



Kerry Anderson
Partner

[redacted]

Appendix A – suggested amendments to proposed conditions

DESIGNATION CONDITIONS

~~**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.~~

D4 An Outline Plan(s) may be submitted in stages to reflect any proposed staging (eg. activity, location or timing) of the Project Works or Establishment 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.~~

Vibration criteria

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

…

(b) ~~At Underground Services~~At any section of the Gas Pipeline while operational, irrespective of whether it will ultimately be relocated:

Pipe material	**~~Guideline value for short term vibration criteria at the pipe~~**	**~~Guideline~~ Maximum value for short term or long-term vibration criteria at the pipe**
Steel, welded	~~100PPV~~	50PPV
~~Vitrified clay, concrete, reinforced concrete, prestressed concrete, metal (with or without flange)~~	~~80PPV~~	~~40PPV~~
~~Masonry, plastics~~	~~50PPV~~	~~25PPV~~

~~**Site-specific Schedules**~~

~~D15 If a construction activity during Project Works and Establishment 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;~~

~~(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;~~
~~(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 ASchedule shall be prepared~~If a vibration inducing construction activity during Project Works and Establishment Works is proposed to occur within:
~~(a) 50 m of National Grid Transmission Assets; or~~
~~(b) 40~~ 20 m of the Gas Pipeline (where operational),
~~a vibration management plan shall be submitted to Council prior to any Project Works and Establishment Works~~ commencing, ~~which shall include as a minimum the details set out in D16.~~

~~D18 A Each Schedule required by Conditions [D15] and [D17] shall be submitted to Council for information and the vibration management plan required by Condition D17 shall be submitted to Council for certification.~~

Gas Pipeline Safety Management Plan

D18A The Requiring Authority shall prepare a **Gas Pipeline Management Plan** (**GMP**) which identifies measures to manage effects on the Gas Pipeline. The GMP must include:

(a) A process to ensure First Gas is consulted prior to any Project Works or Establishment Works that may affect the Gas Pipeline or First Gas' ability to safely operate, maintain, inspect, repair, replace or access the Gas Pipeline.

(b) A process that ensures First Gas retains safe and practical access to the Gas Pipeline for operational, maintenance and emergency response purposes during construction and following completion of the Project.

(c) The details as a minimum, of how the vibration limits in D12(b) will be met at any section of the Gas Pipeline while operational, irrespective of whether it will ultimately be relocated.

Consequential amendments to condition D10 are also required:

D10 Management Plans, plans and reports required by Conditions [D21], [D35] and [D37] shall:
(a) Be prepared in consultation 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.

The Management Plan required by Condition ~~[D17] and~~ [D18A] and [D23] shall:
(a) Be prepared in consultation with First Gas;
(b) Include a summary of this consultation; and
(c) Outline either how feedback has been incorporated, or if not, the reasons for that.

D10A All Project Works and Establishment Works shall be undertaken in accordance with the certified Management Plans.

Landscape Planting

D21 Before starting Project Works or Establishment Works, a Landscape ~~Concept~~Management Plan (L~~C~~MP) shall be prepared and submitted to Council for certification. The L~~C~~MP shall include drawings and descriptions (where appropriate) of the landscape planting to be implemented during the Project Works and Establishment Works.

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

…

(h) no planting of trees (including any woody species expected to exceed three metres in mature height) within 10m either side of the Gas Pipeline.

Any other references in the conditions to LCP will need to be amended to LMP.

REGIONAL RESOURCE CONDITIONS

RC29 The design and construction of the Project shall ensure settlement effects on National Grid Transmission Assets ~~and the Gas Pipeline (where operational)~~ are:

(a) No more than 50mm total settlement; and

(b) Within 1/200 and 1/300 differential settlement.

RC30 Compliance with Conditions [RC28] and [RC29] shall be demonstrated by a numerical groundwater model as required by Condition [RC31].

RC31 At least 40 Working Days before the start of any Major Cuts, a report prepared by a Suitably Qualified Person shall be provided to Council for certification that it:

(a) Includes detailed design drawings of any Major Cut; and

(b) Where any major cuts are within 40m of the centreline of the Gas Pipeline, the design and construction methodology of the major cut/s must be reviewed and approved by First Gas prior to provision to Council. First Gas shall be given a reasonable opportunity to review and comment on the design and methodology. Any concerns raised by First Gas should be appropriately considered and addressed and the material provided to Council should include evidence demonstrating how First Gas' technical feedback has been taken into account in the final assessment and design response.

(c) Demonstrates (through use of a numerical groundwater model and a settlement model, where applicable) that:

(i) The requirement in Condition [RC28] has been met. If an alternative water supply is offered, records of any consultation undertaken with the relevant well owner shall also be provided; and

(ii) The requirements in Condition [RC29] have been met. Records of any engagement undertaken with Transpower or First Gas must also be provided.