

11 April 2022

Palmerston North City Council
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By email

Email: craig.auckram@pncc.govt.nz

Attention: Craig Auckram

KIWI RAIL HOLDINGS LIMITED: REQUIRING AUTHORITY DECISION ON NOTICE OF REQUIREMENT FOR REGIONAL FREIGHT HUB

We write in respect of the recommendation of the Independent Hearing Panel, appointed by Palmerston North City Council, in relation to the Notice of Requirement by KiwiRail for a designation in the Palmerston North City Council District Plan for the construction and operation of a new intermodal freight hub on land between Palmerston North and Bunnythorpe.

The Panel's recommendation was received by KiwiRail on 28 February 2022. The Panel recommended the Notice of Requirement be confirmed, subject to conditions.

In accordance with section 172 of the Resource Management Act 1991, please find **enclosed** the following documents:

- KiwiRail's decision in respect of the Panel's recommendation, including KiwiRail's reasons for its decision;
- A copy of the designation showing the Panel's recommendations in black underline and ~~strikethrough~~, and KiwiRail's modifications in blue underline and ~~strikethrough~~; and
- A clean copy of the designation.

Please contact me if you have any queries or require any further information.

Noho ora mai,

A handwritten signature in black ink, appearing to read "Olivia Poulsen".

Olivia Poulsen
Executive General Manager Property
KiwiRail Holdings Limited



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Wellington Railway Station, Bunny Street, Wellington 6011
PO Box 593, Wellington 6140

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of a Notice of Requirement ("**NoR**") by KiwiRail Holdings Limited ("**KiwiRail**") under section 168 of the RMA for the Palmerston North Regional Freight Hub

DECISION OF KIWIRAIL IN RELATION TO THE REGIONAL FREIGHT HUB

1. BACKGROUND

- 1.1 KiwiRail is a requiring authority for the purposes of the RMA.
- 1.2 On 23 October 2020, KiwiRail lodged an NoR for a designation in the Palmerston North City Council District Plan for the construction and operation of a new intermodal freight hub on land between Palmerston North and Bunnythorpe ("**Freight Hub**"). The Freight Hub will include marshalling yards, container terminals, maintenance facilities and other freight handling facilities.
- 1.3 The NoR was publicly notified on 26 February 2021 and the submission period closed on 26 March 2021. The hearing on the NoR was held before a panel of independent commissioners appointed by Palmerston North City Council ("**Panel**") from 9 August to 17 August 2021. The hearing was adjourned due to the Level Four COVID-19 Lockdown, and reconvened on 17 September 2021 and 15 October 2021. The Panel closed the hearing on 29 November 2021.

2. PANEL RECOMMENDATION

- 2.1 The Panel issued its recommendation on the NoR on behalf of Palmerston North City Council ("**Council**") to KiwiRail on 28 February 2022 ("**Recommendation**"). The Recommendation was that the NoR be confirmed, subject to conditions.

3. KIWIRAIL'S DECISION

- 3.1 KiwiRail, as the requiring authority for the designation, must notify the Council as to whether it accepts or rejects the Recommendation in whole or in part within 30 working days after the day on which it receives the Recommendation.¹
- 3.2 KiwiRail accepts the Recommendation in part. KiwiRail accepts the conditions recommended by the Panel, subject to the modifications shown in blue underline and ~~strikethrough~~ in **Appendix 1**.² A clean set of conditions is attached at **Appendix 2**.³
- 3.3 KiwiRail accepts the various typographical corrections recommended by the Panel, and has also made minor corrections to some conditions to correct typographical and grammatical errors identified, ensure consistency of terminology (including defined terms), and update cross-references within the designation and defined terms. Where modifications and minor corrections have been made to a condition, these have been addressed together.
- 3.4 These changes are not inconsistent with the NoR as notified.⁴ In accordance with section 172(3) of the RMA, the reasons for the modifications to the designation are set out below.

4. REASONS FOR MODIFICATIONS / REJECTIONS

Modifications

Lapse Period – Condition 3

- 4.1 The Panel recommended the following amendment to Condition 3:
- 3 The designation will lapse if not given effect to within 10_45 years from the date on which it is included in the District Plan.
- 4.2 A 15 year lapse period is appropriate for a project of this scale and complexity. The designation conditions are complex and will take significant time and resourcing to implement, with many steps required

¹ RMA, s 172(1).

² The condition numbering in this appendix reflect those in the Recommendation.

³ The conditions have been renumbered in this final condition set to be sequential.

⁴ RMA, s 172(2).

before construction works can commence. Significant work will be required in undertaking detailed design, preparing outline plan of works, and obtaining regional consents.

4.3 Enabling works are anticipated to take at least 3 years, and construction of the initial stage of the Freight Hub another 3 years provided that the materials can be sourced (for example typical box culverts have a lead in supply period of 2 years).⁵ The economic impacts of COVID-19 continue to be felt, together with broader supply chain constraints both domestically and internationally which has the potential to impact the date on which physical works can start.

4.4 For those reasons, KiwiRail has made the following modifications:

3. The designation will lapse if not given effect to within ~~40~~ 15 years from the date on which it is included in the District Plan.

Notice of commencement – Condition 10A

4.5 The Panel has recommended the following new Condition 10A:

10A. The Requiring Authority must notify the Head of Planning Services at Palmerston North City Council, in writing, at least 10 working days prior to commencement of the detailed design stage of the Freight Hub project. The notice of commencement must include:

- (a) the Mana Whenua Partnership Framework required by Condition 11;
- (b) the Design Framework required by Condition 14;
- (c) the Geotechnical Report required by Condition 32;

4.6 KiwiRail's evidence was that detailed ground investigation and ground model development will occur during the detailed design process, although some degree of geotechnical assessment may be necessary prior to detailed design.⁶ In light of this, KiwiRail considers some flexibility is needed in the conditions as to the timing for undertaking the geotechnical assessment.

⁵ Evidence of Mike Skelton dated 9 July 2021, at 1.5 and 1.6.

⁶ Evidence of Andrew Mott dated 9 July 2021, at 7.4.

4.7 KiwiRail accepts this condition subject to the following modifications:

10A. The Requiring Authority must notify the Head of Planning Services at Palmerston North City Council, in writing, at least 10 working days prior to commencement of the detailed design stage of the Freight Hub ~~project~~. The notice of commencement must include:

(a) the Mana Whenua Partnership Framework required by Condition 11; and

(b) the Design Framework required by Condition 14;

~~(c) the Geotechnical Report required by Condition 32;~~

Mana Whenua Partnership Framework – Conditions 11, 12 and 13

4.8 KiwiRail proposed Mana Whenua Partnership Framework conditions, prepared with input from mana whenua. The Panel recommended the Partnership Framework conditions be included in the designation, noting that it represented a "significant commitment to true partnership to ensure that the Freight Hub secures appropriate benefits for local iwi and addresses their reasonable interests."⁷

4.9 The Panel recommended the following amendments to Condition 11:

11. Within 12 months of [the date the NoR is confirmed], and before commencing preparation of the Design Framework in accordance with Condition 14 and the detailed design stage of the Freight Hub, the Requiring Authority must engage with Mana Whenua to prepare a Partnership Framework in partnership with Mana Whenua for the Freight Hub in accordance with the principles of Te Tiriti o Waitangi and have it certified by the Palmerston North Council.

4.10 KiwiRail accepts these amendments but has removed the requirement that the Partnership Framework be certified by the Council. True partnership is undermined if a third party has a role in certifying that framework, and KiwiRail does not consider it necessary or appropriate for the Council to have a certification role in the Partnership Framework. Equally there is no requirement that the Design Framework (discussed at paragraphs 4.20 to 4.26 below) be certified in the same manner (which KiwiRail considers appropriate).

⁷

Panel Recommendation, at [15].

4.11 KiwiRail makes the following modifications to Condition 11:

11. Within 12 months of [the date the NoR is confirmed], and before commencing preparation of the Design Framework in accordance with Condition 14 and the detailed design stage of the Freight Hub, the Requiring Authority must engage with Mana Whenua to prepare a Partnership Framework in partnership with Mana Whenua for the Freight Hub in accordance with the principles of Te Tiriti o Waitangi ~~and have it certified by the Palmerston North Council.~~

4.12 Condition 12 outlines the objectives that must be achieved by the Mana Whenua Partnership Framework, including recognition of mana whenua values, development of mechanisms to manage effects on those values, and provide opportunities for expression of those values through design and development of the Freight Hub.

4.13 The Panel recommended the following amendments to Condition 12:

12. The objective of the Mana Whenua Partnership Framework is to;
 - (a) recognise Kaupapa based models such as Whānau Ora Outcomes, Te Whare Tapa Whā values and Te Pae Mahutonga Attributes
 - (b) honour, recognize and provide for mana whenua values, and tikanga and kawa participation in the area affected by the Freight Hub, ~~te~~
 - (c) develop mechanisms to avoid, mitigate, compensate or offset effects on mana whenua values and tikanga through the implementation of agreed participation, monitoring and mitigation measures and
 - (d) provide opportunities for expression of those values and tikanga through design and development beyond completion of the overall project.

4.14 Recognition of Kaupapa based models was previously contained within a separate condition and has now been incorporated into the objectives of the Mana Whenua Partnership Framework.

4.15 KiwiRail accepts this recommendation with minor modifications for clarification to better reference Māori terminology and concepts:

12. The objective of the Mana Whenua Partnership Framework is to;

- (a) recognise Kaupapa based models such as Whānau Ora Outcomes, Te Whare Tapa Whā values and Te Pae Mahutonga Attributes;
- (b) honour, recognise and provide for mana whenua values, ~~and~~ tikanga ~~me and~~ kawa participation in the ~~rohe or~~ area affected by the Freight Hub;
- (c) develop mechanisms to avoid, mitigate, compensate or offset effects on mana whenua ~~values and~~ tikanga ~~me kawa~~ through the implementation of agreed participation, monitoring and mitigation measures; and
- (d) provide opportunities for expression of ~~these values and~~ tikanga ~~me kawa~~ through design and development ~~options~~ beyond completion of the overall project.

4.16 Condition 13 outlines what matters must be addressed as a minimum by the Partnership Framework. Those matters include the key roles and responsibilities for mana whenua at governance and operational levels, involvement in cultural impact assessments, monitoring and exercise of kaitiakitanga and manākitanga, involvement in archaeological authorities and wildlife permit processes, and employment and investment opportunities as part of Freight Hub development.

4.17 The Panel recommended the following amendments to Condition 13:

13. The Partnership Framework will include as a minimum:

[...]

- (b) involvement in cultural impact assessments, preparation and implementation of the Design Framework, management plans as part of this designation and any management plans that are developed as part of regional resource consents;
- (c) monitoring and exercise of kaitiakitanga and manākitanga activities to be undertaken including in particular, regular monitoring of ngā Puna and waterways to be carried out in partnership with Mana Whenua and implementation of adaptive management strategies to address water quality issues if agreed standards are not met;

[...]

- (e) overall site dedication and other appropriate rituals to be performed by Mana Whenua;
- (f) opportunities and benefits in the design, development and operation of the Freight Hub;
- (g) any employment, training scholarship, procurement and investment opportunities as part of the development of the Freight Hub; and
- (h) any mahi toi to be developed as part of the project.

4.18 KiwiRail accepts these amendments with modifications to clarify the role of mana whenua under the Partnership Framework, particularly in relation to the management of stormwater, and to clarify Māori terminology and concepts, and defined terms.

4.19 KiwiRail accepts the Panel's recommendation, subject to the following modifications:

13. The Partnership Framework will include as a minimum:

[...]

- (b) involvement in cultural impact assessments, (CIAs) preparation and implementation of the Design Framework, management plans as part of this designation and any management plans

that are developed as part of regional resource consents (including in relation to the management of stormwater);

- (c) monitoring and exercise of kaitiakitanga and manākitanga activities to be undertaken including in particular, regular monitoring of ngā Puna (aquifers), streams and waterways to be carried out in partnership with Mana Whenua and implementation of adaptive management strategies to address water quality issues that fall below any agreed standards ~~are not met~~;

[...]

- (e) the overall site dedication and other appropriate rituals tikanga protocols to be performed by Mana Whenua;
- (f) any opportunities and benefits for the expression of Mana Whenua values and tikanga in the design, development and operation of the entire Freight Hub;
- (g) any employment, training scholarship, procurement and investment opportunities as part of the development of the Freight Hub; and
- (h) any mahi toi (Māori arts and crafts) to be developed as part of the project Freight Hub.

Design Framework – Conditions 14, 14B, and 14E

- 4.20 The Panel recommended a new Condition 14 requiring KiwiRail to prepare a Design Framework in advance of detailed design and the preparation of management plans:

14 The Requiring Authority must prepare a Design Framework before commencing the detailed design stage of the Freight Hub and before preparation of the management plans in Condition 9.

- 4.21 There may be aspects of some management plans that could be progressed in parallel to the development of the Design Framework (for

example, the Stormwater Management Report). KiwiRail accepts the Panel's amendments with modifications to enable this to occur:

14. The Requiring Authority must prepare a Design Framework before commencing the detailed design stage of the Freight Hub ~~and before preparation of the management plans in Condition 9.~~

4.22 The Panel recommended new Condition 14B which requires KiwiRail to involve both the Community Liaison Forum and mana whenua in the development of the Design Framework:

14B The Requiring Authority must invite and make provision for, the Community Liaison Forum and mana whenua to actively participate in the development of the Design Framework, including participation in defining and confirming the key design principles to be included in the Design Framework.

4.23 KiwiRail accepts the Panel's recommendation subject to modifications to make clear Condition 14B should reflect that mana whenua and the Community Liaison Forum are anticipated to have input in all aspects of the Design Framework:

14B The Requiring Authority must invite and make provision for, the Community Liaison Forum and mana whenua to actively participate in the development of the Design Framework, ~~including participation in defining and confirming the key design principles to be included in the Design Framework.~~

4.24 The Panel recommended new Condition 14E which requires the Design Framework to outline the design principles and outcomes:

14E Design Principles:

- (a) The compendium of design principles developed in the Design Framework should collate relevant principles identified in the documents in Condition 1 and address, at a minimum, the following matters:
 - (i) KiwiRail's operational requirements, including in relation to health and safety;

- (ii) An interdisciplinary approach which effectively integrates various design elements;
- (iii) Appropriately integrate the Freight Hub with its immediate and wider landscape setting, including through the design of buildings and structures;
- (iv) principles to inform design of noise mitigation measures, so as to have particular regard to visual amenity, outlook and privacy, and landscape character;
- (v) principles to inform design of lighting, so as to have particular regard to visual amenity, landscape character and natural darkness of the night sky;
- (vi) design principles to reflect community identity and place and/or cultural and historical values, as identified through engagement with the Community Liaison Forum;
- (vii) design principles to reflect cultural values, as identified through engagement with mana whenua;

Design Outcomes:

- (b) The Design Framework must, if possible, identify opportunities for the detailed design of the Freight Hub to:
 - (i) provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
 - (ii) provide beneficial outcomes for natural character, landscape character and visual amenity;
 - (iii) maintain and/or enhance amenity values in the wider landscape;

- (iv) provide for community connectivity around the site, including pedestrian and cycle access to and from Bunnythorpe;
- (v) recognise as far as is practicable the rural character and context of the local environment.

4.25 KiwiRail's operational requirements are central to design development. Noise mitigation structures also need to ensure noise from the Freight Hub is effectively mitigated, and lighting design needs to ensure that health and safety requirements are met. Design should have regard to both cultural values and environmental attributes.

4.26 KiwiRail accepts the Panel's recommendation with the following modifications to Condition 14E:

14E. Design Principles:

- (a) The compendium of design principles developed in the Design Framework should collate relevant principles identified in the documents in Condition 1 and address, at a minimum, the following matters:
 - (i) KiwiRail's the Requiring Authority's operational requirements, including in relation to health and safety;
 - (ii) An interdisciplinary approach which effectively integrates various design elements;
 - (iii) how the Freight Hub Appropriately integrates the Freight Hub with its immediate and wider landscape setting, including through the design of buildings and structures;
 - (iv) principles to inform design of noise mitigation measures, so as to have particular regard to visual amenity, outlook and privacy, and landscape character while ensuring that those measures are effective in mitigating noise;

- (v) principles to inform design of lighting, so as to have particular regard to visual amenity, landscape character and ~~natural darkness of the night sky~~ health and safety;
- (vi) ~~design~~ principles to reflect community identity and place and/or cultural and historical values, as identified through engagement with the Community Liaison Forum;
- (vii) ~~design~~ principles to reflect cultural values and environmental attributes, as identified through engagement with mana whenua;

Design Outcomes:

- (b) The Design Framework must, if possible, identify opportunities for the detailed design of the Freight Hub to:
 - (i) provide for the relationship of Iwi Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;

[...]

Community Liaison Forum – Condition 15

- 4.27 Under Condition 15, KiwiRail proposed that a Community Liaison Forum be established within 12 months of the date the NoR is confirmed.
- 4.28 The Panel recommended the following amendments to Condition 15:
 - 15. Within 12 months of the [date the NoR is confirmed], the Requiring Authority must establish a Community Liaison Forum in a way and in a form that achieves the aims of the community and engagement conditions and approved by the Palmerston North City Council.
- 4.29 KiwiRail has modified the condition to require the Council be consulted in relation to the establishment of the Community Liaison Forum so Council involvement in that process is retained, without amounting to an approval

power as to the final form of the Community Liaison Forum (which most appropriately sits with the Requiring Authority).

4.30 KiwiRail accepts the Panel's recommendation with the following modifications:

15. Within 12 months of the [date the NoR is confirmed], the Requiring Authority must establish, in consultation with the Palmerston North City Council a Community Liaison Forum in a way and in a form that achieves the aims of the community communication and engagement conditions ~~and approved by the Palmerston North City Council.~~

Community Liaison Forum – Condition 19

4.31 Condition 19 requires KiwiRail to invite specific parties to the Community Liaison Forum and to develop the terms of reference for the forum in light of its purpose under Condition 17, in consultation with Community Liaison Forum participants.

4.32 The Panel recommended the following amendment to Condition 19:

19. The Requiring Authority must:

[...]

- (iv) Businesses and landowners (including in Bunnythorpe village and the North East Industrial Zone);

[...]

- (b) develop, in consultation with the Community Liaison Forum participants, terms of reference consistent with the purpose of the Community Liaison Forum as set out in Condition 17 including the methods and frequency of communication with those participants for the duration of the Community Liaison Forum as outlined in Conditions 15 and 16.

- (c) Develop in consultation with the Community Liaison communication strategies and tools for effective and accessible information dissemination to affected members of the community in a timely way

4.33 While all businesses and landowners including all network utility operators in the area will be invited to participate in the Community Liaison Forum, KiwiRail considers Transpower New Zealand Limited should be expressly referenced in this condition.

4.34 KiwiRail accepts the Panel's recommendation and makes the following modifications:

19. The Requiring Authority must:

[...]

(iv) Businesses and landowners (including in Bunnythorpe village and the North East Industrial Zone, and Transpower New Zealand Limited);

[...]

(b) develop, in consultation with the Community Liaison Forum participants, terms of reference consistent with the purpose of the Community Liaison Forum as set out in Condition 17 including the methods and frequency of communication with those participants for the duration of the Community Liaison Forum as outlined in Conditions 15 and 16; and

(c) dDevelop, in consultation with the Community Liaison Forum participants, communication strategies and tools for effective and accessible information dissemination to affected members of the community in a timely way.

Community Liaison Person – Conditions 21 and 23

4.35 Under Condition 21, KiwiRail proposed that a Community Liaison Person be appointed in consultation with the Council within 12 months of the date the NoR is confirmed.

4.36 The Panel recommended the following amendments to Condition 21:

21. Within 12 months of the [date the NoR is confirmed] the Requiring Authority must appoint, ~~in consultation with~~ (and at all times have appointed) and have approved annually by the Palmerston North City

Council, a Community Liaison Person with particular skills in community engagement.

4.37 KiwiRail accepts a person should at all times be appointed in the Community Liaison Person role so there is a continuous point of contact available for the community. Consistent with the modifications to Condition 15, it is appropriate for the Council to be consulted on the appointment of this person, rather than delegating the decision-making function to the Council.

4.38 KiwiRail makes the following modification:

21. Within 12 months of the [date the NoR is confirmed] the Requiring Authority must appoint (and at all times have appointed) and have approved annually by in consultation with the Palmerston North City Council, a Community Liaison Person with particular skills in community engagement.

4.39 Condition 23 requires the Community Liaison Person to fulfil specific roles, including providing a point of contact for the community on behalf of KiwiRail, administering the Community Liaison Forum and coordinating landowner engagement.

4.40 The Panel recommended the following amendments to Condition 23:

23. The role of the Community Liaison Person is to ~~provide a point of contact for the community on behalf of the Requiring Authority for:~~

(a) be responsible for the implementation of the Community Liaison conditions 15 to 20.

(b) provide a point of contact for the community on behalf of the Requiring Authority for:

~~(a)~~(i) all enquiries relating to the Freight Hub, including land acquisition, construction or operational matters;

~~(b)~~(ii) administering the Community Liaison Forum, once established in accordance with Condition 15;

~~(c)~~(iii) co-ordinating landowner engagement in relation to the implementation of

plans listed in Condition 8 and any relevant conditions of this Designation.

4.41 Responsibility for implementing the Community Liaison Forum conditions lies with KiwiRail as the Requiring Authority. On that basis, it is more appropriate for the condition to require that the Community Liaison Person administer the Community Liaison Forum conditions. That is consistent with the Community Liaison Person's role in administering the Community Liaison Forum under Condition 23(b)(ii). To avoid duplication, Condition 23(b)(ii) has also been removed.

4.42 KiwiRail accepts the Panel's recommendation and makes the following modifications:

23. The role of the Community Liaison Person is to:

(a) be responsible for the ~~administration implementation~~ of the Community Liaison ~~Forum conditions 15 to 20;~~ ~~and~~

(b) provide a point of contact for the community on behalf of the Requiring Authority for:

(i) all enquiries relating to the Freight Hub, including land acquisition, construction or operational matters; ~~and~~

~~(ii) — administering the Community Liaison Forum, once established in accordance with Condition 15;~~

~~(iii)~~(ii) co-ordinating landowner engagement in relation to the implementation of plans listed in Condition 8 and any relevant conditions of this Designation.

Accountable person – Conditions 24A, 24B and 24C

4.43 The Panel recommended that new Condition 24A be included in the designation:

24A. Two months before commencement of this works, the Requiring Authority must appoint (and at all times have appointed) and have approved annually by the Palmerston North City Council, an Accountable

Person and a Nominated Cover Person, both of whom must demonstrate:

(a) A good understanding of the Freight Hub project

(b) A good knowledge of the conditions

(c) Skills in project management to ensure the coordinated implementation of the notice of requirement conditions.

4.44 KiwiRail does not consider that this condition is necessary. It is aware of its statutory obligations and will have the necessary staff, contractors and procedures in place to comply with its designation conditions. However, in the circumstances of this particular project (which is complex and substantial in scale) KiwiRail accepts the condition with modifications.

4.45 The Accountable Person need not be in place indefinitely. That is also consistent with the Panel's recommended Condition 24B, which contemplates the Accountable Person being based onsite during construction. As the role of the Accountable Person is a point of contact between experts, designers and external agencies, it is appropriate this appointment rests with KiwiRail and does not require Council approval.

4.46 KiwiRail accepts the Panel's recommendation and makes the following modifications:

24A_ Two months before commencement of the Works ~~this works~~, the Requiring Authority must appoint (and ~~at all times~~ have appointed for the duration of the Works) ~~and have approved annually by the Palmerston North City Council,~~ an Accountable Person and a Nominated Cover Person, both of whom must demonstrate:

(a) A good understanding of the Freight Hub; project

(b) A good knowledge of the Designation conditions; and

(c) Skills in project management to ensure the coordinated implementation of the Designation ~~notice of requirement~~ conditions.

- 4.47 The Panel recommended a new Condition 24C be included in the designation as follows:

24C The role of the Accountable Person and the Nominated Cover person (in the instance the Accountable Person is sick or unavailable) is to:

- (a) Oversee the preparation and review of, submit and ensure compliance with all management plans
- (b) Be the point of contact for any queries about compliance with the conditions for the Palmerston North City Council and the Community Liaison Forum
- (c) Coordinate across a range of the different disciplines the implementation of the conditions.

- 4.48 As the Requiring Authority, KiwiRail is responsible for ensuring it complies with its management plans. The Accountable Person will be the point of contact in relation to the preparation and implementation of management plans. The role of the Accountable Person is distinct from the Community Liaison Person, which is the point of contact for the community.

- 4.49 KiwiRail accepts the Panel's recommendation and makes the following modifications:

24C₂ The role of the Accountable Person and the Nominated Cover person (in the instance the Accountable Person is sick or unavailable) is to;

- ~~(a)~~ Oversee the preparation and review of, submit and ensure compliance with all management plans,
- ~~(a)(b)~~ Be the point of contact for any queries about compliance with the conditions for the Palmerston North City Council, including in relation to the preparation and implementation of the plans listed in Condition 8; and ~~the~~ Community Liaison Forum
- ~~(b)(c)~~ Coordinate ~~across a range of the~~ different disciplines as part of the implementation of the

conditions.

Geotechnical report – Condition 32 and 32A

4.50 Condition 32 requires a geotechnical report to be prepared by KiwiRail to identify land instability risks and how those risks can be managed.

4.51 The Panel recommended the following amendments to Condition 32:

32. Prior to commencement of any Works, a geotechnical report must be prepared by a suitably qualified and experienced person and provided to the Palmerston North City Council (Head of Planning Services), to identify any risk of instability on land within the Designation Extent and confirm that any such risk ~~can~~ will be appropriately avoided, remedied or mitigated.

4.52 The size of the site and scale of the project may require multiple geotechnical reports to be prepared at varying stages. Modifications to the condition are required to recognise and provide for this without requiring KiwiRail to unnecessarily prepare reports for those areas of the site where geotechnical assessment is either not required or may be required at a later date.

4.53 KiwiRail accepts the Panel's recommendation and makes the following modifications:

32. Prior to commencement of any Works, a geotechnical report as relevant to the particular stage, aspect, section or location of Works must be prepared by a suitably qualified and experienced person to identify any risk of instability on the relevant land within the Designation Extent and confirm that any such risk will be appropriately avoided, remedied or mitigated. ~~and~~ The geotechnical report(s) must be provided to the Palmerston North City Council (Head of Planning Services), ~~to identify any risk of instability on land within the Designation Extent and confirm that any such risk will be appropriately avoided, remedied or mitigated.~~

4.54 The Panel has recommended the following new Condition 32A:

32A Prior to undertaking any site investigations, the Requiring Authority must:

- (a) Engage with the Palmerston North City Council on the parameters of those investigations, including the local and nature of investigation; and
- (b) Seek input from mana whenua in relation to developing protocols for an intrusive site investigation.

Any site investigations must be undertaken by a suitably qualified and experienced person.

4.55 KiwiRail accepts the Panel's recommendation, with following modifications to link the site investigations to Condition 32:

32A. Prior to undertaking any [geotechnical](#) site investigations [as part of the preparation of a geotechnical report under Condition 32](#), the Requiring Authority must:

- (a) Engage with the Palmerston North City Council on the parameters of those investigations, including the [locality](#) and nature of investigation; and
- (b) Seek input from mana whenua in relation to developing protocols for an intrusive site investigation.

Any site investigations must be undertaken by a suitably qualified and experienced person.

Road Network Integration Plan – Condition 49

4.56 The Road Network Integration Plan under Condition 49 requires KiwiRail to identify road network changes and upgrades that KiwiRail will be required to deliver for the construction and operation of the Freight Hub, including road stopping and upgrades to intersections, roads and accesses.

4.57 The Panel recommended the following amendments to Condition 49:

- 49. The Road Network Integration Plan must achieve the objective in Condition 47 and must include:

[...]

- (b) the location, timing, form and design of any changes and upgrades to intersections and roads required for construction and operation of the Freight Hub that are to be delivered by the Requiring Authority including:

[...]

(v) Upgrades to Roberts Line between Railway Road and the new intersection between Roberts Line and Richardsons Line as at (v) above, including the three vehicle accesses to the Foodstuffs North Island Limited site at 703 Roberts Line, the legal description being Lot 1 DP 384898;

(vi) Railway Road from Roberts Line to Airport Drive including the side road intersections and accesses onto Railway Road;

(vii) The Maple Street intersection with Railway Road; and

[...]

- (k) whether there is a need for upgrades to, and if so, the location, timing, form and design of any changes and upgrades to intersections and roads required for construction and operation of the Freight Hub that are to be delivered by the Requiring Authority including:

(i) Roberts Line between Perimeter Road and Kairanga – Bunnythorpe Road;

(ii) The intersections of Kairanga-Bunnythorpe Road with each of Railway Road and Campbell Road and the intersection with the level crossing;

(iii) Railway Road between Maple Street and Kairanga-Bunnythorpe Road;

(iv) Campbell Road between 38 Campbell Road and the intersection with Stoney Creek Road;

(v) Stoney Creek Road including intersections with Ashhurst Road and Kelvin Grove Road.

- 4.58 The vehicle accesses to Foodstuffs are already captured by Condition 49(c)(iii) and it is not necessary to replicate this requirement. The upgrades to Roberts Line are similarly already captured by the definition of Perimeter Road.
- 4.59 The section of Railway Road between Roberts Line and Airport Drive more appropriately sit within Condition 49(k) (with minor amendments) because that area of road may need to be reviewed in response to additional traffic generated by the Freight Hub, similar to other areas that have been identified under Condition 49(k).
- 4.60 The need for upgrades to the Maple Street intersection will depend on the final form of the Perimeter Road.
- 4.61 In relation to the upgrades in Condition 49(k) that may be required to be delivered by KiwiRail:
- (a) These upgrades are likely only to be required as a result of the operation of the Freight Hub.
 - (b) Condition 49(k)(iv) as recommended does not reflect the area of Campbell Road that will be required to be reviewed in response to additional traffic generated by the Freight Hub.
- 4.62 KiwiRail accepts the Panel's recommendations, subject to the following modifications:
- 49. The Road Network Integration Plan must achieve the objective in Condition 47 and must include:
 - [...]
 - (b) the location, timing, form and design of any changes and upgrades to intersections and roads required for ~~construction and~~ operation of the Freight Hub that are to be delivered by the Requiring Authority including:

[...]

~~(v) Upgrades to Roberts Line between Railway Road and the new intersection between Roberts Line and Richardsons Line as at (v) above, including the three vehicle accesses to the Foodstuffs North Island Limited site at 703 Roberts Line, the legal description being Lot 1 DP 384898;~~

~~(vi) Railway Road from Roberts Line to Airport Drive including the side road intersections and accesses onto Railway Road;~~

(vii) any changes to the Maple Street intersection with Railway Road as a result of the construction and operation of the Perimeter Road; and

[...]

- (d) the timing, form and design of changes required to be delivered by the Requiring Authority and Palmerston North City Council at the intersections of Kairanga Bunnythorpe Road with each of Railway Road and Campbell Road;

[...]

- (k) whether there is a need for upgrades to, and if so, the location, timing, form and design of any changes and upgrades to intersections and roads required, for ~~construction and~~ operation of the Freight Hub that are to be delivered by the Requiring Authority including:

(i) Roberts Line between Perimeter Road and Kairanga – Bunnythorpe Road;

(ii) The intersections of Kairanga-Bunnythorpe Road with each of Railway Road and Campbell Road and the intersection with the level crossing;

(iii) Railway Road between Maple Street and Kairanga ~~Bunnythorpe~~ Bunnythorpe Road;

(iv) Campbell Road between ~~38 Campbell Road~~ Dixon Line and the intersection with Stoney Creek Road;

(v) Stoney Creek Road including intersections with Ashhurst Road and Kelvin Grove Road; and

(vi) [Railway Road between Roberts Line and Airport Drive.](#)

Road connections and upgrades – Condition 52

4.63 Condition 52 requires KiwiRail to undertake traffic modelling and safety audits to inform the upgrades listed in Condition 49(b).

4.64 The Panel has recommended Condition 52 be included in the designation as proposed by KiwiRail without amendments as follows:

52. In order to inform the timing, design and form of the upgrades listed in Condition 49(b), the Requiring Authority must undertake traffic modelling and safety audits to demonstrate that the designs will:

- (a) achieve an intersection Level of Service D or better (for sign-controlled intersections this is the Level of Service on the side road(s) approach(es)) or better, as modelled with SIDRA or similar; and
- (b) not result in any serious or significant safety concerns, in accordance with the New Zealand Transport Agency Road Safety Audit Procedures for Projects, Guidelines Interim Release May 2013.

The Requiring Authority must provide copies of the traffic modeling and safety audits to the Palmerston North City Council.

4.65 KiwiRail accepts the Panel's recommendation, with modifications to include reference to the new Condition 49(k) as the modelling and safety audits will determine whether the upgrades in that Condition are required as a result of the Freight Hub, and to clarify what the traffic modelling and safety audits are required to achieve:

52. In order to inform the timing, design and form of the upgrades listed in Condition 49(b) [and the potential upgrades listed in Condition 49\(k\)](#), the Requiring Authority must undertake traffic modelling and safety audits to demonstrate that ~~the designs will~~:

- (a) [intersections and accesses](#) achieve ~~an intersection~~ Level of Service D or better (for

sign-controlled intersections this is the Level of Service on the side road(s) approach(es)) or better, as modelled with SIDRA or similar; and

- (b) [roads, intersections and accesses perform without not result in any](#) serious or significant safety concerns, in accordance with the New Zealand Transport Agency Road Safety Audit Procedures for Projects, Guidelines Interim Release May 2013.

The Requiring Authority must provide copies of the traffic modeling and safety audits to the Palmerston North City Council.

Landscape and Design – Condition 55 and 59

- 4.66 Condition 55 requires KiwiRail to prepare and submit a Landscape and Design Management Plan to the Council with the first outline plan.
- 4.67 The Panel recommended the following amendments to Condition 55:
55. The Requiring Authority must prepare and submit a Landscape and Design Management Plan for certification with the first outline plan to Palmerston North City Council. The Requiring Authority must implement the Landscape and Design Management Plan.
- 4.68 The Design Framework will be prepared prior to commencement of detailed design and for that reason, the Landscape and Design Management Plan may no longer be required to be provided with the first outline plan and should be informed by the content of the Design Framework.
- 4.69 KiwiRail accepts the Panel's recommendation, with the following modifications:
55. [Following preparation of the Design Framework, t](#)The Requiring Authority must prepare and submit a Landscape and Design Management Plan for certification [with the first outline plan](#) to Palmerston North City Council. The Requiring Authority must implement the Landscape and Design Management Plan.

4.70 KiwiRail proposed an extensive Landscape and Design Plan condition which set out the requirements in relation to planting and other landscape measures for the site.

4.71 The Panel recommended the following amendments to Condition 59:⁸

~~6459~~ The Landscape and Design Management Plan must achieve the objective in Condition ~~5654~~ and ~~must provide for~~shall include:

~~(a)~~ — KiwiRail's operational requirements; and

~~(b)~~ — ~~any plans required under the conditions of this Designation.~~

(a) how the landscape design implements the design principles and achieves the design outcomes in the Design Framework;

~~(a)(b)~~ the location and types of proposed landscape and visual amenity plantings (including plant size, numbers and spacing), including planting of stormwater detention ponds, stream and riparian margins, cut faces; and fill batters, and;

(c) a description of design measures (including but not limited to the final form, finish and articulation of the proposed buildings, Noise Mitigation Structures and batter heights and slopes);

~~(b)(d)~~ a description of how the plantings in Condition ~~61A(b)~~ and any other design measures in ~~(c)(including but not limited to the final form, finish and articulation of the proposed buildings, Noise Mitigation Structures and batter heights and slopes);~~

(i) integrate the built forms including roof lines and walls of ~~structures within the~~ Freight Hub and the related earthworks into the surrounding environment;

⁸ The Panel recommended the deletion of Condition 61 in its entirety because it has been incorporated into the new Condition 59. The content of the Panel's condition was largely similar to that proposed by KiwiRail. The mark up here shows the changes between the Panel's Condition 59 and KiwiRail's Condition 61.

- (ii) mitigate ~~adverse~~ visual amenity effects ~~on affected in relation to~~ residential properties;
 - (iii) contribute to the open watercourse and stormwater ponds appearing as natural features and enhancing local biodiversity;
 - (iv) comply with the Electricity (Hazards from Trees) Regulations 2003, including at full maturity; and
 - (v) comply with any regional consents.
- ~~(e)~~(e) how the proposed planting will ~~enhance natural character of waterbodies, including the Mangaone Stream surrounds and restore indigenous biodiversity;~~
- (i) mitigate adverse effects on, and/or enhance the natural character of waterbodies, including the Mangaone Stream surrounds.
 - (ii) restore indigenous biodiversity in consultation with a suitably qualified and experienced ecologist.
 - (iii) where practicable, use eco-sourced seeds and plants sourced from the rohe (in consultation with mana whenua);
- ~~(e)~~(f) how sites of cultural and historical significance (if identified through the Mana Whenua Engagement Framework and Design Framework) will be recognized and provided for;
- ~~(e)~~(g) how any roads and walkways within the designation extent integrate into the character of the surrounding area and connect to paths and cycleways outside the designation and ~~include~~provide opportunities for outlook(s) over the Freight Hub.

~~(f)~~(h) in relation to the proposed Noise Mitigation Structures:

(i) the location of the Noise Mitigation Structures as outlined in the Operational Noise and Vibration Plan;

(ii) the final form, finish, and planting of these Structures ~~along Sangsters Road and Maple Street~~, including design treatment of vertical noise barriers, and landscaping of bunds ~~(where planted to have a minimum depth of 5 m on the external face of those bunds)~~;

(iii) noise mitigation walls shall have a minimum planted depth of 5 m on the external face of the walls;

~~(iii)~~(iv) details of how the Noise Mitigation Structures have been designed where practicable to avoid, remedy or mitigate their adverse effects on landscape character and visual amenity (including through consultation with the community and mana whenua); and

~~(iv)~~(v) details on how any changes to the existing drainage patterns, runoff characteristics and stormwater resulting from Noise Mitigation Structures will avoid adverse effects on the foundations of any National Grid support structure.

~~(g)~~(i) how the lighting effects on the landscape and visual amenity are minimized;

~~(h)~~(j) the proposed timing (including ground preparation, mulching and any trials) for establishing any landscape or visual amenity planting, with all new planting to be commenced in the first planting season following the completion of each stage or discretion location of construction works including methods to maximise mitigation planting coverage prior to construction of the

~~main buildings and/or operation of the Freight Hub where practicable; and~~

(k) the growing conditions required to ensure the successful establishment, growth and on-going viability of planting;

~~(l)~~ (l) the process and programme for maintaining any landscape or visual amenity planting and fencing to a high standard at all times (including, but not limited to, plant and animal pest management, removal of litter and vandalism, maintenance of plants to ensure clear pathways and sightlines, and replacement of dead plants).

4.72 Opportunities for outlook over the Freight Hub will be provided where practicable. Consultation with the community should occur through the Community Liaison Forum established under the designation conditions.

4.73 The final form of planting of the Noise Mitigation Structures, including depth, is covered by Conditions 59(h)(ii) and 62. For that reason, Condition 59(h)(iii) is unnecessary.

4.74 Mitigation planting must be able to be implemented at realistic times, and in an efficient and effective manner. The requirement that new planting commence in the first planting season does not recognise that some plants may not be available at that time or there may be other factors in the construction programme that mean planting at that time is not practical. Where it is not practicable, reasons shall be provided to the Council.

4.75 Maintaining planting to a "high standard" is subjective and it is unclear what would be required to achieve this, however sub-condition (l) will ensure a programme for pest management, removal of litter and vandalism, and plant maintenance is included in the Plan.

4.76 KiwiRail accepts the Panel's recommendation with the following modifications:

59 The Landscape and Design Management Plan must achieve the objective in Condition [5654](#) and must ~~shall~~must include:

- (a) how the landscape design implements the design principles and achieves the design outcomes in the Design Framework;
- (b) location and types of proposed landscape and visual amenity plantings (including plant size, numbers and spacing), including planting of stormwater detention ponds, stream and riparian margins, cut faces and fill batters;
- (c) a description of design measures (including but not limited to the final form, finish and articulation of the proposed buildings, Noise Mitigation Structures and batter heights and slopes);
- (d) a description of how the plantings in (b) and other design measures in (c);
 - (i) integrate the built forms including roof lines and walls of the Freight Hub and the related earthworks into the surrounding environment;
 - (ii) mitigate visual amenity effects in relation to residential properties;
 - (iii) contribute to the open watercourse and stormwater ponds appearing as natural features and enhancing local biodiversity;
 - (iv) comply with the Electricity (Hazards from Trees) Regulations 2003, including at full maturity; and
 - (v) comply with any regional consents.
- (e) how the proposed planting will:
 - (i) mitigate adverse effects on, and/or enhance the natural character of waterbodies, including the Mangaone Stream surrounds,

- (ii) restore indigenous biodiversity in consultation with a suitably qualified and experienced ecologist,
 - (iii) where practicable, use eco-sourced seeds and plants sourced from the rohe (in consultation with mana whenua);
- (f) how sites of cultural and historical significance (if identified through the Mana Whenua Engagement Framework and Design Framework) will be recognised and provided for;
- (g) how any roads and walkways within the Designation Extent integrate into the character of the surrounding area and connect to paths and cycleways outside the designation and provide, where practicable, opportunities for outlook(s) over the Freight Hub.
- (h) in relation to the proposed Noise Mitigation Structures:
- (i) the location of the Noise Mitigation Structures as outlined in the Operational Noise and Vibration Plan;
 - (ii) the final form, finish, and planting of these Noise Mitigation Structures, including design treatment of vertical noise barriers, and landscaping of bunds;
 - ~~(iii) noise mitigation walls shall have a minimum planted depth of 5 m on the external face of the walls;~~
 - ~~(iii)(iv)~~ details of how the Noise Mitigation Structures have been designed where practicable to avoid, remedy or mitigate their adverse effects on landscape character and visual amenity (including through consultation with the Community Liaison Forum and mana whenua); and

- ~~(iv)~~ details on how any changes to the existing drainage patterns, runoff characteristics and stormwater resulting from Noise Mitigation Structures will avoid adverse effects on the foundations of any National Grid support structure.
- (i) how the lighting effects on the landscape and visual amenity are minimised;
 - (j) the proposed timing (including ground preparation, mulching and any trials) for establishing any landscape or visual amenity planting, with ~~all~~ any new planting to be commenced in the first planting season (unless that is impracticable, the reasons for which shall be provided to the Palmerston North City Council) following the completion of each stage or ~~discretion~~ discrete location of ~~construction w~~ works;
 - (k) the growing conditions required to ensure the successful establishment, growth and on-going viability of planting;
 - (l) the process and programme for maintaining any landscape or visual amenity planting and fencing ~~to a high standard at all times~~ (including, but not limited to, plant and animal pest management, removal of litter and vandalism, maintenance of plants to ensure clear pathways and sightlines, and replacement of dead plants).

Dust Monitoring – Conditions 71C, 71D, 71E, and 71F

4.77 The Panel recommended the following new Condition 71C:

71C For the purposes of Conditions [71D, 71E and 71F], the following maximum monitoring trigger levels shall apply to all works authorised by the Designation:

- (a) Ten-minute rolling PM10 concentration of 150 micrograms per cubic metre (1-hour average).

The wind direction (10-minute average) places dust generating construction activities directly upwind of sensitive receivers when the wind speed exceeds 7 m/s.

- 4.78 While the monitoring conditions apply to both construction and operation of the Freight Hub, the monitoring trigger levels only relate to PM₁₀ which is particulate matter that is recognised as being linked to dust from construction activities. For this reason, KiwiRail accepts the Panel's recommendation and makes the following modification:

71C. For the purposes of Conditions ~~{71D, 71E and 71F}~~, the following maximum monitoring trigger levels shall apply ~~to all works authorised by the Designation:~~

- (a) Ten-minute rolling PM10 concentration of 150 micrograms per cubic metre (1-hour average).
- (b) The wind direction (10-minute average) places dust generating construction activities directly upwind of sensitive receivers when the wind speed exceeds 7 m/s.

- 4.79 The Panel recommended the following new Condition 71D:

71D (a) The Requiring Authority must install and operate, for the duration of construction and operation of the Freight Hub, a meteorological monitoring station, with instruments capable of continuously monitoring metrological conditions for the site. The instruments must:

- (i) be installed prior to commencing construction Works;
- (ii) be capable of continuous measurement and real time logging and reporting of wind strength, wind direction, air temperature and rainfall;
- (iii) provide an alarm to site staff (for example via mobile phone) if the ten-minute rolling average wind speed trigger level in Condition [59C(b)] is exceeded;

(iv) be installed on a mast such that their height is at least five metres above ground level and in accordance with AS 2923 – 1987 Ambient Air Guide for Measurement of Horizontal Wind for Air Quality Applications;

(v) be maintained in accordance with the manufacturer's specifications.

(b) All measured data must be:

(i) recorded using an electronic data logging system and retained for the duration of the activities authorised by the Designation;

(ii) provided to the Palmerston North City Council upon request.

4.80 The AS/NZ Standard reference does not reflect the latest relevant standard which is "AS/NZS 3580.14:2014 – Methods for sampling and analysis of ambient air – Part 14: Meteorological monitoring for ambient air quality monitoring applications". It is unnecessary for a condition to require retention of data indefinitely.

4.81 KiwiRail accepts the Panel's recommendation and makes the following modifications:

71D (a) The Requiring Authority must install and operate, for the duration of construction and operation of the Freight Hub, a meteorological monitoring station, with instruments capable of continuously monitoring ~~metrological~~ meteorological conditions for the site. The instruments must:

(i) be installed prior to commencing ~~construction~~-Works;

(iii) provide an alarm to site staff (for example via mobile phone) if the ten-minute rolling average wind speed trigger level in Condition ~~71C[59C]~~(b) is exceeded;

(iv) be installed on a mast such that their height is at least five metres above

ground level and in accordance with [AS/NZS 3580.14:2014 – Methods for sampling and analysis of ambient air – Part 14: Meteorological monitoring for ambient air quality monitoring applications-2023—1987 Ambient Air Guide for Measurement of Horizontal Wind for Air Quality Applications](#);

[...]

- (b) All measured data must be:
- (i) recorded and stored using an electronic data logging system and retained for the duration of the activities authorised by the Designation;

[...]

4.82 The Panel recommended the following new Conditions 71E:

71E Prior to the commencement of Works, the Requiring Authority must install and operate instruments to measure particulate matter as PM₁₀ and PM_{2.5} on, or near to, at least two Designation boundary locations including:

- (a) the north-western boundary; and
- (b) the eastern boundary.

Advice note:

The intent of the monitoring locations is to align with the prevailing winds that are from the north-northeast quadrant and the south-southeast quadrant, such that the monitoring can provide corresponding upwind and downwind data for the construction works. The location of the monitoring stations along the north-western and eastern boundaries may need to be changed over time, i.e. to take into account the significance of the works and relative separation of the works to potentially impacted dwellings. Depending on the extent of the works at any particular stage of construction, additional monitors may need to be installed to achieve coverage and fulfil the intent of the condition.

- 4.83 KiwiRail accepts the requirement to monitor PM₁₀ during the Works which is particulate matter that is recognised as being linked to dust from construction activities. Monitoring for PM₁₀ appropriately links to the trigger levels in Condition 71C.
- 4.84 Currently, there is no national standard requiring management of PM_{2.5} and the need to monitor for that particulate matter will depend on the nature of the operations which could change over time (eg as a result of a switch from diesel to electric locomotives). Any other particulate matter to be monitored during the operation of the Freight Hub is appropriately determined through the Operational Dust Management Plan.
- 4.85 KiwiRail accepts the Panel's recommendation and makes the following modification:

71E. Prior to the commencement of Works, the Requiring Authority must install and operate instruments to measure particulate matter as PM₁₀ ~~and PM_{2.5}~~ on, or near to, at least two Designation boundary locations including:

- (a) the north-western boundary; and
- (b) the eastern boundary.

Advice note:

The intent of the monitoring locations is to align with the prevailing winds that are from the north-northeast quadrant and the south-southeast quadrant, such that the monitoring can provide corresponding upwind and downwind data for the construction works. The location of the monitoring stations along the north-western and eastern boundaries may need to be changed over time, i.e. to take into account the significance of the works and relative separation of the works to potentially impacted dwellings. Depending on the extent of the works at any particular stage of construction, additional monitors may need to be installed to achieve coverage and fulfil the intent of the condition.

- 4.86 The Panel recommended the following new Condition 71F:

71F All particulate matter monitors required under Conditions [71E] must be:

(a) of a type that are suitable for dust management by measuring PM₁₀ and PM_{2.5}, but need not meet the standard for compliance monitoring under the National Environmental Standards for Air Quality Regulations (2004);

(b) calibrated and maintained in accordance with the manufacturer's specifications;

(c) capable of providing real-time information to provide email and/or text alerts if exceedances of the monitoring trigger value in Condition [71C] occur.

4.87 As with Condition 71E, the monitoring trigger levels in Condition 71C should relate to PM₁₀. Other monitoring requirements during operation of the Freight Hub will be determined through the Operational Dust Management Plan.

4.88 KiwiRail accepts the Panel's recommendation and makes the following modification:

71F. All particulate matter monitors required under Conditions ~~{71E}~~ must be:

(a) of a type that are suitable for dust management by measuring PM₁₀ ~~and PM_{2.5}~~, but need not meet the standard for compliance monitoring under the National Environmental Standards for Air Quality Regulations (2004);

(b) calibrated and maintained in accordance with the manufacturer's specifications;

(c) capable of providing real-time information to provide email and/or text alerts if exceedances of the monitoring trigger value in Condition [71C] occur.

Construction Dust Management Plan – Conditions 71G, 71H, 71J, 71K

4.89 The Panel recommended new Condition 71G:

71G The Requiring Authority must prepare a Construction Dust Management Plan for certification and implement the plan for the duration of construction Works.

4.90 Clarification is required as to when the Construction Dust Management Plan must be prepared and submitted. KiwiRail considers three months prior to commencement of construction is appropriate. KiwiRail must implement the management plan for the duration of the Works.

4.91 KiwiRail accepts the Panel's recommendation and makes the following modification:

71G. The Requiring Authority must prepare [and submit](#) a Construction Dust Management Plan [to Palmerston North City Council](#) for certification [at least three months prior to the commencement of](#) ~~and implement the plan for the duration of construction~~ [the](#) Works. [The Requiring Authority must implement the Construction Dust Management Plan for the duration of the Works.](#)

4.92 The Panel recommended new Condition 71H:

71H The objective of the Construction Dust Management Plan is to detail measures for avoiding, remedying or mitigating the adverse effects of dust from construction works.

4.93 Consistent with territorial authority functions, the purpose of dust conditions on the designation is to manage the public health and amenity effects of construction dust, rather than broader air quality matters which are regional council functions.

4.94 KiwiRail accepts the Panel's recommendation and makes the following modification:

71H. The objective of the Construction Dust Management Plan is to detail measures for avoiding, remedying or mitigating the adverse effects of dust from ~~construction~~ [the](#) Works [on public health and amenity.](#)

4.95 The Panel recommended new Condition 71J:

71J The Construction Dust Management Plan must achieve the objective in Condition [59H] and shall include:

(a) A description of the activities and sources with the potential to generate dust on site;

- (b) A description of the potential effects of the dust discharges;
- (c) A description of the receiving environment and identification of sensitive receivers within 150 metres of the site boundaries;
- (d) Procedures, processes and methods for managing dust, including for when personnel are not on site;
- (e) Identification of triggers and contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as:
 - (i) cleaning of water tanks and replenishment of water supplies,
 - (ii) cleaning of houses,
 - (iii) cleaning of other buildings and infrastructure,
 - (iv) cleaning of local roads (in agreement with PNCC's Chief Engineer);
- (f) A description of the particulate matter monitoring programme and monitoring equipment;
- (g) A dust monitoring plan including:
 - (i) Equipment selection and siting requirements;
 - (ii) A maintenance and calibration schedule for meteorological and particulate matter monitoring instruments, and data management procedures;
 - (iii) Methods for undertaking visual monitoring assessments of dust emissions;

(h) Procedures for training of personnel and contractors to make them aware of the requirements of the Construction Dust Management Plan;

(i) Monitoring triggers and procedures for responding to particulate matter monitoring and wind speed triggers;

(j) The process for recording complaints and providing feedback to the complainant on how issues raised in complaints have been addressed;

The roles and responsibilities of personnel responsible for implementing and reviewing the Construction Dust Management Plan.

4.96 The relevant trigger levels are provided for in Condition 71C. For that reason, the Construction Dust Management Plan should focus on the measures to address effects when trigger levels are exceeded. The matters contained in Conditions 71J(f) and (g) are already appropriately addressed by the monitoring conditions and should be removed to avoid duplication.

4.97 KiwiRail accepts the Panel's recommendation regarding Condition 71J, subject to the following modifications:

71J. The Construction Dust Management Plan must achieve the objective in Condition ~~59H~~ 71H and ~~shall~~must include:

- (a) A description of the activities and sources with the potential to generate dust on site;
- (b) A description of the potential effects of the dust discharges;
- (c) A description of the receiving environment and identification of sensitive receivers within 150 metres of the site boundaries;
- (d) Procedures, processes and methods for managing dust, including for when personnel are not on site;

- (e) Identification of ~~triggers and~~ contingency measures (including the duration for which any measures must be implemented) to address ~~identified and verified~~ adverse effects on sensitive receptors where trigger levels in condition 71C have been exceeded, and a process for verifying that adverse effects are a result of the Works. Contingency measures may include options such as:

[...]

- ~~(f) A description of the particulate matter monitoring programme and monitoring equipment;~~
- ~~(g) A dust monitoring plan including:~~
- ~~(i) Equipment selection and siting requirements;~~
 - ~~(ii) A maintenance and calibration schedule for meteorological and particulate matter monitoring instruments, and data management procedures;~~
 - ~~(iii) Methods for undertaking visual monitoring assessments of dust emissions;~~

4.98 The Panel recommended new Condition 71K:

71K If a complaint related to off-site effects of dust is received and verified, the Requiring Authority must investigate dust deposition at the applicable property and determine the appropriate remedial action(s), for example, providing cleaning services.

4.99 It is appropriate that KiwiRail is required to investigate and determine the appropriate measures in response to complaints related to construction dust. Operational dust management measures are already addressed in Conditions 123 – 128.

4.100 KiwiRail accepts the Panel's recommendation regarding Condition 71K, subject to the following modifications:

71K₂ If a complaint related to off-site effects of construction dust is received and verified to be a result of the

Works, the Requiring Authority must investigate ~~dust deposition at the applicable property~~ and determine in consultation with the occupier / owner which if any of the contingency measures set out in the Construction Dust Management Plan should be implemented~~the appropriate remedial action(s), for example, providing cleaning services.~~

Condition 82 – Construction Traffic Management Plan

4.101 Condition 82 requires the Construction Traffic Management Plan to achieve a range of traffic management measures to achieve the required objective under Condition 79, including identification of traffic movements, site access routes and traffic management measures.

4.102 The Panel recommended the following amendment to Condition 82:

[...]

(k) provide a process for ensuring that updated traffic information is included in the Construction Engagement Plan;

(l) specify how road condition will be monitored and maintained (including in conjunction with the relevant Road Controlling Authority) to ensure that road surface integrity and waterproofness is maintained at a level consistent with that identified through the pre-works surveys required under Condition 82A, including specifications of the frequency and response times for remedying defects;

~~(m)~~(m) identify any material construction activity being undertaken by other parties, including roading works occurring along access routes identified in Condition 82(b); and

~~(m)~~(n) provide details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council and how it was incorporated.

4.103 KiwiRail does not consider it appropriate for the conditions to address road remediation, including for the reasons set out in relation to Conditions 82A and 82B at below paragraphs 4.129 and 4.130. KiwiRail accepts the

balance of the Panel's recommendation to include the Construction Traffic Management Plan and has made the following modification to Condition 82:

[...]

(k) provide a process for ensuring that updated traffic information is included in the Construction Engagement Plan;

~~(l) specify how road condition will be monitored and maintained (including in conjunction with the relevant Road Controlling Authority) to ensure that road surface integrity and waterproofness is maintained at a level consistent with that identified through the pre-works surveys required under Condition 82A, including specifications of the frequency and response times for remedying defects;~~

~~(l)(m)~~ identify any material construction activity being undertaken by other parties, including roading works occurring along access routes identified in Condition 82(b); and

~~(m)(n)~~ provide details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council and how it was incorporated.

Construction noise and vibration – Condition 91

4.104 Condition 91 outlines construction vibration criteria that KiwiRail is required to achieve as far as practicable.

4.105 The Panel recommended the following amendment to Condition 91:

91. Construction vibration must, ~~as far as practicable,~~ comply with the criteria in Table 2 Vibration Criteria, where:

(a) Measurement is in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures;

- (b) BS 5228-2 is British Standard BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration.

[...]

4.106 It is not practical or possible to comply with those limits at all times, and there may be exceedances in some circumstances.⁹ For this reason KiwiRail considers it appropriate to reinstate "as far as practicable" into Condition 91. That approach is consistent with the Panel's recommendation regarding construction noise under Condition 89, the process contemplated in meeting the vibration criteria in Condition 91(c) and (d), and operational vibration under Condition 116, all of which KiwiRail accepts.

4.107 KiwiRail accepts the Panel's recommendation with the following modification:

91. Construction vibration must, as far as practicable, comply with the criteria in Table 2 Vibration Criteria, where:

- (a) Measurement is in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures;
- (b) BS 5228-2 is British Standard BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration.

[...]

Operational noise and vibration – Condition 107

4.108 Condition 107 outlines operational noise criteria that KiwiRail is required to achieve as far as practicable.

⁹ Evidence of Stephen Chiles dated 9 July 2021, at 9.19.

4.109 The Panel recommended the following amendment to Condition 107:

107. All operational activities at the Freight Hub must be undertaken to ensure that noise does not exceed the limits, ~~as far as practicable,~~ in Table 3 when measured at or beyond the Noise Management Boundary shown in Figure 1.

[...]

4.110 The Noise modelling undertaken to date (which has been used to determine the extent of the noise management boundary) has been based on a concept design for the Freight Hub. Detained design still has to be undertaken, necessitating a degree of flexibility in achieving the limits in the conditions.

4.111 KiwiRail accepts the Panel's recommendation with the following modification:

107. All operational activities at the Freight Hub must be undertaken to ensure that noise does not exceed the limits, as far as practicable, in Table 3 when measured at or beyond the Noise Management Boundary shown in Figure 1.

Operational noise and vibration – Condition 115

4.112 Condition 115 requires that the specified internal noise levels are not required to be achieved where KiwiRail confirms with property owners that an alternative form or level of acoustic treatment to the property will be accepted or the specified internal noise levels are not reasonably practicable to achieve due to the type, structure, age or state of repair of the property, or to maintain its heritage features.

4.113 The Panel has recommended the following amendment to Condition 115:

115 The Requiring Authority is not required to achieve an internal design noise level of 35 dB Laeq(1h) in bedrooms and 40 dB Laeq(1h) in other habitable spaces, and will not be in breach of Condition 111, if:

- (a) the property owner(s) accepts in writing a form or level of acoustic treatment that results in a different internal design sound level and that

consent is provided to the Palmerston North City Council; or

- (b) ~~it is the Palmerston North City Council certifies~~ that it not reasonably practicable to achieve the specified internal design noise level due to the type, structure, age or state of repair of the Existing Dwelling or the desirability to maintain heritage features of the Existing Dwelling.

4.114 KiwiRail considers it is more appropriate for a suitably qualified and experienced person to be certifying whether specified internal design noise levels can be achieved, due to the highly technical nature of that assessment. Condition 115 also inconsistently referred to "sound level" and "noise level".

4.115 KiwiRail accepts the Panel's recommendation with the following modifications:

115 The Requiring Authority is not required to achieve an internal design noise level of 35 dB Laeq(1h) in bedrooms and 40 dB Laeq(1h) in other habitable spaces, and will not be in breach of Condition 111, if:

- (a) the property owner(s) accepts in writing a form or level of acoustic treatment that results in a different internal design ~~sound~~ noise level and that consent is provided to the Palmerston North City Council; or
- (b) ~~the Palmerston North City Council~~ a suitably qualified and experienced person certifies that it not reasonably practicable to achieve the specified internal design noise level due to the type, structure, age or state of repair of the Existing Dwelling or the desirability to maintain heritage features of the Existing Dwelling.

Operational Dust Management – Condition 124 and 126

4.116 Condition 124 outlines the objective of the Operational Dust Management Plan, which is to avoid, remedy, or mitigate adverse effects of dust from the operation of the Freight Hub.

4.117 The Panel recommended Condition 124 be included in the designation as proposed by KiwiRail.

4.118 The purpose of the dust conditions on the designation is to manage the public health and amenity effects. That is consistent with KiwiRail's modification to the Construction Dust Management Plan.¹⁰

4.119 KiwiRail accepts the Panel's recommendation and makes the following modifications:

124. The objective of the Operational Dust Management Plan is to avoid, remedy or mitigate the adverse effects of dust from the operation of the Freight Hub [on public health and amenity](#).

4.120 Condition 126 outlines the objectives that the Operational Dust Management Plan must achieve, including identification of the location of dust generating activities within the Freight Hub, sensitive receptors, and mitigation and management practices to minimise potential dust emissions beyond the Designation Extent.

4.121 The Panel recommended Condition 126 be included in the designation as proposed by KiwiRail:

126. The Operational Dust Management Plan must achieve the objective in Condition 124 and include:

- (a) the location and nature of dust generating activities within the Freight Hub;
- (b) the location of any sensitive receptor within 100m of the Designation Extent;
- (c) a qualitative assessment of the risk of impacts of dust generation from dust generating activities within the Freight Hub, including the typical frequency and duration of exposure to dust for each activity;
- (d) the mitigation and management practices to minimise the potential for more than minor adverse dust emissions beyond the Designation Extent; and

¹⁰ Panel Recommendation, at [180].

- (e) the process for monitoring dust generation and dust generating activities.

- 4.122 Dust particulate will be monitored based on the nature of the operational activities likely to generate dust. At the time the Freight Hub becomes operational the dust particulate to be monitored may change. The Operational Dust Management Plan needs to clearly identify the dust particulate to be monitored and the process for monitoring that particulate.
- 4.123 KiwiRail accepts the Panel's recommendation and makes the following modifications to the condition:

126. The Operational Dust Management Plan must achieve the objective in Condition 124 and include:

- (a) the location and nature of dust generating activities within the Freight Hub;
- (b) the location of any sensitive receptor within 100m of the Designation Extent;
- (c) a qualitative assessment of the risk of impacts of dust generation from dust generating activities within the Freight Hub, including the typical frequency and duration of exposure to dust for each activity;
- (d) the mitigation and management practices to minimise the potential for more than minor adverse dust emissions beyond the Designation Extent; and
- (e) dust particulate to be monitored and the process for monitoring those dust particulates generation and dust generating activities.

Rejections

Accountable Person – Condition 24B

- 4.124 The Panel recommended a new Condition 24B be included in the designation as follows:

24B The Accountable Person must as far as practicable be based onsite during construction for a minimum of four hours per week, unless otherwise agreed by the Palmerston North City Council

- 4.125 KiwiRail does not consider this Condition is necessary. The duration and times which the Accountable Person will be present will be determined by KiwiRail as Requiring Authority based on the nature of the works occurring and there may be times where it is unnecessary for them to be on site.

Dust Monitoring – Condition 71A

- 4.126 The Panel recommended the following new Condition 71A on the designation:

71A The Requiring Authority must ensure that there is no noxious, dangerous, objectionable or offensive dust to the extent that it causes an adverse effect beyond the boundary of the Designation.

- 4.127 KiwiRail does not consider this Condition is necessary. It has a duty under section 17 of the RMA to ensure avoid, remedy or mitigate adverse effects on the environment.¹¹ That duty applies to all adverse effects and not just construction dust. Enforcement action can be taken by the relevant council or the Environment Court where KiwiRail is commencing anything that is likely to be noxious, dangerous, offensive, or objectionable to the extent that it is likely to have an adverse effect on the environment.¹²

Road Condition Surveys – Condition 82A, 82B

- 4.128 The Panel recommended the following new Conditions 82A and 82B:

82A Pre-construction baseline surveys

- (a) Prior to commencement of Earthworks and Site Establishment Works of the Freight Hub, the Requiring Authority must undertake and document:
- (i) Pre-works condition surveys of the carriageways including road roughness, rutting, skid resistance, cracking and drainage performance along the local roads affected by the freight Hub as identified in the certified Construction Traffic Management Plan under Condition 78;

¹¹ RMA, s 17(1).

¹² RMA, s 17(3).

- (ii) Independent comparative pavement life-cycle modelling (e.g. DTMS) informed by Falling Weight Deflectometer (FWD) surveys, of both the 'with' (Scenario A) and 'without' (Scenario B) Earthworks and Site Establishment Works traffic scenarios to identify the timing of pavement renewal works required under each scenario.

The requiring Authority must submit the surveys and assessment results to Palmerston North City Council's Roading Asset Manager at least 10 working days prior to commencements of Earthworks and Site Establishment Works

82B

- (a) As soon as practicable following completion of Earthworks and Site Establishment Works of the Freight Hub, the Requiring Authority must, at its expense, conduct a FWD survey, using the same methods, locations and geographical extent as required by Condition 82A(a)(ii). The results of the pre and post works will be compared.
- (b) Where necessary, the Requiring Authority must, at its expense and subject to the authorisation of the relevant road Controlling Authority, engage an approved Council contractor to carry out any rehabilitation works necessary to restore the asset to the predicted Scenario B lifespan identified in the pre-works survey.

4.129 KiwiRail is already committed to undertaking a range of significant roading improvements along Roberts Line and Railway Road. The Road Network Integration Plan under Condition 49 also requires KiwiRail to undertake a range of roading improvements.

4.130 A condition of the kind proposed by the Panel is uncertain and difficult to enforce. Heavy vehicle traffic associated with construction is only an adverse effect where there is a direct causal link to the activity in question. The Council also has mechanisms available to manage impacts on the roading network from development making a condition on the designation

unnecessary. KiwiRail will continue to work closely with the Council in relation to these matters.

Minor corrections

4.131 In reviewing the Recommendation, a number of matters requiring minor corrections have been identified and addressed as set out below.

4.132 Condition 14D(b) duplicates 14D(a) by repeating "any management plan required by conditions of this designation, and any outline plan prepared and submitted in accordance with section 176A of the RMA". Condition 14D has been modified to remove this duplication:

~~A(a)~~ any management plan required by conditions of this designation, or outline plan prepared and submitted in accordance with section 176A of the RMA, must:

(a) demonstrate how the key design principles have been adhered to and give effect, where practicable, to the design outcomes identified in the Design Framework, to the extent those design principles and design outcomes are relevant to the content of those management or outline plans.

(b) ~~any management plan required by conditions of this designation, and any outline plan prepared and submitted in accordance with section 176A of the RMA, must~~ be accompanied by a design review statement that describes how the management plan and Freight Hub design adheres to the key design principles and gives effect, where practicable, to the design outcomes identified in the Design Framework.

4.133 Condition 27(c)(vi) incorrectly refers to a "Landscape and Design Plan" and not a "Landscape and Design Management Plan". Condition 27(c)(vi) has been modified to:

(vi) any measures to manage construction effects as identified in the Construction Management Plan, Construction Traffic Management Plan, Construction Noise and Vibration Management Plan, Construction Lighting Management Plan, Construction Dust Management Plan and Landscape and Design Management Plan.

- 4.134 Conditions 33 has been corrected to include "Works", which is a defined term:

33 Prior to the commencement of any Works, the Requiring Authority must prepare an accidental discovery protocol in accordance with Condition 34 and implement the accidental discovery protocol for the duration of the ~~works~~Works.

- 4.135 Condition 56 has been corrected to refer to the "Landscape and Design Management Plan", rather than the Landscape and Design Plan:

56 The objective of the Landscape and Design ~~Management~~ Plan is to ensure that the design of the Freight Hub avoids, remedies or mitigates potential adverse effects of the Freight Hub on landscape character, visual amenity and natural character.

- 4.136 Condition 58 has been corrected to refer to "mana whenua" rather than "the mana whenua".

- 4.137 Condition 65 has been modified to correct the following typographical error:

65 The objective of the Construction Management Plan is to ensure that management procedures and construction methods are adopted to avoid, remedy or mitigate adverse effects of the construction of the Freight Hub and minimise ~~are~~as far as reasonably practicable disturbance to residents.

- 4.138 Condition 71 has been modified to correct the following typographical error:

[...]

(b) minimise as far as practicable light spill and glare from construction lighting on adjacent dwellings identified in this plan ~~dwellings~~; and

- 4.139 Condition 71B has been modified to correctly refer to "Works" as a defined term, and to separate the distinct requirements of the Condition into a new Condition 71BA as follows:

71B The Requiring Authority must assess weather and ground conditions (wind and dryness) at the start of each day when ~~construction~~Works are scheduled.

[71BA](#) The Requiring Authority must ensure that applicable dust mitigation measures and methods contained in the Construction Dust Management Plan are ready for use prior to commencing Works for the day.

4.140 Condition 113 has been modified to correct the following typographical errors:

[...]

(b) remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, where that work is not reasonably related to or ancillary to the installation of noise insulation.

4.141 Condition 123 has been modified to correctly refer to the "Operational Dust Management Plan", rather than the Operational Noise and Vibration Management Plan:

123 The Requiring Authority must prepare and submit an ~~Operational Noise and Vibration Management Plan~~ [Operational Dust Management Plan](#) to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement the Operational Dust Management Plan.

5. APPENDICES

5.1 The following attachments are included with this decision:

- (a) **Appendix 1:** The Panel's recommendations are shown in black underline and ~~strike through~~. Modifications made by KiwiRail in this decision are shown in blue underline and ~~strike through~~.
- (b) **Appendix 2:** A "clean" version of the conditions in KiwiRail's decision, which also includes the purpose of the Designation. The conditions have been renumbered to ensure sequential numbering of the final conditions.

DATED: 11 April 2022



Olivia Poulsen
Executive General Manager Property
KiwiRail Holdings Limited

APPENDIX 1

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Definitions

Term	Definition
Completion	Completion of construction of the Freight Hub.
Designation Extent	The land within the designation boundary shown in black outline on the Concept Plan prepared by Isthmus, dated 29 October 2021.
Existing Dwelling	As at 23 October 2020, any building: (a) that was constructed as a lawful dwelling; or (b) for which resource consent was granted for construction of a dwelling.
Freight Hub	All activities and structures shown on the Concept Plan dated 29 October 2021, prepared by Isthmus, except that for the purposes of Conditions 107 – 122 it excludes the North Island Main Trunk Line and the Perimeter Road.
Habitable space	Any room in a dwelling which is used or which can be used as a sitting room, a living room, a bedroom, a dining room, or a family room.
Noise Mitigation Structures	The earth bunds and vertical noise barriers to mitigate noise effects.
Perimeter Road	The physical works required to provide: (a) a new section of road south of Maple Street between Railway Road and Roberts Line; (b) improvements to Roberts Line north west of the intersection at Roberts Line and Railway Road; <u>and</u> (c) <u>a safe separated shared path of at least 3.0m in width between Railway Road south of Maple Street and the intersection of Roberts Line and Railway Road.</u>
Works	All physical works and activities (including all site establishment activities but excluding site investigations) that are required to construct the activities and all supporting infrastructure shown on the Concept Plan prepared by Isthmus, dated 29 October 2021.

General Conditions

1. Except as modified by the conditions below and accompanying outline plan(s), the works authorised by this designation must be undertaken in general accordance with the following information provided by the Requiring Authority:
 - (a) the Notice of Requirement for the Freight Hub dated 23 October 2020 and the further information provided by the Requiring Authority dated 15 February 2021, 24 May 2021 and 28 May 2021;
 - (b) Concept Plan dated 29 October 2021, prepared by Isthmus;
 - (c) Draft indicative Landscape plan dated 6 July 2021 prepared by Isthmus Group (rev B); and
 - (d) evidence provided by the Requiring Authority dated 9 July 2021 and at the hearing in August / September 2021.
2. ~~Where~~ If there is any inconsistency between the Notice of Requirement documentation listed in Condition 1 above and the designation conditions, then the designation conditions ~~will~~ prevail.

Lapse Period

3. The designation will lapse if not given effect to within 4015 years from the date on which it is included in the District Plan.

Management Plans

4. At least 20 working days ~~prior~~before ~~to~~ the Works commencing or unless otherwise specified in the conditions below, the management plan(s) specified in Condition 8 (excluding the Road Network Integration Plan) including any report or framework required by these conditions must be submitted to the Head of Planning Services at Palmerston North City Council for certification that the management plan(s) meets the requirements of the relevant condition(s). Once certified the management plan(s) must be implemented.
5. Management plan(s) may be prepared and submitted for one or more stages, aspects, sections, or locations of works. All management plans, reports and frameworks must be reasonable and sufficient to meet their purpose.
6. The management plan must be certified by the Palmerston North City Council Head of Planning Services, in accordance with the following process:
 - (a) If the Requiring Authority has not received a response from the Head of Planning Services within 20 working days of the date of submission of the response under Condition 4, the management plan is deemed to be certified.
 - (b) If the Head of Planning Services response is that the management plan does not meet the requirements of the relevant condition(s), the Requiring Authority must consider any reasons and recommendations of the Head of Planning Services and resubmit an amended management plan for certification.
 - (c) If the Requiring Authority has not received a response from the Head of Planning Services within 5 working days of the date of resubmission under Condition 6(b) above, the management plan is deemed to be certified.

Outline Plan(s)

7. The outline plan(s) may be submitted for the Freight Hub or for one or more stages, aspects, sections, or locations of works.
8. The outline plan(s) must include any relevant plan for the particular design or construction or operational matters being addressed in the outline plan and any updates of any plans. The following must be included in an outline plan or plans (as relevant to the particular stage, aspect, section or location of the design or construction matters being addressed):
 - (a) Construction Management Plan
 - (b) Construction Traffic Management Plan
 - (c) Construction Noise and Vibration Management Plan
 - (d) Landscape and Design Management Plan
 - (e) Construction Engagement Plan
 - (f) Stormwater Management Report
 - (g) Stormwater Monitoring and Maintenance Plan
 - (h) Road Network Integration Plan
 - (i) Operational Noise and Vibration Management Plan
 - (j) Operational Traffic Management Plan
 - (k) Operational Lighting Design Plan
 - (l) Operational Dust Management Plan

- (m) Geotechnical Report
- (n) Construction Lighting Management Plan
- (o) Construction Dust Management Plan

Amendments to management plans

9. The Requiring Authority may make material amendments to any documents or plans listed in Condition 8 (excluding the Road Network Integration Plan) by following the process set out in Conditions 4 and 6, unless the amendment is a minor amendment under Condition 10.
10. The documents and plans referred to in Condition 8 (excluding the Road Network Integration Plan) may be amended to provide updated information or reflect changes in design, construction methods or the management of effects without the need for re-certification or a further outline plan, where:
 - (a) the amendment is in general accordance with the original document, plan, or outline plan and the relevant conditions under which that document or plan was prepared; or
 - (b) the amendment is to give effect to an amendment required under another statutory approval; and
 - (c) the amendment proposed is provided in writing to Palmerston North City Council at least 10 working days prior to the relevant works being undertaken; and
 - (d) Palmerston North City Council confirms in writing that the amendments meet the requirements of Condition 10(a) or (b). If a response is not received from the Head of Planning Services at the Council within 5 working days of the date that it is provided in Condition 10(c), the amendments are deemed to be approved.

~~10A~~ The Requiring Authority must notify the Head of Planning Services at Palmerston North City Council, in writing, at least 10 working days prior to commencement of the detailed design stage of the Freight Hub project. The notice of commencement must include:

- (a) the Mana Whenua Partnership Framework required by Condition 11; and
- (b) the Design Framework required by Condition 14.;
- ~~(c) the Geotechnical Report required by Condition 32;~~

Mana Whenua Partnership Framework

11. Within 12 months of [the date the NoR is confirmed], and before commencing preparation of the Design Framework in accordance with Condition 14 and the detailed design stage of the Freight Hub, the Requiring Authority must engage with Mana Whenua to prepare a Partnership Framework in partnership with Mana Whenua for the Freight Hub in accordance with the principles of Te Tiriti o Waitangi ~~and have it certified by the Palmerston North Council.~~
- ~~12~~ ~~The Partnership Framework will recognise Kaupapa based models such as Whānau Ora Outcomes, Te Whare Tapa Whā values and Te Pae Mahutonga Attributes.~~
12. The objective of the Mana Whenua Partnership Framework is to:
 - (a) recognise Kaupapa based models such as Whānau Ora Outcomes, Te Whare Tapa Whā values and Te Pae Mahutonga Attributes;
 - ~~(a)~~(b) honour, recognise and provide for mana whenua values, and tikanga me and kawa participation in the rohe or area affected by the Freight Hub; te;

- ~~(b)~~(c) develop mechanisms to avoid, mitigate, compensate or offset effects on mana whenua ~~values and~~ tikanga me kawa through the implementation of agreed participation, monitoring and mitigation measures; and
- ~~(e)~~(d) provide opportunities for expression of ~~these values and~~ tikanga me kawa through design and development options beyond completion of the overall project.

13. The Partnership Framework will include as a minimum:

- (a) key roles and responsibilities for Mana Whenua at the governance and operational levels, including in relation to design and development of the Freight Hub;
- (b) involvement in cultural impact assessments (CIAs), preparation and implementation of the Design Framework, management plans as part of this designation and any management plans that are developed as part of regional resource consents (including in relation to the management of stormwater);
- (c) monitoring and exercise of kaitiakitanga and manākitanga activities to be undertaken including in particular, regular monitoring of ngā Puna (aquifers), streams and waterways to be carried out in partnership with Mana Whenua and implementation of adaptive management strategies to address water quality issues that fall below any agreed standards ~~are not met~~;
- (d) involvement in developing, approving and partaking in accidental discovery protocols and any archaeological authorities and wildlife permits required;
- (e) the overall site dedication and other appropriate rituals tikanga protocols to be performed by Mana Whenua;
- (f) any opportunities and benefits for the expression of Mana Whenua values and tikanga in the design, development and operation of the entire Freight Hub;
- (g) any employment, training scholarship, procurement and investment opportunities as part of the development of the Freight Hub; and
- (h) any mahi toi (Māori arts and crafts) to be developed as part of the project Freight Hub.

Design Framework

14. The Requiring Authority must prepare a Design Framework before commencing the detailed design stage of the Freight Hub and before preparation of the management plans in Condition 9.

14A. The Design Framework must:

- (a) collate and set out the key design principles to inform the detailed design of the Freight Hub, as required by Condition 14E(a); and
- (b) identify design outcomes that the detailed design should seek to achieve in accordance with Condition 14E(b), including but not limited to, opportunities for the detailed design to reflect community and mana whenua values identified in the design principles.

14B. The Requiring Authority must invite and make provision for, the Community Liaison Forum and mana whenua to actively participate in the development of the Design Framework, including participation in defining and confirming the key design principles to be included in the Design Framework.

14C. The Requiring Authority must demonstrate how the detailed design of the Freight Hub adheres to the key design principles and how the detailed design gives effect, where practicable, to the design outcomes identified in the Design Framework.

14D. ~~(a)~~ ~~a~~Any management plan required by conditions of this designation, or outline plan prepared and submitted in accordance with section 176A of the RMA, must:

(a) demonstrate how the key design principles have been adhered to and give effect, where practicable, to the design outcomes identified in the Design Framework, to the extent those design principles and design outcomes are relevant to the content of those management or outline plans;

(b) ~~any management plan required by conditions of this designation, and any outline plan prepared and submitted in accordance with section 176A of the RMA, must~~ be accompanied by a design review statement that describes how the management plan and Freight Hub design adheres to the key design principles and gives effect, where practicable, to the design outcomes identified in the Design Framework.

14E. Design Principles:

(a) The compendium of design principles developed in the Design Framework should collate relevant principles identified in the documents in Condition 1 and address, at a minimum, the following matters:

(i) ~~KiwiRail's the Requiring Authority's~~ operational requirements, including in relation to health and safety;

(ii) ~~A~~an interdisciplinary approach which effectively integrates various design elements;

(iii) ~~how the Freight Hub~~Appropriately integrates ~~the Freight Hub~~ with its immediate and wider landscape setting, including through the design of buildings and structures;

(iv) principles to inform design of noise mitigation measures, so as to have particular regard to visual amenity, outlook and privacy, and landscape character ~~while ensuring that those measures are effective in mitigating noise~~;

(v) principles to inform design of lighting, so as to have particular regard to visual amenity, landscape character and ~~natural darkness of the night sky~~ health and safety;

(vi) ~~design~~principles to reflect community identity and place and/or cultural and historical values, as identified through engagement with the Community Liaison Forum; ~~and~~

(vii) ~~design~~ principles to reflect cultural values ~~and environmental attributes~~, as identified through engagement with mana whenua;

Design Outcomes:

(a) The Design Framework must, if possible, identify opportunities for the detailed design of the Freight Hub to:

(i) provide for the relationship of ~~Iwi~~ Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;

(ii) provide beneficial outcomes for natural character, landscape character and visual amenity;

(iii) maintain and/or enhance amenity values in the wider landscape;

(iv) provide for community connectivity around the site, including pedestrian and cycle access to and from Bunnythorpe; ~~and~~

(v) recognise as far as is practicable the rural character and context of the local environment.

14F If an outline plan for the Freight Hub has not been submitted to the Palmerston North City Council within five years of the date the Design Framework was provided to the Council in accordance with Condition 10A, the Requiring Authority must undertake a review of the Design Framework to ensure that the principles and design outcomes remain relevant and appropriate.

14G The Requiring Authority must invite, and make provision for, the Community Liaison Forum and mana whenua to actively participate in the review of the Design Framework.

14H If a review of the Design Framework required by Condition 14F finds that the Design Framework should be amended, the Requiring Authority must amend the Design Framework and provide a copy of the amended Design Framework to the Palmerston North City Council as soon as reasonably practicable.

Communication and Engagement

Community Liaison Forum

15. Within 12 months of the [date the NoR is confirmed], the Requiring Authority must establish [in consultation with the Palmerston North City Council](#) a Community Liaison Forum in a way and in a form that achieves the aims of the [community communication](#) and engagement conditions ~~and approved by the Palmerston North City Council.~~
16. The Requiring Authority must maintain the Community Liaison Forum until at least ~~six~~ months after Completion.
17. The purpose of the Community Liaison Forum is to provide an interactive forum through which the Requiring Authority can provide information to and receive feedback from the community on any matters relating to the design, construction and operation of the Freight Hub.
18. The Community Liaison Forum must be open to mana whenua and all interested residents and organisations within the vicinity of the Freight Hub.
19. The Requiring Authority must:
 - (a) identify and invite parties that may be interested in participating in the Community Liaison Forum, including:
 - (i) local residents who submitted on the Notice of Requirement for the Designation;
 - (ii) Bunnythorpe School and any childcare facilities in the vicinity;
 - (iii) Community groups (including Bunnythorpe Community Centre, faith-based groups and residents organisations);
 - (iv) Businesses and landowners (including in Bunnythorpe village and the North East Industrial Zone), [and Transpower New Zealand Limited](#));
 - (v) cycling and walking groups (including Te Araroa Manawatū Trust); and
 - (b) develop, in consultation with the Community Liaison Forum participants, terms of reference consistent with the purpose of the Community Liaison Forum as set out in Condition 17 including the methods and frequency of communication with those participants for the duration of the Community Liaison Forum as outlined in Conditions 15 and 16; [and](#)
 - (c) ~~d~~Develop in consultation with the Community Liaison Forum participants, communication strategies and tools for effective and accessible information dissemination to affected members of the community in a timely way.
20. The Requiring Authority must:
 - (a) provide the Community Liaison Forum with up-to-date information about the design, construction and operation of the Freight Hub, including updates on material changes in design or activity and complaints received in accordance with Condition 31;

- (b) ensure that the Community Liaison Forum is provided with opportunities to provide feedback on matters, including:
 - (i) the draft Design Framework;
 - ~~(ii)~~(ii) draft documents and plans set out in Condition 8 and material updates to any plans in accordance with Conditions 9 and 10A prior to the submission of these documents to the Palmerston North City Council;
 - ~~(iii)~~(iii) timing and nature of mitigation works proposed;
 - ~~(iii)~~(iv) any regional resource consent applications and any proposed mitigation measures associated with those consent applications; and
- (c) collate any feedback received and report back to the Community Liaison Forum as to how that feedback has been considered by the Requiring Authority.

Community Liaison Person

- 21. Within 12 months of the [date the NoR is confirmed] the Requiring Authority must appoint, ~~in consultation with (and at all times have appointed)~~ and have approved annually by in consultation with the Palmerston North City Council, a Community Liaison Person with particular skills in community engagement.
- 22. The Community Liaison Person role must be in place until at least six months after Completion.
- 23. The role of the Community Liaison Person is to ~~provide a point of contact for the community on behalf of the Requiring Authority for:~~
 - (a) ~~be responsible for the~~ administration implementation of the Community Liaison ~~Forum conditions 15 to 20; and~~
 - (b) ~~provide a point of contact for the community on behalf of the Requiring Authority for:~~
 - ~~(a)~~(i) all enquiries relating to the Freight Hub, including land acquisition, construction or operational matters; and
 - ~~(b)~~ administering the Community Liaison Forum, once established in accordance with Condition 15;
 - ~~(iii)~~(ii) co-ordinating landowner engagement in relation to the implementation of plans listed in Condition 8 and any relevant conditions of this Designation.
- 24. The Requiring Authority must make the contact details of the Community Liaison Person available to the community.

Accountable Person

- 24A. ~~Two months before commencement of the Works this works,~~ the Requiring Authority must appoint (and at all times have appointed for the duration of the Works) and have approved annually by the Palmerston North City Council, an Accountable Person and a Nominated Cover Person, both of whom must demonstrate:
 - (a) ~~A good understanding of the Freight Hub; project~~
 - (b) ~~A good knowledge of the Designation conditions; and~~
 - (c) ~~Skills in project management to ensure the coordinated implementation of the Designation notice of requirement conditions.~~

~~24B. The Accountable Person must as far as practicable be based onsite during construction for a minimum of four hours per week, unless otherwise agreed by the Palmerston North City Council.~~

24C. The role of the Accountable Person and the Nominated Cover person (in the instance the Accountable Person is sick or unavailable) is to:

- ~~(a)~~ ~~Oversee the preparation and review of, submit and ensure compliance with all management plans;~~
- ~~(a)(b)~~ Be the point of contact for any queries about compliance with the conditions for the Palmerston North City Council, including in relation to the preparation and implementation of the plans listed in Condition 8; and the Community Liaison Forum
- ~~(b)(c)~~ Coordinate across a range of the different disciplines as part of the implementation of the conditions.

Advice Note

The aim of this condition is not to make the accountable person have special responsibility for any non-compliance but to ensure there is a clear chain of command in the implementation of the project where the Accountable Person will have a key role. Also, the coordination of disciplines is essential to the delivery of the project in a way that meets these conditions. The Accountable Person should have a clear overview of the project to help that coordination.

Construction Engagement Plan

- 25. At least 20 working days prior to the Works commencing, the Requiring Authority must prepare a Construction Engagement Plan for certification and implement the plan for the duration of construction.
- 26. The objective of the Construction Engagement Plan is to ensure that parties that are affected by construction activities are informed of the timing and nature of those activities.
- 27. The Construction Engagement Plan must include:
 - (a) Contact details of the Community Liaison Person appointed in accordance with Condition 21.
 - (b) A process for identifying the parties that will be communicated with, and the methods of communication, including:
 - (i) the use of a project website for public information; and
 - (ii) provision of an electronic and / or paper-based newsletter and its proposed delivery area for paper-based newsletters.
 - (c) Information on the following, as identified in the relevant management plan(s):
 - (i) likely construction works and programme;
 - (ii) hours of construction where these are outside of normal working hours or on weekends or public holidays, including night-time heavy vehicle movements;
 - (iii) routes for construction vehicles, including vehicle movements and types (ie light or heavy vehicles);
 - (iv) any temporary traffic management measures, including changes to pedestrian and cycling routes, public transport and school bus routes and the reinstatement of those routes;
 - (v) progress of any construction works against key project milestones; and
 - (vi) any measures to manage construction effects as identified in the Construction Management Plan, Construction Traffic Management Plan, Construction Noise and Vibration Management Plan, Construction Lighting Management Plan, Construction Dust Management Plan and Landscape and Design Management Plan.

Complaints Register

28. Within 12 months of [date the NoR is confirmed] the Requiring Authority must establish a register to record any complaints received and action undertaken by the Requiring Authority in response to the complaint, and maintain the register until at least 6 months after Completion.
29. The complaints register must include:
 - (a) the nature and details of the complaint; and
 - (b) measures taken by the Requiring Authority to respond to the complaint or where any measures have not been taken, the reasons why.
30. The complaints register must be made available to Palmerston North City Council upon request, subject to compliance with privacy obligations.
31. The Requiring Authority must provide regular updates to the Community Liaison Forum on complaints received and any measures to address any complaints identified.

Geotechnical report

32. Prior to commencement of any Works, a geotechnical report [as relevant to the particular stage, aspect, section or location of Works](#) must be prepared by a suitably qualified and experienced person [to identify any risk of instability on the relevant land within the Designation Extent and confirm that any such risk will be appropriately avoided, remedied or mitigated.](#) ~~and The geotechnical report(s) must be~~ provided to the Palmerston North City Council (Head of Planning Services), ~~to identify any risk of instability on land within the Designation Extent and confirm that any such risk can will be appropriately avoided, remedied or mitigated.~~
- 32A. Prior to undertaking any geotechnical site investigations as part of the preparation of a geotechnical report under Condition 32, the Requiring Authority must:
 - (a) Engage with the Palmerston North City Council on the parameters of those investigations, including the locality and nature of investigation; and
 - (b) Seek input from mana whenua in relation to developing protocols for an intrusive site investigation. Any site investigations must be undertaken by a suitably qualified and experienced person.

Archaeology

33. Prior to the commencement of any Works, the Requiring Authority must prepare an accidental discovery protocol in accordance with Condition 34 and implement the accidental discovery protocol for the duration of the [Workworks](#).
34. The accidental discovery protocol must be prepared in collaboration with mana whenua and in consultation with Heritage New Zealand Pouhere Taonga, and must include:
 - (a) details of contractor training regarding the skills necessary to be aware of the possible presence of cultural or archaeological sites or material;
 - (b) general procedures following the accidental discovery of possible archaeological sites, kōiwi tangata, wāhi tapu or wāhi taonga, including the requirement to immediately cease the Works in the vicinity

- of the discovery and the requirement to notify parties including, but not limited to, Heritage New Zealand Pouhere Taonga;
- (c) in the event that kōiwi tangata or taonga are discovered, work must cease immediately in the vicinity of the remains and mana whenua, Heritage New Zealand Pouhere Taonga, New Zealand Police and Palmerston North City Council must be contacted;
 - (d) procedures for the custody of taonga (excluding kōiwi tangata) or material found at an archaeological site; and
 - (e) activities that must be undertaken before construction activities in the vicinity of a discovery may recommence, including appropriate tikanga, recording, recovery of artifacts, and engagement.

Stormwater

Stormwater Management Report

- 35. The Requiring Authority must prepare and submit a Stormwater Management Report with the first outline plan to Palmerston North City Council.
- 36. The Stormwater Management Report must be prepared by a suitably qualified and experienced person.
- 37. The objective of the Stormwater Management Report is to confirm the design of the stormwater detention ponds is sufficient to mitigate the potential flooding effects as a result of any increased stormwater runoff from the Freight Hub and the loss of flood plain storage as a result of the site formation.
- 38. The Stormwater Management Report must:
 - (a) achieve the objective in Condition 37;
 - (b) outline the results of hydrologic and hydraulic modelling of the Mangaone Stream Catchment as affected by the Freight Hub; ~~and~~
 - (c) provide hydraulic details to confirm the appropriate size of the stormwater detention ponds;
 - (d) identify potential effects of the Freight Hub site development on flood risk; and
 - (e) identify methods for reasonable mitigation of any identified flooding effects.

Stormwater Management and Monitoring Plan

- 39. At least three months prior to the delivery of the relevant part of the stormwater system, as outlined in the construction programme in Condition 66, or other works affecting the flood storage capacity of the site, the Requiring Authority must prepare ~~and implement~~ a Stormwater Management and Monitoring Plan for certification and implement the plan for the duration of the Works. The Requiring Authority must demonstrate that it has consulted with Horizons Regional Council in the development of this Plan and how any feedback has been incorporated into the Plan.
- 40. The objective of the Stormwater Management and Monitoring Plan is to demonstrate that the stormwater system and the methods for the monitoring and maintenance of the stormwater system will be effective.
- 41. The Stormwater Management and Monitoring Plan must be prepared by a suitably qualified and experienced person.
- 42. The Stormwater Management and Monitoring Plan must include:

- (a) design measures to assist with achieving hydraulic neutrality and methods to assist with stormwater treatment and contaminant removal utilising natural systems including retention areas, permeable surfaces, wetlands/swales and appropriate vegetation;
- (b) the methods that will be used for the operation and maintenance of the stormwater management system to ensure its successful long-term performance, including sediment removal, clearance of debris, replacement of vegetation, training of operators, and separation or secondary containment of any high-risk contamination areas; and
- (c) details of the location, operation and maintenance of any stormwater outlets from the site, including emergency spillway.

42A. The Requiring Authority must design, construct, operate and maintain on-site stormwater management devices and/or systems which have been installed to manage and treat stormwater generated within the Freight Hub.

Level Crossings

43 At least 12 months prior to submission of the first outline plan, the Requiring Authority must commission Level Crossing Safety Impact Assessments or update any existing assessments to determine the impact of the Freight Hub on the following crossings:

- (a) the Campbell Road/Kairanga Bunnythorpe Road level crossing;
- (b) the Waughs Road/Campbell Road level crossing;
- (c) pedestrian level crossings in the vicinity of Aorangi Marae and Taonui School; and
- (d) Campbell Road crossing south of Feilding.

The Requiring Authority must provide copies of the Level Crossing Safety Impact Assessments or updates to any existing assessments to the Palmerston North City Council and / or Manawatū District Council.

44. The Requiring Authority must engage with Palmerston North City Council and Manawatū District Council in relation to the allocation and timing of the implementation of the recommendations in each Level Crossing Safety Impact Assessment.

45. Unless already closed by the Palmerston North City Council, the Requiring Authority must close the Roberts Line and Clevely Line Level Crossings prior to the closure of Railway Road.

Road Network Integration Plan

46. At least 12 months prior to submission of the first outline plan, the Requiring Authority must prepare a Road Network Integration Plan for certification by the Palmerston North City Council.

47. The objective of the Road Network Integration Plan is to ensure that the roading network within the Freight Hub is appropriately managed and safely and efficiently integrated with the wider transport network.

48. The Requiring Authority must consult and share information with Palmerston North City Council, Horizons Regional Council, Manawatū District Council and Waka Kotahi NZ Transport Agency in preparing the Road Network Integration Plan (and any updates).

49. The Road Network Integration Plan must achieve the objective in Condition 47 and must include:

- (a) the timing for the closure of and/or the legal stopping of any relevant roads (or sections of roads, as the case may be), including Railway Road, Clevely Line, Te Ngaio Road and Richardsons Line;
- (b) the location, timing, form and design of any changes and upgrades to intersections and roads required for construction and operation of the Freight Hub that are to be delivered by the Requiring Authority including:
 - (i) changes as a result of the closure and / or legal stopping of relevant roads set out in Condition 49(a);
 - (ii) the Perimeter Road, including a safe separated shared path of at least 3.0 metres between Railway Road south of Maple Street and the intersection at Roberts Line and Railway Road;
 - (iii) a new intersection at Roberts Line with the Perimeter Road;
 - (iv) an upgraded intersection at Richardsons Line and Roberts Line that includes access to activities within the Freight Hub;
 - ~~(iv)~~(v) a northern and western access from the Perimeter Road to activities within the Freight Hub;
 - ~~(v)~~ — Upgrades to Roberts Line between Railway Road and the new intersection between Roberts Line and Richardsons Line as at (v) above, including the three vehicle accesses to the Foodstuffs North Island Limited site at 703 Roberts Line, the legal description being Lot 1 DP 384898;
 - ~~(vi)~~ — Railway Road from Roberts Line to Airport Drive including the side road intersections and accesses onto Railway Road;
 - ~~(vi)~~ any changes to the Maple Street intersection with Railway Road as a result of the construction and operation of the Perimeter Road; and
- (c) the location, timing, form and design of any changes and upgrades to the following property accesses required to be delivered by the Requiring Authority as a result of the construction and operation of the Freight Hub:
 - (i) 422 and 422A Railway Road (the legal descriptions being SEC 1480 BLK VII KAIRANGA SD and LOT 1 DP 74613);
 - (ii) 684 Roberts Line (the legal description being Lots 3 ad 4 DP 74613); and
 - (iii) the three existing vehicle accesses to Foodstuffs North Island Limited site at 703 Roberts Line (the legal description being Lot 1 DP 384898);
- (d) the timing, form and design of changes required to be delivered by the Requiring Authority and Palmerston North City [Council](#) at the intersections of Kairanga Bunnythorpe Road with each of Railway Road and Campbell Road;
- (e) the timing for the closure of any level crossings;
- (f) the proposed speed limits for any new roads and changes to speed limits for existing roads;
- (g) the location and timing and form of any changes and upgrades to pedestrian walkways, cycleways and public transport facilities, including new or relocated bus stops;
- (h) the location and timing of confirmed and funded upgrades or additions to the wider transport network, including works that are part of the Palmerston North Integrated Transport Improvement (PNITI) project and the identification of potential alternative ways for that wider transport network being delivered by the region's road controlling authorities to integrate with any roading upgrades and connections required for construction and operation of the Freight Hub; and
- (i) details of the feedback provided by Palmerston North City Council, Horizons Regional Council, Manawatū District Council and Waka Kotahi NZ Transport Agency and how this has been incorporated into the Road Network Integration Plan, including any feedback regarding:
 - (i) the location and timing of a ring road and/or any bypasses of Bunnythorpe; and
 - (ii) how these connections integrate with the roading network required for the construction and the safe and efficient movement of freight as part of the operation of the Freight Hub; and

- (j) the timing of reviews and frequency of updates to the Road Network Integration Plan, based on the matters outlined in this Condition 49;
- (k) ~~whether there is a need for upgrades to, and if so, the location, timing, form and design of any changes and upgrades to intersections and roads required, for construction and operation of the Freight Hub that are to be delivered by the Requiring Authority including:~~
 - (i) ~~Roberts Line between Perimeter Road and Kairanga – Bunnythorpe Road;~~
 - (ii) ~~The intersections of Kairanga-Bunnythorpe Road with each of Railway Road and Campbell Road and the intersection with the level crossing;~~
 - (iii) ~~Railway Road between Maple Street and Kairanga-Bunnythorpe~~~~Bunnythorpe Road;~~
 - (iv) ~~Campbell Road between 38 Campbell Road Dixon Line and the intersection with Stoney Creek Road;~~
 - (v) ~~Stoney Creek Road including intersections with Ashhurst Road and Kelvin Grove Road; and~~
 - (vi) ~~Railway Road between Roberts Line and Airport Drive.~~

Roading connections and upgrades

- 50. Unless alternative access to the Freight Hub is provided that no longer requires the Perimeter Road (or a relevant part of it) to be constructed, the Requiring Authority must:
 - (a) construct the Perimeter Road (or relevant part);
 - (b) surface it with an asphaltic mix road surface; and
 - (c) enable public use of the Perimeter Road prior to the closure of the relevant section of Railway Road.

- 51. Unless otherwise provided by other road controlling authorities, the upgrades listed in Condition 49(b) must be delivered by the Requiring Authority according to the timing outlined in the Road Network Integration Plan.

- 52. In order to inform the timing, design and form of the upgrades listed in Condition 49(b) ~~and the potential upgrades listed in Condition 49(k)~~, the Requiring Authority must undertake traffic modelling and safety audits to demonstrate that ~~the designs will:~~
 - (a) ~~intersections and accesses~~ achieve ~~an intersection~~ Level of Service D or better (for sign-controlled intersections this is the Level of Service on the side road(s) approach(es)) or better, as modelled with SIDRA or similar; and
 - (b) ~~roads, intersections and accesses perform without not result in any~~ serious or significant safety concerns, in accordance with the New Zealand Transport Agency Road Safety Audit Procedures for Projects, Guidelines Interim Release May 2013.

The Requiring Authority must provide copies of the traffic modeling and safety audits to the Palmerston North City Council.

- 53. The Requiring Authority must design and construct all new roads, intersections and vehicle crossings in accordance with the Palmerston North City Council's roading standards, or to such standards as otherwise agreed with Palmerston North City Council.

- 54. The Requiring Authority must design and construct a safe connection across the North Island Main Trunk Line for cyclists and pedestrians at a location south of, and as close as reasonably practicable to, the Roberts Line and Railway Road intersection in consultation with the Palmerston North City Council. The connection must be operational within 6 months after the relocation of the North Island Main Trunk Line.

Landscape and Design

55. ~~Following preparation of the Design Framework, t~~The Requiring Authority must prepare and submit a Landscape and Design Management Plan for certification ~~with the first outline plan~~ to Palmerston North City Council. The Requiring Authority must implement the Landscape and Design Management Plan.
56. The objective of the Landscape and Design Management Plan is to ensure that the design of the Freight Hub avoids, remedies or mitigates potential adverse effects of the Freight Hub on landscape character, visual amenity and natural character ~~in a way that ensures KiwiRail's operational requirements are met and the Freight Hub is appropriately integrated with the surrounding environment, including opportunities for enhancement.~~
57. The Landscape and Design Management Plan must be prepared by a suitably qualified and experienced person in consultation with other relevant qualified persons, as required.
58. The Requiring Authority must invite ~~the~~ mana whenua and the Community Liaison Forum to provide input and feedback on the development of the Landscape and Design Management Plan ~~including participation in the development of design principles and outcomes set out in Condition 60.~~
- ~~64~~59 The Landscape and Design Management Plan must achieve the objective in Condition ~~56~~54 and ~~must provide for~~ shall ~~include:~~
- ~~(a) — KiwiRail's operational requirements; and~~
 - ~~(b) — any plans required under the conditions of this Designation.~~
 - (a) how the landscape design implements the design principles and achieves the design outcomes in the Design Framework;
 - ~~(a)(b) the location and types of proposed landscape and visual amenity plantings (including plant size, numbers and spacing), including planting of stormwater detention ponds, stream and riparian margins, cut faces; and fill batters; ~~and;~~~~
 - (c) a description of design measures (including but not limited to the final form, finish and articulation of the proposed buildings, Noise Mitigation Structures and batter heights and slopes);
 - ~~(b)(d) a description of how the plantings in Condition 61A(b) and any other design measures in (c) (including but not limited to the final form, finish and articulation of the proposed buildings, Noise Mitigation Structures and batter heights and slopes);~~
 - (i) integrate the built forms including roof lines and walls of ~~structures within~~ the Freight Hub and the related earthworks into the surrounding environment;
 - (ii) mitigate ~~adverse~~ visual amenity effects ~~on affected~~ in relation to residential properties;
 - (iii) contribute to the open watercourse and stormwater ponds appearing as natural features and enhancing local biodiversity;

- (iv) comply with the Electricity (Hazards from Trees) Regulations 2003, including at full maturity; and
 - (v) comply with any regional consents.
- ~~(e)~~(e) how the proposed planting will ~~enhance natural character of waterbodies, including the Mangaone Stream surrounds and restore indigenous biodiversity;~~
- (i) mitigate adverse effects on, and/or enhance the natural character of waterbodies, including the Mangaone Stream surrounds,
 - (ii) restore indigenous biodiversity in consultation with a suitably qualified and experienced ecologist,
 - (iii) where practicable, use eco-sourced seeds and plants sourced from the rohe (in consultation with mana whenua);
- ~~(d)~~(f) how sites of cultural and historical significance (if identified through the Mana Whenua Engagement Framework and Design Framework) will be recognised and provided for;
- ~~(e)~~(g) how any roads and walkways within the Designation Eextent integrate into the character of the surrounding area and connect to paths and cycleways outside the designation and include provide, where practicable, opportunities for outlook(s) over the Freight Hub.
- ~~(f)~~(h) in relation to the proposed Noise Mitigation Structures:
- (i) the location of the Noise Mitigation Structures as outlined in the Operational Noise and Vibration Plan;
 - (ii) the final form, finish, and planting of these Noise Mitigation Structures ~~along Sangsters Road and Maple Street,~~ including design treatment of vertical noise barriers, and landscaping of bunds ~~(where planted to have a minimum depth of 5 m on the external face of those bunds);~~
 - ~~(iii)~~ noise mitigation walls shall have a minimum planted depth of 5 m on the external face of the walls;
 - ~~(iii)~~(iv) details of how the Noise Mitigation Structures have been designed where practicable to avoid, remedy or mitigate their adverse effects on landscape character and visual amenity (including through consultation with the Community Liaison Forum and mana whenua); and
 - ~~(iv)~~(v) details on how any changes to the existing drainage patterns, runoff characteristics and stormwater resulting from Noise Mitigation Structures will avoid adverse effects on the foundations of any National Grid support structure.
- ~~(g)~~(i) how the lighting effects on the landscape and visual amenity are minimised;
- ~~(h)~~(j) the proposed timing (including ground preparation, mulching and any trials) for establishing any landscape or visual amenity planting, with ~~at~~any new planting to be commenced in the first planting season (unless that is impracticable, the reasons for which shall be provided to the Palmerston North City Council) following the completion of each stage or ~~discretion~~ discrete location of ~~construction~~

~~the Works including methods to maximise mitigation planting coverage prior to construction of the main buildings and/or operation of the Freight Hub where practicable; and~~

- (k) the growing conditions required to ensure the successful establishment, growth and on-going viability of planting;
- ~~(l)~~ (l) the process and programme for maintaining any landscape or visual amenity planting and fencing to a high standard at all times (including, but not limited to, plant and animal pest management, removal of litter and vandalism, maintenance of plants to ensure clear pathways and sightlines, and replacement of dead plants).

60. This condition is blank.

61. This condition is blank.

62. Planting within the designation must be designed to achieve:

- (a) at least an 80% canopy cover within five years of being planted;
- (b) at least 50% of tall tree species reach a height of 5 meters within five years of being planted; and
- (c) a minimum depth of planting along the following roads:
 - (i) 20 metres along the majority extent of Sangsters Road, excluding the tie in area at Roberts Line; and
 - (ii) 30 metres along the internal frontage of the Perimeter Road excluding the tie in with Roberts Line (new intersection).

63. All buildings within the Freight Hub must be designed and constructed to avoid potential roof glare to the south and particularly to the Palmerston North Airport Control Tower.

Construction Management Plan

64. At least 6 months prior to the Works commencing, the Requiring Authority must prepare a Construction Management Plan for certification and implement the plan for the duration of the Works.

65. The objective of the Construction Management Plan is to ensure that management procedures and construction methods are adopted to avoid, remedy or mitigate adverse effects of the construction of the Freight Hub and minimise areas far as reasonably practicable disturbance to residents.

66. The Construction Management Plan must achieve the objective in Condition 65 and must include:

- (a) a construction programme, including identifying key stages of the Works (including the delivery of parts of the stormwater system), and any seasonal timings for works;
- (b) a detailed site layout;
- (c) the design and management specifications for all earthworks on-site, including disposal sites and their location and the Construction Dust Management Plan;
- (d) measures to ensure that the Works and structures (including the operation of any mobile plant and machinery) are designed and undertaken to comply with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001);
- (e) the design of temporary lighting for the Works and construction support areas in accordance with the Construction Lighting Management Plan;

- (f) details on the timing of the installation of screening and planting and opportunities where this can be undertaken prior to works commencing;
- (g) the approach to the management of construction waste;
- (h) measures to avoid or minimise disturbance to burials being undertaken at Bunnythorpe cemetery during construction;
- (i) the accidental discovery protocol adopted by the Requiring Authority;
- (j) a description of training requirements for all site personnel (including employees, subcontractors and visitors) including details of briefings for employees and subcontractors about the accidental discovery protocol adopted by the Requiring Authority;
- (k) environmental incident and emergency management procedures; and
- (l) contact numbers for key construction staff, and staff responsible for any monitoring requirements.

Construction Lighting Management Plan

- 67. All lighting required for the Works must comply with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting, Zone A2 limits.
- 68. At least 6 months prior to the Works commencing, the Requiring Authority must prepare a Construction Lighting Management Plan for certification and implement the plan for the duration of the Works.
- 69. The Construction Lighting Management Plan must be prepared by a suitably qualified and experienced person.
- 70. The objective of the Construction Lighting Management Plan is to demonstrate compliance with AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting, Zone A2 Limits, between 11:00pm and 6.00am during the Works.
- 71. The Construction Lighting Management Plan must specify the measures to:
 - (a) minimise construction vehicle headlight sweep on adjacent dwellings identified in this plan;
 - (b) minimise as far as practicable light spill and glare from construction lighting on adjacent dwellings identified in this plan ~~dwellings~~; and
 - (c) minimise as far as practicable light spill and glare from construction lighting to the Palmerston North Airport Control Tower.

Dust Monitoring

- 71A. The Requiring Authority must ensure that there is no noxious, dangerous, objectionable or offensive dust to the extent that it causes an adverse effect beyond the boundary of the Designation.
- 71B. The Requiring Authority must assess weather and ground conditions (wind and dryness) at the start of each day when ~~construction~~ Works are scheduled.
- 71BA. The Requiring Authority must ensure that applicable dust mitigation measures and methods contained in the Construction Dust Management Plan are ready for use prior to commencing Works for the day.
- 71C. For the purposes of Conditions ~~{71D, 71E and 71F}~~, the following maximum monitoring trigger levels shall apply ~~to the all wWorks authorised by the Designation~~:

(a) Ten-minute rolling PM₁₀ concentration of 150 micrograms per cubic metre (1 hour average).

(b) The wind direction (10-minute average) places dust generating construction activities directly upwind of sensitive receivers when the wind speed exceeds 7 m/s.

71D. (a) The Requiring Authority must install and operate, for the duration of construction and operation of the Freight Hub, a meteorological monitoring station, with instruments capable of continuously monitoring meteorological conditions for the site. The instruments must:

(i) be installed prior to commencing construction Works;

(ii) be capable of continuous measurement and real time logging and reporting of wind strength, wind direction, air temperature and rainfall;

(iii) provide an alarm to site staff (for example via mobile phone) if the ten-minute rolling average wind speed trigger level in Condition ~~71C~~59C(b) is exceeded;

(iv) be installed on a mast such that their height is at least five metres above ground level and in accordance with AS/NZS 3580.14:2014 – Methods for sampling and analysis of ambient air – Part 14: Meteorological monitoring for ambient air quality monitoring applications–AS 2923 – 1987 Ambient Air Guide for Measurement of Horizontal Wind for Air Quality Applications;

(v) be maintained in accordance with the manufacturer's specifications.

(b) All measured data must be:

(i) recorded and stored using an electronic data logging system and retained ~~for the duration of the activities authorised by the Designation;~~

(ii) provided to the Palmerston North City Council upon request.

71E. Prior to the commencement of Works, the Requiring Authority must install and operate instruments to measure particulate matter as PM₁₀ and PM_{2.5} on, or near to, at least two Designation boundary locations including:

(a) the north-western boundary; and

(b) the eastern boundary.

Advice note:

The intent of the monitoring locations is to align with the prevailing winds that are from the north-northeast quadrant and the south-southeast quadrant, such that the monitoring can provide corresponding upwind and downwind data for the construction works. The location of the monitoring stations along the north-western and eastern boundaries may need to be changed over time, i.e. to take into account the significance of the works and relative separation of the works to potentially impacted dwellings. Depending on the extent of the works at any particular stage of construction, additional monitors may need to be installed to achieve coverage and fulfil the intent of the condition.

71F. All particulate matter monitors required under Conditions [71E] must be:

(a) of a type that are suitable for dust management by measuring PM₁₀ and PM_{2.5}, but need not meet the standard for compliance monitoring under the National Environmental Standards for Air Quality Regulations (2004);

(b) calibrated and maintained in accordance with the manufacturer's specifications;

(c) capable of providing real-time information to provide email and/or text alerts if exceedances of the monitoring trigger value in Condition [71C] occur.

Construction Dust Management Plan

71G. The Requiring Authority must prepare and submit a Construction Dust Management Plan to Palmerston North City Council for certification at least three months prior to the commencement of and implement the plan for the duration of construction the Works. The Requiring Authority must implement a Construction Dust Management Plan for the duration of the Works.

71H. The objective of the Construction Dust Management Plan is to detail measures for avoiding, remedying or mitigating the adverse effects of dust from the Works on public health and amenity-construction works.

71I. The Construction Dust Management Plan must be prepared by a suitably qualified and experienced person.

71J. The Construction Dust Management Plan must achieve the objective in Condition 71H{59H} and ~~shall~~must include:

- (a) A description of the activities and sources with the potential to generate dust on site;
- (b) A description of the potential effects of the dust discharges;
- (c) A description of the receiving environment and identification of sensitive receivers within 150 metres of the site boundaries;
- (d) Procedures, processes and methods for managing dust, including for when personnel are not on site;
- (e) Identification of ~~triggers and~~ contingency measures (including the duration for which any measures must be implemented) to address identified and verified adverse effects on sensitive receptors where trigger levels in condition 71C have been exceeded, and a process for verifying that adverse effects are a result of the Works. Contingency measures may include options such as:
 - (i) cleaning of water tanks and replenishment of water supplies,
 - (ii) cleaning of houses,
 - (iii) cleaning of other buildings and infrastructure,
 - (iv) cleaning of local roads (in agreement with PNCC's Chief Engineer);
- ~~(f)~~ A description of the particulate matter monitoring programme and monitoring equipment;
- ~~(g)~~ A dust monitoring plan including:
 - ~~(i)~~ Equipment selection and siting requirements;
 - ~~(ii)~~ A maintenance and calibration schedule for meteorological and particulate matter monitoring instruments, and data management procedures;
 - ~~(iii)~~ Methods for undertaking visual monitoring assessments of dust emissions;
- ~~(h)~~(f) Procedures for training of personnel and contractors to make them aware of the requirements of the Construction Dust Management Plan;
- ~~(i)~~(g) Monitoring triggers and procedures for responding to particulate matter monitoring and wind speed triggers;
- ~~(j)~~(h) The process for recording complaints and providing feedback to the complainant on how issues raised in complaints have been addressed;
- ~~(k)~~(i) The roles and responsibilities of personnel responsible for implementing and reviewing the Construction Dust Management Plan.

71K. If a complaint related to off-site effects of construction dust is received and verified to be a result of the Works, the Requiring Authority must investigate dust deposition at the applicable property and determine in consultation with the occupier / owner which if any of the contingency measures set out in the Construction Dust Management Plan should be implemented the appropriate remedial action(s), for example, providing cleaning services.

Network utilities

72. Prior to any land disturbing works, the Requiring Authority must:
- (a) identify the location of existing overhead or underground network utilities (www.beforeudig.co.nz);
 - (b) identify these utilities relevant in any construction plans and place appropriate physical indicators on the ground showing specific surveyed locations or other marker for overhead lines; and
 - (c) provide the information of the network utilities identified under Condition 72(a) and (b) and information on any restrictions in place in relation to those existing network utilities to all construction personnel, including contractors.
73. Prior to any land disturbing works within 21m of the centreline of the National Grid line support structure, the Requiring Authority must obtain an electrical clearance report from a suitably qualified electrical engineer demonstrating compliance with the minimum safe distance requirements of the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).
74. The Requiring Authority must provide the electrical clearance report to Transpower New Zealand Limited for review, with the Requiring Authority recording any feedback provided and how it has been addressed to ensure compliance (NZECP 34:2001).
75. At least 20 working days prior to the commencement of the Works, the Requiring Authority must provide Transpower New Zealand Limited with details of the likely Works and programme in relation to works within 21m of the centreline of the National Grid line support structure, and provide relevant updates to Transpower New Zealand Limited in relation to those works.
76. The Requiring Authority must ensure that any proposed services, pipes or fences within 12m of the National Grid support structure are made of non-conductive material or alternative method of mitigating potential earth rise and ensuring electrical safety.
77. The Requiring Authority must ensure the continuity of existing Powerco owned services and existing Palmerston North City Council owned three water services and, where necessary, provide for the efficient relocation of any of their infrastructure affected by the Works or operation of the Freight Hub to a location where operation, maintenance and upgrade activities associated with those services can be safely and efficiently provided (such relocation to be planned and undertaken in consultation with the relevant infrastructure owner).

Construction Traffic

78. At least six months prior to the Works commencing, the Requiring Authority must prepare a Construction Traffic Management Plan for certification, and implement the plan for the duration of the Works.
79. The objective of the Construction Traffic Management Plan is to outline the methods that will be undertaken to avoid, remedy or mitigate adverse effects from traffic associated with the Works on property access, road user safety and efficiency of traffic movements.
80. The Construction Traffic Management Plan must be prepared by a suitably qualified and experienced person.

81. At least 20 working days prior to the Construction Traffic Management Plan being submitted to Palmerston North City Council for certification, the Requiring Authority must provide a draft of the Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, Manawatū District Council for feedback.
82. The Construction Traffic Management Plan must achieve the objective in Condition 79 and must:
- (a) identify the numbers, frequencies, and timing of traffic movements for each phase of the construction programme in the Construction Management Plan, including any limitations on heavy vehicle movements through key areas (including local roads) during night and peak times, as required either in relation to traffic conditions or to mitigate potential noise and vibration effects;
 - (b) identify safe site access routes, site access arrangements, and site access points for construction traffic, including heavy vehicles involved in constructing the Freight Hub in a manner consistent with Waka Kotahi NZ Transport Agency's Code of Practice for Temporary Traffic Management;
 - (c) with reference to relevant Austroads Guidelines (or similar New Zealand Standards), identify any upgrades that are needed on the basis of departures from those standards, and the timing of upgrade works that the Requiring Authority must undertake, to ensure safe and fit for purpose site access routes and access points, including for possible night-time movement of construction vehicles;
 - (d) outline temporary traffic management measures, such as traffic detours (including for public transport, walking and cycling, school bus routes, and infrastructure) and temporary speed limits;
 - (e) describe measures to maintain safe pedestrian and cyclist movements in the vicinity of the site, including measures to ensure that any shared paths delivered by Palmerston North City Council and Te Araroa Trail between Palmerston North and Feilding are open to the public for use at all times (including any diversions) during construction of the Freight Hub;
 - (f) outline measures to manage noise from construction traffic including any restrictions on routes, timing and engine braking;
 - (g) detail measures to ensure vehicle access to private properties is maintained, where current access is affected by construction, including ensuring that access to the Foodstuffs North Island Limited site at 703 Roberts Line (the legal description being Lot 1 DP 384898) is able to be provided for heavy vehicles at all times;
 - (h) identify opportunities to use the rail network to minimise effects on the roading network where practicable;
 - (i) provide measures for the management of fine material loads (e.g. covers) and the timely removal of any material deposited or spilled on public roads;
 - (j) detail the process for and locations of construction traffic movement monitoring and the frequency and times of monitoring relevant to the stage of construction set out in the programme in the Construction Management Plan;
 - (k) provide a process for ensuring that updated traffic information is included in the Construction Engagement Plan;
 - ~~(l) specify how road condition will be monitored and maintained (including in conjunction with the relevant Road Controlling Authority) to ensure that road surface integrity and waterproofness is maintained at a level consistent with that identified through the pre-works surveys required under Condition 82A, including specifications of the frequency and response times for remedying defects;~~
 - ~~(l)(m)~~ identify any material construction activity being undertaken by other parties, including roading works occurring along access routes identified in Condition 82(b); and
 - ~~(m)(n)~~ provide details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council and how it was incorporated.

~~82A — Pre-construction baseline surveys~~

- ~~(a) — Prior to commencement of Earthworks and Site Establishment Works of the Freight Hub, the Requiring Authority must undertake and document:
 - ~~(i) — Pre-works condition surveys of the carriageways including road roughness, rutting, skid resistance, cracking and drainage performance along the local roads affected by the freight Hub as identified in the certified Construction Traffic Management Plan under Condition 78;~~
 - ~~(ii) — Independent comparative pavement life-cycle modelling (e.g. DTMS) informed by Falling Weight Deflectometer (FWD) surveys, of both the 'with' (Scenario A) and 'without' (Scenario B) Earthworks and Site Establishment Works traffic scenarios to identify the timing of pavement renewal works required under each scenario.~~~~
- ~~(b) — The requiring Authority must submit the surveys and assessment results to Palmerston North City Council's Roading Asset Manager at least 10 working days prior to commencements of Earthworks and Site Establishment Works~~

~~82B~~

- ~~(a) — As soon as practicable following completion of Earthworks and Site Establishment Works of the Freight Hub, the Requiring Authority must, at its expense, conduct a FWD survey, using the same methods, locations and geographical extent as required by Condition 82A(a)(ii). The results of the pre and post works will be compared.~~
- ~~(b) — Where necessary, the Requiring Authority must, at its expense and subject to the authorisation of the relevant road Controlling Authority, engage an approved Council contractor to carry out any rehabilitation works necessary to restore the asset to the predicted Scenario B lifespan identified in the pre-works survey.~~

- 83. The Construction Traffic Management Plan must be reviewed and updated as required to align with the key stages identified in the construction programme required in the Construction Management Plan.
- 84. The Requiring Authority must provide any updated draft Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawātū District Council for review and feedback at least 20 working days prior to submitting the updated Construction Traffic Management Plan for recertification under Condition 9.
- 85. The Requiring Authority shall ensure that Maple Street is not used by construction traffic to access the Freight Hub.

Construction Noise and Vibration Management Plan

- 86. At least 20 working days prior to the Works commencing, the Requiring Authority must prepare a Construction Noise and Vibration Management Plan for certification and implement the plan for the duration of the Works.
- 87. The objective of the Construction Noise and Vibration Management Plan is to demonstrate how compliance with the limits in Conditions 89 and 91 will be achieved for the duration of the Works.
- 88. The Construction Noise and Vibration Management Plan must be prepared by a suitably qualified and experienced person and in general accordance with the requirements of Annex E2 of NZS 6803:1999.

89. All of the Works must be undertaken to ensure that, as far as practicable, construction noise does not exceed the limits in Table 1. Construction Noise limits. Noise levels must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction noise as follows (at occupied dwellings).

Table 1: Construction Noise limits

Time of Week	Time Period	LAeq	LAFmax
Weekdays	0630 – 0730	55 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	65 dB	80 dB
	2000 – 0630	45 dB	75 dB
Saturdays	0630 – 0730	45 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	45 dB	75 dB
	2000 – 0630	45 dB	75 dB
Sundays and Public Holidays	0630 – 0730	45 dB	75 dB
	0730 – 1800	55 dB	85 dB
	1800 – 2000	45 dB	75 dB
	2000 – 0630	45 dB	75 dB

N.B. Shading indicates *night-time* hours.

90. Night-time construction work that exceeds the noise limits specified in Table 1 in Condition 89 and Table 2 in Condition [9091](#) must only take place if the Works cannot be practicably undertaken during day time hours.
91. Construction vibration must as far as practicable, comply with the criteria in Table 2 Vibration Criteria, where:
- Measurement is in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures;
 - BS 5228-2 is British Standard BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration.

Table 2: Vibration Criteria

Receiver	Location	Details	Category A PPV	Category B PPV
Occupied dwellings and schools	Inside the building	2000 – 0630	0.3 mm/s	1 mm/s
		0630 – 2000	1 mm/s	5 mm/s
Other occupied buildings	Inside the building	0630 – 2000	2 mm/s	5 mm/s

Receiver	Location	Details	Category A PPV	Category B PPV
<i>Unoccupied buildings</i>	<i>Building foundation</i>	<i>Vibration transient</i>	<i>5 mm/s</i>	<i>BS 5228-2² Table B.2</i>
		<i>Vibration continuous</i>		<i>50% of BS 5228-2 Table B.2³</i>

- (c) The Category A construction vibration criteria in Table 2 above must be complied with as far as practicable. If measured or predicted vibration from the Works exceeds the Category A criteria, the Requiring Authority must engage an independent, suitably qualified and experienced person to assess and manage construction vibration during those activities.
- (d) If prior to or during Works, measured or predicted vibration from the Works exceed the Category B criteria in Table 2:
- (i) the relevant Works must not commence or proceed until a suitably qualified and experienced person has undertaken a building condition survey at affected receivers (provided the owner(s) and/or occupier(s) has agreed to such a survey) and identified specific Best Practicable Option measures to manage the effects of vibration; and
- (ii) the Requiring Authority must undertake vibration monitoring for the duration of the relevant Works.
- (e) The findings of the building condition surveys and measures identified in Condition 91(d) must be included as a Schedule to the Construction Noise and Vibration Management Plan in Condition 92 and the Requiring Authority must implement the mitigation measures for the duration of the relevant Works.
- (f) The Schedule must be provided to the Palmerston North City Council (Head of Planning Services) as soon as practicable before the relevant Works commence.
- (g) As soon as practicable following completion of the relevant Works, the Requiring Authority must engage a suitably qualified and experienced person to undertake a building condition survey at affected receivers identified in Condition 91(d) to determine if any damage has occurred as a result of construction vibration.
- (h) The Requiring Authority must repair any damage identified in [e](#)Condition 91(g) as soon as practicable.
92. The Construction Noise and Vibration Management Plan must achieve the objective in Condition 87 and include:
- (a) the noise and vibration limits as set out in the Conditions 89 and [9991](#);
- (b) a description of the construction works and processes;
- (c) a description of anticipated equipment and any noise or vibration suppression devices;
- (d) the hours of operation, including times and days when activities causing noise and/or vibration would occur;
- (e) identification of affected dwellings and other noise sensitive activities and projected noise and vibration levels for those activities;
- (f) a description of alternative management strategies where compliance with the criteria in Conditions 89 or [9991](#) may not be achieved;
- (g) methods and frequency for monitoring and reporting on construction noise and vibration;
- (h) details of the procedures and timing for notifying stakeholders and sensitive receivers of construction activities in relation to night time works, where the night time noise limits in Table 1 of Condition 89 and Table 2 of Condition [9991](#) will be exceeded, notice to sensitive receivers must include the expected timing and duration of the works and be provided and copied to the Palmerston North City Council Head of Planning Services at least five working days before the works commence);

- (i) procedures for handling noise and vibration complaints as set out in the Construction Engagement Plan and Complaints Register in Conditions 25-31;
- (j) construction equipment operator training procedures and expected construction site behaviours; and
- (k) contact numbers for key construction staff, staff responsible for noise assessment and the council compliance officer;
- (l) whether the construction noise limits in Table 1 in Condition 89 will be exceeded and whether acoustic mitigation (such as temporary or permanent acoustic screens) is required to achieve compliance with those noise limits. Any such mitigation must be put in place prior to the relevant Works commencing and be maintained for the duration of those Works; and
- (m) procedures and timing for a suitably qualified and experienced person to undertake a specific noise assessment of night-time construction works, which must include any recommended mitigation measures to minimise the noise impacts of any night-time construction work that exceeds the noise limits specified in Table 1 in Condition 89 and Table 2 in Condition [9091](#).

Water supply

93. The Requiring Authority must ensure that all new buildings within the Freight Hub are serviced with adequate water supply and access to that supply for firefighting purposes in accordance with the New Zealand Fire Service Firefighting Code of Practice SNZ PAS 4509:2008.

Operational Lighting Design Plan

94. The Requiring Authority must prepare and submit an Operational Lighting Design Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement the Operational Lighting Design Plan.
95. The Operational Lighting Design Plan must be prepared by a suitably qualified and experienced person.
96. The objective of the Operational Lighting Design Plan is to demonstrate how the lighting for the outdoor operational areas, access roads (including the Perimeter Road), and carparks of the Freight Hub will be designed to comply with *AS/NZS 4284:2019- Control of the obtrusive effects of outdoor lighting, Zone A2 limits* between 11.00pm and 6.00am to manage sky glow, glare, light spill and effects on road users from the operation of the Freight Hub, including at the Palmerston North Airport Control Tower.
97. The Operational Lighting Design Plan must achieve the objective in Condition 96 and must include:
- (a) the projected light spill and glare calculations;
 - (b) the proposed locations and design for lighting structures, including low-level security lighting and under carriage lighting;
 - (c) any measures to reduce potential adverse visual amenity effects including minimising where practicable, the number of lighting poles and the height of lighting towers;
 - (d) confirmation that a Civil Aviation Authority NZ Part 77 Determination has been obtained if required; and
 - (e) identification of potential areas where headlight sweep onto the windows of a residential dwelling's bedroom is likely to occur because of night-time traffic movements within the site and when exiting the site. If so, provide details for measures to mitigate its effects; and
 - (f) the proposed exterior lighting colour, which must have a colour temperature of light emitted of 3000 Kelvin or lower.

Operational Traffic Management Plan

98. The Requiring Authority must prepare and submit an Operational Traffic Management Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement an Operational Traffic Management Plan for the duration of the Freight Hub's operation.
99. The objective of the Operational Traffic Management Plan is to avoid, remedy or mitigate any identified adverse transport effects of traffic generated by the operation of the Freight Hub.
100. At least 20 working days prior to the Operational Traffic Management Plan being submitted to Palmerston North City Council for certification, the Requiring Authority must provide a draft of the Operational Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council for feedback.
101. The Operational Traffic Management Plan must achieve the objective in Condition 99 and include:
- (a) the process for and frequency of operational traffic monitoring (at least every two years until completion, unless otherwise agreed with Palmerston North City Council, including when the monitoring commences, the location of monitoring points, the timing of monitoring (to avoid school or public holidays, and to be undertaken at a similar time each year) and the period of traffic count collection (which must be at least 7 consecutive days);
 - (b) a description of actual and forecasted traffic generation at each of the Freight Hub's three access points from the Perimeter Road, including light and heavy vehicles, as a result of activities within the Freight Hub;
 - (c) records of assessment and reporting on safety and performance of each of the Freight Hub's access points carried out in accordance with Condition 102, with allowance made for the interaction with rail crossings within the site) and any other access point onto the section of the Perimeter Road between Roberts Line and Maple Street;
 - (d) details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, and Manawatū District Council and how it has been incorporated; and
 - (e) the process for reviewing and updating the Operational Traffic Management Plan as outlined in Condition 104.
102. The Requiring Authority must assess the safety and performance of the accesses listed in Condition 101(c) to demonstrate that they achieve:
- (a) a Level of Service of D or better (for sign-controlled intersections, this is the Level of Service on the side road(s) approach(es)), as modelled with SIDRA or similar intersection modelling software; and
 - (b) in the event that there have been any serious injury or fatal crashes (as reported in the Waka Kotahi Crash Analysis System (CAS) database) the road network at the accesses in Condition 101(c) since the previous review of the Operational Traffic Management Plan, road safety audits must be undertaken in accordance with the *New Zealand Transport Agency Road Safety Audit Procedures for Projects, Guidelines Interim Release May 2013*.

103. In the event that any of the accesses do not meet the standards in Condition 102(a) or 102(b), and in circumstances where the failure to meet those standards is attributable to operational traffic associated with the Freight Hub, the Requiring Authority must:
- (a) develop designs for upgrades to that infrastructure in order to achieve these standards;
 - (b) submit the designs to the Chief Roading Engineer at Palmerston North District Council for certification that they meet the requirements of Condition 102(a) and / or 102(b); and
 - (c) implement at its cost the certified infrastructure upgrades within 12 months of receiving certification.
104. The Requiring Authority must review and update the Operational Traffic Management Plan:
- (a) with each relevant outline plan of works for buildings and development of the Freight Hub taking into account the outcomes of any monitoring and audits undertaken in accordance with Condition 101 and 102;
 - (b) when total vehicle movements across the three access points from the Perimeter Road to activities within the Freight Hub exceed 4200 vehicles per day;
 - (c) when total vehicle movements across the three access points from the Perimeter Road to activities within the Freight Hub exceed 8000 vehicles per day.
 - (d) when total traffic movements across the three access points from the Perimeter Road to activities within the Freight Hub exceed 12000 vehicles per day; and
 - (e) at least every 6 years.
105. The Requiring Authority must advise Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council on the outcomes of any review undertaken in accordance with Condition 104 and provide any updated draft Operational Traffic Management Plan to those parties for review and feedback.
106. The Requiring Authority is not required to review and update the Operational Traffic Management Plan under Condition 104(b) or 104(c) or 104(d) within 12 months of the previous review and update of the Operational Traffic Management Plan.

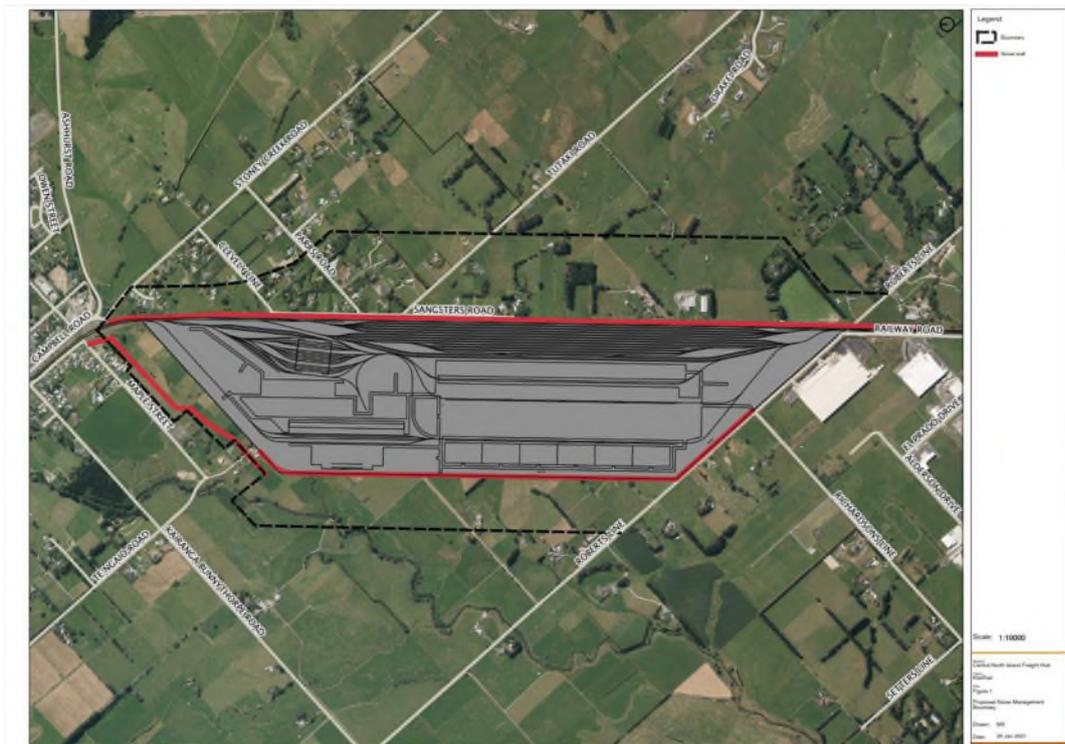
Operational Noise and Vibration

107. All operational activities at the Freight Hub must be undertaken to ensure that noise does not exceed the limits, as far as practicable, in Table 3 when measured at or beyond the Noise Management Boundary shown in Figure 1.

Table 3: Noise limits

All times	55dB LAeq (1hr)
10pm-7am	85 dBLAmax

Figure 1 Noise Management Boundary



108. Sound levels of operational activities at the Freight Hub must be measured in accordance with NZS 6802:2008 Acoustics – Measurement of environmental sound and assessed in accordance with NZS 6801:2008 Acoustics – Environmental noise, except that no corrections will be made for duration (6.4).

Advice note: for the purposes of Condition 108, sound generated from ~~normal~~ rail activities ~~which are undertaken in accordance with~~ using good site management practices that minimise as far as practicable the creation of tonal and impulsive noise beyond the Site, including the sound from containers being picked up and put down, ~~is not~~ should not be classified as having special audible characteristics.

109. The Freight Hub must be designed and operated to ensure that noise does not exceed 65 dB LAeq(1hr) within any site zoned Rural or Residential (as at 23 October 2020) outside the Designation Extent.
110. At least 12 months prior to the commencement of operation of any noise generating component of the Freight Hub, the Requiring Authority must undertake noise modelling to predict at intervals of 45 dB LAeq (1hr), 55 LAeq (1hr) and 65 dB LAeq (1hr):
- the projected noise levels from the operation of the Freight Hub for the following 12 months ("**Annual Noise Contours**"); and
 - the long term projected noise levels from future activities within the Freight Hub ("**Future Noise Contours**").

The Requiring Authority must thereafter undertake noise modelling annually, and update the Annual Noise Contours and Future Noise Contours (as required).

111. Where the Annual Noise Contours identify that the noise levels are predicted to exceed 55 dB LAeq(1hr) at any time, or 45 dB LAeq (1hr) between the hours of 10pm and 7am, (either wholly or partly) at any Existing Dwelling in the following 12 months, the Requiring Authority must:
- subject to property owner(s) approval and within three months of producing the Annual Noise Contours, engage a suitably qualified person to undertake investigations at those Existing Dwellings to determine if any acoustic treatment measures are necessary to achieve, based on the Future

- Noise Contours, an internal noise levels of 35 dB LAeq(1h) in bedrooms and 40 dB LAeq(1h) in other habitable spaces;
- (b) within three months of undertaking the investigations in Condition 111(a), make an offer to the property owner(s) to install, at the Requiring Authority's cost, acoustic treatment measures recommended by the suitably qualified person to achieve the noise levels in Condition 111(a) based on the Future Noise Contours and a reasonable future projection of noise from the operation of the North Island Main Trunk Line; and
 - (c) if the offer in Condition 111(b) is accepted within six months, and provided that the property owner(s) enter into a covenant with the Requiring Authority ~~which includes terms~~ that the owner(s) and occupier(s) will ensure that the acoustic treatment measures are not removed or altered in a way that lessens their effectiveness, the Requiring Authority must install the acoustic treatment and use best endeavours to install that treatment before any Existing Dwelling falls within the 55 dB LAeq(1hr) Annual Noise Contour.

Advice Note: Any covenant under 111(b) must not require a no complaints obligation on landowners unless agreed to by the landowner.

- 112. Where any bedrooms within an Existing Dwelling contain openable windows, the acoustic treatment measures in Condition 111(a) must include a positive supplementary source of fresh air ducted from outside which must achieve a minimum of 7.5 litres per second per person.
- 113. When providing acoustic treatment measures in accordance with Condition 111, the Requiring Authority is not required to fund any measures required to:
 - (a) bring a building up to the standard required in any building regulations, bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - (b) remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, where that work is not reasonably related to or ancillary to the installation of noise insulation.

114. This condition is blank.

- 115. The Requiring Authority is not required to achieve an internal design noise level of 35 dB LAeq(1h) in bedrooms and 40 dB LAeq(1h) in other habitable spaces, and will not be in breach of Condition 111, if:
 - (a) the property owner(s) accepts in writing a form or level of acoustic treatment that results in a different internal design ~~sound noise~~ level and that consent is provided to the Palmerston North City Council;
or
 - (b) ~~it is the Palmerston North City Council~~ a suitably qualified and experienced person certifies that it not reasonably practicable to achieve the specified internal design noise level due to the type, structure, age or state of repair of the Existing Dwelling or the desirability to maintain heritage features of the Existing Dwelling.

In the event that Condition 115(b) applies, the Requiring Authority must install measures to reduce the internal design sound level of the habitable spaces as far as practicable.

- 116. All operational activities in the Freight Hub must be undertaken to ensure that vibration at any Existing Dwelling outside the Designation Extent does not exceed 0.3 mm/s vw,95 as far as practicable.
- 117. The Requiring Authority must prepare and submit an Operational Noise and Vibration Management Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the

Freight Hub. The Requiring Authority must implement the Operational Noise and Vibration Management Plan.

118. The objective of the Operational Noise and Vibration Management Plan is to demonstrate how compliance with the noise and vibration limits for the operation of the Freight Hub set out in Conditions 107, 109 and 116 will be achieved.
119. The Operational Noise and Vibration Management Plan must be prepared by a suitably qualified and experienced person.
120. The Operational Noise and Vibration Management Plan must outline:
 - (a) the noise and vibration limits for both day and night time activities within the Freight Hub must operate as set out in Condition 107 and Condition 116;
 - (b) the Annual Noise Contours and the Future Noise Contours produced in accordance with Condition 110;
 - (c) any noise mitigation required to manage the noise effects including:
 - (i) a continuous barrier, including bunds and/or natural elevation on the eastern boundary within the Designation Extent extending to at least 5 metres above the finished ground level;
 - (ii) a barrier 3 metres above local ground level on the northern boundary within the Designation Extent;
 - (iii) a barrier 3 metres above finished ground level on the western boundary if dwellings are still within 500m of the Perimeter Road in that location when operation commences; and
 - (iv) acoustic treatment of Existing Dwellings required by Conditions 110 to 115.
 - (d) the process for undertaking modelling and monitoring of operational noise and vibration;
 - (e) the location of permanent noise monitors which must include:
 - (i) one in the northern area of the Freight Hub;
 - (ii) one in the eastern area of the Freight Hub; and
 - (iii) one in the western area of the Freight Hub, if dwellings are still within 500 metres of the Perimeter Road in that location,
 - (f) site noise management measures including operation of machinery and equipment in a manner to avoid unreasonable noise.
121. The Requiring Authority must make the current version of the Operational Noise and Vibration Management Plan publicly available on its website.
122. The Requiring Authority must review and update (including with any additional noise modelling as required) the Operational Noise and Vibration Management Plan:
 - (a) annually; and
 - (b) prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the noise and vibration levels generated from the Freight Hub.

Operational Dust Management

123. The Requiring Authority must prepare and submit an Operational ~~Noise and Vibration Management Plan~~ [Dust Management Plan](#) to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement the Operational Dust Management Plan.

124. The objective of the Operational Dust Management Plan is to avoid, remedy or mitigate the adverse effects of dust from the operation of the Freight Hub [on public health and amenity](#).
125. The Operational Dust Management Plan must be prepared by a suitably qualified and experienced person.
126. The Operational Dust Management Plan must achieve the objective in Condition 124 and include:
- (a) the location and nature of dust generating activities within the Freight Hub;
 - (b) the location of any sensitive receptor within 100m of the Designation Extent;
 - (c) a qualitative assessment of the risk of impacts of dust generation from dust generating activities within the Freight Hub, including the typical frequency and duration of exposure to dust for each activity;
 - (d) the mitigation and management practices to minimise the potential for more than minor adverse dust emissions beyond the Designation Extent; and
 - (e) [dust particulate to be monitored and](#) the process for monitoring [those](#) dust [particulates generation and dust generating activities](#).
127. The Requiring Authority must review and update the Operational Dust Management Plan prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the dust generated from the Freight Hub.
128. At least three months prior to Works commencing, the Requiring Authority must:
- (a) identify Existing Dwellings within 100m of the Designation Extent that will experience adverse dust effects arising from the operation of the Freight Hub and rely on roof top rain water supply systems for drinking water supply;
 - (b) at each of the Existing Dwellings identified in Condition 128(a), offer to install a first-flush rainwater diversion system at the Requiring Authority's cost; and
 - (c) subject to property owner(s) approval, install that system as soon as practicable.

Third Party restrictions

129. The Requiring Authority must enable access for maintenance utility works undertaken in road corridors in accordance with the National Code of Practice for Utility Operators Access to Transport Corridors (September 2016) or any approved update to the Code.
130. The Requiring Authority must ensure that access is maintained to any Powerco infrastructure, the National Grid Transmission Line and support structure for maintenance at all reasonable times, and for emergency works at all times.

APPENDIX 2

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Purpose

The land to which this designation applies may be used to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005, and activities and infrastructure required to enable the transportation of goods by rail and road, subject to the conditions set out below.

Definitions

Term	Definition
Completion	Completion of construction of the Freight Hub.
Designation Extent	The land within the designation boundary shown in black outline on the Concept Plan prepared by Isthmus, dated 29 October 2021.
Existing Dwelling	As at 23 October 2020, any building: (a) that was constructed as a lawful dwelling; or (b) for which resource consent was granted for construction of a dwelling.
Freight Hub	All activities and structures shown on the Concept Plan dated 29 October 2021, prepared by Isthmus, except that for the purposes of Conditions 130 – 144 it excludes the North Island Main Trunk Line and the Perimeter Road.
Habitable space	Any room in a dwelling which is used or which can be used as a sitting room, a living room, a bedroom, a dining room, or a family room.
Noise Mitigation Structures	The earth bunds and vertical noise barriers to mitigate noise effects.
Perimeter Road	The physical works required to provide: (a) a new section of road south of Maple Street between Railway Road and Roberts Line; (b) improvements to Roberts Line north west of the intersection at Roberts Line and Railway Road; and (c) a safe separated shared path of at least 3.0m in width between Railway Road south of Maple Street and the intersection of Roberts Line and Railway Road.
Works	All physical works and activities (including all site establishment activities but excluding site investigations) that are required to construct the activities and all supporting infrastructure shown on the Concept Plan prepared by Isthmus, dated 29 October 2021.

General Conditions

1. Except as modified by the conditions below and accompanying outline plan(s), the works authorised by this designation must be undertaken in general accordance with the following information provided by the Requiring Authority:
 - (a) the Notice of Requirement for the Freight Hub dated 23 October 2020 and the further information provided by the Requiring Authority dated 15 February 2021, 24 May 2021 and 28 May 2021;
 - (b) Concept Plan dated 29 October 2021, prepared by Isthmus;
 - (c) Draft indicative Landscape plan dated 6 July 2021 prepared by Isthmus Group (rev B); and
 - (d) evidence provided by the Requiring Authority dated 9 July 2021 and at the hearing in August / September 2021.

2. If there is any inconsistency between the Notice of Requirement documentation listed in Condition 1 above and the designation conditions, then the designation conditions prevail.

Lapse Period

3. The designation will lapse if not given effect to within 15 years from the date on which it is included in the District Plan.

Management Plans

4. At least 20 working days before the Works commence or unless otherwise specified in the conditions below, the management plan(s) specified in Condition 8 (excluding the Road Network Integration Plan) including any report or framework required by these conditions must be submitted to the Head of Planning Services at Palmerston North City Council for certification that the management plan(s) meets the requirements of the relevant condition(s). Once certified the management plan(s) must be implemented.
5. Management plan(s) may be prepared and submitted for one or more stages, aspects, sections, or locations of works. All management plans, reports and frameworks must be reasonable and sufficient to meet their purpose.
6. The management plan must be certified by the Palmerston North City Council Head of Planning Services, in accordance with the following process:
 - (a) If the Requiring Authority has not received a response from the Head of Planning Services within 20 working days of the date of submission of the response under Condition 4, the management plan is deemed to be certified.
 - (b) If the Head of Planning Services response is that the management plan does not meet the requirements of the relevant condition(s), the Requiring Authority must consider any reasons and recommendations of the Head of Planning Services and resubmit an amended management plan for certification.
 - (c) If the Requiring Authority has not received a response from the Head of Planning Services within 5 working days of the date of resubmission under Condition 6(b) above, the management plan is deemed to be certified.

Outline Plan(s)

7. The outline plan(s) may be submitted for the Freight Hub or for one or more stages, aspects, sections, or locations of works.
8. The outline plan(s) must include any relevant plan for the particular design or construction or operational matters being addressed in the outline plan and any updates of any plans. The following must be included in an outline plan or plans (as relevant to the particular stage, aspect, section or location of the design or construction matters being addressed):
 - (a) Construction Management Plan
 - (b) Construction Traffic Management Plan
 - (c) Construction Noise and Vibration Management Plan
 - (d) Landscape and Design Management Plan
 - (e) Construction Engagement Plan

- (f) Stormwater Management Report
- (g) Stormwater Monitoring and Maintenance Plan
- (h) Road Network Integration Plan
- (i) Operational Noise and Vibration Management Plan
- (j) Operational Traffic Management Plan
- (k) Operational Lighting Design Plan
- (l) Operational Dust Management Plan
- (m) Geotechnical Report
- (n) Construction Lighting Management Plan
- (o) Construction Dust Management Plan

Amendments to management plans

9. The Requiring Authority may make material amendments to any documents or plans listed in Condition 8 (excluding the Road Network Integration Plan) by following the process set out in Conditions 4 and 6, unless the amendment is a minor amendment under Condition 10.

10. The documents and plans referred to in Condition 8 (excluding the Road Network Integration Plan) may be amended to provide updated information or reflect changes in design, construction methods or the management of effects without the need for re-certification or a further outline plan, where:
 - (a) the amendment is in general accordance with the original document, plan, or outline plan and the relevant conditions under which that document or plan was prepared; or
 - (b) the amendment is to give effect to an amendment required under another statutory approval; and
 - (c) the amendment proposed is provided in writing to Palmerston North City Council at least 10 working days prior to the relevant works being undertaken; and
 - (d) Palmerston North City Council confirms in writing that the amendments meet the requirements of Condition 10(a) or (b). If a response is not received from the Head of Planning Services at the Council within 5 working days of the date that it is provided in Condition 10(c), the amendments are deemed to be approved.

11. The Requiring Authority must notify the Head of Planning Services at Palmerston North City Council, in writing, at least 10 working days prior to commencement of the detailed design stage of the Freight Hub. The notice of commencement must include:
 - (a) the Mana Whenua Partnership Framework required by Condition 12; and
 - (b) the Design Framework required by Condition 15.

Mana Whenua Partnership Framework

12. Within 12 months of [the date the NoR is confirmed], and before commencing preparation of the Design Framework in accordance with Condition 15 and the detailed design stage of the Freight Hub, the Requiring Authority must engage with Mana Whenua to prepare a Partnership Framework in partnership with Mana Whenua for the Freight Hub in accordance with the principles of Te Tiriti o Waitangi.

13. The objective of the Mana Whenua Partnership Framework is to:
 - (a) recognise Kaupapa based models such as Whānau Ora Outcomes, Te Whare Tapa Whā values and Te Pae Mahutonga Attributes;

- (b) honour, recognise and provide for mana whenua values, tikanga me kawa participation in the rohe or area affected by the Freight Hub;
 - (c) develop mechanisms to avoid, mitigate, compensate or offset effects on mana whenua tikanga me kawa through the implementation of agreed participation, monitoring and mitigation measures; and
 - (d) provide opportunities for expression of tikanga me kawa through design and development options beyond completion of the overall project.
14. The Partnership Framework will include as a minimum:
- (a) key roles and responsibilities for Mana Whenua at the governance and operational levels, including in relation to design and development of the Freight Hub;
 - (b) involvement in cultural impact assessments (CIAs), preparation and implementation of the Design Framework, management plans as part of this designation and any management plans that are developed as part of regional resource consents (including in relation to the management of stormwater);
 - (c) monitoring and exercise of kaitiakitanga and manākitanga activities to be undertaken including in particular, regular monitoring of ngā Puna (aquifers), streams and waterways to be carried out in partnership with Mana Whenua and implementation of adaptive management strategies to address water quality issues that fall below any agreed standards;
 - (d) involvement in developing, approving and partaking in accidental discovery protocols and any archaeological authorities and wildlife permits required;
 - (e) the overall site dedication and other appropriate rituals to be performed by Mana Whenua;
 - (f) any opportunities and benefits in the design, development and operation of the entire Freight Hub;
 - (g) any employment, training scholarship, procurement and investment opportunities as part of the development of the Freight Hub; and
 - (h) any mahi toi (Māori arts and crafts) to be developed as part of the Freight Hub.

Design Framework

15. The Requiring Authority must prepare a Design Framework before commencing the detailed design stage of the Freight Hub.
16. The Design Framework must:
- (a) collate and set out the key design principles to inform the detailed design of the Freight Hub, as required by Condition 20(a); and
 - (b) identify design outcomes that the detailed design should seek to achieve in accordance with Condition 20(b), including but not limited to, opportunities for the detailed design to reflect community and mana whenua values identified in the design principles.
17. The Requiring Authority must invite and make provision for, the Community Liaison Forum and mana whenua to actively participate in the development of the Design Framework.
18. The Requiring Authority must demonstrate how the detailed design of the Freight Hub adheres to the key design principles and how the detailed design gives effect, where practicable, to the design outcomes identified in the Design Framework.
19. Any management plan required by conditions of this designation, or outline plan prepared and submitted in accordance with section 176A of the RMA, must:

- (a) demonstrate how the key design principles have been adhered to and give effect, where practicable, to the design outcomes identified in the Design Framework, to the extent those design principles and design outcomes are relevant to the content of those management or outline plans;
- (b) be accompanied by a design review statement that describes how the management plan and Freight Hub design adheres to the key design principles and gives effect, where practicable, to the design outcomes identified in the Design Framework.

20. Design Principles:

- (b) The compendium of design principles developed in the Design Framework should collate relevant principles identified in the documents in Condition 1 and address, at a minimum, the following matters:
 - (i) the Requiring Authority's operational requirements, including in relation to health and safety;
 - (ii) an interdisciplinary approach which effectively integrates various design elements;
 - (iii) how the Freight Hub integrates with its immediate and wider landscape setting, including through the design of buildings and structures;
 - (iv) principles to inform design of noise mitigation measures, so as to have particular regard to visual amenity, outlook and privacy, and landscape character while ensuring that those measures are effective in mitigating noise;
 - (v) principles to inform design of lighting, so as to have particular regard to visual amenity, landscape character and health and safety;
 - (vi) principles to reflect community identity and place and/or cultural and historical values, as identified through engagement with the Community Liaison Forum; and
 - (vii) principles to reflect cultural values and environmental attributes, as identified through engagement with mana whenua;

Design Outcomes:

- (a) The Design Framework must, if possible, identify opportunities for the detailed design of the Freight Hub to:
 - (i) provide for the relationship of Iwi Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
 - (ii) provide beneficial outcomes for natural character, landscape character and visual amenity;
 - (iii) maintain and/or enhance amenity values in the wider landscape;
 - (iv) provide for community connectivity around the site, including pedestrian and cycle access to and from Bunnythorpe; and
 - (v) recognise as far as is practicable the rural character and context of the local environment.
21. If an outline plan for the Freight Hub has not been submitted to the Palmerston North City Council within five years of the date the Design Framework was provided to the Council in accordance with Condition 11, the Requiring Authority must undertake a review of the Design Framework to ensure that the principles and design outcomes remain relevant and appropriate.
22. The Requiring Authority must invite, and make provision for, the Community Liaison Forum and mana whenua to actively participate in the review of the Design Framework.
23. If a review of the Design Framework required by Condition 21 finds that the Design Framework should be amended, the Requiring Authority must amend the Design Framework and provide a copy of the amended Design Framework to the Palmerston North City Council as soon as reasonably practicable.

Communication and Engagement

Community Liaison Forum

24. Within 12 months of the [date the NoR is confirmed], the Requiring Authority must establish in consultation with the Palmerston North City Council a Community Liaison Forum in a way and in a form that achieves the aims of the communication and engagement conditions.
25. The Requiring Authority must maintain the Community Liaison Forum until at least six months after Completion.
26. The purpose of the Community Liaison Forum is to provide an interactive forum through which the Requiring Authority can provide information to and receive feedback from the community on any matters relating to the design, construction and operation of the Freight Hub.
27. The Community Liaison Forum must be open to mana whenua and all interested residents and organisations within the vicinity of the Freight Hub.
28. The Requiring Authority must:
 - (a) identify and invite parties that may be interested in participating in the Community Liaison Forum, including:
 - (i) local residents who submitted on the Notice of Requirement for the Designation;
 - (ii) Bunnythorpe School and any childcare facilities in the vicinity;
 - (iii) Community groups (including Bunnythorpe Community Centre, faith-based groups and residents organisations);
 - (iv) Businesses and landowners (including in Bunnythorpe village and the North East Industrial Zone, and Transpower New Zealand Limited);
 - (v) cycling and walking groups (including Te Araroa Manawatū Trust); and
 - (b) develop, in consultation with the Community Liaison Forum participants, terms of reference consistent with the purpose of the Community Liaison Forum as set out in Condition 26 including the methods and frequency of communication with those participants for the duration of the Community Liaison Forum as outlined in Conditions 24 and 25; and
 - (c) develop in consultation with the Community Liaison Forum participants, communication strategies and tools for effective and accessible information dissemination to affected members of the community in a timely way.
29. The Requiring Authority must:
 - (a) provide the Community Liaison Forum with up-to-date information about the design, construction and operation of the Freight Hub, including updates on material changes in design or activity and complaints received in accordance with Condition 42;
 - (b) ensure that the Community Liaison Forum is provided with opportunities to provide feedback on matters, including:
 - (i) the draft Design Framework;
 - (ii) draft documents and plans set out in Condition 8 and material updates to any plans in accordance with Conditions 9 and 11 prior to the submission of these documents to the Palmerston North City Council;
 - (iii) timing and nature of mitigation works proposed;

- (iv) any regional resource consent applications and any proposed mitigation measures associated with those consent applications; and
- (c) collate any feedback received and report back to the Community Liaison Forum as to how that feedback has been considered by the Requiring Authority.

Community Liaison Person

- 30. Within 12 months of the [date the NoR is confirmed] the Requiring Authority must appoint (and at all times have appointed) in consultation with the Palmerston North City Council, a Community Liaison Person with particular skills in community engagement.
- 31. The Community Liaison Person role must be in place until at least six months after Completion.
- 32. The role of the Community Liaison Person is to:
 - (a) be responsible for the administration of the Community Liaison Forum; and
 - (b) provide a point of contact for the community on behalf of the Requiring Authority for:
 - (i) all enquiries relating to the Freight Hub, including land acquisition, construction or operational matters; and
 - (ii) co-ordinating landowner engagement in relation to the implementation of plans listed in Condition 8 and any relevant conditions of this Designation.
- 33. The Requiring Authority must make the contact details of the Community Liaison Person available to the community.

Accountable Person

- 34. Two months before commencement of the Works, the Requiring Authority must appoint (and have appointed for the duration of the Works); an Accountable Person and a Nominated Cover Person, both of whom must demonstrate:
 - (a) A good understanding of the Freight Hub;
 - (b) A good knowledge of the Designation conditions; and
 - (c) Skills in project management to ensure the coordinated implementation of the Designation conditions.
- 35. The role of the Accountable Person and the Nominated Cover person (in the instance the Accountable Person is sick or unavailable) is to;
 - (a) Be the point of contact for any queries about compliance with the conditions for the Palmerston North City Council, including in relation to the preparation and implementation of the plans listed in Condition 8; and
 - (b) Coordinate different disciplines as part of the implementation of the conditions.

Advice Note

The aim of this condition is not to make the accountable person have special responsibility for any non-compliance but to ensure there is a clear chain of command in the implementation of the project where the Accountable Person will have a key role. Also, the coordination of disciplines is essential to the delivery of the project in a way that meets these conditions. The Accountable Person should have a clear overview of the project to help that coordination.

Construction Engagement Plan

36. At least 20 working days prior to the Works commencing, the Requiring Authority must prepare a Construction Engagement Plan for certification and implement the plan for the duration of construction.
37. The objective of the Construction Engagement Plan is to ensure that parties that are affected by construction activities are informed of the timing and nature of those activities.
38. The Construction Engagement Plan must include:
 - (a) Contact details of the Community Liaison Person appointed in accordance with Condition 30.
 - (b) A process for identifying the parties that will be communicated with, and the methods of communication, including:
 - (i) the use of a project website for public information; and
 - (ii) provision of an electronic and / or paper-based newsletter and its proposed delivery area for paper-based newsletters.
 - (c) Information on the following, as identified in the relevant management plan(s):
 - (i) likely construction works and programme;
 - (ii) hours of construction where these are outside of normal working hours or on weekends or public holidays, including night-time heavy vehicle movements;
 - (iii) routes for construction vehicles, including vehicle movements and types (ie light or heavy vehicles);
 - (iv) any temporary traffic management measures, including changes to pedestrian and cycling routes, public transport and school bus routes and the reinstatement of those routes;
 - (v) progress of any construction works against key project milestones; and
 - (vi) any measures to manage construction effects as identified in the Construction Management Plan, Construction Traffic Management Plan, Construction Noise and Vibration Management Plan, Construction Lighting Management Plan, Construction Dust Management Plan and Landscape and Design Management Plan.

Complaints Register

39. Within 12 months of [date the NoR is confirmed] the Requiring Authority must establish a register to record any complaints received and action undertaken by the Requiring Authority in response to the complaint, and maintain the register until at least 6 months after Completion.
40. The complaints register must include:
 - (a) the nature and details of the complaint; and
 - (b) measures taken by the Requiring Authority to respond to the complaint or where any measures have not been taken, the reasons why.
41. The complaints register must be made available to Palmerston North City Council upon request, subject to compliance with privacy obligations.
42. The Requiring Authority must provide regular updates to the Community Liaison Forum on complaints received and any measures to address any complaints identified.

Geotechnical report

43. Prior to commencement of any Works, a geotechnical report as relevant to the particular stage, aspect, section or location of Works must be prepared by a suitably qualified and experienced person to identify any risk of instability on the relevant land within the Designation Extent and confirm that any such risk will be appropriately avoided, remedied or mitigated. The geotechnical report(s) must be provided to the Palmerston North City Council (Head of Planning Services).
44. Prior to undertaking any geotechnical site investigations as part of the preparation of a geotechnical report under Condition 32, the Requiring Authority must:
 - (a) Engage with the Palmerston North City Council on the parameters of those investigations, including the locality and nature of investigation; and
 - (b) Seek input from mana whenua in relation to developing protocols for an intrusive site investigation. Any site investigations must be undertaken by a suitably qualified and experienced person.

Archaeology

45. Prior to the commencement of any Works, the Requiring Authority must prepare an accidental discovery protocol in accordance with Condition 46 and implement the accidental discovery protocol for the duration of the Works.
46. The accidental discovery protocol must be prepared in collaboration with mana whenua and in consultation with Heritage New Zealand Pouhere Taonga, and must include:
 - (a) details of contractor training regarding the skills necessary to be aware of the possible presence of cultural or archaeological sites or material;
 - (b) general procedures following the accidental discovery of possible archaeological sites, kōiwi tangata, wāhi tapu or wāhi taonga, including the requirement to immediately cease the Works in the vicinity of the discovery and the requirement to notify parties including, but not limited to, Heritage New Zealand Pouhere Taonga;
 - (c) in the event that kōiwi tangata or taonga are discovered, work must cease immediately in the vicinity of the remains and mana whenua, Heritage New Zealand Pouhere Taonga, New Zealand Police and Palmerston North City Council must be contacted;
 - (d) procedures for the custody of taonga (excluding kōiwi tangata) or material found at an archaeological site; and
 - (e) activities that must be undertaken before construction activities in the vicinity of a discovery may recommence, including appropriate tikanga, recording, recovery of artifacts, and engagement.

Stormwater

Stormwater Management Report

47. The Requiring Authority must prepare and submit a Stormwater Management Report with the first outline plan to Palmerston North City Council.
48. The Stormwater Management Report must be prepared by a suitably qualified and experienced person.

49. The objective of the Stormwater Management Report is to confirm the design of the stormwater detention ponds is sufficient to mitigate the potential flooding effects as a result of any increased stormwater runoff from the Freight Hub and the loss of flood plain storage as a result of the site formation.
50. The Stormwater Management Report must:
- (a) achieve the objective in Condition 49;
 - (b) outline the results of hydrologic and hydraulic modelling of the Mangaone Stream Catchment as affected by the Freight Hub;
 - (c) provide hydraulic details to confirm the appropriate size of the stormwater detention ponds;
 - (d) identify potential effects of the Freight Hub site development on flood risk; and
 - (e) identify methods for reasonable mitigation of any identified flooding effects.

Stormwater Management and Monitoring Plan

51. At least three months prior to the delivery of the relevant part of the stormwater system, as outlined in the construction programme in Condition 77, or other works affecting the flood storage capacity of the site, the Requiring Authority must prepare a Stormwater Management and Monitoring Plan for certification and implement the plan for the duration of the Works. The Requiring Authority must demonstrate that it has consulted with Horizons Regional Council in the development of this Plan and how any feedback has been incorporated into the Plan.
52. The objective of the Stormwater Management and Monitoring Plan is to demonstrate that the stormwater system and the methods for the monitoring and maintenance of the stormwater system will be effective.
53. The Stormwater Management and Monitoring Plan must be prepared by a suitably qualified and experienced person.
54. The Stormwater Management and Monitoring Plan must include:
- (a) design measures to assist with achieving hydraulic neutrality and methods to assist with stormwater treatment and contaminant removal utilising natural systems including retention areas, permeable surfaces, wetlands/swales and appropriate vegetation;
 - (b) the methods that will be used for the operation and maintenance of the stormwater management system to ensure its successful long-term performance, including sediment removal, clearance of debris, replacement of vegetation, training of operators, and separation or secondary containment of any high-risk contamination areas; and
 - (c) details of the location, operation and maintenance of any stormwater outlets from the site, including emergency spillway.
55. The Requiring Authority must design, construct, operate and maintain on-site stormwater management devices and/or systems which have been installed to manage and treat stormwater generated within the Freight Hub.

Level Crossings

56. At least 12 months prior to submission of the first outline plan, the Requiring Authority must commission Level Crossing Safety Impact Assessments or update any existing assessments to determine the impact of the Freight Hub on the following crossings:

- (a) the Campbell Road/Kairanga Bunnythorpe Road level crossing;
- (b) the Waughs Road/Campbell Road level crossing;
- (c) pedestrian level crossings in the vicinity of Aorangi Marae and Taonui School; and
- (d) Campbell Road crossing south of Feilding.

The Requiring Authority must provide copies of the Level Crossing Safety Impact Assessments or updates to any existing assessments to the Palmerston North City Council and / or Manawatū District Council.

- 57. The Requiring Authority must engage with Palmerston North City Council and Manawatū District Council in relation to the allocation and timing of the implementation of the recommendations in each Level Crossing Safety Impact Assessment.
- 58. Unless already closed by the Palmerston North City Council, the Requiring Authority must close the Roberts Line and Clevely Line Level Crossings prior to the closure of Railway Road.

Road Network Integration Plan

- 59. At least 12 months prior to submission of the first outline plan, the Requiring Authority must prepare a Road Network Integration Plan for certification by the Palmerston North City Council.
- 60. The objective of the Road Network Integration Plan is to ensure that the roading network within the Freight Hub is appropriately managed and safely and efficiently integrated with the wider transport network.
- 61. The Requiring Authority must consult and share information with Palmerston North City Council, Horizons Regional Council, Manawatū District Council and Waka Kotahi NZ Transport Agency in preparing the Road Network Integration Plan (and any updates).
- 62. The Road Network Integration Plan must achieve the objective in Condition 60 and must include:
 - (a) the timing for the closure of and/or the legal stopping of any relevant roads (or sections of roads, as the case may be), including Railway Road, Clevely Line, Te Ngaio Road and Richardsons Line;
 - (b) the location, timing, form and design of any changes and upgrades to intersections and roads required for construction and operation of the Freight Hub that are to be delivered by the Requiring Authority including:
 - (i) changes as a result of the closure and / or legal stopping of relevant roads set out in Condition 62(a);
 - (ii) the Perimeter Road, including a safe separated shared path of at least 3.0 metres between Railway Road south of Maple Street and the intersection at Roberts Line and Railway Road;
 - (iii) a new intersection at Roberts Line with the Perimeter Road;
 - (iv) an upgraded intersection at Richardsons Line and Roberts Line that includes access to activities within the Freight Hub;
 - (v) a northern and western access from the Perimeter Road to activities within the Freight Hub;
 - (vi) any changes to the Maple Street intersection with Railway Road as a result of the construction and operation of the Perimeter Road; and
 - (c) the location, timing, form and design of any changes and upgrades to the following property accesses required to be delivered by the Requiring Authority as a result of the construction and operation of the Freight Hub:
 - (i) 422 and 422A Railway Road (the legal descriptions being SEC 1480 BLK VII KAIRANGA SD and LOT 1 DP 74613);

- (ii) 684 Roberts Line (the legal description being Lots 3 and 4 DP 74613); and
 - (iii) the three existing vehicle accesses to Foodstuffs North Island Limited site at 703 Roberts Line (the legal description being Lot 1 DP 384898);
- (d) the timing, form and design of changes required to be delivered by the Requiring Authority and Palmerston North City Council at the intersections of Kairanga Bunnythorpe Road with each of Railway Road and Campbell Road;
 - (e) the timing for the closure of any level crossings;
 - (f) the proposed speed limits for any new roads and changes to speed limits for existing roads;
 - (g) the location and timing and form of any changes and upgrades to pedestrian walkways, cycleways and public transport facilities, including new or relocated bus stops;
 - (h) the location and timing of confirmed and funded upgrades or additions to the wider transport network, including works that are part of the Palmerston North Integrated Transport Improvement (PNITI) project and the identification of potential alternative ways for that wider transport network being delivered by the region's road controlling authorities to integrate with any roading upgrades and connections required for construction and operation of the Freight Hub; and
 - (i) details of the feedback provided by Palmerston North City Council, Horizons Regional Council, Manawātū District Council and Waka Kotahi NZ Transport Agency and how this has been incorporated into the Road Network Integration Plan, including any feedback regarding:
 - (i) the location and timing of a ring road and/or any bypasses of Bunnythorpe; and
 - (ii) how these connections integrate with the roading network required for the construction and the safe and efficient movement of freight as part of the operation of the Freight Hub; and
 - (j) the timing of reviews and frequency of updates to the Road Network Integration Plan, based on the matters outlined in this Condition 63;
 - (k) whether there is a need for upgrades to, and if so, the location, timing, form and design of any changes and upgrades to intersections and roads required, for operation of the Freight Hub that are to be delivered by the Requiring Authority including:
 - (i) Roberts Line between Perimeter Road and Kairanga – Bunnythorpe Road;
 - (ii) The intersections of Kairanga-Bunnythorpe Road with each of Railway Road and Campbell Road and the intersection with the level crossing;
 - (iii) Railway Road between Maple Street and Kairanga-Bunnythorpe Road;
 - (iv) Campbell Road between Dixon Line and the intersection with Stoney Creek Road;
 - (v) Stoney Creek Road including intersections with Ashhurst Road and Kelvin Grove Road; and
 - (vi) Railway Road between Roberts Line and Airport Drive.

Roading connections and upgrades

63. Unless alternative access to the Freight Hub is provided that no longer requires the Perimeter Road (or a relevant part of it) to be constructed, the Requiring Authority must:
- (a) construct the Perimeter Road (or relevant part);
 - (b) surface it with an asphaltic mix road surface; and
 - (c) enable public use of the Perimeter Road prior to the closure of the relevant section of Railway Road.
64. Unless otherwise provided by other road controlling authorities, the upgrades listed in Condition 62(b) must be delivered by the Requiring Authority according to the timing outlined in the Road Network Integration Plan.

65. In order to inform the timing, design and form of the upgrades listed in Condition 62(b) and the potential upgrades listed in Condition 62(k), the Requiring Authority must undertake traffic modelling and safety audits to demonstrate that:
- (a) intersections and accesses achieve Level of Service D or better (for sign-controlled intersections this is the Level of Service on the side road(s) approach(es)) or better, as modelled with SIDRA or similar; and
 - (b) roads, intersections and accesses perform without serious or significant safety concerns, in accordance with the New Zealand Transport Agency Road Safety Audit Procedures for Projects, Guidelines Interim Release May 2013.
- The Requiring Authority must provide copies of the traffic modeling and safety audits to the Palmerston North City Council.
66. The Requiring Authority must design and construct all new roads, intersections and vehicle crossings in accordance with the Palmerston North City Council's roading standards, or to such standards as otherwise agreed with Palmerston North City Council.
67. The Requiring Authority must design and construct a safe connection across the North Island Main Trunk Line for cyclists and pedestrians at a location south of, and as close as reasonably practicable to, the Roberts Line and Railway Road intersection in consultation with the Palmerston North City Council. The connection must be operational within 6 months after the relocation of the North Island Main Trunk Line.

Landscape and Design

68. Following preparation of the Design Framework, the Requiring Authority must prepare and submit a Landscape and Design Management Plan for certification to Palmerston North City Council. The Requiring Authority must implement the Landscape and Design Management Plan.
69. The objective of the Landscape and Design Management Plan is to ensure that the design of the Freight Hub avoids, remedies or mitigates potential adverse effects of the Freight Hub on landscape character, visual amenity and natural character.
70. The Landscape and Design Management Plan must be prepared by a suitably qualified and experienced person in consultation with other relevant qualified persons, as required.
71. The Requiring Authority must invite mana whenua and the Community Liaison Forum to provide input and feedback on the development of the Landscape and Design Management Plan.
72. The Landscape and Design Management Plan must achieve the objective in Condition 69 and must include:
- (a) how the landscape design implements the design principles and achieves the design outcomes in the Design Framework;
 - (b) location and types of proposed landscape and visual amenity plantings (including plant size, numbers and spacing), including planting of stormwater detention ponds, stream and riparian margins, cut faces and fill batters;
 - (c) a description of design measures (including but not limited to the final form, finish and articulation of the proposed buildings, Noise Mitigation Structures and batter heights and slopes);
 - (d) a description of how the plantings in (b) and other design measures in (c):

- (i) integrate the built forms including roof lines and walls of the Freight Hub and the related earthworks into the surrounding environment;
 - (ii) mitigate visual amenity effects in relation to residential properties;
 - (iii) contribute to the open watercourse and stormwater ponds appearing as natural features and enhancing local biodiversity;
 - (iv) comply with the Electricity (Hazards from Trees) Regulations 2003, including at full maturity; and
 - (v) comply with any regional consents.
- (e) how the proposed planting will:
- (i) mitigate adverse effects on, and/or enhance the natural character of waterbodies, including the Mangaone Stream surrounds;
 - (ii) restore indigenous biodiversity in consultation with a suitably qualified and experienced ecologist;
 - (iii) where practicable, use eco-sourced seeds and plants sourced from the rohe (in consultation with mana whenua);
- (f) how sites of cultural and historical significance (if identified through the Mana Whenua Engagement Framework and Design Framework) will be recognised and provided for;
- (g) how any roads and walkways within the Designation Extent integrate into the character of the surrounding area and connect to paths and cycleways outside the designation and provide, where practicable, opportunities for outlook(s) over the Freight Hub.
- (h) in relation to the proposed Noise Mitigation Structures:
- (i) the location of the Noise Mitigation Structures as outlined in the Operational Noise and Vibration Plan;
 - (ii) the final form, finish, and planting of these Noise Mitigation Structures, including design treatment of vertical noise barriers, and landscaping of bunds;
 - (iii) details of how the Noise Mitigation Structures have been designed where practicable to avoid, remedy or mitigate their adverse effects on landscape character and visual amenity (including through consultation with the Community Liaison Forum and mana whenua); and
 - (vi) details on how any changes to the existing drainage patterns, runoff characteristics and stormwater resulting from Noise Mitigation Structures will avoid adverse effects on the foundations of any National Grid support structure.
- (i) how the lighting effects on the landscape and visual amenity are minimised;
- (j) the proposed timing (including ground preparation, mulching and any trials) for establishing any landscape or visual amenity planting, with any new planting to be commenced in the first planting season (unless that is impracticable, the reasons for which shall be provided to the Palmerston North City Council) following the completion of each stage or discrete location of Works;
- (k) the growing conditions required to ensure the successful establishment, growth and on-going viability of planting;
- (l) the process and programme for maintaining any landscape or visual amenity planting and fencing (including, but not limited to, plant and animal pest management, removal of litter and vandalism, maintenance of plants to ensure clear pathways and sightlines, and replacement of dead plants).

73. Planting within the designation must be designed to achieve:

- (a) at least an 80% canopy cover within five years of being planted;
- (b) at least 50% of tall tree species reach a height of 5 meters within five years of being planted; and
- (c) a minimum depth of planting along the following roads:

- (i) 20 metres along the majority extent of Sangsters Road, excluding the tie in area at Roberts Line; and
- (ii) 30 metres along the internal frontage of the Perimeter Road excluding the tie in with Roberts Line (new intersection).

74. All buildings within the Freight Hub must be designed and constructed to avoid potential roof glare to the south and particularly to the Palmerston North Airport Control Tower.

Construction Management Plan

75. At least 6 months prior to the Works commencing, the Requiring Authority must prepare a Construction Management Plan for certification and implement the plan for the duration of the Works.

76. The objective of the Construction Management Plan is to ensure that management procedures and construction methods are adopted to avoid, remedy or mitigate adverse effects of the construction of the Freight Hub and minimise as far as reasonably practicable disturbance to residents.

77. The Construction Management Plan must achieve the objective in Condition 76 and must include:

- (a) a construction programme, including identifying key stages of the Works (including the delivery of parts of the stormwater system), and any seasonal timings for works;
- (b) a detailed site layout;
- (c) the design and management specifications for all earthworks on-site, including disposal sites and their location and the Construction Dust Management Plan;
- (d) measures to ensure that the Works and structures (including the operation of any mobile plant and machinery) are designed and undertaken to comply with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001);
- (e) the design of temporary lighting for the Works and construction support areas in accordance with the Construction Lighting Management Plan;
- (f) details on the timing of the installation of screening and planting and opportunities where this can be undertaken prior to works commencing;
- (g) the approach to the management of construction waste;
- (h) measures to avoid or minimise disturbance to burials being undertaken at Bunnythorpe cemetery during construction;
- (i) the accidental discovery protocol adopted by the Requiring Authority;
- (j) a description of training requirements for all site personnel (including employees, subcontractors and visitors) including details of briefings for employees and subcontractors about the accidental discovery protocol adopted by the Requiring Authority;
- (k) environmental incident and emergency management procedures; and
- (l) contact numbers for key construction staff, and staff responsible for any monitoring requirements.

Construction Lighting Management Plan

78. All lighting required for the Works must comply with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting, Zone A2 limits.

79. At least 6 months prior to the Works commencing, the Requiring Authority must prepare a Construction Lighting Management Plan for certification and implement the plan for the duration of the Works.

80. The Construction Lighting Management Plan must be prepared by a suitably qualified and experienced person.
81. The objective of the Construction Lighting Management Plan is to demonstrate compliance with AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting, Zone A2 Limits, between 11:00pm and 6.00am during the Works.
82. The Construction Lighting Management Plan must specify the measures to:
 - (a) minimise construction vehicle headlight sweep on adjacent dwellings identified in this plan;
 - (b) minimise as far as practicable light spill and glare from construction lighting on adjacent dwellings identified in this plan; and
 - (c) minimise as far as practicable light spill and glare from construction lighting to the Palmerston North Airport Control Tower.

Dust Monitoring

83. The Requiring Authority must ensure that there is no noxious, dangerous, objectionable or offensive dust to the extent that it causes an adverse effect beyond the boundary of the Designation.
84. The Requiring Authority must assess weather and ground conditions (wind and dryness) at the start of each day when Works are scheduled.
85. The Requiring Authority must ensure that applicable dust mitigation measures and methods contained in the Construction Dust Management Plan are ready for use prior to commencing Works for the day.
86. For the purposes of Conditions 87, 88 and 89, the following maximum monitoring trigger levels shall apply:
 - (a) Ten-minute rolling PM₁₀ concentration of 150 micrograms per cubic metre (1 hour average).
 - (b) The wind direction (10-minute average) places dust generating construction activities directly upwind of sensitive receivers when the wind speed exceeds 7 m/s.
87. (a) The Requiring Authority must install and operate, for the duration of construction and operation of the Freight Hub, a meteorological monitoring station, with instruments capable of continuously monitoring meteorological conditions for the site. The instruments must:
 - (i) be installed prior to commencing Works;
 - (ii) be capable of continuous measurement and real time logging and reporting of wind strength, wind direction, air temperature and rainfall;
 - (iii) provide an alarm to site staff (for example via mobile phone) if the ten-minute rolling average wind speed trigger level in Condition 86(b) is exceeded;
 - (iv) be installed on a mast such that their height is at least five metres above ground level and in accordance with AS/NZS 3580.14:2014 – Methods for sampling and analysis of ambient air – Part 14: Meteorological monitoring for ambient air quality monitoring applications;
 - (v) be maintained in accordance with the manufacturer's specifications.
- (b) All measured data must be:
 - (i) recorded and stored using an electronic data logging system and retained;
 - (ii) provided to the Palmerston North City Council upon request.

88. Prior to the commencement of Works, the Requiring Authority must install and operate instruments to measure particulate matter as PM₁₀ on, or near to, at least two Designation boundary locations including:
- (a) the north-western boundary; and
 - (b) the eastern boundary.

Advice note:

The intent of the monitoring locations is to align with the prevailing winds that are from the north-northeast quadrant and the south-southeast quadrant, such that the monitoring can provide corresponding upwind and downwind data for the construction works. The location of the monitoring stations along the north-western and eastern boundaries may need to be changed over time, i.e. to take into account the significance of the works and relative separation of the works to potentially impacted dwellings. Depending on the extent of the works at any particular stage of construction, additional monitors may need to be installed to achieve coverage and fulfil the intent of the condition.

89. All particulate matter monitors required under Conditions 88 must be:
- (a) of a type that are suitable for dust management by measuring PM₁₀ but need not meet the standard for compliance monitoring under the National Environmental Standards for Air Quality Regulations (2004);
 - (b) calibrated and maintained in accordance with the manufacturer's specifications;
 - (c) capable of providing real-time information to provide email and/or text alerts if exceedances of the monitoring trigger value in Condition 86 occur.

Construction Dust Management Plan

90. The Requiring Authority must prepare and submit a Construction Dust Management Plan to Palmerston North City Council for certification at least three months prior to the commencement of the Works. The Requiring Authority must implement a Construction Dust Management Plan for the duration of the Works.
91. The objective of the Construction Dust Management Plan is to detail measures for avoiding, remedying or mitigating the adverse effects of dust from the Works on public health and amenity.
92. The Construction Dust Management Plan must be prepared by a suitably qualified and experienced person.
93. The Construction Dust Management Plan must achieve the objective in Condition 91 and must include:
- (a) A description of the activities and sources with the potential to generate dust on site;
 - (b) A description of the potential effects of the dust discharges;
 - (c) A description of the receiving environment and identification of sensitive receivers within 150 metres of the site boundaries;
 - (d) Procedures, processes and methods for managing dust, including for when personnel are not on site;
 - (e) Identification of contingency measures (including the duration for which any measures must be implemented) to address adverse effects on sensitive receptors where trigger levels in condition 86 have been exceeded, and a process for verifying that adverse effects are a result of the Works. Contingency measures may include options such as:
 - (i) cleaning of water tanks and replenishment of water supplies,
 - (ii) cleaning of houses,
 - (iii) cleaning of other buildings and infrastructure,

- (f) Procedures for training of personnel and contractors to make them aware of the requirements of the Construction Dust Management Plan;
 - (g) Monitoring triggers and procedures for responding to particulate matter monitoring and wind speed triggers;
 - (h) The process for recording complaints and providing feedback to the complainant on how issues raised in complaints have been addressed;
 - (i) The roles and responsibilities of personnel responsible for implementing and reviewing the Construction Dust Management Plan.
94. If a complaint related to off-site effects of construction dust is received and verified to be a result of the Works, the Requiring Authority must investigate and determine in consultation with the occupier / owner which if any of the contingency measures set out in the Construction Dust Management Plan should be implemented.

Network utilities

95. Prior to any land disturbing works, the Requiring Authority must:
- (a) identify the location of existing overhead or underground network utilities (www.beforeudig.co.nz);
 - (b) identify these utilities relevant in any construction plans and place appropriate physical indicators on the ground showing specific surveyed locations or other marker for overhead lines; and
 - (c) provide the information of the network utilities identified under Condition 95(a) and (b) and information on any restrictions in place in relation to those existing network utilities to all construction personnel, including contractors.
96. Prior to any land disturbing works within 21m of the centreline of the National Grid line support structure, the Requiring Authority must obtain an electrical clearance report from a suitably qualified electrical engineer demonstrating compliance with the minimum safe distance requirements of the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).
97. The Requiring Authority must provide the electrical clearance report to Transpower New Zealand Limited for review, with the Requiring Authority recording any feedback provided and how it has been addressed to ensure compliance (NZECP 34:2001).
98. At least 20 working days prior to the commencement of the Works, the Requiring Authority must provide Transpower New Zealand Limited with details of the likely Works and programme in relation to works within 21m of the centreline of the National Grid line support structure, and provide relevant updates to Transpower New Zealand Limited in relation to those works.
99. The Requiring Authority must ensure that any proposed services, pipes or fences within 12m of the National Grid support structure are made of non-conductive material or alternative method of mitigating potential earth rise and ensuring electrical safety.
100. The Requiring Authority must ensure the continuity of existing Powerco owned services and existing Palmerston North City Council owned three water services and, where necessary, provide for the efficient relocation of any of their infrastructure affected by the Works or operation of the Freight Hub to a location where operation, maintenance and upgrade activities associated with those services can be safely and

efficiently provided (such relocation to be planned and undertaken in consultation with the relevant infrastructure owner).

Construction Traffic

101. At least six months prior to the Works commencing, the Requiring Authority must prepare a Construction Traffic Management Plan for certification, and implement the plan for the duration of the Works.
102. The objective of the Construction Traffic Management Plan is to outline the methods that will be undertaken to avoid, remedy or mitigate adverse effects from traffic associated with the Works on property access, road user safety and efficiency of traffic movements.
103. The Construction Traffic Management Plan must be prepared by a suitably qualified and experienced person.
104. At least 20 working days prior to the Construction Traffic Management Plan being submitted to Palmerston North City Council for certification, the Requiring Authority must provide a draft of the Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, Manawatū District Council for feedback.
105. The Construction Traffic Management Plan must achieve the objective in Condition 102 and must:
 - (a) identify the numbers, frequencies, and timing of traffic movements for each phase of the construction programme in the Construction Management Plan, including any limitations on heavy vehicle movements through key areas (including local roads) during night and peak times, as required either in relation to traffic conditions or to mitigate potential noise and vibration effects;
 - (b) identify safe site access routes, site access arrangements, and site access points for construction traffic, including heavy vehicles involved in constructing the Freight Hub in a manner consistent with Waka Kotahi NZ Transport Agency's Code of Practice for Temporary Traffic Management;
 - (c) with reference to relevant Austroads Guidelines (or similar New Zealand Standards), identify any upgrades that are needed on the basis of departures from those standards, and the timing of upgrade works that the Requiring Authority must undertake, to ensure safe and fit for purpose site access routes and access points, including for possible night-time movement of construction vehicles;
 - (d) outline temporary traffic management measures, such as traffic detours (including for public transport, walking and cycling, school bus routes, and infrastructure) and temporary speed limits;
 - (e) describe measures to maintain safe pedestrian and cyclist movements in the vicinity of the site, including measures to ensure that any shared paths delivered by Palmerston North City Council and Te Araroa Trail between Palmerston North and Feilding are open to the public for use at all times (including any diversions) during construction of the Freight Hub;
 - (f) outline measures to manage noise from construction traffic including any restrictions on routes, timing and engine braking;
 - (g) detail measures to ensure vehicle access to private properties is maintained, where current access is affected by construction, including ensuring that access to the Foodstuffs North Island Limited site at 703 Roberts Line (the legal description being Lot 1 DP 384898) is able to be provided for heavy vehicles at all times;
 - (h) identify opportunities to use the rail network to minimise effects on the roading network where practicable;

- (i) provide measures for the management of fine material loads (e.g. covers) and the timely removal of any material deposited or spilled on public roads;
- (j) detail the process for and locations of construction traffic movement monitoring and the frequency and times of monitoring relevant to the stage of construction set out in the programme in the Construction Management Plan;
- (k) provide a process for ensuring that updated traffic information is included in the Construction Engagement Plan;
- (l) identify any material construction activity being undertaken by other parties, including roading works occurring along access routes identified in Condition 105(b); and
- (m) provide details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council and how it was incorporated.

106. The Construction Traffic Management Plan must be reviewed and updated as required to align with the key stages identified in the construction programme required in the Construction Management Plan.

107. The Requiring Authority must provide any updated draft Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council for review and feedback at least 20 working days prior to submitting the updated Construction Traffic Management Plan for recertification under Condition 9.

108. The Requiring Authority shall ensure that Maple Street is not used by construction traffic to access the Freight Hub.

Construction Noise and Vibration Management Plan

109. At least 20 working days prior to the Works commencing, the Requiring Authority must prepare a Construction Noise and Vibration Management Plan for certification and implement the plan for the duration of the Works.

110. The objective of the Construction Noise and Vibration Management Plan is to demonstrate how compliance with the limits in Conditions 112 and 114 will be achieved for the duration of the Works.

111. The Construction Noise and Vibration Management Plan must be prepared by a suitably qualified and experienced person and in general accordance with the requirements of Annex E2 of NZS 6803:1999.

112. All of the Works must be undertaken to ensure that, as far as practicable, construction noise does not exceed the limits in Table 1. Construction Noise limits. Noise levels must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction noise as follows (at occupied dwellings).

Table 1: Construction Noise limits

Time of Week	Time Period	LAeq	LAFmax
Weekdays	0630 – 0730	55 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	65 dB	80 dB
	2000 – 0630	45 dB	75 dB
Saturdays	0630 – 0730	45 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	45 dB	75 dB
	2000 – 0630	45 dB	75 dB
Sundays and Public Holidays	0630 – 0730	45 dB	75 dB
	0730 – 1800	55 dB	85 dB
	1800 – 2000	45 dB	75 dB
	2000 – 0630	45 dB	75 dB

N.B. Shading indicates *night-time* hours.

113. Night-time construction work that exceeds the noise limits specified in Table 1 in Condition 112 and Table 2 in Condition 114 must only take place if the Works cannot be practicably undertaken during day time hours.
114. Construction vibration must, as far as practicable, comply with the criteria in Table 2 Vibration Criteria, where:
- Measurement is in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures;
 - BS 5228-2 is British Standard BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration.

Table 2: Vibration Criteria

Receiver	Location	Details	Category A PPV	Category B PPV
Occupied dwellings and schools	Inside the building	2000 – 0630	0.3 mm/s	1 mm/s
		0630 – 2000	1 mm/s	5 mm/s
Other occupied buildings	Inside the building	0630 – 2000	2 mm/s	5 mm/s
Unoccupied buildings	Building foundation	Vibration transient	5 mm/s	BS 5228-2 ² Table B.2
		Vibration continuous		50% of BS 5228-2 Table B.2 ³

- The Category A construction vibration criteria in Table 2 above must be complied with as far as practicable. If measured or predicted vibration from the Works exceeds the Category A criteria, the

Requiring Authority must engage an independent, suitably qualified and experienced person to assess and manage construction vibration during those activities.

- (d) If prior to or during Works, measured or predicted vibration from the Works exceed the Category B criteria in Table 2:
 - (i) the relevant Works must not commence or proceed until a suitably qualified and experienced person has undertaken a building condition survey at affected receivers (provided the owner(s) and/or occupier(s) has agreed to such a survey) and identified specific Best Practicable Option measures to manage the effects of vibration; and
 - (ii) the Requiring Authority must undertake vibration monitoring for the duration of the relevant Works.
 - (e) The findings of the building condition surveys and measures identified in Condition 114(d) must be included as a Schedule to the Construction Noise and Vibration Management Plan in Condition 114 and the Requiring Authority must implement the mitigation measures for the duration of the relevant Works.
 - (f) The Schedule must be provided to the Palmerston North City Council (Head of Planning Services) as soon as practicable before the relevant Works commence.
 - (g) As soon as practicable following completion of the relevant Works, the Requiring Authority must engage a suitably qualified and experienced person to undertake a building condition survey at affected receivers identified in Condition 114(d) to determine if any damage has occurred as a result of construction vibration.
 - (h) The Requiring Authority must repair any damage identified in Condition 114(g) as soon as practicable.
115. The Construction Noise and Vibration Management Plan must achieve the objective in Condition 87 and include:
- (a) the noise and vibration limits as set out in the Conditions 112 and 114;
 - (b) a description of the construction works and processes;
 - (c) a description of anticipated equipment and any noise or vibration suppression devices;
 - (d) the hours of operation, including times and days when activities causing noise and/or vibration would occur;
 - (e) identification of affected dwellings and other noise sensitive activities and projected noise and vibration levels for those activities;
 - (f) a description of alternative management strategies where compliance with the criteria in Conditions 112 or 114 may not be achieved;
 - (g) methods and frequency for monitoring and reporting on construction noise and vibration;
 - (h) details of the procedures and timing for notifying stakeholders and sensitive receivers of construction activities in relation to night time works, where the night time noise limits in Table 1 of Condition 112 and Table 2 of Condition 114 will be exceeded, notice to sensitive receivers must include the expected timing and duration of the works and be provided and copied to the Palmerston North City Council Head of Planning Services at least five working days before the works commence);
 - (i) procedures for handling noise and vibration complaints as set out in the Construction Engagement Plan and Complaints Register in Conditions 36-42;
 - (j) construction equipment operator training procedures and expected construction site behaviours; and
 - (k) contact numbers for key construction staff, staff responsible for noise assessment and the council compliance officer;
 - (l) whether the construction noise limits in Table 1 in Condition 112 will be exceeded and whether acoustic mitigation (such as temporary or permanent acoustic screens) is required to achieve

- compliance with those noise limits. Any such mitigation must be put in place prior to the relevant Works commencing and be maintained for the duration of those Works; and
- (m) procedures and timing for a suitably qualified and experienced person to undertake a specific noise assessment of night-time construction works, which must include any recommended mitigation measures to minimise the noise impacts of any night-time construction work that exceeds the noise limits specified in Table 1 in Condition 112 and Table 2 in Condition 114.

Water supply

116. The Requiring Authority must ensure that all new buildings within the Freight Hub are serviced with adequate water supply and access to that supply for firefighting purposes in accordance with the New Zealand Fire Service Firefighting Code of Practice SNZ PAS 4509:2008.

Operational Lighting Design Plan

117. The Requiring Authority must prepare and submit an Operational Lighting Design Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement the Operational Lighting Design Plan.
118. The Operational Lighting Design Plan must be prepared by a suitably qualified and experienced person.
119. The objective of the Operational Lighting Design Plan is to demonstrate how the lighting for the outdoor operational areas, access roads (including the Perimeter Road), and carparks of the Freight Hub will be designed to comply with *AS/NZS 4284:2019- Control of the obtrusive effects of outdoor lighting, Zone A2 limits* between 11.00pm and 6.00am to manage sky glow, glare, light spill and effects on road users from the operation of the Freight Hub, including at the Palmerston North Airport Control Tower.
120. The Operational Lighting Design Plan must achieve the objective in Condition 119 and must include:
- (a) the projected light spill and glare calculations;
 - (b) the proposed locations and design for lighting structures, including low-level security lighting and under carriage lighting;
 - (c) any measures to reduce potential adverse visual amenity effects including minimising where practicable, the number of lighting poles and the height of lighting towers;
 - (d) confirmation that a Civil Aviation Authority NZ Part 77 Determination has been obtained if required; and
 - (e) identification of potential areas where headlight sweep onto the windows of a residential dwelling's bedroom is likely to occur because of night-time traffic movements within the site and when exiting the site. If so, provide details for measures to mitigate its effects; and
 - (f) the proposed exterior lighting colour, which must have a colour temperature of light emitted of 3000 Kelvin or lower.

Operational Traffic Management Plan

121. The Requiring Authority must prepare and submit an Operational Traffic Management Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement an Operational Traffic Management Plan for the duration of the Freight Hub's operation.

122. The objective of the Operational Traffic Management Plan is to avoid, remedy or mitigate any identified adverse transport effects of traffic generated by the operation of the Freight Hub.
123. At least 20 working days prior to the Operational Traffic Management Plan being submitted to Palmerston North City Council for certification, the Requiring Authority must provide a draft of the Operational Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council for feedback.
124. The Operational Traffic Management Plan must achieve the objective in Condition 122 and include:
- (a) the process for and frequency of operational traffic monitoring (at least every two years until completion, unless otherwise agreed with Palmerston North City Council, including when the monitoring commences, the location of monitoring points, the timing of monitoring (to avoid school or public holidays, and to be undertaken at a similar time each year) and the period of traffic count collection (which must be at least 7 consecutive days);
 - (b) a description of actual and forecasted traffic generation at each of the Freight Hub's three access points from the Perimeter Road, including light and heavy vehicles, as a result of activities within the Freight Hub;
 - (c) records of assessment and reporting on safety and performance of each of the Freight Hub's access points carried out in accordance with Condition 125, with allowance made for the interaction with rail crossings within the site) and any other access point onto the section of the Perimeter Road between Roberts Line and Maple Street;
 - (d) details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, and Manawatū District Council and how it has been incorporated; and
 - (e) the process for reviewing and updating the Operational Traffic Management Plan as outlined in Condition 127.
125. The Requiring Authority must assess the safety and performance of the accesses listed in Condition 101(c) to demonstrate that they achieve:
- (a) a Level of Service of D or better (for sign-controlled intersections, this is the Level of Service on the side road(s) approach(es)), as modelled with SIDRA or similar intersection modelling software; and
 - (b) in the event that there have been any serious injury or fatal crashes (as reported in the Waka Kotahi Crash Analysis System (CAS) database) the road network at the accesses in Condition 124(c) since the previous review of the Operational Traffic Management Plan, road safety audits must be undertaken in accordance with the *New Zealand Transport Agency Road Safety Audit Procedures for Projects, Guidelines Interim Release May 2013*.
126. In the event that any of the accesses do not meet the standards in Condition 125(a) or 125(b), and in circumstances where the failure to meet those standards is attributable to operational traffic associated with the Freight Hub, the Requiring Authority must:
- (a) develop designs for upgrades to that infrastructure in order to achieve these standards;
 - (b) submit the designs to the Chief Roding Engineer at Palmerston North District Council for certification that they meet the requirements of Condition 125(a) and / or 125(b); and
 - (c) implement at its cost the certified infrastructure upgrades within 12 months of receiving certification.
127. The Requiring Authority must review and update the Operational Traffic Management Plan:

- (a) with each relevant outline plan of works for buildings and development of the Freight Hub taking into account the outcomes of any monitoring and audits undertaken in accordance with Condition 124 and 125;
 - (b) when total vehicle movements across the three access points from the Perimeter Road to activities within the Freight Hub exceed 4200 vehicles per day;
 - (c) when total vehicle movements across the three access points from the Perimeter Road to activities within the Freight Hub exceed 8000 vehicles per day.
 - (d) when total traffic movements across the three access points from the Perimeter Road to activities within the Freight Hub exceed 12000 vehicles per day; and
 - (e) at least every 6 years.
128. The Requiring Authority must advise Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatū District Council on the outcomes of any review undertaken in accordance with Condition 127 and provide any updated draft Operational Traffic Management Plan to those parties for review and feedback.
129. The Requiring Authority is not required to review and update the Operational Traffic Management Plan under Condition 127(b) or 127(c) or 127(d) within 12 months of the previous review and update of the Operational Traffic Management Plan.

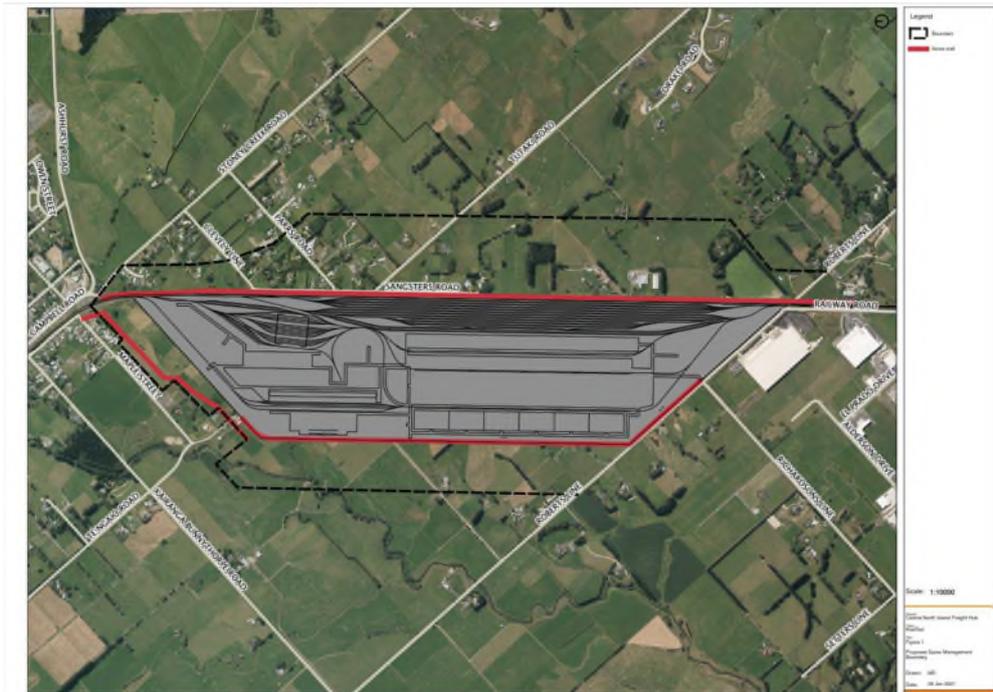
Operational Noise and Vibration

130. All operational activities at the Freight Hub must be undertaken to ensure that noise does not exceed the limits, as far as practicable, in Table 3 when measured at or beyond the Noise Management Boundary shown in Figure 1.

Table 3: Noise limits

All times	55dB LAeq (1hr)
10pm-7am	85 dBLAmax

Figure 1 Noise Management Boundary



131. Sound levels of operational activities at the Freight Hub must be measured in accordance with NZS 6802:2008 Acoustics – Measurement of environmental sound and assessed in accordance with NZS 6801:2008 Acoustics – Environmental noise, except that no corrections will be made for duration (6.4).

Advice note: for the purposes of Condition 131, sound generated from rail activities using good site management practices that minimise as far as practicable the creation of tonal and impulsive noise beyond the Site, including the sound from containers being picked up and put down, should not be classified as having special audible characteristics.

132. The Freight Hub must be designed and operated to ensure that noise does not exceed 65 dB LAeq(1hr) within any site zoned Rural or Residential (as at 23 October 2020) outside the Designation Extent.
133. At least 12 months prior to the commencement of operation of any noise generating component of the Freight Hub, the Requiring Authority must undertake noise modelling to predict at intervals of 45 dB LAeq (1hr), 55 LAeq (1hr) and 65 dB LAeq (1hr):
- the projected noise levels from the operation of the Freight Hub for the following 12 months ("**Annual Noise Contours**"); and
 - the long term projected noise levels from future activities within the Freight Hub ("**Future Noise Contours**").

The Requiring Authority must thereafter undertake noise modelling annually, and update the Annual Noise Contours and Future Noise Contours (as required).

134. Where the Annual Noise Contours identify that the noise levels are predicted to exceed 55 dB LAeq(1hr) at any time, or 45 dB LAeq (1hr) between the hours of 10pm and 7am, (either wholly or partly) at any Existing Dwelling in the following 12 months, the Requiring Authority must:
- subject to property owner(s) approval and within three months of producing the Annual Noise Contours, engage a suitably qualified person to undertake investigations at those Existing Dwellings to determine if any acoustic treatment measures are necessary to achieve, based on the Future

Noise Contours, an internal noise levels of 35 dB LAeq(1h) in bedrooms and 40 dB LAeq(1h) in other habitable spaces;

- (b) within three months of undertaking the investigations in Condition 134(a), make an offer to the property owner(s) to install, at the Requiring Authority's cost, acoustic treatment measures recommended by the suitably qualified person to achieve the noise levels in Condition 134(a) based on the Future Noise Contours and a reasonable future projection of noise from the operation of the North Island Main Trunk Line; and
- (c) if the offer in Condition 134(b) is accepted within six months, and provided that the property owner(s) enter into a covenant with the Requiring Authority that the owner(s) and occupier(s) will ensure that the acoustic treatment measures are not removed or altered in a way that lessens their effectiveness, the Requiring Authority must install the acoustic treatment and use best endeavours to install that treatment before any Existing Dwelling falls within the 55 dB LAeq(1hr) Annual Noise Contour.

Advice Note: Any covenant under 134(b) must not require a no complaints obligation on landowners unless agreed to by the landowner.

- 135. Where any bedrooms within an Existing Dwelling contain openable windows, the acoustic treatment measures in Condition 134(a) must include a positive supplementary source of fresh air ducted from outside which must achieve a minimum of 7.5 litres per second per person.
- 136. When providing acoustic treatment measures in accordance with Condition 134, the Requiring Authority is not required to fund any measures required to:
 - (a) bring a building up to the standard required in any building regulations, bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - (b) remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, where that work is not reasonably related to or ancillary to the installation of noise insulation.
- 137. The Requiring Authority is not required to achieve an internal design noise level of 35 dB LAeq(1h) in bedrooms and 40 dB LAeq(1h) in other habitable spaces, and will not be in breach of Condition 134, if:
 - (a) the property owner(s) accepts in writing a form or level of acoustic treatment that results in a different internal design noise level and that consent is provided to the Palmerston North City Council; or
 - (b) a suitably qualified and experienced person certifies that it not reasonably practicable to achieve the specified internal design noise level due to the type, structure, age or state of repair of the Existing Dwelling or the desirability to maintain heritage features of the Existing Dwelling.

In the event that Condition 137(b) applies, the Requiring Authority must install measures to reduce the internal design sound level of the habitable spaces as far as practicable.
- 138. All operational activities in the Freight Hub must be undertaken to ensure that vibration at any Existing Dwelling outside the Designation Extent does not exceed 0.3 mm/s vw,95 as far as practicable.
- 139. The Requiring Authority must prepare and submit an Operational Noise and Vibration Management Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement the Operational Noise and Vibration Management Plan.

140. The objective of the Operational Noise and Vibration Management Plan is to demonstrate how compliance with the noise and vibration limits for the operation of the Freight Hub set out in Conditions 130, 132 and 138 will be achieved.
141. The Operational Noise and Vibration Management Plan must be prepared by a suitably qualified and experienced person.
142. The Operational Noise and Vibration Management Plan must outline:
- (a) the noise and vibration limits for both day and night time activities within the Freight Hub must operate as set out in Condition 130 and Condition 138;
 - (b) the Annual Noise Contours and the Future Noise Contours produced in accordance with Condition 133;
 - (c) any noise mitigation required to manage the noise effects including:
 - (i) a continuous barrier, including bunds and/or natural elevation on the eastern boundary within the Designation Extent extending to at least 5 metres above the finished ground level;
 - (ii) a barrier 3 metres above local ground level on the northern boundary within the Designation Extent;
 - (iii) a barrier 3 metres above finished ground level on the western boundary if dwellings are still within 500m of the Perimeter Road in that location when operation commences; and
 - (iv) acoustic treatment of Existing Dwellings required by Conditions 133 to 137.
 - (d) the process for undertaking modelling and monitoring of operational noise and vibration;
 - (e) the location of permanent noise monitors which must include:
 - (i) one in the northern area of the Freight Hub;
 - (ii) one in the eastern area of the Freight Hub; and
 - (iii) one in the western area of the Freight Hub, if dwellings are still within 500 metres of the Perimeter Road in that location,
 - (f) site noise management measures including operation of machinery and equipment in a manner to avoid unreasonable noise.
143. The Requiring Authority must make the current version of the Operational Noise and Vibration Management Plan publicly available on its website.
144. The Requiring Authority must review and update (including with any additional noise modelling as required) the Operational Noise and Vibration Management Plan:
- (a) annually; and
 - (b) prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the noise and vibration levels generated from the Freight Hub.

Operational Dust Management

145. The Requiring Authority must prepare and submit an Operational Dust Management Plan to Palmerston North City Council for certification at least three months prior to the first train operating in the Freight Hub. The Requiring Authority must implement the Operational Dust Management Plan.
146. The objective of the Operational Dust Management Plan is to avoid, remedy or mitigate the adverse effects of dust from the operation of the Freight Hub on public health and amenity.

147. The Operational Dust Management Plan must be prepared by a suitably qualified and experienced person.
148. The Operational Dust Management Plan must achieve the objective in Condition 146 and include:
- (a) the location and nature of dust generating activities within the Freight Hub;
 - (b) the location of any sensitive receptor within 100m of the Designation Extent;
 - (c) a qualitative assessment of the risk of impacts of dust generation from dust generating activities within the Freight Hub, including the typical frequency and duration of exposure to dust for each activity;
 - (d) the mitigation and management practices to minimise the potential for more than minor adverse dust emissions beyond the Designation Extent; and
 - (e) dust particulate to be monitored and the process for monitoring those dust particulates.
149. The Requiring Authority must review and update the Operational Dust Management Plan prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the dust generated from the Freight Hub.
150. At least three months prior to Works commencing, the Requiring Authority must:
- (a) identify Existing Dwellings within 100m of the Designation Extent that will experience adverse dust effects arising from the operation of the Freight Hub and rely on roof top rain water supply systems for drinking water supply;
 - (b) at each of the Existing Dwellings identified in Condition 150(a), offer to install a first-flush rainwater diversion system at the Requiring Authority's cost; and
 - (c) subject to property owner(s) approval, install that system as soon as practicable.

Third Party restrictions

151. The Requiring Authority must enable access for maintenance utility works undertaken in road corridors in accordance with the National Code of Practice for Utility Operators Access to Transport Corridors (September 2016) or any approved update to the Code.
152. The Requiring Authority must ensure that access is maintained to any Powerco infrastructure, the National Grid Transmission Line and support structure for maintenance at all reasonable times, and for emergency works at all times.