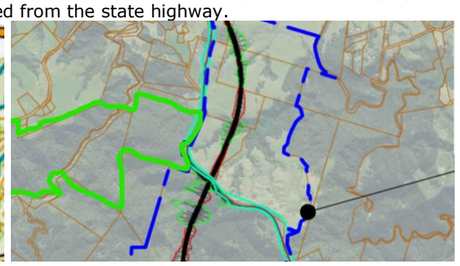
Northland Corridor – Brynderwyn Hills section of the Alternative to the Brynderwyn Hills

New Zealand Transport Agency Waka Kotahi (NZTA) Response to Comments Table – Ministers and Organisations; Network Utilities; Landowners; Local Authorities and Hapū

The table below provides responses to comments from Ministers, organisations, network utility operators, landowners, local authorities and iwi / hapū (to the extent not otherwise addressed in NZTA's legal submissions and evidence).

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
Ministers and Organisations – Commenters 5, 7, 8, 9, 15 and 22				
Commenter 5 - Minister for Climate Change				
5.1	Page 1	Climate change resilience and adaptation	"The proposal appears to provide resilient and adaptation benefits by replacing a vulnerable section of SH1 and incorporating climate change projections into its design for flooding, stormwater and geotechnical risks. These matters align with the Government's first national adaptation plan and the resilience priority in the Government Policy Statement on land transport 2024/25-2033/34. I wish to take this opportunity to express my broad support for projects which deliver positive climate outcomes for New Zealand, including the Alternative to the Brynderwyn Hills Project."	NZTA acknowledges the Minister for Climate Change's broad support for the Project. NZTA agrees the Project has been designed considering the need for resilience and adaptation to climate change.
Commenter 7 – The Game Animal Council				
7.1	Page 1	Impacts on public hunting areas	"The Game Animal Council has had an initial look at this proposal, and it appears there are three public hunting areas in the vicinity, predominantly pig hunting. These are: • Waipu Gorge Forest and Scenic Reserve hunting • Marereretu Forest hunting; Whangarei, Northland • Brynderwyn Hills Scenic Reserve hunting… …These areas, while relatively small, are limited areas for recreational hunters to access public land for hunting that may provide important food sources for local communities. The Game Animal Council acknowledges that this application covers a large area including adjoining private land that hunters use, which should also be considered… For this reason, the Game Animal Council seeks that NZTA considers how this project impacts hunting access, game animal availability, the impact on game animal movements, public safety implications… "	NZTA has considered the Project's potential impacts on the proximate public hunting areas, as shown relative to the Proposed Designation on the image below. NZTA notes that the Waipū Gorge Forest and Scenic Reserve (*Waipū Reserve*) is the only area noted in the Game Animal Council's comment that is located in proximity to the Proposed Designation. The closest land parcel forming part of the Waipū Reserve is Part Allotment 548 Parish of Waipu, Parcel ID: 4909100, which does not directly intersect with the Project. **Access**: The Waipū Reserve adjoins the western side of existing State Highway 1 (*SH1*) and part of the western edge of the Proposed Designation. The existing SH1 is a Limited Access Road and there is no licenced crossing place for parcel ID 4909100. Instead, access to the Waipū Reserve is available from Waipū Gorge Road or Durham Road, which are both outside the Proposed Designation. The other hunting areas mentioned in the Game Animal Council's comment are located approximately 3.5 and 7.7 km away from the Proposed Designation. Accordingly, there are no access-related matters of relevance to the Project.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
				Game animal availability: Some mammalian pest control within the Proposed Designation will be required as part of the ecological mitigation package for the Project, in particular, in the release sites for relocated wildlife (see these areas shown on Appendix A of the NZTA's proposed Wildlife Approval conditions). Pigs are known to occur within the Proposed Designation, and they have been identified as one of the key pest species recommended for control as part of any pest management programmes associated with ecological mitigation and wildlife release sites. However, any pest control activities would be restricted to relatively small areas compared with the extent of surrounding habitat. Consequently, pest control is unlikely to result in a significant reduction in pig availability within the wider public hunting areas. **Game animal movements**: The new road will reduce movements of pigs across parts of the landscape compared to their current movements. However, extensive areas of contiguous habitat will remain available on both sides of the new road, including habitat connected to the reserves identified by the Game Animal Council. As such, while some degree of habitat fragmentation will occur, this is not likely to have a large effect on pig movements at a broader landscape scale. **Public safety**: NZTA is not aware of any specific safety issues arising from the new proposed road. Direct pedestrian access to public hunting areas will not be provided from the state highway.  Overall, NZTA considers the Project will not adversely impact game animal availability / movement or public safety.
Commenter 8 - Minister for Infrastructure				
8.1	Page 1	Importance of infrastructure for economic growth	"Infrastructure is important for growth and prosperity. Our view is our planning system has not been enabling of growth, hence the establishment of the FTAA. I wish to take this opportunity to express my broad support for projects which deliver positive outcomes for New Zealand, including the Alternative to the Brynderwyn Hills project. Please take this letter of support as a reflection of the Government's economic growth and infrastructure priorities."	NZTA acknowledges the Minister's broad support for the Project and agree it reflects the Government's economic growth and infrastructure priorities.
Commenter 9 - Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development				
9.1	Page 1	Support for the Project	"I support the application subject to any comments received from the relevant Māori groups identified in both the section 18 report, and in the Expert Panel's Minute… I also encourage the Expert Panel to have regard to the relevant Treaty settlement interests identified in the section 18 report, including the statutory acknowledgement provisions of the Te Uri o Hau Claims Settlement Act 2002, when considering the Application."	NZTA acknowledges the Minister's support for the application. There have been five comments received from Māori groups, including Te Uri o Hau Settlement Trust, Kōwhai Te Awhina Hapū o Te Parawhau Hapū Incorporation, Te Parawhāu ki Tai, Te Rūnanga o Ngāti Whātua, Patuharakeke Te Iwi Trust Board. NZTA has provided responses to these comments directly as part of its legal submissions, evidence and response to Hapū comments below. NZTA has carefully considered the provisions of relevant settlement interests in preparing its Application, including those from the Te Uri o Hau Claims Settlement Act 2002 as summarised in Volume A – Substantive Application, section D7 at pages 58-59.
Commenter 15 - Minister for the Environment				
15.1	Page 1	Indigenous biodiversity, wetlands and streams	"…The indigenous biodiversity values of the site are significant. Given the scale of the development and uncertainty about the effects, I suggest that you consider strengthening conditions to ensure that management plans for all indigenous biodiversity groups, wetlands and streams provide for clearer management responses… For example, I suggest the inclusion of an overarching Ecological Management Plan, that: • Is prepared by suitably qualified and experienced ecologists • Details how the specific outcomes for all indigenous biodiversity groups, wetlands and streams will be achieved, including monitoring, certification, and contingency measures if outcomes are not being achieved within the anticipated timeframes	NZTA has prepared a comprehensive suite of conditions to ensure effects of the Project are appropriately managed, particularly when considering the national importance of this piece of infrastructure. These include conditions relating to indigenous biodiversity, wetlands and streams. While there is no requirement for an overarching Ecological Management Plan for these matters, the current conditions identify the specific effects management measures that are necessary to address effects of the Project, developed in light of recommendations of NZTA's technical experts. In terms of appropriate oversight, the designation, resource consent and wildlife approval conditions all include requirements for key actions to be undertaken, and management plans and reports to be prepared by Suitably Qualified Persons ("*A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise*").

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			• Requires certification by Council, where related to regional council consents…"	
Commenter 22 - Associate Minister for Transport				
22.1	Page 1	Support for the Project	"I support the Brynderwyns alternative motorway receiving the approvals it requires, subject to any conditions the panel considers appropriate" "I have not considered the operational impacts of this project on local transport networks and will not comment on them. The applicant is the New Zealand Transport Agency, and it has consulted with the Northland Regional Council, Kaipara District Council, and Whangarei District Council. These organisations oversee operational transport matters and are best placed to provide insights into any implications from the application on the transport network. I recommend the applicant continue to work with them as needed to resolve any operational transport matters"	NZTA acknowledges the Associate Minister's broad support for the Project. NZTA has been engaging with the relevant road controlling authorities, Kaipara District Council (KDC) and Whangārei District Council (WDC) regarding the local road network. The parties have no outstanding issues regarding operational transport matters. Northland Regional Council (NRC) does not oversee operational transport matters. However, as outlined in the responses to comments from KDC, WDC and NRC, NZTA has been engaging with all three Councils through discussions and email correspondence since November 2024. These discussions are ongoing, and NZTA looks forward to continuing this engagement.
Network Utilities – Commenters 20 and 21				
Commenter 20 - Transpower New Zealand Limited (12 August and 13 October)				
20.1	13 October 2026 Updated Letter	Support	"Transpower has previously provided comments on the application (dated 12 August 2026) which raised potential effects of the Project on the National Grid… Transpower acknowledges the continued engagement NZTA has undertaken with Transpower to understand the effects of the Project on its Henderson – Marsden A (HENMDN-A) 220 kV transmission line since lodging these comments. Transpower has recently signed a Project Agreement with NZTA specific to the Alternative to the Brynderwyn Hills Project. Transpower is satisfied that the terms of this Project Agreement provide sufficient protections for the National Grid assets and is consistent with the National Policy Statement for Electricity Networks 2008. Therefore, Transpower respectfully requests that its previous comments (dated 12 August 2026) are superseded by this letter. Given a Project Agreement has been reached since the application was lodged, Transpower does not consider it necessary to also have conditions specific to the National Grid imposed on the designation or resource consent as proposed by the Applicant."	NZTA appreciates Transpower's ongoing engagement and confirms that a Project Agreement between the parties has been signed addressing Transpower's concerns. Accordingly, NZTA has removed all Transpower related conditions.
Commenter 21 - First Gas Limited (4 September)				
21.1	Paragraph 7, Page 2	Support	"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."	NZTA acknowledges and appreciates First Gas Limited's support for the Project. NZTA recognises the gas pipeline is regionally and nationally significant infrastructure. NZTA confirms it will continue to engage with First Gas Limited during development of the detailed design of the Project to ensure the pipeline remains safe, accessible and operational throughout the Project. In this respect, NZTA proposes to enter into a side agreement with First Gas to formalise how it will continue ongoing engagement with First Gas and ensure all potential effects on the gas pipeline are managed.
21.2	Paragraphs 8-10, Page 2	Infrastructure Relocation Agreement	"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)." "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. 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."	NZTA confirms that arrangements for any relocation of the gas pipeline will be addressed through an Infrastructure Relocation Agreement to be entered into between the parties prior to construction. Refer to the responses below regarding conditions to protect the existing infrastructure.
21.3	Paragraphs 11-12, Page 2	Effects on gas pipeline	"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	NZTA acknowledges the concerns of First Gas and the need to ensure potential effects of the Project on the gas pipeline are appropriately managed.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			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: • vibration from blasting, piling, drilling, compaction, operating heavy machinery, tree felling, drilling, heavy vehicle movements, construction of vehicle crossings and excavation, excavation, cuts, fills, dewatering, ground improvement, settlement or loss of support; • slope instability, erosion, altered drainage, flooding or ponding, • tree root incursion or undermining of the land near the pipeline, • inadequate inspection, maintenance, repair or renewal of permanent slopes, drainage, retaining or erosion-control features on which pipeline protection depends, • construction or permanent structures, barriers, foundations, culverts, wetlands or stormwater devices that restrict access to the pipeline, and • settlement of ground around the pipeline. The conditions proposed by NZTA do not effectively manage these risks and First Gas' comments on the proposed conditions are set out below."	NZTA notes that the First Gas Pipeline is subject to a 12 m wide designation Ref: D62 under the Operative Kaipara District Plan 2024 (OKDP) and Ref: FGL-D-1 under the Proposed Kaipara District Plan (PKDP). Any works proposed within the First Gas designation are therefore subject to a separate statutory process under s176 of the Resource Management Act 1991 (RMA), under which prior written approval is required from First Gas before any work can occur within First Gas' designation. This requirement is also reflected in the designation conditions of both the OKDP and PKDP designations, which note that activities such as excavation, trenching, drilling, use of heavy compaction or vibration machinery or equipment, pile driving machinery and equipment, or planting of trees or shrubs are not allowed to take place within the designations without prior written approval of First Gas. As such, NZTA is already legally required to obtain written approval from First Gas before undertaking any Project works proposed within the First Gas designations. In addition to the designation, a 12 m wide easement is also registered on the subject property titles providing First Gas with rights including for transmission, access and the removal of any vegetation. The easement also restricts planting of vegetation and disturbance of soil below a depth of 0.4 m. As outlined in its opening legal submissions, NZTA does not support inclusion of conditions that replicate statutory requirements in legislation, such as those under s176 of the RMA. NZTA considers the conditions of the existing First Gas designations and provisions of s176 of the RMA will adequately manage any potential effects of the Project in the immediate vicinity of the pipeline, noting that the width of the designation is 12m wide. NZTA considers First Gas' proposed amendments to the conditions that seek to replicate the protection provided by its designation and s176 are duplicative and unnecessary as not required to manage the effects of the Project. NZTA therefore opposes the proposed amendments. NZTA acknowledges however that there are environmental effects, such as settlement and vibration, that have the potential to impact the First Gas pipeline, that are not managed under the provisions of the First Gas designation. NZTA is currently working with First Gas to include as part of its conditions for the Project, and will provide an update to the Panel in due course.
21.4	Paragraphs 14-15, Page 3	Gas Pipeline Management Plan Condition	"Further, the conditions should: • 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 • 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. 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."	NZTA does not consider that a Gas Pipeline Management Plan is necessary to manage effects of the Project on First Gas' assets. NZTA has considered potential effects of the Project on First Gas' pipeline and proposed specific effects-focused conditions, including for vibration, settlement and landscaping related effects. Further engagement post receipt of comments has also refined these conditions. As outlined in response to comment 21.3 above, any additional matters are already regulated through existing legislation (s176 RMA) and regulations. NZTA will also continue its ongoing engagement with First Gas to ensure that the above-listed legislative measures and associated mechanisms are given effect. Nonetheless, NZTA is working with First Gas to develop a side agreement to formalise how it will continue ongoing engagement with First Gas and ensure all potential effects on the gas pipeline are managed. NZTA has provided a draft agreement for First Gas' consideration, and discussions are progressing constructively.
21.5	Paragraphs 13-15, Pages 2-3 Paragraphs 16-18, Pages 3-4	Vibration conditions	"The proposed conditions contain two material scope gaps: • 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. • 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"." (Paragraphs 13-15, Pages 2-3) "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)." 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	NZTA does not consider the amendments proposed by First Gas to proposed designation conditions D12-D18 necessary, including the removal in entirety of the definition for Underground Services' and the scheduling conditions (D15-D18). Firstly, the term 'Underground Services' does not just apply to the First Gas Pipeline, it applies to all underground services (e.g., water, fibre, gas, power). Therefore, deleting these conditions entirely and restricting the scope of the condition to First Gas only, is not appropriate. Conditions D15-D18 apply to any receiver where the vibration limits are potentially exceeded and must be retained, along with the definition of Underground Services. However, NZTA acknowledges First Gas' concerns regarding the definition and application of the vibration schedules to the Gas Pipeline and proposes amendments to the conditions to address these. NZTA agrees that existing services should be protected irrespective of whether they are to be relocated, so proposes an amendment to the definition of 'Underground Services' to remove the wording "Not proposed to be relocated as part of the Project". NZTA accepts that a construction vibration limit of 50 mm/s PPV is a maximum limit for the First Gas Pipeline and therefore proposes a stand-alone condition for the Gas Pipeline and an exclusion for the pipeline from being captured by the Vibration site specific schedules in conditions D12-D18. A consequential amendment is also made to the definition of Underground Services to exclude the Gas Pipeline as the site specific schedules to which this definition relates are no longer applicable to the Gas Pipeline. NZTA is currently working with First Gas to incorporate these amendments as part of its conditions for the Project, and will provide an update to the Panel in due course.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			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".” “First Gas' comments on these conditions regarding vibration are: • 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. • 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. The changes to these conditions will also require some consequential amendments to condition D10.”	
21.6	Paragraph 19, Page 4	Tree planting	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: • 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. 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.	NZTA does not consider that First Gas’ amendments to proposed Conditions D21-D26 are all necessary to manage the effects of the Project. NZTA notes that Condition 2.1 of Designations D62 under the OKDP and FGL-D-1 under the PKDP include the requirement to seek the prior written approval of First Gas for any planting of trees or shrubs within its designation which is 12m wide. This requirement would cover planting within the immediate vicinity of the pipeline and be addressed via the RMA s176 process. However, NZTA does acknowledge that this requirement wouldn’t capture planting just beyond the designation out to 10m on either side of the pipeline sought. It also accepts that the Gas Pipeline may not be located exactly in the middle of the designation. Therefore, NZTA is working with First Gas to develop amendments to the landscaping conditions that appropriately restricts planting within areas of the Gas Pipeline outside the extent of First Gas’ designation no planting within 10 m of the Gas Pipeline designation, measured from the edge of the designation given the pipeline is underground to provide a visual point of measurement). NZTA is currently working with First Gas to incorporate these amendments as part of its conditions for the Project, and will provide an update to the Panel in due course. NZTA does not consider First Gas’ proposed amendment to change the name of the LCP to a Management Plan is necessary and also does not accept that certification is required. This certification is not required as the LCP is subject to conditions D6-D10 and will be submitted via the Outline Plan process in accordance with these conditions.
21.7	Paragraphs 20-22, Page 4	Settlement	“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. 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". First Gas' comments on these conditions are: • 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. • 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. 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.”	NZTA acknowledges First Gas’ concerns regarding settlement effect on its pipeline and accepts a condition is appropriate to address those concerns. However, NZTA does not consider the condition proposed by First Gas is appropriate and proposes amendments to the content and location of that condition. First, NZTA does not consider First Gas’ proposed new addition is in the appropriate location within Condition RC31. Condition RC31 is a report requirement, however the proposed addition requires an action to be carried out prior to the preparation of the report. As such, NZTA proposes that First Gas’ proposed addition is relocated to be a stand-alone condition (RC31A) and cross referenced in RC31 instead. Secondly, NZTA considers that as proposed, the scope of First Gas’ condition goes beyond consideration of settlement effects as it requires First Gas to review and approve the design and methodology of major cuts (in general) and is ultra vires as it requires third party approval. NZTA therefore proposes amendments to the condition to provide First Gas the opportunity to review the design and methodology with respect to settlement effects only and to remove the third party approval requirement. Given the pipeline is underground, NZTA proposes that the setback is taken from the edge of the designation as the visible point of measurement for the setback. NZTA is currently working with First Gas to incorporate these amendments as part of its conditions for the Project, and will provide an update to the Panel in due course.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
Landowners - Commenters 3, 4, 10, 13, 16, 17, 18 and 19				
Commenter 3 - Broad Acre Farms Limited (Philip van der Bijl) (26 July)				
3.1	Dated 26 July	Support	"On the fast track proposal. I believe it the best thing since Robbie Muldoon was in charge Nothing gets done in NZ as it all takes at least 5 yrs to get all the consents, by the time that gets done it costs twice as much On top of that the NZ workforce in general is become so lazy since 1970 Look at the road from Puhoi to Warkworth, when you look at all the expensive machinary sitting there on friday afternoon at 3 pm untill monday morning 8 am I cried as I drove past ,as the NZ economy was sucked dry From Broad Acres Farms Ltd. bijl@xtra.co.nz"	NZTA acknowledges and appreciates Mr van der Bijl's support of the Project.
Commenter 4 - Atlas Concrete Limited (c/- Geoff England, Boffa Miskell) (30 July)				
4.1	Dated 29 July	Support and Rezoning	"Thank you for the opportunity to provide feedback on the Alternative to the Brynderwyn Hills Fast-Track Application. This feedback represents the comments of Atlas Quarries Limited (Atlas). Comments are as follows: • Atlas generally supports the proposal for the application, specifically including the route as it avoids accessing through the Brynderwyn Quarry. Atlas requests that as part of the application that the land owned by Atlas, to the west of State Highway 1 (illustrated below and highlighted), is rezoned to commercial use to enable commercial activities adjacent to the new (alternative) route."	NZTA acknowledges and appreciates Atlas Concrete's in principle support of the Project. Rezoning of the Atlas Quarry site is not within the scope of the Substantive Application for the Project. Rezoning of Atlas's property requires a plan change and is a process dealt with under the RMA, rather than the FTAA. Therefore, this request cannot be considered by the Panel.
Commenter 10 - Mayflower Farms Limited (Richard Westlake) (7 August)				
10.1	Dated 7 August	Support and concerns around farming operations	"We are not opposed to the new bypass going over the farm as we do believe it needs done as we farm on the same slip prone land that the currant route is built on. But we do have some points that will affect are farming operation and the future of it. 1. We currently run the unit as a beef finishing unit with its size of land area and set up and is very profitable, if we lose the 182 HA of land to you the balance is now not big enough to support the family as a beef operation. 2. This is a family unit it was set up 20 years ago by my dad and my wife and me, we dairy farm it for 15 years until the passing of my dad, The plan was always to keep it farm in the family for generations (as per family trust deed of wishes) my oldest son has a great interest in farming as is in his last year of a diploma of aquaculture. 3. We are currently talking with fonterra to restart the dairy operation in the next 18 months with the idea of my son doing what I did with my dad for all the years we had and he is more interested in dairy that beef. 4. So this is were the problem starts, the commutation to us is nothing short of terrible, we are planning for the future but have some large investments to make with very little details of timeframe of losing 182 ha of land. 5. We also will lose the family home which we have brought up the family in as well as the second home that was dads until passing, And to finish we will lose are very clear and high-quality water supply that also feeds to 2 of my neighbour farms that are also affected with the road."	NZTA appreciates Mr Westlake's recognition of the need for the Project and acknowledges their concerns in relation to the impacts of the Project on their farming operation and property. Property and business impacts have been carefully considered by NZTA during the assessment of alternatives process to develop the NOR, ensuring the NOR reflects the area reasonably necessary to undertake the Project and to achieve the Project objectives. These matters are explained further in the Statement of Evidence of Tony Innes. However, matters relating to land acquisition and compensation, business loss and/or injurious affection are subject to a separate statutory process under the Public Works Act 1981 (*PWA*). That said, NZTA is committed to working with landowners impacted by the Project, and has met with many landowners, including Mayflower Farms regarding the Project and impacts on their property. NZTA confirms it will, acting as the Crown's agent in PWA processes, seek to acquire any Mayflower Farms Limited property interests needed for the Project through the statutory process set out in the PWA. Land use within the Proposed Designation will be able to continue until implementation of the Project. NZTA is also committed to engaging with property owners on land use and development proposals through the s176 approval process. Any effects on private water supplies resulting from land acquisition would be addressed in accordance with the provisions of the PWA. Where water supply is affected, NZTA will ensure an alternative water supply is provided, prior to the water supply being impacted.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
Commenter 13 - Bryham Farms Limited (Jeanette Bryham, Linda Bryham, Heather-Jean Bryham, Gordon Bryham, Vanessa Castillo) (11 August)				
13.1	Pages 5 and 14-15	Property impact and acquisition	• "Land required for the fast-track alternative to the Brynderwyn hills, that we use for our dairy farm operation is approximately 30 hectares. We would also be unable to access and utilise our leased block south of Millbrook Road of 25 hectares, (this is also land required) leaving us with less than 70 hectares, which would be uneconomic to run our dairy operation. This designation has irretrievably blighted the whole farm." We do not wish to sell our land to NZTA or the crown nor anyone, and we do not think it fair, sound and reasonable/ necessary to acquire all this land, however we understand that if we do not cooperate our land will be seized."	NZTA acknowledges the concerns raised by the Bryham Family regarding the extent of the Project's impacts to their property and business. Property and business impacts have been carefully considered by NZTA during the assessment of alternatives process to develop the NOR, ensuring the NOR reflects the area reasonably necessary to undertake the Project and to achieve the Project objectives. These matters are explained further in the Statement of Evidence of Tony Innes. However, matters relating to land acquisition and compensation, business loss and/or injurious affection are subject to a separate statutory process under the PWA. That said, NZTA is committed to working with landowners and has met with many landowners, including the Bryham Family regarding the Project and impacts on their property. NZTA confirms it will, acting as the Crown's agent in PWA processes, seek to acquire any Bryham Farms Limited's property interests needed for the Project through the statutory process set out in the PWA. Land use within the Proposed Designation will be able to continue until implementation of the Project. NZTA is also committed to engaging with property owners on land use and development proposals through the s176 approval process.
13.2	Pages 5-6, 9-11, and 15-16	Potential impacts on kahikatea trees and associated wetland	• This comment relates to the property at 68 The Braigh (Lot 7): "This land is required for an interim roundabout and interim linking roads. In order to build these our kahikatea swamp forest wetlands would likely be impacted if not destroyed…The kahikatea swamp forest wetland remnant that had been fenced off for sixty years, where our father's ashes are, is here. … my sister remains active in keeping the forest weed and pest free. The home is surrounded by mature kahikatea. Destroying the kahikatea swamp forest wetlands is a spiritual assault on our family." • "However, if the Crown/NZTA proceeds to purchase all our land as indicated currently or any part of it, it needs to be looked after, before during and beyond construction. It seems in this substantive application that our rare kahikatea swamp forest wetlands are not given full recognition of their value ecologically, environmentally, culturally and spiritually. It is unacceptable to fell and replace significant trees with seedlings and this doesnt make a wetland. These majestic stands must be Respected and Protected." • "We consider suitable mitigation would include placing an avoid condition* on all the kahikatea stands of our rare kahikatea swamp forest wetlands on both sides of sh1 north of Millbrook Road… We note … that NZTA have added avoids (tbc) superimposed on aerial maps of some of the kahikatea swamp forest wetland stands but that this does not extend to include their roots. • As part of the avoid condition include a buffer around them of 10-20 metres to protect their roots (as cutting the roots, covering them or draining the swamp would kill the trees). With suitable wetland planting (predominantly kahikatea) in between the remnants to reconnect them to a size of 7+ hectares in order to be self-sustaining, and 100+ years weed and pest management, until the trees have formed a functional canopy that shades out invasive weeds. Fence off all of these kahikatea wetlands as two large, connected wetlands on both sides of the sh1. Put an ongoing programme in place to eradicate and manage privet and other invasive weeds in the corridor. The cost of additional /future work (planting in between stands and fencing off, and weed and pest management) would need to be covered by nzta the crown or the organizing body."	NZTA acknowledges the concerns raised by the Bryham Family regarding the Ahuroa River, Waipū roundabout, terrestrial vegetation and in particular the kahikatea trees on their property, which is where the family's ashes are located. NZTA also acknowledges the significance of these kahikatea stands and associated wetlands to the Bryham family, local hapū and the wider community. As such, since lodgement, NZTA has undertaken further design work and has developed an indicative design that avoids impacting these kahikatea stands. See the Statement of Evidence of Mr Tony Innes for further detail. To ensure that the Project works do not impact these kahikatea stands, irrespective of the final design, NZTA has proposed a condition requiring that they be avoided. As part of this further design work and following receipt of comments on the Application, NZTA's terrestrial vegetation expert, Mr Nick Singers, has reviewed the existing avoid areas for the kahikatea stands. Mr Singers recommended expanding the avoid areas in some locations with an additional 10 m buffer. This is to ensure that the construction of the Project will not adversely impact the kahikatea forest (including the physical rootzones of the trees) and any cumulative hydrological effects on the kahikatea trees. See the Statement of Evidence of Mr Nick Singers for further detail, which outlines these buffer areas that will be reflected in the next version of NZTA's avoid areas maps. Given the further design work undertaken and the proposed avoid areas, NZTA has also considered pulling back the designation from the property at 68 The Braigh (Title 41057, Lot 7) on the corner of The Braigh and SH1, Waipū. As such, NZTA has decided to now exclude this property from the Proposed Designation, and a revised designation drawing is attached to Mr Innes' evidence. NZTA is committed to ongoing engagement with hapū and has proposed Designation Conditions (D10A to D10G) to require NZTA to prepare a Cultural Values Management Plan (CVMP). The CVMP is required to include roles and responsibilities for Hapū during Project Works, ensuring their ongoing involvement throughout the Project. Hapū will also be given an opportunity to comment on draft ecological management plans prepared for the Project.
13.3	Pages 9-11 and 13	Potential impact on other indigenous vegetation	• "Kahikatea here clearly thrive in swampy fertile seasonally flooded lowlands ,there are pukatea, puriri. a lone rimu in the fenced off stand on farm . a significant black maire amongst kahikatea in a wet paddock on the braigh outside the fenced off portion of the forest . some totara are also visible outside the swamp forest on farm… In the fenced off areas they now have a well established rare ecosystem with significant regeneration/understory. Vegetation includes kahikatea, puriri, epiphytes, nikau, ti kouka, pukatea, taraire, kohekohe, mapau, indigenous sedges (eg., toetoe upoko-tangata), grasses (eg., mapere,) and fernery, meulenbeckia,...coprosma (eg,,karamu,) karaka,horoeka,mahoe, pigeonwood, northern rata, mosses, fungi. We have assisted them for decades by removing invasive weeds such as privet and japanese honeysuckle. There is an ongoing weed management programme in place as there is privet nearby in the community.	See the response to Comment 13.2 above.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			We have also had a pest management programme in place for decades. This too is ongoing. Additional assistance from Piroa trust has been incorporated recently, in conjunction with a community supported project to bring back the bellbird"	
13.4	Pages 10-11	Potential impact on general terrestrial habitat for indigenous fauna	"The kahikatea swamp forest wetlands (particularly the fenced off areas) are home to kereru, piwakawaka, tui, tauhou, kotare, riroriro. there is an abundance/rich source of food (Berries, nectar, eggs, insects) and shelter here. The habitat is suitable for long tailed bats and bellbird, native butterflies and moths. Copper skinks have been found recently in the unfenced off stands."	See the response to Comment 13.2 above.
13.5	Pages 6 and 13-14	Potential impacts on Ahuroa River	• "We are also concerned about the Ahuroa river which runs adjacent to our property and potential damage to inanga spawning sites, wetlands, swamp marshes and the Ahuroa river itself." • "Patuharakeke and Whitebait Connection worked with us from April 2022 to locate the salt water wedge (which is generally adjacent to our farmland for approx. 1.7 kilometres from millbrook bridge) and search for inanga spawning sites. Significant inanga (whitebait) egg numbers were found on our property (Lot 5) (est 140,000 + may and more in june 2023) Whitebait connection gifted 1000 native plant seedlings to bryham farms for riparian planting. The inanga are an essential food source for tara iti (fairy tern) which are threatened/nationally critical, NZs rarest breeding bird. They are present at the waipu estuary, one of only four remaining primary breeding sites. Piroa Trust have supplied, installed and assist with pest management along the riparian border on our property adjacent to the salt water wedge in the Ahuroa river. Fish species in the Ahuroa river adjacent to owned land seen and/ or caught: inanga, tuna, kahawai, snapper, black flounder, mullet." • "Other suitable mitigation to also include restoration of repo(swamp) and any puna wai (spring) found on our land, widening the riparian strip adjacent to the Ahuroa river, and planting and maintenance as directed by Patuharakeke iwi and te Parawhau hapu and hydrology/ecology experts.	The Ahuroa Main Stem adjacent to this property is outside the Proposed Designation and will not be directly impacted by the Project. This includes the inanga spawning sites referred to by the Bryham Family. NZTA recognises, however, that the Project crosses parts of the wider Ahuroa catchment, including tributaries and associated freshwater habitats and that potential indirect effects must be appropriately managed. Further information can be found in the Assessment of Effects on Freshwater Ecology (Appendix D07 of Volume B of the Substantive Application). NZTA has proposed a robust suite of conditions and a comprehensive mitigation package, supported by its technical experts and assessments, to respond appropriately to the Project's adverse impacts on freshwater and freshwater ecology, including within the wider Ahuroa catchment. These include the: • adoption of best practice erosion and sediment control measures as required by Proposed Regional Resource Consent Conditions; • requirement to incorporate best practice stormwater treatment management measures into detailed design to ensure operational stormwater from the Project will also be managed before discharge to receiving environments; • requirement to design stream realignments to provide aquatic habitat conditions, as far as practicable; and • requirement to design culverts to provide fish passage and benthic habitat substrate where there is intermittent or perennial habitat above the culvert).
13.6	Pages 6 and 15	Location of the Waipū interim tie-in	• "The roundabouts are too close to the township, with an aging population." • "We believe as others do in the community that the roundabouts are too close to the town and would be better positioned further away from the township as it has an aging population, families and visitors." "It seems wasteful to spend money on interim roundabouts that are only required for ten years. It seems myopic to destroy any of the kahikatea swamp forest wetlands and these interim roundabouts and linking roads are only for temporary solutions"	The Project, including the location of the Indicative Alignment and the Waipū tie-in, has been designed to achieve NZTA's Project objectives (as detailed in Section C3 of Volume A of the Substantive Application). For further detail, see the Statement of Evidence of Mr Tony Innes. The Indicative Alignment includes two roundabouts at the Waipū tie-in; one is located along the existing SH1 and the other is approximately 150 m north from the existing SH1, further away from Waipū township. As such, the Project does not propose any new roundabouts closer to the Waipū township than the existing SH1. As the Project terminates at Waipū, the Waipū tie-in has been designed to accommodate traffic demands until delivery of the adjacent North Waipū to Port Marsden Highway section of the Northland Corridor, at which point it is likely to be upgraded. Funding to design, secure and construct this adjacent section of the Northland Corridor and therefore timing for delivery of that section is not yet confirmed. As such, a roundabout is necessary as part of the Project, to safely maintain connection to the existing SH1, local roads, and the Waipū town centre until such time as the future, adjacent section of the corridor is delivered. The final location of the Waipū tie-in will be determined through the detailed design process. As noted in response Comment 13.2 above, any detailed design will be required to avoid the kahikatea stands.
13.7	Page 15	Potential traffic impacts near Waipū	• "We are concerned there would be congestion and backlog at Waipu exit points off the Rons highway. Waipu has a population of 1500 and the town only has one pedestrian crossing and no traffic lights or roundabouts in the village .	NZTA has undertaken a comprehensive assessment of potential traffic effects of the Project (refer to Appendix D01 of Volume B of the Substantive Application), including detailed modelling of future traffic volumes, speeds, local road access and road user patterns based on the Indicative Alignment and the proposed interchanges (including the Waipū tie-in). The Assessment concluded that the Waipū tie-in is expected to operate satisfactorily in the 2044 holiday peak period, with the longest queue being 45 m on the SH1 north approach. Sensitivity testing was also undertaken using 2054 forecast traffic volumes to understand performance if delivery of the adjacent corridor section is delayed. The testing indicates the Waipū tie-in is expected to operate satisfactorily. Accordingly, NZTA is confident there will not be congestion and backlog at the Waipū exit points.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
Commenter 16 - Bryham Farms Limited (Linda Mary Bryham – 68 the Braigh) (11 August and 11 September)				
16.1	Pages 2, 4 and 6	Potential impact on kahikatea trees	• "Our Kahikatea Forest is especially significant to our family because my father, Mossy Bryham died suddenly in 1983. However my mum, Jeanette, kept on dairy farming. In the late 1980's NZTA built the Waipu Bypass through the middle of the Kahikatea Forest and our farm. Mum was allowed to keep this 10 acre block at The Braigh, as my father's ashes had been spread here." • "NZTA wants to build an interim roundabout and linking roads here on our Kahikatea Forest, see Figure 6: Waipu interim tie-in to the existing SH1. I would like to know if alternative sites for the two Waipu roundabouts have been adequately considered. It concerns me that it will be bringing the southbound SH1 traffic closer to a quiet residential area, when there is 6km of land to choose from. It will also mean the destruction of a mature Kahikatea Swamp Forest stand. • "I would like to comment that a mature intermittent wetland cannot be replanted, it is an ecosystem that has developed over centuries with the right conditions. It would be unlikely to survive in the long term if the root systems are tampered with or the swamp is drained. Changes in the water table can have an adverse effect on them." • "In conclusion, I do not support the decision to build a roundabout on 41057. I would like all of the Kahikatea Trees here and on Bryham Farms, on the other side of the highway to be fully protected. For future generations."	See the response to Comment 13.2 above in relation to the kahikatea stands and the response to Comment 13.6, in relation to the location of the Waipū tie-in. In particular, as noted in the response to Comment 13.2, NZTA has decided to exclude the property at 68 The Braigh (Title 41057, Lot 7) from the Proposed Designation, and a revised designation drawing is attached to Mr Innes' evidence. As such, this property is no longer impacted by the Project.
16.2	Additional comments	Property impact and acquisition	• "We ask respectfully if we can remain in our home and curtilage. • There are 18 other properties/homes, our neighbours, on the Braigh that will be impacted by the interim roundabout between the Braigh and SH1. They are able to stay in their homes • The impacts listed in the substantive application for the Brynderwyn Alternative/northern corridor are described as visual, construction noise, traffic noise, dust. • We are north facing, so visually there is less impact for us. The dense under storey of the Kahikatea wetland/forest would help with less visual impact, provided it is not felled. • Our home is solid plaster with double glazing, so less impact from construction noise. • The Braigh road was rebuilt a few years ago, and all our driveways raised. The construction noise from this was tolerable. • Dust will affect a lot of Waipu homes because of the prevailing south-westerly wind and they say they will mitigate this. • Traffic noise from the highway may be less than currently because it will be 50 km instead of 100 km."	As noted in the response to Comment 13.2, NZTA has decided to exclude the property at 68 The Braigh (Title 41057, Lot 7) from the Proposed Designation, and a revised designation drawing is attached to Mr Innes' evidence. As such, this property is no longer impacted by the Project.
Commenter 17 – Shelley Couper, Patricia Couper and Simon Couper (12 August)				
17.1	Page 2	Property	• "While we understand the need for improved infrastructure in Northland, we are concerned that it should come at the expense of our heritage homestead, native bush and sustainable agricultural businesses. • We would ask the panel to ensure they fully understand the impact on our business and our family life of taking these things away. If the new highway really must curve as per the illustration, we submit that the Panel need to have strategies for recreating the value being destroyed."	NZTA acknowledges the Couper Family's recognition of the need for the Project and their concerns raised in relation to their home and business. Property and business impacts have been carefully considered by NZTA during the assessment of alternatives process to develop the NOR, ensuring the NOR reflects the area reasonably necessary to undertake the Project and to achieve the Project objectives. These matters are explained further in the Statement of Evidence of Tony Innes. However, matters relating to land acquisition and compensation, business loss and/or injurious affection are subject to a separate statutory process under the PWA. That said, NZTA is committed to working with landowners and has met with many landowners, including the Couper family, regarding the Project and impacts on their property. NZTA confirms it will, acting as the Crown's agent in PWA processes, seek to acquire any property interests needed for the Project through the statutory process set out in the PWA. Land use within the Proposed Designation will be able to continue until implementation of the Project. NZTA is also committed to engaging with property owners on land use and development proposals through the s176 approval process.
Commenter 18 – Karen Cave and Joshua Preece (11 August)				
18.1	Page 1 and 5	Environmental concerns,	• "We understand the need for a safe, resilient and reliable alternative to the existing Brynderwyn Hills route. However, we are deeply concerned about the permanent loss of significant native ecological habitat, mature native	NZTA acknowledges and appreciates the Preeces' in principle support of the Project and their concerns around the potential impacts of the Project on their property and the environment.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
		Cumulative impacts	vegetation, native bird habitat and waterways that would result from the proposed route through our property." • "Taken together, the proposal would result in: the complete loss of our property, home, workshop and cattle operation; the loss and fragmentation of an established native ecosystem including the kauri forest and mature trees described above; a direct crossing of the stream above the waterfall affecting eels, fish, freshwater crayfish, frogs and glow worms; loss of native bird habitat; disrupted connectivity across affected properties; and potential headwater and downstream catchment effects. These effects are cumulative and, in many respects, irreversible.	NZTA's response to each of these concerns is set out below in responses to Comments 18.2-18.4.
18.2	Pages 1-2 and 4-5	Scenic views for road users, Alternatives and Property impact	• "We ask the Panel to weigh whether the scenic benefit of the proposed route has been given disproportionate weight against permanent, irreversible ecological loss, and whether the route through our property has in fact been drawn primarily to preserve that outlook rather than to meet the project's transport and safety objectives. In our view, the new highway should be designed around safety, resilience, efficient transport and engineering suitability, not a scenic experience already available on the existing route." • "We also question why the route has been drawn through established native bush and productive farmland rather than through the surrounding pine forestry blocks…" • "We ask the Panel to satisfy itself that all reasonable alternative routes have been properly assessed, weighing the native vegetation and mature tree loss described above against bird habitat and food sources, habitat connectivity, stream and aquatic effects, headwater and downstream effects, cumulative effects across properties, loss of homes and productive land, construction impacts, and safety, engineering and resilience considerations. • …Avoidance, selecting a route that avoids the loss in the first place, should therefore take priority over mitigation….We ask the Panel to specifically test whether an alternative route could avoid the complete loss of 4569 State Highway 1 and its ecological values, and whether the transport and safety objectives can be met without a route drawn primarily to preserve a scenic outlook." • "In addition to the ecological effects, the proposed route would result in the complete loss of our property…This is the loss of an entire functioning rural property, not a partial reduction in landholding, and it compounds the ecological effects described…"	As outlined in the Application (Volume B – RMA Approvals, section C5.2, pages 27-33), NZTA undertook an extensive assessment of alternatives for the Project - moving from broad strategic corridor assessments to more detailed alignment and design refinement. NZTA has carefully considered the spatial extent of the Proposed Designation during development of the NOR, reflecting the area reasonably necessary to undertake the Project and to achieve the Project objectives. In reaching that view, NZTA has considered a number of relevant factors. These factors, including specific restrictions relevant to the Preece property are explained further in the Statement of Evidence of Tony Innes. NZTA undertook more detailed alternatives assessments within the preferred corridor to confirm the indicative design. This assessment involved a structured process of identifying constraints and opportunities, developing concept alternatives, and having those alternatives assessed by technical specialists and the project team before NZTA made its decisions. Criteria considered in the assessment included safety, resilience, cost, geology, cultural values, property impacts and environmental constraints. Potential terrestrial and freshwater ecology effects were a particular focus during the assessment. The provision of scenic views for future road users (including views to Brean Bay harbour) was not a matter for consideration. Overall, the Indicative Alignment is the outcome of a robust and iterative process informed by technical input, stakeholder feedback and engagement with hapū. NZTA confirms that the Project has been designed around safety, resilience, efficient transport and engineering suitability, not scenic experience. Property and business impacts have been carefully considered by NZTA during the alternatives assessment process, ensuring the NOR reflects the area reasonably necessary to undertake the Project and to achieve the Project objectives. However, matters relating to land acquisition and compensation, business loss and/or injurious affection are subject to a separate statutory process under the PWA. That said, NZTA is committed to working with landowners and has met with many landowners, including the Cave/Preece Family to discuss the Project. NZTA will, acting as the Crown's agent in PWA processes, seek to acquire any property interests needed for the Project through the statutory process set out in the PWA. Land use within the Proposed Designation will be able to continue until implementation of the Project. NZTA is also committed to engaging with property owners on land use and development proposals through the s176 approval process.
18.3	Pages 2-5	Potential impact on kauri trees and native vegetation	• "The ecological values of the property should be considered as a connected and functioning ecosystem, not as individual trees, plants, waterways or wildlife in isolation. Based on our understanding of the proposed designation, the route crosses the middle section of our natural stream, above the waterfall, and passes directly through the upper-left section of our established kauri forest: two features that function as a single interconnected system together with the surrounding native vegetation and mature trees… The kauri forest is not an isolated stand of trees: it is part of an established native forest ecosystem, with associated understorey vegetation and habitat that contributes to the wider habitat available to native birds and other wildlife on the property… A tree of this age represents an ecological asset built up over an extraordinary period…The question is not whether another tree can be planted, but whether the ecological function of a tree that may be two centuries old can be replaced in any timeframe that matters. In our view, it cannot." • "Beyond the trees directly removed, a highway through established native vegetation can fragment habitat and create new edges, affecting wildlife and bird movement, access to food and shelter, nesting, vegetation health, microclimate, and exposure to weeds and pests. The relevant question is not simply how many trees are removed, but what ecological function is lost or disrupted. A stand of bush, a waterway or a network of mature trees may extend across several properties, so the loss of several such areas along one corridor can progressively fragment a system that currently functions as a whole, an effect only visible when assessed across the affected landscape, not property by property."	NZTA acknowledges the Preece's concerns regarding impacts of the Project on ecological values, the existing kauri trees, native vegetation and associated wildlife on their property. A detailed assessment of the Project's impacts on ecological values and vegetation, including kauri, is provided in the Assessment of Effects on Terrestrial Ecology (Appendix D06 of Volume B of the Substantive Application). Appendix O of that assessment identifies the area of indigenous vegetation on the Preece's property as a mix of kānuka, and kauri-podocarp forest of 'Moderate' to (mostly) 'Very High' ecological value. As part of the alternatives assessment process, NZTA's expert ecologists identified the kauri grove through this area as an environmental constraint and NZTA considered a number of alternative alignments through this area, in an attempt to avoid the kauri. Unfortunately, the alignment in this area is constrained by the Transpower high voltage transmission line to the west, so not all of the kauri and native vegetation is able to be avoided. However, a large portion of the kauri forest and indigenous vegetation described by the Preeces' has been identified as an "Avoid except for ecological works" in NZTA's proposed conditions. This area is shown in Appendix A of the Proposed Designation Conditions. Consequently, no Project Works will be able to be undertaken in this area. Mr Singers has reviewed the tree age and measurement data provided by the Preeces' and has undertaken his own measurements on site. Mr Singers does not agree that there are kauri, rimu or totara exceeding 120 years old within the footprint of the Indicative Alignment within the Preeces' property (See Mr Singers' Statement of Evidence). While NZTA and its contractors will seek to avoid (where practicable) high value vegetation and kauri through the detailed design process, complete avoidance is not possible given the linear nature of the road corridor. Where effects on high value indigenous vegetation cannot practicably be avoided, NZTA proposes mitigation through the Proposed Conditions. (See Mr Singers' Statement of Evidence). Detailed assessment of the Project's potential impacts on bats and avifauna is provided in the Terrestrial Ecology report noted above and in the Assessment of Effects on Avifauna (Appendix D08 of Volume B of the Substantive Application). NZTA

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			• "… The relationships between mature vegetation, wildlife and waterways that have developed over decades cannot simply be transferred to another location. Avoidance, selecting a route that avoids the loss in the first place, should therefore take priority over mitigation. "Replacement planting is not equivalent to replacing ecological function: it does not immediately provide mature canopy, established food resources, mature root systems, existing bird habitat, mature riparian habitat, or the accumulated soil and ecological relationships built up over decades. The relevant question is not whether replacement planting can occur, but how long it would take to provide comparable ecological function; for our oldest trees, well beyond the lifetime of those currently living on the property." • "The native bush on the property is functioning habitat for established birdlife. We regularly observe kererū, tūī, pīwakawaka (fantail), kōtare (kingfisher) and ruru (morepork). Mature pūriri and tītoki in particular provide food resources used by kererū, and the wider diversity of native vegetation described in Section 3 contributes to the structure and complexity of that habitat. Removing mature trees and fragmenting the surrounding bush would remove established food resources and habitat, with effects including loss of mature canopy, disrupted movement through the landscape, edge effects, construction disturbance, ongoing traffic noise, and increased exposure to weeds and pests. This habitat also extends beyond our boundary: a mature pūriri or tītoki on one property may feed birds that move through neighbouring land, and native bush on one property may connect with vegetation elsewhere. Removing mature vegetation from multiple properties along the route risks fragmenting habitat that currently functions as one connected landscape."	considers the mitigation package, recommended by the specialists and adopted by NZTA, responds appropriately to the Project's potential adverse effects to bats and avifauna including the following requirements in the Proposed Conditions: • adoption of protocols aligned with the Department of Conservation 'Protocols for minimising the risk of felling bat roosts' (Version 4, October 2024) that is to be implemented during any vegetation clearance (Conditions D31-D34). • preparation of an Avifauna Management Plan (AMP) to manage adverse effects on indigenous bird species, through establishing construction methodologies that consider the presence of any active nests (Conditions D35-37). Additionally, NZTA has proposed conditions to mitigate habitat loss specific to indigenous lizards, frogs and invertebrates. These conditions include pest management and mitigation planting at specific fauna release sites. NZTA considers the mitigation package it has provided through the Proposed Conditions, supported by its technical experts and assessments, responds appropriately to the Project's potential adverse environmental impacts, including those on the Preeces' property, so that they are acceptable, post-mitigation.
18.4	Pages 3 and 5	Potential impact on freshwater	• "The property contains a natural stream and waterfall forming part of the same ecological system as the surrounding native vegetation. The proposed route crosses the stream directly, above the waterfall, at a point that forms the upper portion of the property's water system. The stream supports eels, fish and freshwater crayfish (kōura); the surrounding environment supports green frogs and glow worms. A crossing at this point risks affecting the stream's physical and ecological integrity through earthworks and vegetation clearance, sediment and altered drainage, stormwater and groundwater changes, riparian loss, construction disturbance, and long-term highway runoff. The property also sits at the upper/headwater portion of a river system flowing through the wider Waipū area, so effects here are not confined to the property boundary: impacts at the top of a catchment can propagate downstream in water quality, sediment, aquatic habitat and flow. The forest and the stream are not separate features. The native forest provides shade, shelter, organic matter and soil stability around the waterway; the waterway provides moisture and aquatic habitat to the surrounding ecosystem. Assessing vegetation loss and stream effects separately risks understating this combined impact, and the potential for the highway to form a permanent barrier through what is currently one functioning system."	NZTA acknowledges the Preeces' concerns around potential impacts of the Project on freshwater, its habitats and ecology on their property, both during construction and operation of the Project. The stream located in the Preeces' property is identified as the Waipū south tributary in the Assessment of Effects on Freshwater Ecology (Appendix D07 of Volume B of the Substantive Application), and has been assessed as having moderate health, water quality and fish Index of Biotic Integrity (IBI). As set out above in response to Comments 18.2-18.3, NZTA has undertaken a comprehensive assessment of alternatives for the Project, carefully considering the spatial extent of the Proposed Designation, reflecting the area reasonably necessary to undertake the Project and to achieve the Project objectives. While avoidance of effects has been a priority where practicable, and further avoidance will be pursued through the detailed design process, removal of streams will be required to construct the Project and complete avoidance will not be possible in all cases. Where effects on freshwater cannot practicably be avoided, they will be managed through NZTA proposed suite of conditions including: • adoption of best practice erosion and sediment control measures to minimise erosion and discharge of sediments during construction, which includes the preparation and implementation of an Erosion and Sediment Control Plan (ESCP) and Site-specific Construction Erosion and Sediment Control Plans (CESCPs). • undertaking riparian enhancement works to mitigate loss of streams. • designing stream alignments, where necessary, to be similar as the original stream as much as it practically possible. • providing fish passage and benthic habitat substrate in permanent culverts. • replacement of specific impacted natural wetlands, including those identified as potential habitats for cryptic marshbirds. Operational stormwater from the Project will be managed before discharge to receiving environments. NZTA's Proposed Conditions require stormwater treatment and management measures to be incorporated into the detailed design, in accordance with NZTA's Stormwater Treatment for Road Infrastructure guidance document, to manage contaminants and flows from the Project.
Commenter 19 – McGregor Family Trust (12 August)				
19.1	Pages 1-2, and 4-5	Need for designation and property acquisition	"The necessity for a designation in gross over the entirety of the Trust's land for accommodating a motorway formation along NZTA's identified preferred route and proposed alignment has not been explained – and therefore we find the notice to be unreasonable; The NZTA's consultation process provided a generic overview which included: i) identifying the proposed new expressway corridor and, ii) confirming that the Trust's property was located within the corridor, and' iii) describing NZTA's preferred alignment of the motorway lies within the Trusts land.	NZTA acknowledges the McGregor Family's concerns in relation to the impacts of the Project on their property. Property impacts have been carefully considered by NZTA during the assessment of alternatives process to develop the NOR, ensuring the NOR reflects the area reasonably necessary to undertake the Project and to achieve the Project objectives. The matters considered in the alternatives process, including consideration of specific matters relevant to the McGregor property, are explained further in the Statement of Evidence of Tony Innes. However, matters relating to land acquisition and compensation are subject to a separate statutory process under the PWA. That said, NZTA is committed to working with landowners impacted by the Project, and has met with many landowners, including the McGregor Family regarding the Project and impacts on their property. NZTA confirms it will, acting as the

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			However, we find NZTA has not explained the intent and the rationale for the department placing a comprehensive designation over the entire property." (page 1) "The outcome sought is the environmentally sustainable use of the Trust's land resource to remain for the present and future generations of the family. The Trust seeks the following relief to the proposed Designation: A. That the NZ Transport Agency Waka Kotahi withdraws the Notice of Requirement for a Proposed Designation for motorway purposes over all the land in Record of Title NA 26A / 257 lodged with the Environment Protection Authority, (EPA) for assessment under the Fast Track Approvals Act 2025: B. That an amended Notice of Requirement for a Notice of Designation be lodged with the EPA for a Designation shown only over the land necessary for the motorway carriage formation and drainage works along the motorway; C. That the temporary requirement for the stock piling of construction materials need not occur on land under permanent Designation but on land with access easements registered on title where land reinstatement can readily be achieved; and, That, in the event of the eventual construction of said motorway, NZTA will provide the earthworks required to mitigate potential adverse environmental effects of the motorway upon the abutting balance of the property, such as bunding along the northern boundary of motorway construction, and any other measures as suitable and part of flood protection mitigation." (page 2) • "The topography of the property is flat…..It is therefore anticipated that there would be no significant earthworks for terrain landscaping required over the alignment other than that confined for the motorway formation including shoulder and associated drainage and stormwater control works… • Access to the motorway construction site is readily available off Millbrook Road. There is also sufficient land available alongside the proposed motorway to provide access to the abutting farm to the south if need be. Access to both the Trust land and abutting to the south could be in total or in part augmented by creating access easements registered over the property Titles rather than by the Designation in gross. • We argue that these conditions further obviate that the proposed designation for motorway purposes need not require the acquisition of every part of our property. To confiscate it, furthermore, constitutes a waste of useful working land which the family could be using to generate some income viability to support itself." (page 4) • The recent placement of the designation and purchase notice by NZ Transport Agency now arbitrarily removes the family's opportunities to even investigate the potential for future development and income generation over the rest of the property." (page 5) • The designation unnecessarily removes all the land from rural use potential and the potential of other sustainable uses over time. • We therefore consider that the designation as it stands is contrary to the foundation Principle of the Resource Management Act 1991 Section 5 (1) (2)…" (page 6)	Crown's agent in PWA processes, seek to acquire any property interests needed for the Project through the statutory process set out in the PWA. The final design of the Project, including the final position of the alignment and construction methodology, will continue to be developed. The final location of the alignment (including land required for construction) may be different from the indicative location shown in the Application. In cases where acquisition of the entire property is not required for the operative Project, safe access will be reinstated, or alterative arrangements will be provided to maintain connectivity for the McGregor Family's property. Discussions regarding access will be progressed outside of the FTAA process at the appropriate stage of design. Land use within the Proposed Designation will be able to continue until implementation of the Project. NZTA is committed to engaging with property owners on land use and development proposals through the s176 approval process.
19.2	Pages 3-4	Heritage value of the site	• "Located in the north western part of the property is the family homestead, built in 1902 and now 124 years old. The villa is of a Victorian architectural style popular in Waipu's post-colonial settlement period in the early 1900's. • Whilst not listed as a heritage building in the District Plan, the dwelling's heritage value relates to its being a well-known local fixture dating back to the early 1900s period in the Waipu District; • ….To better the land, several generations of McGregors have planted native totara along the riverbank which has served the dual purposes of stabilising the river bank and providing wood for fencing and building materials. • The residential area also features a memorial garden in memory of Bain's late wife and mother to their three children…The loss of it will cause much unnecessary distress to Helen's family. • Finally, the property has historically been the site of a family blacksmith's workshop. There is a road-side stone marker referencing this site along Millbrook Road as part of a Heritage Trail established by the Waipu museum and the Trust." (page 3)	NZTA acknowledges the significance of the heritage value of the property to the McGregor family and the McGregor Family's concern regarding the family's historical and intergenerational connection to the property, including the villa and memorial garden. NZTA has carefully considered property impacts through the assessment of alternatives process. These matters, including consideration of specific matters relevant to the McGregor property are explained further in the Statement of Evidence of Tony Innes.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			• The Heritage value of the site is apparent… It is a heritage that this family are intent on maintaining as part of the distinctive historical character of the Waipu District - the primary one in New Zealand to be founded by Scottish Nova Scotian settlers." (page 4)	
19.3	Pages 4-5	Flood risk and ground conditions	• "In the Whangarei District Plan, the property has an identified flood susceptible area along the north western boundary over and abutting the course of the Ahuroa River. • The family have in-depth historical memory of the impact of climate changes a upon the property. Of growing concern in recent years is the increased frequency of short duration high intensity rain storm weather events." (page 4) • "The latter has resulted in higher river levels and flow velocity which has caused river bank erosion along the Trust's river boundary, down catchment by the Millbrook Road bridge, and generally along the Ahuroa River catchment. • It is anticipated that the proposed motorway formation will include a drainage and storm water management design that would, mitigate any potential adverse effect on abutting land to the north of the motorway formation; and, mitigate any potential environmental effects of vehicular traffic and include bunding and associated native shrub planting as an appropriate means to do so. • Such measures would provide complementary mitigation and flood protection management of the existing dwelling and farm building sites. Thus we imagine NZTA and the family property should be able to exist harmoniously as neighbours without us having to surrender all our lands." (page 5)	NZTA confirms operational stormwater from the Project will be managed before discharge to receiving environments. Under NZTA's Proposed Conditions, the Project will be required to implement stormwater treatment and management measures in accordance with NZTA's Stormwater Treatment for Road Infrastructure guidance document, to manage stormwater flows and erosion from the Project. The Assessment of Operational Stormwater and Flooding Effects (Appendix D11 of Volume B of the Substantive Application) records that flood modelling shows changes in flooding in the Ahuroa River catchment as a result of the Project will be minor. Through its Proposed Conditions, NZTA confirms that the Project will be designed so that there is no increase in flooding above floor level to any habitable building outside the Proposed Designation. This requirement will ensure that flooding effects on the McGregor Family's existing dwelling will be avoided.
19.4	Pages 6-7	Compatible land use development	• "A part of the Trusts land has been the subject of a development proposal by Vaco Investments (Waipu Project) Ltd, that of the site for a BP franchise service center. The proposed development is on the Trust land abutting the existing State Highway opposite the southern approach to Waipu Township. • The applicant, Vaco Investments Ltd, Waipu, has withdrawn the Resource Consent application for amendment to complete general discussions with NZTA that include the design of a proposed roundabout. • NZTA have now sent the applicant a written approval for the use of submitting an amended Resource consent application addressing NZTA design criteria, dated 25 June 2026. • The above development proposal would be consistent with supporting motorway use and strategies on safe motorway infrastructure, and therefore the proposed development would be compatible and consistent with land used for motorway purposes." (page 6) • The land use will be managed for motorway purposes consistent with providing transport infrastructure whilst providing intersection improvements for the southern access to Waipu Township. This a development opportunity for NZTA and the wider Waipu community. • NZ Transport support is appreciated and appropriate. It is considered that the proposed designation sought by this submission will allow sustainable innovation in land use of the land and functional support to the future proposed motorway and would greatly advance the Vaco Investment proposal to proceed under Resource Management Act 1991 in the near future." (page 7)	NZTA's position on the service centre is outside the scope of the Application and is not relevant to the current FTAA process.
Local Authorities – Commenters 2, 12 and 26				
Commenter 2 – Northland Regional Council (NRC) (25 and 28 August and 20 October)				
2.1	**Letter dated 25 August from Pita Tipene, Chair, NRC** Pages 1 - 2	Support and consistency with the Northland Regional Land Transport Plan (RLTP)	• "Council supports the application and the progression of an alternative route to Brynderwyn Hills. State Highway 1 is the principal transport connection between Taitokerau/Northland, Auckland and the rest of New Zealand. Improving the safety, resilience and reliability of this connection is strategically important to the social and economic wellbeing of the region. The strategic importance of this connection extends beyond Northland. It supports the Auckland and national economies by enabling the reliable movement of freight and goods, strengthening supply chains and business activity, and connecting Northland producers with major markets.	NZTA acknowledges and appreciates NRC's support of the Project, particularly the recognition of the significant benefits that will be realised for all Northlanders as a result of improved transport efficiency and strengthened route resilience. NZTA also appreciates NRC's assessment that the Project is broadly aligned with the strategic direction and priorities of the RLTP, particularly in relation to improving resilience, safety, network reliability and freight efficiency.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			The proposal has the potential to strengthen route resilience, improve journey reliability and safety, support freight and visitor movements, and provide greater confidence for people and businesses investing in Northland. These outcomes are strongly aligned with the strategic direction of the Northland Regional Land Transport Plan. NRC therefore supports the approvals sought through this fast-track process." • "The strategic direction of the Northland Regional Land Transport Plan (RLTP) 2021– 2027 (2023 review) and the FTAA substantive application for Northland Corridor Section 2 (Brynderwyn Hills) are broadly aligned, particularly in relation to the delivery of core transport system outcomes. The RLTP identifies a small number of dominant priorities… The FTAA application directly responds to these priorities, positioning the Brynderwyn Hills project as an intervention to address a known failure point in the state highway network, with a strong emphasis on resilience, safety, network reliability and freight efficiency. In this respect, the project responds to several of the RLTP's highest-order objectives, particularly in relation to maintaining a secure and reliable Auckland–Northland lifeline corridor. • Council supports the project in recognition of the significant benefits that will be realised for all Northlanders as a result of improved transport efficiency, strengthened route resilience and improved access for the tourism sector. We believe this support is broadly reflected across Taitokerau/Northland communities."	
2.2	**Letter dated 20 October and attached track changes to conditions** Page 1	Conditions	• "Northland Regional Council (hereafter referred to as the "council") had previously provided comments to the Expert Panel, dated 28 August 2026…" • These comments were restricted to the proposed conditions of consent for the Regional consents. • Since those comments were provided, the council has continued to discuss the proposed conditions with the applicant to resolve its issues with the proposed conditions of consent. As a result of these ongoing discussions, some of the issues have been resolved. • The council will continue to discuss the proposed conditions of consent with the applicant, unless otherwise advised by the Expert Panel."	NZTA also acknowledges and appreciates the further engagement undertaken with NRC during the suspension period to refine matters raised with conditions. NZTA will continue to work with NRC to resolve any remaining concerns.
2.3	Page 1		• "Request to change the word 'shall' to 'must where appropriate as 'must' is more directive and enforceable. The applicant has agreed to this change;"	As noted by NRC, NZTA has accepted this change and replaced 'shall' with 'must' throughout the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November.
2.4	Page 1	Pre-start meeting conditions	• "Request to include a condition requiring a pre-start meeting to be arranged between the council and the Applicant's contractor prior to each stage of works. This is a standard approach and allows Council compliance staff to be familiar with what is being proposed and to allow discussion on any changes that may be required. This issue remains unresolved;"	NZTA has proposed conditions requiring pre-start meetings as follows: • Before starting Project Works, the Consent Holder must arrange and conduct a pre-construction meeting. The purpose of the meeting is to share information relating to the Project Works, including the construction methodology, proposed staging and anticipated effects management measures that will be implemented during the Project. • At least 10 Working Days before the pre-construction meeting required by Condition RC[X], the Consent Holder must invite representatives from the Council and Hapū to attend. If representatives from these parties do not attend, the Consent Holder will be deemed to have complied with this condition provided an invitation has been made." These changes will be included in the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November. As such, NZTA considers that these proposed conditions resolve NRC's request.
2.5	Pages 1-2	Management plan conditions RC05 to RC09	• "The management plan conditions RC05 to RC09 are considered to be not fit for purpose. The timeframes for certification of each plan should be clear and 2allow for the Consent Holder to amend plans, if required, before they are actually required to be used. There is also no process for resubmitting a plan if it is not certified and the trigger for providing a change to a plan to council for recertification is too high. The inclusion of "deemed" certification of management plans is strongly opposed, particularly in this case where the proposed environmental effects of an activity are essentially controlled by a management plan. The applicant has agreed to remove "deemed" certification but has not altered its position regarding other issues which remain unresolved;"	As noted by NRC, NZTA has agreed to remove the condition relating to deemed certification. NZTA has also made changes to the conditions to clarify timeframes for certification. These changes will be included in the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November. As such, NZTA considers that these proposed changes to conditions resolve NRC's concern. NZTA's proposed conditions require updated management plans to be recertified through the same process as the original management plan was submitted and certified. As such, NZTA considers the conditions already address NRC's concerns on recertification.
2.6	Page 1	Cultural Values Management Plan Condition RC9A	• "Request to remove or change RC9A so this does not reference documents prepared for a different type of permit (e.g. for the designation permits). The applicant has agreed to changes that will resolve this issue;"	As noted by NRC, NZTA has agreed to change this condition, so it does not reference the designation conditions. This change is included in the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November. As such, NZTA considers that this proposed condition change resolves NRC's request.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
2.7	Page 2	Dust Conditions	• "Request to include conditions limiting adverse effects associated with the works (e.g. by including a condition limiting dust effects beyond the boundary of the designation and water quality effects beyond the zone of reasonable mixing downstream of the area of works). This issue remains unresolved"	NZTA is not seeking a consent to authorise discharge of contaminants to air beyond the Site (which is defined by reference to the Proposed Designation boundary), which would require Discretionary Activity Consent (Rule C.7.2.14). The rule assessment in Appendix B of Volume B of the Substantive Application sets out that the Project will comply with the Permitted Activity Standards set out in Rule C.7.2.8 and is therefore a Permitted Activity: Rule C.7.2.8 (Discharges to air not regulated in this Plan) of the Regional Plan for Northland 2026 provides for "the discharge of a contaminant into air that is not the subject of any other rule in this Plan is a permitted activity, provided: 1) the discharge is not from an industrial or trade premises and, other than for discharges from motor vehicles, aircraft, trains, or vessels, the discharge does not result in any noxious, dangerous, offensive or objectionable odour, smoke, dust, or any noxious or dangerous levels of airborne contaminants beyond the boundary of the subject property or in the coastal marine area" Therefore, NZTA does not consider that NRC's proposed condition is necessary, as the scope of the consents will impose this restriction as NZTA will not have approval to discharge beyond the Site. Nonetheless, NZTA has proposed an alternative condition as follows: **RCX** The Consent Holder must implement measures to avoid any discharge to air of contaminants outside the Site, including dust, which in the opinion of a monitoring officer of the Council is noxious, dangerous, offensive or objectionable. Should the monitoring officer identify that such impacts have occurred, the contingency methods within the DMP required by Condition [RCX], for responding to any identified objectionable or offensive dust effects beyond the Site, must be immediately actioned. This change is included in the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November. As such, NZTA considers that this proposed condition change resolves NRC's request.
2.8	Page 2	Erosion and Sediment Controls	• "Request to include a condition requiring that erosion and sediment controls are installed prior to the commencement of works for each stage. This issue remains unresolved"	NZTA does not consider that a separate condition specifically requiring implementation of ESC measures is necessary, because as per NZTA's Proposed Conditions: • the ESCP is required to outline the structural and non-structural ESC measures that must be installed prior to and during all Project Works for representative parts of the Project; • the Construction Erosion and Sediment Control Plan (CESCP) must be prepared before starting land disturbance activities in any area of the Site, which must include site-specific information for structural and non-structural elements to be implemented during construction; and • the ESCP and CESCP must be implemented for the duration of Project Works, generally / in the area of the Site subject to the CESCP. Accordingly, NZTA and its contractors will be required to implement ESC measures before earthworks commence in an area. If NRC wish to have a separate implementation condition, NZTA considers that it should expressly cross-reference to the ESC measures required by a CESCP, but considers that this would be an unnecessary duplication of existing requirements of the conditions.
2.9	Page 2	Alternative supply of water conditions RC 28-31	• "Request for changes to the conditions that require an alternative supply of water to be provided to persons who have lost supply due to the proposed works (RC 28-31); (a) This should include surface water users impacted by the works (if applicable); (b) Removal of the word 'consented' with regards to existing water supply wells, as many groundwater bores were constructed prior to resource consent being required for bore construction; (c) The report required to be prepared by RC31 should include a survey of all water users within the area of influence and details of the expected temporary or permanent interruption of any existing water take. Due to limitations in the information that the council holds on permitted water takes this will require the Applicant to speak to individual property owners/occupiers to confirm where/how water is being taken; (d) Alternative supply should be required to be implemented prior to any interruption of supply. • The above issues remain unresolved"	NZTA does not consider NRC's proposed changes in relation to alternative water supply are necessary for the following reasons: Effects on existing groundwater users are only likely to occur if there is a drawdown of greater than 1m. the 1m level has been selected as a conservative threshold because it is the level at which groundwater levels in a shallow well with limited existing drawdown available (<10 m deep) may affect the ability of the well to supply water. Based on the Indicative Alignment, there are no consented or registered water supply wells located in areas estimated to receive drawdown of 1m or greater (both within and outside the Proposed Designation). Therefore, there are no existing consented/registered water supply wells that could potentially be affected by long-term groundwater level drawdowns caused by the Indicative Alignment. There are limited areas where groundwater drawdown is expected to occur beyond the Proposed Designation boundary. Groundwater modelling undertaken for the Indicative Alignment shows that where there is potential drawdown influence beyond the Proposed Designation, it is expected to extend less than 200m beyond the boundary. Based on the Indicative Alignment, the only area where drawdown is estimated to be greater than 1m outside of the Proposed Designation is at the cut within the Brynderwyn Hills around chainage 19,600 m. This area is small and forested. As forested areas do not typically involve activities that use groundwater, NZTA's hydrogeology experts consider it highly unlikely that unconsented water users will be located within this area. Therefore, no effects requiring mitigation for unconsented water supply wells is recommended by NZTA's hydrogeology experts. For this proposed cut, significant lateral shifts in the Indicative Alignment are unlikely, as the current alignment limits effects on streams associated with the Outstanding Natural Landscape (ONL) to the south. The vertical alignment is also constrained by the need to balance cut and fill volumes through the Brynderwyn Hills, while the horizontal alignment is further constrained by the SH1 interchange to the north. Therefore, additional impacts on unconsented wells from movements of the alignment are unlikely. Accordingly, NZTA is not proposing conditions to address effects on unconsented supply wells.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
				NZTA's hydrogeology experts consider adverse impacts on existing surface water users to be unlikely. Predicted effects on tributaries are generally confined to the upper reaches of streams within the hill areas and do not extend far downstream. These upper reaches are likely to be intermittent and are therefore unlikely to provide a reliable source for surface water takes. Only takes from tributaries within, or within approximately 100 m of, areas where groundwater drawdown of 0.1m or greater are predicted to potentially be affected by the Project. In addition, the groundwater drainage intercepted by the cuts is expected to be discharged back to nearby streams inside the Proposed Designation, generally within the same catchment it is drained from. Hence, the overall catchment water balance outside of the Proposed Designation is expected to be largely the same. Based on the Indicative Alignment, there is only one consented surface water take within the 0.1m drawdown contour that could potentially be affected by the expected long-term groundwater level drawdowns caused by the Project (AUT.046250.05.01). However, this take is located upstream of the Project and is for a quarry diversion. The water take is also not directly on a stream. Our experts consider this water take is unlikely to be impacted by drainage of any large cuts. All other surface water takes are well outside the 0.1 to 1m drawdown contour and are therefore unlikely to be impacted by the Project. Therefore, NZTA's hydrogeology experts do not recommend any mitigation for surface water takes. Given the Indicative Alignment is likely to change through detailed design, NZTA's hydrogeology experts have also considered whether effects on surface water takes would change if the locations of the proposed cuts moved within the Proposed Designation. Surface water takes in areas where fill or shallow cuts are proposed are unlikely to be affected by drainage drawdown, regardless of any lateral changes to the final alignment. By contrast, in those areas where there may be deep cuts, the closest surface water takes are outside the Proposed Designation. Consequently, surface water takes outside the Proposed Designation are considered highly unlikely to be adversely affected by drainage associated with the proposed cuts (including if there are any changes to the Indicative Alignment). Accordingly, NZTA's hydrogeology experts do not recommend any conditions to address effects on surface water users.
2.10	Page 2	RC44	• "Request to add river catchment on northern side of the Brynderwyns into condition RC44 as it currently only includes the Wairau catchment; The applicant has agreed to this change;"	As noted by NRC, NZTA has agreed to changes to the Proposed Consent Conditions to address this concern. This change will be included in the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November. NZTA considers that this proposed condition change resolves NRC's request.
2.11	Page 2	RC55(a) and (b)	• "Request to include condition that requires that the works do not result in the flooding effects specified in RC55(a) and (b), rather than just a requirement to provide a report demonstrating that the specified effects will not occur; This issue remains unresolved;"	NZTA has proposed amendments to the condition to make clear that the condition requires compliance with the thresholds specified in Condition RC55. However, NZTA considers the report-based 'feedback loop' should be retained as modelling is the most appropriate method through which compliance with flooding-related conditions can be demonstrated (see statement of evidence of Mr Warren Bird). Accordingly, NZTA considers this requirement should be retained in Condition RC56. In terms of providing an opportunity for Council peer review, while NZTA notes that the report must be prepared by a Suitably Qualified Person, it has amended the proposed condition to include an express requirement for the report to be provided to the Council for information before the start of Project Works. This amendment will ensure that Council will receive a copy of the report, which provides the Council an opportunity to ask questions if it is not satisfied with the conclusions in the report. These changes will be included in the updated version of the Proposed Regional Resource Consent Conditions, which will be provided to the Panel on Tuesday 3 November. NZTA considers that this proposed condition change resolves NRC's request.
2.12	Page 2	RC55(b)	• "Request to change RC55(b) so that this refers to all buildings and not just be limited to habitable buildings only. This issue remains unresolved."	NZTA considers incorporating non-habitable buildings into the conditions would be overly onerous as it would require the Project to avoid flood level increases in the 100-year ARI event above the floor level of any building outside the Proposed Designation, for example above the floor level of a farm shed. NZTA notes that habitable buildings are generally assigned stricter flood restrictions on the basis that there is a risk-to-life associated with flooding hazards. However, non-habitable buildings are not subject to the same requirements (see statement of evidence of Mr Bird). Non-habitable buildings are generally not governed by the Building Code in relation to flooding, so they can be sited anywhere without regard to the 100-year flood level providing they comply with relevant District Plan rules. A broad range of non-habitable buildings (such as sheds and pump-houses) and illegal structures (that fall within the definition of "building") may be constructed in these areas. Further, many of these buildings can be built without a building consent (up to 30m2), and therefore without regard to flooding. Accordingly, NZTA considers that imposing this requirement on non-habitable buildings would be overly onerous, as it would require NZTA to apply design restrictions to protect buildings that may have chosen to site themselves without regard to the 100 year ARI level. Accordingly, NZTA does not consider that NRC's proposed amendment is appropriate.
Commenter 12 - Kaipara District Council (KDC) (10 August)				
12.1	Page 1-2	Support and conditions	• "Overall, KDC supports the application for this stage of the project, and the overall Northland Corridor project that it forms part of. It will generate significant benefits in terms of accessibility and resilience for the Kaipara District and Northland Region as a whole, and economic benefits.	NZTA acknowledges and appreciates KDC's in principle support of the Project, particularly the significant benefits it will generate for the Kaipara District and Northland region as a whole. NZTA also acknowledges KDC's general agreement on the extensive range of conditions proposed to mitigate the adverse effects of the Project, particularly in relation to noise and vibration, landscape and ecology.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			• It is acknowledged that a project of this scale, in this particular location, will generate some significant adverse effects on the environment. In particular, we note the substantial volume of earthworks and culverting required across the Piroa Stream, at the southern base of the Brynderwyns, and the adverse ecological effects resulting from this. • While we acknowledge that it is not feasible to avoid these adverse effects, proposed conditions of consent will ensure mitigation and offsetting of these effects. KDC supports the extensive range of conditions that are proposed to mitigate the adverse ecological effects generated by the project, at this particular location of the project, and in other locations." • …KDC supports the comprehensive range of conditions that have been proposed to address the following effects: - Construction noise and vibration - Landscape values - Ecology - Operational noise"	
12.2	Pages 1-2	Potential impacts on infrastructure and support for NZTA approach	• "NZTA have engaged with council officers on the potential impacts of the project on KDC infrastructure. In particular, the works required in and around the Piroa Stream, referred to above, are likely to have an impact on the following water infrastructure: - 250mm PE Pipeline: a critical asset, providing primary raw water supply to the Fonterra factory and Maungaturoto water treatment plant. Careful consideration and management will be required during construction to ensure impacts on this pipeline are avoided. - 100mm PVC Pipeline: Piroa raw water supply (Pumped from Atlas Quarry). Secondary supply, used in high demand or low flow periods, eg Summer construction Season. This asset may need relocating. NZTA have agreed to facilitate this relocation in the event that it is required. • Furthermore, the interchange overbridge proposed at the intersection of the route with State Highway 12 will generate some disruption to the roading network during construction, noting that State Highway 12 is under the jurisdiction of NZTA, rather than KDC. At the time of construction, this will require careful management to ensure access through State Highway 12 is maintained, given this road's importance to the movement of people and goods within Kaipara District. We note that the Assessment of Transport Effects submitted with the substantive application states that construction transport effects will be managed through the preparation, approval and implementation of a Construction Traffic Management Plan, supported by Site Specific Traffic Management Plans, where construction activities interface with the live road network. The same approaches will need to be applied at the interface between the project and Baldrock Road. • We understand NZTA's philosophy of addressing such impacts outside of the regulatory regime of the Fast-Track Approvals Act 2024 and the Resource Management Act 1991. Associated with this, we understand that the agency's preference is to not address such matters through conditions of consent. Given this, we anticipate that NZTA will work directly and closely with KDC to address these potential impacts on infrastructure when the need arises, with the agency covering all costs associated with these matters."	NZTA confirms that potential impacts of the Project on network utilities (including specifically the 250 mm PE Pipeline and 100 mm PVC Pipeline referred to by KDC) will be avoided, either through protection in situ or relocation of the utilities in coordination with KDC and in accordance with the relevant legislation and industry standards. NZTA confirms it will work in collaboration with KDC throughout the various phases of the Project to identify and manage impacts to utilities where these occur. NZTA confirms Traffic Management Plans are required to be prepared for any Project Works proposed along State Highway 12 and Baldrock Road to ensure compliance with NZTA's Proposed Conditions, the New Zealand Guide to Temporary Traffic Management (NZGTTM) and other relevant standards and legislations.
Hapū				
Commenter 1 – Te Uri o Hau (21 July and 20 October)				
1.1	Te Uri o Hau Environs Comments on Additional Application Material Page 11	Noise and Vibration Conditions D11 to D20	• Comments regarding restrictions on noise and vibration (specifically practical implications of requirements to manage noise and vibration on species) in relation to Conditions D11 to D20.	NZTA acknowledges the comments provided on Conditions seeking ecological restrictions on noise and vibration causing activities. However, the criteria in the noise and vibration conditions are specifically for the management of effects on people and buildings, and do not apply to fauna. Any restrictions on works in proximity to avifauna (and other species) are captured through the broader mitigation suite.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
Commenter 11 – Kowhai Te Awhina Hapu o Te Parawhau Hapū Incorporated (20 October)				
Geotechnical matters				
11.1	Paragraphs 3.1-3.4, Pages 2-3	Identified instability and natural-hazard conditions	"3.1 The Applicant's further material confirms that the Project traverses complex geological and geotechnical conditions. The geomorphological assessment identifies historical and active slope instability, including landslides, slumps, earthflows and hummocky terrain associated with Northland Allochthon materials. 3.2 The accompanying geomorphological mapping identifies, among other matters, landslides and slumps, natural slope instability, debris-flow features, springs and seepage, drainage features, swamps, and intermittent and perennial standing water. These are not abstract matters for the Incorporation. They intersect with the concerns already raised in its Commentary regarding whenua, wai, the receiving environment and the consequences of large-scale earthworks through sensitive terrain. 3.3 The Applicant records that avoidance and minimisation of identified instability features has been adopted where practicable. The Incorporation respectfully considers that this wording also confirms that complete avoidance has not been demonstrated in all locations. • The Incorporation therefore asks the Panel to assess the new geotechnical information together with the environmental and receiving-environment matters already raised in the Incorporation's Commentary, rather than treating geotechnical feasibility as a matter isolated from effects upon whenua and wai."	NZTA's technical experts have developed the Indicative Alignment using extensive environmental assessment and mapping. The matters raised by Te Parawhau Inc. are known conditions that informed route selection, designation development and the Indicative Alignment. The investigations completed for this Project are more extensive than would typically be expected at this phase due to the recognised instability risks. Similar, and often greater, geotechnical challenges occur on the existing corridor and alternatives further east and west.
11.2	Paragraphs 4.1-4.2, 4.5-4.6, Pages 2-3	Consent-stage information and matters deferred to later design	"4.1 The Applicant's evidence describes the present design as an indicative design developed to demonstrate feasibility and identify principal geotechnical risks and design responses. It expressly states that the purpose of the indicative design is not to establish final construction solutions. 4.2 The memorandum further states that detailed design will be undertaken during subsequent project phases and supported by additional investigations, analyses and design development. The matters identified as potentially requiring further work include detailed slope-stability assessment, earthworks design, ground improvement, retaining structures, bridge foundations, settlement assessment, liquefaction assessment, and construction methodologies and mitigation measures. 4.5 The Incorporation does not suggest that staged investigation or detailed design is unusual for major infrastructure. Its concern is narrower: where the Panel itself required further information because of identified gaps, it should be satisfied that matters material to the statutory decision are sufficiently established at the approval stage and are not left to later investigation or design in a manner that prevents the present effects from being properly understood. • 4.6 Accordingly, the Incorporation respectfully asks the Panel to distinguish between: (a) matters demonstrated by the evidence presently before it; and (b) matters said to be manageable because further investigation, analysis, design refinement or mitigation will occur later."	In NZTA's opinion, the Project has already undertaken extensive geotechnical investigations and assessments to support corridor selection, effects assessment and designation development. The fact that further investigations and detailed design will occur is standard practice and does not indicate insufficient understanding at this phase of the Project.
11.3	Paragraphs 4.3-4.4, Page 3	Stage 1 Ground Investigation Report	"4.3 The Stage 1 Ground Investigation Report similarly records a staged investigation process. Stage 1 is to inform Consent Design, including initial ground models and initial earthworks and risk assumptions. Stage 2 is to inform reference design and further refine ground models, design and risk assumptions. Stage 3 provides additional procurement ready investigations. • 4.4 The Stage 1 report also records that, as at 23 January 2026, 21 Stage 1 ground investigation locations - comprising nine boreholes, seven test pits and five CPT locations - had been rescheduled for Stage 2 or cancelled for reasons including property access, access restrictions, site constraints, approval constraints and alignment change."	NZTA acknowledges the concern raised by Te Parawhau Inc., however limited deferred investigations do not materially alter the understanding of corridor-wide conditions. The geotechnical investigation programme undertaken to date is extensive and sufficient to support the current phase of the Project.
11.4	Paragraphs 5.1-5.4, Page 4	Spoil placement and effects beyond the designation boundary	"5.1 Minute 6 specifically required analytical work demonstrating that effects arising from construction, including slope instability associated with alignment cuts, fills and potential spoil sites, are not expected to extend beyond the designation boundary.	Based on the technical expert comments provided by NZTA's independent specialists, no locations have been identified where permanent geotechnical mitigation outside the Proposed Designation is anticipated. The Proposed Designation area has been determined with geotechnical requirements and future design refinement in mind.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			5.2 The Applicant's 24 August memorandum concludes that no geotechnical constraints have been identified that indicate stabilisation measures extending beyond the proposed designation boundary would be required for the indicative alignment and indicative spoil placement areas. 5.3 At the same time, the memorandum states that the design and location of spoil sites contained in the Application are indicative only, and that material classification, reuse opportunities, spoil placement and construction methodology will be refined through subsequent investigation, detailed design and contractor input. • 5.4 The Incorporation respectfully considers that the Panel should satisfy itself that the conclusion concerning effects beyond the designation boundary is adequately demonstrated notwithstanding the indicative status of the slope geometries, spoil placement areas and associated mitigation that underpin that conclusion."	
11.5	Paragraph 5.5, Page 4		• "5.5 If the Panel considers that the conclusion presently depends materially upon future refinement, the Incorporation asks that the relevant uncertainty be resolved before approval or be addressed through clear, enforceable and precautionary controls that do not defer the determination of material off-site effects."	As NZTA has outlined above, the area required by the Proposed Designation has been determined with consideration of geotechnical hazards, anticipated mitigation requirements and future design refinement. There are no locations that have been identified by NZTA's independent technical experts where additional designation width is required to manage geotechnical risks at later phases of the Project.
11.6	Paragraphs 6.1-6.4, Page 4	Waipū lowland and liquefaction	"6.1 Minute 6 specifically requested a preliminary assessment of seismic and liquefaction risk for the alluvial deposits in the northern lowland area near Waipū. 6.2 The Applicant's memorandum records that investigations completed to date indicate that potentially liquefiable materials may be present within portions of the alluvial sequence and that liquefaction susceptibility varies spatially along the corridor. 6.3 The Applicant's opinion is that liquefaction-related risks are manageable through normal detailed-design processes and recognised engineering practice. The Incorporation does not dispute that professional opinion as expert evidence. • 6.4 The Incorporation nevertheless asks the Panel to be satisfied that the assessment presently available is sufficient to understand the location, nature and potential consequences of that risk for the approval decision, particularly where the Applicant also identifies liquefaction assessment as work that may be undertaken or refined during subsequent design phases."	NZTA acknowledges the concern raised by Te Parawhau Inc. However, liquefaction was specifically assessed in response to Minute 6 and is understood at a level appropriate for this phase of the Project. Further refinement would occur during detailed design as is normal practice in projects of this scale.
11.7	Paragraphs 7.1-7.3, Page 5	Natural hazards and the Panel's Minute 6 request	"7.1 Minute 6 also required an assessment of the Project against the National Policy Statement for Natural Hazards 2025, including natural-hazard risk relating to landslide and liquefaction. 7.2 The Incorporation respectfully asks the Panel to confirm for itself that the Applicant's 24 August package contains a complete response to that requirement and that the policy assessment is based upon sufficiently developed information concerning the identified instability, groundwater, earthworks and liquefaction conditions. • 7.3 If any element of the Minute 6 request remains outstanding or materially dependent upon Stage 2 investigation or subsequent detailed design, the Incorporation asks that this be expressly identified and resolved before the Panel reaches its substantive decision."	The comment provided by Te Parawhau Inc. is acknowledged, however in NZTA's opinion this is primarily a process matter. The geotechnical investigations and assessments undertaken by NZTA's independent technical experts substantially exceed those typically available to projects at this stage.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
Te Parawhau ki Tai / Te Pouwhenua o Tiakiriri Kūkupa Trust on Behalf of Te Parawhau Hapū (July and October)				
Construction Noise and Vibration Designation Conditions (D11-D20)				
25.1	**Te Parawhau Review of Designation Conditions – dated July 2026** Page 5 and 7	Definitions for 'Occupied buildings used for activities sensitive to noise' and 'Sensitive Site'	• To recognise noise-sensitive domestic animal and livestock facilities that may be affected by Project Works, Te Parawhau amended the definition of 'Occupied buildings used for activities sensitive to noise' to (underlined): *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.* • To recognise working farms, marae, papakainga and other sites of significance identified by Hapu that may be sensitive to blasting effects, Te Parawhau amended the definition of 'Sensitive Site' to (underlined): *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.*	**Occupied buildings used for activities sensitive to noise:** The construction noise criteria in the proposed Designation Condition set are those of the New Zealand construction noise standard NZS 6803:1999 Acoustics – Construction Noise (NZS 6803:1999). These limits are specifically designed to address the effects on people (in buildings). The limits were not developed to address the effects on fauna. NZS 6803:1999 states: *"1.4 […] Effects of noise upon wildlife, stock, or domestic animals are not considered."* Therefore, based on the advice of NZTA's Noise expert, Ms Siiri Wilkening, applying the construction noise criteria of the conditions to animals or livestock is not appropriate. The criteria in NZS 6803:1999 are designed to protect people in buildings of standard construction (e.g. buildings with walls and roofs and not sheds or partial enclosures). This can be derived from the requirement of NZS 6803:1999 that if internal noise levels are assessed, the external limits are reduced by 20 dB. This can only be achieved by a full building. Only buildings that are occupied at the time of construction would be assessed against the construction noise limits. Should farm buildings for livestock be occupied by people continuously during the works, they would be assessed against the "other occupied buildings" criteria. However, it is uncommon for farm buildings to be assessed against construction noise criteria as they are not commonly occupied by people for extended periods. The criteria for "occupied buildings used for activities sensitive to noise" are intended to protect the activities of people in those buildings. Noise sensitive activities would include sleeping, learning, residential activities and convalescing, and similar activities where external noise should be controlled. Farming activities are not one of those activities as it is generally a noise producer and not a noise sensitive activity. **Sensitive Site:** NZTA's Noise expert, Ms Siiri Wilkening, has advised that the term "sensitive site" is from the relevant standard (Australian Standard AS 2187: Part 2:2006 Explosives – Storage and Use – Use of Explosives) which is referenced in NZS 6803:1999 (the New Zealand construction noise standard). The criteria attached to that receiver definition are intended to protect buildings from damage and people from undue disturbance, when blasting occurs in the area. The definition of "sensitive site" only applies to (occupied) buildings, not sites (e.g. areas) as such. This is clearly described in the definition, which refers to buildings only. Therefore, based on Ms Wilkening's advice, it is not appropriate to refer to non-building sites, e.g. "working farms", as these would include greenfield areas rather than specific buildings. In addition, working farm buildings are not sensitive as they are generally noise producers in their own right and are not used for activities that are specifically noise sensitive. In relation to marae and papakainga, in NZTA's opinion these are already covered by the definition of "other similar buildings" as their use (communication and sleeping) are also described in the definition of houses and residential buildings.
25.2	Page 17	Condition D11	• "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."	NZTA can confirm that the criteria in the designation conditions are those of NZS 6803:1999, which provides construction noise criteria for all days of the week, including Sundays and Public Holidays. The construction noise criteria for Sundays and Public Holidays are very low (55/45 dB LAeq). These levels are the same as common rural and residential noise criteria for non-temporary / construction activities in the District Plan. This means that construction works generating significant noise could not be undertaken in the vicinity of sensitive buildings as compliance would not be achieved. The criteria in the proposed Designation Condition set already signal that Sundays and Public Holidays are respite times from construction noise. Works can be undertaken at these times, provided these are generally low noise works (e.g. planting) which would be able to comply with the relevant limits. In addition, given the length and location of the designation, Sunday works may be able to be undertaken when they are remote from any sensitive sites, provided compliance with the Sunday and Public Holiday noise limits can be achieved.
25.3	Page 20	Condition D14	• "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"	NZTA's Noise expert, Ms Siiri Wilkening, notes that the definition of "Occupied buildings used for activities sensitive to noise" already includes marae and papakāinga centric activities, and therefore NZTA considers the further addition in Condition D14(b) is unnecessary.
25.4	Pages 20-21	Condition D16	• D16(b): The comments seek that a plan showing the location of the activity and receivers affected should be included in any Schedule. • "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."	NZTA's Noise expert, Ms Siiri Wilkening, has considered the proposed amendments to D16(b) and notes that the locations and receivers will be outlined in the Schedule. Ms Wilkening also notes that for the reasons outlined above, the criteria within the proposed Designation Conditions are designed to protect people (noise and vibration) and buildings (vibration only) and not to protect wildlife or ecological values. A Schedule relates to a building occupied by people where the noise and/or vibration criteria would be exceeded and would not be triggered for an area of ecological value if there is no occupied building in the vicinity, and even in that event, would not address ecological values but effects on people in buildings.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			• 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"	NZTA's Noise expert, Ms Siiri Wilkening, has considered the proposed amendments to D16(e) and notes that Schedules (and the engagement required for their preparation) are specific to the receiver. Therefore, if the specific receiver is a Te Parawhau ki Tai marae or papakainga, then engagement with Te Parawhau ki Tai will be included in the preparation of that specific Schedule.
25.5	Page 21	Condition D17	• "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." • Proposed amendment – Add: D17 (c) Any site of significance identified by Te Parawhau within the Cultural Values Assessments.	The noise and vibration criteria are not designed to address effects on anything beyond people and buildings. There are no applicable vibration criteria for ecological areas that could be used as triggers for the preparation of a Schedule. For that reason, NZTA does not support the proposed addition to Condition D17.
25.6	Page 21	Condition D18	• "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." • Proposed amendment - "D18 Each Schedule required by Conditions [D15] and [D17] shall be submitted to Council and Te Parawhau for information."	NZTA's Noise expert, Ms Siiri Wilkening, has considered the proposed amendments to D18 and notes that as the Schedules will contain private details and information specific to individual receivers, this information should not be provided to further third parties. As such, the proposed amendment is not appropriate.
25.7	Pages 22-23	Condition D19 Building condition surveys	• "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." • Proposed 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. 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; (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, 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	NZTA's Noise expert, Ms Siiri Wilkening, has considered the comments in relation to potential vibration effects during Establishment Works and acknowledges that these works do include activities such as Establishment Works include the formation of access tracks and haul roads and relocation of utilities, which could cause elevated vibration levels. While the Project does not presently include any of these works close to any sensitive buildings, the location of these works may change during detailed design. Therefore, NZTA agrees with Te Parawhau ki Tai that the requirement for building condition surveys should include the Establishment Works phase. NZTA notes that the engagement requested by Te Parawhau ki Tai in the proposed amendment to Condition D19(a) is intended to occur where vibration exceedances may affect sites of significance, but that these sites of significance referenced relate to ecological values. As noted previously, the vibration criteria in the conditions do not relate to ecological areas, therefore, it is not appropriate to assess these sites against vibration criteria in the conditions that relate to building protection. The requested amendments to Condition D19(b) further suggest pre-construction documentation and condition assessments of sites of significance. NZTA's expert Ms Wilkening notes that building condition surveys as required by the condition specifically relate to buildings and are triggered by exceedance of specific building related vibration criteria. These are undertaken by a structural engineer or similarly qualified person in relation to a building. The same would not apply to an ecological site assessment. The proposed additions to conditions D19(c) to (f) are therefore not supported by NZTA as they relate to ecological sites rather than buildings.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			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;"	
Landscape Designation Conditions (D21-D26)				
25.9	**Te Parawhau Review of Designation Conditions – dated July 2026** Page 24	Landscape Condition D21	• "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."	NZTA acknowledges the comments by Te Parawhau ki Tai related to the inclusion of 'Establishment Works' to Condition D21. NZTA further supports the provision of the Landscape Concept Plan to Hapu for comment, prior to finalisation, but notes that is already captured as part of NZTA's conditions.
25.11	Pages 26-27	Landscape Condition D23	• "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." • Proposed 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."	NZTA accepts the following amendments to subclause (b) for the purpose of clarity: (i) "If the alignment crosses the bush clad escarpment adjacent to the Mayflower stream, and if the alignment crosses the Puriri Downs stream and Wetland 26. (ii) The ONL, summit area, and northern slopes of the Brynderwyn Hills ~~and northern approaches of the Brynderwyn Hills.~~" Regarding the comments focussed on the avoidance of bush stands, NZTA notes that the revised Indicative Alignment design in the vicinity of the Waipū interchange and The Braigh minimises loss of stands of kahikatea/tōtara stands. However, it is not feasible to completely avoid all stands. It is accepted that replacement planting is not equivalent – it is mitigation where effects cannot be avoided. Further, regarding comments seeking revegetation of all batter slopes, NZTA notes that topsoiling and planting is unsuccessful on batter slopes (up to 1V:3H) in weathered greywacke and volcanic material. For these steep batter inclinations and local climatic conditions, widespread long-term retention of imported topsoil, growing media or engineered planting substrates would not be practicable. Erosion, rilling and downslope migration of placed material would likely occur before a stable, densely vegetated surface could become established. Laying batters back at shallower angles is not considered acceptable, primarily as this would likely result in greater adverse effects on landform and existing vegetation. NZTA considers natural regeneration is an appropriate approach in such situations, however, this will require trialling techniques to facilitate natural regeneration. Such techniques that may be used to assist temporary erosion control and initiate natural regeneration, could include various hydro-seeding treatments, hydraulic mulch or similar treatments and planting pioneer species directly into existing substrate where it is sufficiently loose. However, these should not be relied on to establish or maintain dense vegetation cover the batters in the long term. See the Statement of Evidence of Mr Tom Ireland for further detail. Avoiding the existing meander on the Waihoihoi River would require either bridging the meander, or realigning SH1 and the Proposed Designation, which would have significant cost implications. NZTA is unable to accept this at this time.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
25.12	Page 27	Landscape Condition D24	• "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." • Proposed 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."	NZTA acknowledges the purpose of the proposed amendments. On review, NZTA considers that the intent that the landscape planting is that it is integrated with the planting carried out for ecological reasons (achieving ecological restoration and supporting indigenous vegetation communities) is implicit. Specific reference to the Te Parawhau ki Tai CVA is not required, as landscape planting (and Hapū involvement) will address the cultural values specified by the CVA.
25.14	Page 28	Landscape Condition D26	• "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 Brynderwyns). • 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" • Proposed 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 • 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."	NZTA does not consider an 80% survival rate to be the most appropriate performance measure. Achieving 80% canopy cover is a more meaningful indicator of successful establishment and long-term ecological outcomes. Some plant mortality is expected as part of natural regeneration processes, and therefore survival rates alone do not necessarily reflect the success of the planting. Canopy closure is a more relevant measure, as it better demonstrates that the vegetation is becoming self-sustaining and capable of persisting without ongoing intervention. While extending maintenance periods is generally beneficial, NZTA further considers a five-year maintenance period to be reasonable and consistent with typical planting establishment expectations. NZTA supports the proposed approach of requiring maintenance "for five years or until 80% canopy cover is achieved", as this provides an appropriate safeguard and ensures the planting is adequately established before maintenance obligations cease.
Erosion and Sediment Control Regional Resource Consent Conditions (RC19-RC22)				
25.15	**Te Parawhau Review of Resource Consent Conditions – dated July 2026** Pages 27-28	Condition RC19	• Concern is also held around the use and discharge of coagulant/flocculation chemicals potentially used in stormwater and sediment controls. Within the ESCP we would expect a Chemical Erosion Sediment/ Stormwater Control Plan (CESCP) prepared by a suitably qualified and experienced person specifying the selected reagent, dosing methodology and dose rate, locations of dosing and treatment, bench-testing results, monitoring requirements, contingency measures and procedures for responding to changes in water quality or receiving-environment conditions. • Dose rates shall not be prescribed generically but shall be established through site-specific bench testing of representative soils and sediment. Treatment shall be monitored to ensure that chemical addition does not result in unacceptable changes in pH or residual aluminium or other contaminants in the discharge. Spills or inappropriate dosing can have significant adverse effects on receiving environments • Te Parawhau considers that the ESCP should apply to all Establishment Works and Project Works and should include measures to protect freshwater environments, wetlands, taonga species and cultural values from discharges. The ESCP including a CESCP component should also be provided to Te Parawhau for review and input prior to certification in accordance with RC6."	NZTA further acknowledges the concern regarding the use and discharge of coagulant/flocculation chemicals potentially used in stormwater and sediment controls. Condition RC22 requires the ESCP to include a Chemical Treatment Management Plan (ChemTMP) which must include the details outlined in Appendix C of the conditions. Appendix C addresses all the various design and treatment details. The CESCP (Condition RC27) then requires chemical treatment design and details specific to the stage, consistent with the ChemTMP. This process will ensure excessive dosing of treatment devices is avoided. As such, NZTA does not consider any amendments to the conditions are required.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			• Proposed amendment – "RC19 An Erosion and Sediment Control Plan (ESCP) shall be prepared and provided to Te Parawhau for review and input in accordance with RC6. • The purpose of the ESCP is to set out the measures to be implemented during Establishment Works and Project Works to minimise erosion and the discharge of sediment and sediment laden water including the use of coagulant/flocculation chemicals arising from Establishment Works and Project Works and to protect freshwater environments, wetlands, habitats supporting taonga species and the mauri of te taiao.	
25.16	Page 29	Condition RC20	• "The proposed ESC outcomes focus primarily on erosion and sediment management but do not explicitly recognise the protection of freshwater environments, wetlands, habitats supporting taonga species and the mauri of ngā wai. • Sediment discharges have the potential to adversely affect waterways, wetlands, freshwater habitats and habitats supporting taonga species. Te Parawhau considers that erosion and sediment controls should be directed toward protecting receiving environments and reducing adverse effects on the values they support. • The ESCP should also recognise the role of monitoring and adaptive management in responding to erosion and sediment control failures and should be provided to Te Parawhau for review and input in accordance with RC6." • Proposed amendment – "RC20 The ESCP shall include measures to: – Avoid erosion and sediment discharges to waterways, wetlands, freshwater environments, habitats supporting taonga species and receiving environments arising from Establishment Works and Project Works; – Protect the mauri of ngā wai, freshwater habitats, ecological connectivity and habitats supporting taonga species from erosion and sediment discharges; – Maximise the use of non-chemical or structural erosion and sediment control measures; – Monitor the effectiveness of all erosion and sediment control measures and associated sediment discharges including chemical coagulants/ flocculants; – Implement adaptive management measures where monitoring demonstrates that erosion and sediment control measures are not achieving the required outcomes or adverse effects on freshwater habitats and/ or species are occurring; and • Minimise the extent and duration of exposed earthworks through progressive stabilisation."	Based on the advice of NZTA's Erosion and Sediment Control expert, Mr Graeme Ridley, the ESC outcomes are directly related to ESC matters and not a wider umbrella however they do have benefits for other disciplines. To include words like '*avoid*' is considered impracticable and the ESC measures to be employed will be based on minimisation (to the greatest extent possible). The request to maximise non-chemical and structural control measures is noted however the emphasis must be placed on non-structural measures which will have the noted benefits. The monitoring and adaptive management approach is encompassed fully within the full condition set and the outcomes as written are considered adequate to ensure there is always reference back to those aspects. As such, NZTA does not consider any amendments to the conditions are required.
25.17	Pages 29-30	Condition RC21	• "Appendix C is undefined; it is unclear which document this refers to. Te Parawhau assumes the CESCP refers to a Chemical Erosion Sediment Control Plan. Te Parawhau acknowledges the use of GD05 as a recognised erosion and sediment control guideline. However, GD05 was developed for Auckland environments and does not necessarily reflect the unique characteristics of Mano Hiwa Ariki and the surrounding taiao affected by this kaupapa, including the interconnected nature of te taiao, whenua, ngā wai, geomorphological processes, climatic conditions and the cultural values, relationships and kaitiakitanga responsibilities of tāngata whenua. • Te Parawhau considers that erosion and sediment control measures should be designed and implemented in a manner that is appropriate to the receiving environments, catchments, waterways, wetlands and wider taiao of Te Tai Tokerau, rather than relying solely on standards developed for a different region. • Technical reviews undertaken by Te Parawhau SMEs and the Department of Conservation identify concerns regarding waterways, wetlands, freshwater habitats, ecological connectivity and taonga species potentially affected by the Project. Compliance with GD05 alone does not necessarily ensure protection of these values, nor the mauri of ngā wai and receiving environments. • Sediment discharges have the potential to adversely affect waterways, wetlands, habitats supporting taonga species, ecological integrity and the	The amendments requested require erosion and sediment control measures to be designed, implemented and maintained in a manner that is appropriate to Te Mano Hiwa Ariki and the surrounding taiao, and to be capable of protecting waterways, wetlands, habitats supporting taonga species and the mauri of ngā wai. While NZTA acknowledges these comments, the ESCP and CESCPs during development require consultation with relevant Hapū and this will be the opportunity to address any specific design issues or areas where items outside of GD05 can be explored further. This includes the ChemTMP which forms part of the ESCP documentation. NZTA does not consider further amendments are required to Condition RC21 to address these matters.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			mauri of te taiao. Te Parawhau therefore considers that the ESCP should be prepared and implemented to achieve outcomes that are appropriate to Te Tai Tokerau and capable of protecting freshwater environments, wetlands, habitats supporting taonga species and the mauri of ngā wai. • The ESCP including any auxiliary Chemical Erosion Sediment Control Plan (CESCP) should also be provided to Te Parawhau for review and input in accordance with RC6. • Proposed amendment – Retain RC21(a) and RC21(b). Add new RC21(c): To require erosion and sediment control measures to be designed, implemented and maintained in a manner that is appropriate to Te Mano Hiwa Ariki and the surrounding taiao affected by this kaupapa, and capable of protecting waterways, wetlands, habitats supporting taonga species and the mauri of ngā wai.	
25.18	Pages 30-31	Condition RC22(a)	• Te Parawhau considers that erosion and sediment control measures should be designed not only to manage sediment discharges, but also to protect waterways, wetlands, habitats supporting taonga species and the mauri of ngā wai. The ESCP should identify how proposed measures will achieve these outcomes." • Proposed amendment – "A description of structural and non-structural ESC measures to be installed prior to and during all Establishment Works and Project Works, including how those measures will protect waterways, wetlands, habitats supporting taonga species and the mauri of ngā wai;"	As noted in the responses above, the ESCP is an overarching document and is designed to set up the overall approach (structural and non-structural) to ESC on site. RC26 relates to CESCPs and requires that a CESCP must be prepared before starting land disturbance activities in any area of the Site. The purpose of the CESCP shall be to demonstrate how compliance with the ESCP will be achieved in relation to the specific Project Works being undertaken on the relevant area of the Site. As such, NZTA does not consider any amendments to the conditions are required.
25.19	Pages 31-32	Condition RC22(b)	• Te Parawhau supports the inclusion of procedures relating to erosion and sediment control. However, the proposed condition focuses on operational processes and does not provide sufficient recognition of monitoring, adaptive management and protection of freshwater values. • Technical reviews undertaken by Te Parawhau SMEs and the Department of Conservation consistently identify the need for clearly defined responses when erosion and sediment control measures are not achieving the required outcomes. The ESCP should therefore identify monitoring requirements, adaptive management responses and notification procedures where Trigger Events occur or sediment controls fail. • Te Parawhau is also concerned that clause (iv) may allow changes to ESC measures without adequate oversight where those changes could affect waterways, wetlands, habitats supporting taonga species or the mauri of ngā wai." • Proposed amendment – (a) "Procedures for: (i) Ensuring advance warning of a Trigger Event; (ii) Monitoring ESC measures and sediment discharges; (iii) Implementing adaptive management measures where monitoring demonstrates that ESC outcomes are not being achieved; (iv) Decommissioning ESC measures; (v) Determining the staging and sequencing of earthworks; and • Establishing and defining minor changes to ESC measures, provided that any change that may affect waterways, wetlands, habitats supporting taonga species or the mauri of ngā wai shall be provided to Te Parawhau for review and input prior to implementation"	NZTA notes that the continuous improvement programme required within the ESCP must address the details as outlined in Appendix C of the conditions. This requires a "Plan, Do, Check, Act" process and also requires ongoing reporting to Council and encourages, and is demonstrated to achieve on previous projects, ongoing effective and improved ESC measures and approach. This Continuous Improvement Plan forms part of the ESCP which is subject to consultation in accordance with Condition RC6. As such, NZTA does not consider any amendments to the conditions are required.
25.20	Pages 32-33	Condition RC22(c)	• The condition should recognise that incidents may adversely affect waterways, wetlands, freshwater habitats, habitats supporting taonga species and the mauri of ngā wai. The term "incident" is not defined. Incident management protocols should not be limited to sediment and contamination events.	NZTA notes that Condition RC22(C) requires incident protocols to be developed and this must be included within the ESCP which is required to be submitted and subject to consultation. NZTA's Erosion and Sediment Control expert Mr Ridley considers, this ESCP is the most appropriate place to define what an incident is. It has a direct focus on erosion and sediment control aspects (and downstream sedimentation and /or contamination) and in doing this will assist with ensuring that waterways, wetlands, freshwater habitats, habitats supporting taonga species and the mauri of ngā wai are taken into account. As such, NZTA does not consider any amendments to the conditions are required.
25.21	Pages 34-35	Condition RC22(e)	• The ChemTMP should not be limited to compliance with Appendix [C] and should be provided to Te Parawhau for review and input in accordance with RC6.	As concluded in the responses provided by NZTA above, the ChemTMP forms part of the ESCP and requires all the design criteria etc as specified. The CESCP also requires specific details for that stage of works. This is subject to consultation in accordance with Condition RC6.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
25.22	Pages 36-37	Condition RC23 Stabilisation	• The condition should recognise that exposed earthworks have the potential to adversely affect receiving environments well before the expiry of a 14-day period, particularly during periods of rainfall. Progressive stabilisation should therefore be undertaken as soon as practicable following completion of earthworks activities.	NZTA's Erosion and Sediment Control expert, Mr Ridley, notes that this 14-day period is reflective of a practicable approach and ensures that areas of the Site are not exposed and then unworked for these periods. As such, NZTA does not consider any amendments to the conditions are required.
25.25	Pages 41-47	Condition RC27	• Te Parawhau considers that a CESCP should do more than simply "take into account" the ESCP and the ESC standards contained within Appendix [C]. The CESCP should demonstrate how the outcomes sought by the ESCP will be achieved within the specific area subject to Establishment Works and Project Works. (A) to (H) are commented and on and a request is made for more specificity in each area.	Based on the advice provided by NZTA's Erosion and Sediment Control expert, Mr Ridley, it is considered that the CESCP (which is subject to Condition RC6) provides adequate guidance and direction for what a CESCP shall include. NZTA acknowledges and is open to amending the words "take into account" to "must include details from" or similar. In NZTA's experience with CESCPs on other projects, the inclusion of the certification process by Council and consultation in accordance with Condition RC6 results in robust and effective documentation that achieves the outcomes specified by Condition RC20.
Dust Management				
25.30	**Te Parawhau Review of Resource Consent Conditions – dated July 2026** Pages 24-25	RC 16	The purpose of the DMP is currently limited to managing objectionable or offensive dust effects beyond the Site. Te Parawhau is concerned that dust may also adversely affect freshwater environments, wetlands, indigenous vegetation, habitats supporting taonga species, ecological restoration areas and the mauri of te taiao within the Site. Dust has the potential to adversely affect freshwater habitats, wetlands, indigenous vegetation, ecological restoration areas, habitats supporting taonga species and the mauri of te taiao through deposition on land, waterways and ecological restoration areas. These matters are of direct relevance to Te Parawhau and should be recognised within the DMP. The DMP should therefore address adverse effects both within and beyond the Site and include measures to protect freshwater environments, wetlands, indigenous vegetation, habitats supporting taonga species and ecological restoration areas from dust deposition. The DMP should also be provided to Te Parawhau for review and input prior to certification in accordance with RC6.	NZTA's air quality specialist, Mr Fergus Boughton, has considered the comments and notes that previous discussions with the Projects' ecologists did not identify any dust sensitive ecological sites within the immediate area of the Proposed Designation. NZTA notes that the DMP will already be provided to Te Parawhau for comments, enabling them to provide their input as relevant to the management of effects.
25.41	Page 3 – Section 6 and Page 4 Section 7	Transport Assessment Variability	NZTA has advised that the author of the Project's Transport Assessment has taken a role at NZTA — the applicant — and has been replaced as NZTA's "independent" transport expert by the person who previously served only as verifier of that same assessment, and who now adopts its findings rather than independently re-assessing them. Where transport effects intersect with cultural or ecological concerns — construction access, severance, traffic near sites of significance — this is a genuine independence concern, not a procedural technicality. 7. What Te Parawhāu Requires …An independent transport review be obtained, given the standing concern over the current arrangement.	NZTA's Assessment of Transport Effects (Transport Assessment) was prepared by Mr Mehmet Ahmet while he was employed as the Major Projects Director (Transport) at WSP New Zealand. NZTA did not consider it appropriate for Mr Mehmet to remain as its transport expert once joining the organisation as he would no longer be an independent witness. Therefore, NZTA asked Mr Steve Dudley, verifier of the Transport Assessment, to be its independent transport expert for the remainder of the fast-track process. As noted in paragraph 3 and 4 of the Transport Expert Memorandum (provided to the Panel on 13 July 2026), Mr Dudley has undertaken a review of the Transport Assessment and has adopted its findings as he considers it "an appropriate assessment and concur[s] with its conclusions". Mr Dudley has also confirmed that he has read and will comply with the Code of Conduct for Expert Witnesses in Section 9 of the Environment Court's Practice Note 2023 (which, among other matters, requires expert witnesses to provide their independent expert opinion). Accordingly, both Te Parawhau and the Expert Panel can be confident the Mr Dudley will provide his independent expert opinion through his participation in the fast-track process (to the extent any further transport-related inputs are required as part of the Project).
Commenter 29 – Patuharakeke (20 October)				
Landscape Conditions				
29.1	**Expert Kaupapa Māori Covering Letter** **Attachment B** Proposed Condition Changes	Landscape Condition D22	• Proposed Amendment to 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 (c) Planting specifications (including for site preparation and planting), such as density, species composition, and species micro-siting.	NZTA's Landscape experts, Mr Gavin Lister and Mr Matthew Jones, have reviewed the recommended deletions and considers that the removal of this provision could result in adverse landscape and natural character effects. Therefore, NZTA does not accept this amendment.
29.2	**Expert Kaupapa Māori Covering Letter** **Attachment A,** Comments on Conditions	Landscape Condition D23	• D23B and D23C of designation consents identify the scope for revegetation of spoil sites and cut areas in the "summit area" "northern slopes" and "northern approaches" of Brynderwyns however there is no definition or drawings referenced of this proposed area we can see. The LMP does not mandate the revegetation or include minimum requirements to reconnect awa, ngahere and repo. Which this information it is not possible to understand the effects of the proposal and so to determine whether they can be managed in an appropriate	NZTA's Landscape experts, Mr Gavin Lister and Mr Matthew Jones, have reviewed the recommended amendments to the landscape conditions and consider that the landscape and natural character matters have been interpreted narrowly, including by referring to these matters as 'landscaping' and excluding vegetation and stream values. NZTA considers that while landscape and ecological matters are distinct, there is some overlap between them, and the removal of the relevant landscape provisions could result in certain matters not being adequately addressed in the set of conditions.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
	Traffic Light Table, Item 27 And **Attachment B** Proposed Condition Changes		way and if so, how. Without this information we do not understand how the panel can undertake its assessment of the project. • We have edited the designation conditions to provide for the proposed landscaping outcomes. We have minimised the scope of the LMP to be focused on landscape outcomes. Avoidance, mitigation and offsetting of streams, wetlands and vegetation values should not be progressed as landscape matters.	The references to 'summit area', 'northern slopes' and 'northern approaches' are defined in the Assessment of Landscape and Visual Effects attached as Appendix D4 of Volume B of the Substantive Application. As the recommended deletions could result in adverse landscape and natural character effects, NZTA does not accept these and consider no amendments are necessary.
29.3	**Expert Kaupapa Māori Covering Letter** **Attachment A,** Comments on Conditions Traffic Light Table, Item 27	Landscape Condition D26	• "Landscape planting and mitigation planting management is overly basic only including the need to maintain plantings and undertake pest control a 5 year period. We expect to see: – planting outcomes for different types of restoration offset – management and maintenance requirements such as fencing, replacement planting, pest and weed management • An example for Ōtaki to North of Levin Highway Project is included. • Proposed Amendment: 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 and until 80% canopy cover is achieved ~~(whichever is less)~~."	It is anticipated that the matters relating to planting outcomes and management and maintenance requirements would be addressed through the Landscape Concept Plan, prepared in conjunction with the planting design. Based on the advice of NZTA's Landscape experts, Mr Lister and Mr Jones, NZTA agrees that planting should be completed within one planting season following completion of relevant works, except where additional planting is required as part of ongoing maintenance or enrichment. Given the Project will be constructed over several years, planting is expected to be undertaken progressively. With the proposed amendment to Condition D25, NZTA's Landscape experts, Mr Lister and Mr Jones agree that 80% canopy cover is an appropriate performance standard, and the minimum five-year maintenance period provides an additional safeguard to ensure that the required canopy cover is achieved and maintained.
29.8	**Expert Kaupapa Māori Covering Letter – dated 20 October 2026** **Attachment A,** Comments on Conditions Pages 65-66	Additional culvert monitoring / maintenance requirements (unnumbered, before RC39)	Inclusion of new conditions as follows: **Permanent Fish Passage** **RCXX** A schedule of watercourses that will be subject to works in waterways and containing existing fish passage will be submitted to the regional council and hapū for comment. Permanent fish passage will be maintained within these watercourses during and post construction except: a) For a maximum of 3 days when construction is taking place b) Where the culvert is installed at the top of the catchment and there is no flowing water upstream at any time of the year **RCXX** Once a permanent culvert is livened within a stream with existing fish passage, fish passage upstream and downstream through the culverts must be maintained and monitored to ensure that the provision for fish passage does not reduce over its lifetime. **Culvert Monitoring and Maintenance for Permanent Fish Passage** RCXX A Culvert Monitoring and Maintenance Plan must be prepared to describe the approach for monitoring and maintenance of culverts requiring fish passage and must be: i. prepared by a suitably qualified person; ii. prepared in consultation with hapū; and iii. informed by the Guidelines for Monitoring Fish Passage Success at In-stream Structures and Fishways (NIWA, 2024). a) The Culvert Monitoring and Maintenance Plan described in a) must include but is not limited to: i. how the monitoring and maintenance will be undertaken; and ii. the steps to be taken to avoid any adverse effects on the passage of fish; and iv. the steps to be taken to ensure that the structure's provision for the passage of fish does not reduce over its lifetime; and v. methods and frequency for monitoring culverts providing fish passage that must include: 1. hydrological and structural visual inspections to be undertaken at the 2. frequency specified in the Culvert Monitoring and Maintenance Plan 3. monitoring of fish annually at a sample of culverts over three (3) years	While NZTA acknowledges the importance of maintaining fish passage, the ecological benefit derived from providing fish passage is heavily dependent on the habitat that exists upstream of a crossing. Ultimately, the purpose of fish passage is to provide access to habitat. Both Statements of Evidence of Mr Vaughan Keesing and Mr Jeremy Garrett-Walker confirm that the Freshwater Assessment appropriately considered both likely species presence and upstream habitat availability when assessing fish passage effects, and the proposed management framework is appropriately directed toward maintaining aquatic connectivity where it will provide meaningful ecological benefit. Overall, NZTA does not consider that the inclusion of the 'Permanent Fish Passage' and 'Culvert Monitoring and Maintenance for Permanent Fish Passage' are necessary. The conditions duplicate the design, information and monitoring requirements under the NES-FW.

Assigned comment number	Comment ref	Topic	Comment (extracts, unless identified)	Response to Comment from NZTA
			4. following the livening of all culverts where fish passage is required; and vi. v. a remediation process to follow in the event that a culvert requiring fish passage constructed as part of the Project is later identified as a barrier to fish passage in accordance with the Permanent Fish Passage Schedule vii. vi. requirements to collect the information required by Regulations 62, 63 and 68 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 each time a significant natural hazard affects the structure and viii. vii. requirements for reporting to the hapū; and ix. viii. a process for reviewing the Culvert Monitoring and Maintenance Plan. Advice Note: Where a culvert requiring fish passage constructed as part of the Project is identified as a barrier to fish passage, this is a non-compliance with one or more conditions of this consent and must be reported as an incident in accordance with conditions XX	