

BEFORE

A Hearing Panel of Commissioners appointed
by Palmerston North City Council, Manawatū
District Council and Tararua District Council

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

Notices of requirement for designations under
section 168 of the Act, in relation to Te Ahu a
Turanga; Manawatū Tararua Highway Project

BY

NEW ZEALAND TRANSPORT AGENCY
Requiring Authority

**MEMORANDUM OF COUNSEL ON BEHALF OF THE NEW ZEALAND
TRANSPORT AGENCY REGARDING PRELIMINARY CONDITIONS**

16 May 2019

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MAY IT PLEASE THE HEARING PANEL:

INTRODUCTION

1. The purpose of this memorandum is to respond to the Hearings Panel's Ninth Minute,¹ in which it asked participants to review the Panel's preliminary set of conditions, which were attached as Appendix A (the "**Preliminary Conditions**").
2. The scope for comments was set in the Panel's Eighth Minute.² The Panel directed that participants must not provide comments on the substantive outcomes sought to be achieved by the Preliminary Conditions or their merits. Instead, participants must only comment on matters relevant to ensuring the Preliminary Conditions meet the following 'administrative' objectives:

“To ensure any intended conditions are clearly worded, certain, internally consistent (including with regards to cross-referencing) and enable monitoring and enforcement.”
3. The Transport Agency's comments, which are restricted to 'administrative' matters as set out above, are provided in the table at **Appendix A** to this memorandum. This table sets out the Transport Agency's suggested changes to the Preliminary Conditions (shown in red), along with a short explanation for each proposed change in the right-hand column.
4. The remainder of this memorandum addresses the following matters which require further explanation:
 - (a) Certification of the Ecological Management Plan;
 - (b) Enabling works;
 - (c) Conditions relating to the shared path;
 - (d) Conditions relating to the AgResearch Ballantrae Station; and
 - (e) Documents referred to in the conditions.

¹ Ninth Minute of the Hearings Panel dated 8 May 2019

² Eighth Minute of the Hearings Panel dated 30 April 2019, paragraphs 4-5.

CERTIFICATION OF ECOLOGICAL MANAGEMENT PLAN

5. The Preliminary Conditions propose that the Ecological Management Plan ("**EMP**") must be certified.³ The process for certification and amendments to certified plans is set out in conditions 3 and 4.
6. Condition 3 provides (to summarise) that the EMP must be provided for certification at least 40 working days before commencement of the works to which the EMP relates. If the Responsible Officer declines to certify the EMP, it may be resubmitted. If the Responsible Officer declines to certify the resubmitted EMP, it must then be included in the relevant outline plan with a notation that certification has not occurred.
7. Condition 4 provides a process for where the Transport Agency wishes to amend the EMP after it has already been certified. The process is generally the same, except that if the Responsible Officer declines to certify a resubmitted EMP, the areas of dispute are to be referred to an independent, suitably qualified and experienced expert for adjudication, and that person's determination must then be included in the resubmitted management plan.
8. Attached as **Appendix B** is a flowchart setting out the Transport Agency's understanding as to how these conditions work and relate to the process for finalising other management plans, and the process for submitting outline plan(s). The comments in red text address areas where the conditions could be clarified, and the suggested changes in Appendix A provide suggestions as to how that clarification could be achieved.
9. In the conditions attached to the Transport Agency's reply, a different approach was proposed, being that the CEMP (which includes the EMP) should be provided to Councils for review and comment (rather than certification) prior to including the CEMP in an outline plan.⁴
10. The Transport Agency will carefully consider this change to require the EMP to be certified (rather than commented on) if the Panel includes this in its final recommendation. In the meantime, the table in Appendix A sets out a number of suggested changes to the Preliminary Conditions to ensure clarity, certainty and internal consistency is achieved.

ENABLING WORKS

11. The Preliminary Conditions suggest that a number of management plans must be prepared prior to the commencement of enabling work activities (as

³ Condition 24(b)(i).

⁴ Appendix A to the Reply on behalf of the New Zealand Transport Agency, 17 April 2019, condition 10(e).

well as construction work activities). However, a number of enabling works have already commenced where those activities are authorised as permitted activities under the relevant plans. The Transport Agency is concerned about the significant administrative and programme implications of needing to prepare management plans for all enabling works, as this is out of scale with effects of those enabling works (those being largely permitted activities). Various changes to the management plan conditions are proposed.

12. The Transport Agency has also suggested a number of other amendments to the Preliminary Conditions to ensure that enabling works that are already authorised as permitted activities do not require preparation of management plans prior to being commenced. In particular, an amendment to condition 8 is suggested to make it clear that an outline plan(s) is not required to be submitted for enabling works that are a permitted activity under the relevant District Plan, and that where that is the case, the requiring authority is also not required to prepare and submit a management plan that is otherwise required by the conditions.

CONDITIONS RELATING TO THE SHARED PATH

13. Conditions 34(c)(iv)(B)-(D), 35 and 36 relate to the provision of a shared path along the length of the new road, and outside the Project area from the intersection of Cambridge Avenue, along Ashhurst Bridge and to the Western Car Park (on the western side) and from Woodlands Road to Hampson Street in Woodville (on the eastern side).
14. These conditions differ from the conditions supported in the Transport Agency's reply submissions in a number of ways. Under the Transport Agency's proposed conditions:
 - (a) The Transport Agency was required to do the following prior to opening the new road:
 - (i) extend the existing "walkway" from Hampson Street to west of the eastern roundabout;⁵
 - (ii) provide pedestrian and cycling facilities between the Western Car Park and the Ashhurst Bridge (and not through to the Cambridge intersection as now proposed in conditions 34(c)(iv)(C) and 36);⁶

⁵ Appendix A to the Reply on behalf of the New Zealand Transport Agency, 17 April 2019, condition 26(b)(ii).

⁶ Appendix A to the Reply on behalf of the New Zealand Transport Agency, 17 April 2019, condition 26(b)(iii).

- (iii) upgrade the Ashhurst Bridge to provide improved walking and cycling access, subject to any necessary resource consents being granted.⁷

In respect of other pedestrian and cycling facilities between Woodville and Ashhurst, the Transport Agency was required to provide a separated shared path "*as soon as reasonably practicable*" (rather than prior to the opening of the new road).⁸ Part of the reason for this timing was to allow for consideration of potential solutions that utilise Saddle Road, which will not be able to be repurposed until after the new road is open;

- (b) The conditions allowed some flexibility as to where the shared path should be, and did not specify that it should be "*along the length of the road*", which again would allow flexibility to consider solutions as promoted by various parties at the hearing;
 - (c) The conditions did not require that the design of the new bridge over the Manawatū River include a shared path that also connects to the Manawatū Gorge Scenic Reserve;⁹ and
 - (d) The conditions did not require the inclusion of a pedestrian viewing platform on the new Manawatū River Bridge¹⁰.
15. These changes, if included by the Hearings Panel in its final recommendation, will all require careful consideration by the Transport Agency. In the meantime, bearing in mind that the Panel has only sought comments on 'administrative matters' at this stage, the Transport Agency suggests a number of changes to ensure the conditions are practical and workable. In particular, the Transport Agency is not confident that the design requirements for the shared path set out in condition 36 will practicably be able to be accommodated in the land available, and has suggested changes to address this.

⁷ Appendix A to the Reply on behalf of the New Zealand Transport Agency, 17 April 2019, condition 26(b)(iv). We note that Preliminary Condition 35 has omitted to carry through the words "subject to any necessary resource consents being granted" from Preliminary Condition 34(c)(iv)(D). This is addressed in the Transport Agency's comments in Appendix A to this Memorandum.

⁸ Appendix A to the Reply on behalf of the New Zealand Transport Agency, 17 April 2019, condition 26(c).

⁹ See Preliminary Condition 9(e)(vii).

¹⁰ See Preliminary Condition 37. While a viewing platform is not a shared path facility *per se*, it relates to the shared path facility as is likely to be constructed adjacent to any shared path.

CONDITIONS RELATING TO BALLANTRAE STATION

16. Condition T3(a) proposes that the road construction footprint must "avoid" the Big Hill farmlet.¹¹ It is not practicable or feasible to completely avoid this farmlet.
17. In his Second Addendum, Mr Whaley considered the following options to reduce the number of field measurement (or 'frame' sites) within the construction footprint of the Project. Mr Whaley concluded:
 - (a) There is no obvious way of meaningfully reducing the extent of the footprint across the Ballantrae trial site.¹²
 - (b) An indicative northern alignment would have a footprint affecting 5.0 hectares of the AgResearch owned land and would affect the Big Hill farmlet, but would avoid the frame sites within the farmlet.¹³ This alignment comes very close to Saddle Road, as shown in Figure 4 of the Addendum.
 - (c) An indicative southern alignment would have a footprint of 4.7 hectares of AgResearch owned land but would affect three frame sites within the Big Hill farmlet.¹⁴
18. In summary, while it may be possible to avoid particular frame sites within the Big Hill farmlet, it is not feasible to avoid this farmlet altogether. The Transport Agency has sought further advice on this from Mr Whaley who has confirmed that position.
19. The Transport Agency has therefore suggested amending condition T3(a) to require it to minimise as far as practicable the construction footprint within the Big Hill farmlet.
20. The Transport Agency also suggests that it would be helpful for the parties to have some flexibility under the conditions so that alternative arrangements can be agreed. As noted in Mr Whaley's Addendum, ongoing engagement with AgResearch and other affected landowners (including Meridian) will be required during detailed design to ensure that an acceptably balanced option can be arrived at.¹⁵ To provide for this flexibility, the Transport Agency has

¹¹ The full name is the Pylon East (Big Hill) (HFHF – High Fertiliser High Fertiliser) farmlet and has been amended in the Transport Agency's proposed changes at Appendix A.

¹² Paragraph 15.

¹³ Paragraphs 19-20.

¹⁴ Paragraphs 23-24.

¹⁵ Paragraph 27.

suggested amending conditions T3(a) – (c) so that the condition does not need to be complied with where AgResearch provides its written consent.

21. The Transport Agency has also suggested amending condition T3(c) to make it clear that there must be no spoil sites or large-scale erosion and sediment control structures within the farmlets of Ballantrae Station (rather than anywhere within Ballantrae Station, which is a much larger site).

DOCUMENTS REFERRED TO IN THE CONDITIONS

22. A number of documents supplied during the hearing are referred to in the Preliminary Conditions (for example, the plans attached to Dr Forbes evidence, which are referenced in condition 18). The Transport Agency suggests for future ease of use, documents such as these should be attached to the conditions. If the Panel agrees with this suggestion, counsel can work with the Hearings Coordinator to identify and provide the relevant documents.

CONCLUSION

23. The Transport Agency thanks the Panel for the opportunity to comment on the Preliminary Conditions.

DATED this 16th day of May 2019



**David Randal / Thaddeus Ryan / Frances Wedde
Counsel for the New Zealand Transport Agency**

**APPENDIX A – TRANSPORT AGENCY COMMENTS ON PRELIMINARY
CONDITIONS**

New Zealand Transport Agency Comments on Preliminary Conditions

The following comments and amendments (shown in red) are made to the preliminary conditions provided as Appendix A to the Ninth Minute of the Hearings Panel and in accordance with the direction given in paragraphs 4 and 5 of the earlier Eighth Minute.

Designation Conditions Index

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2	Compliance with outline plan (s21) and management plan(s)
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8	Outline plan(s) (enabling works)
9	Outline plan(s) (construction works)
10	Community Liaison Person
11	Communications Management Plan
12	Community Liaison Group
13	Complaints management
14	Construction Environmental Management Plan
15	Erosion and sediment control measures
16	Cultural and Environmental Design Framework
17	Landscape Management Plan
18	Replacement, offset or compensation planting
19	Planting Management Plan
20	Lizard Management Plan
21	Bat Management Plan
22	Avifauna Management Plan
23	Terrestrial Invertebrate Management Plan
24	Ecological Management Plan
25	At risk or threatened flora and fauna discovery protocol
26	Limits and assessment – construction noise
27	Measurement and assessment – construction vibration
28	Construction Noise and Vibration Management Plan
29	Construction Traffic Management Plan
30	Tangata Whenua Values Monitoring and Management Plan
31	Accidental discovery protocol and archaeological authority
32	Electrical clearances
33	National Code of Practice for Network Utility Operators' Access to Transport Corridors

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34	Network Integration Plan
35	Ashhurst Bridge
36	Provision of shared paths
37	New Manawatu River Bridge
38	Recreational path connections
39	Road Safety
PN1	Outline Plan – Parahaki Island
PN2	Western Car Park Construction Management Plan
PN3	Western Car Park Reinstatement Management Plan
M1	Outline Plan – Tararua High Pressure Gas Transmission Pipeline
M2	Outline Plan – Palmerston North to Gisborne Rail Corridor
T1	Te Āpiti Wind Farm Management Plan
T2	National Grid Management Plan
T3	Ballantrae Station and Ballantrae Station Management Plan
T4	Outline Plan – QEII National Trust open space covenants
40	Road surfacing
41	Traffic separation
42	Lot 2 DP 351133 landscaping
43	Noise bunds
44	Post-construction Review
45	Lighting
46	Written consent under section 176 of the RMA - Te Āpiti Wind Farm

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Definitions and Abbreviations

ABBREVIATION/TERM/ACRONYM	TERM/DEFINITIONB	NZ TRANSPORT AGENCY COMMENT/RATIONALE
AgResearch	AgResearch Limited	-
BS	British Standard	-
<u>CH/Chainage</u>	<u>A distance measured along a straight line. For this Project, chainage is measured in metres and starts from the western extent of the Project.</u>	This term is necessary to assist understanding of Table 1 in Condition 18 (as amended by NZ Transport Agency's comments).
Cultural and Environmental Design Framework	Te Ahu a Turanga Cultural and Environmental Design Framework dated April 2019 or as subsequently amended in accordance with Condition 11.	Corrected cross-reference to Condition 16 and relocated to follow 'Council(s)'.
Construction	Activities undertaken to construct the Project, excluding enabling works, and including: <ul style="list-style-type: none"> ▪ ground improvement works; ▪ temporary and permanent drainage installation; ▪ bulk earthworks (including cut and fill activities); ▪ bridge and tunnel construction; ▪ pavements and surfacing; ▪ site reinstatement; ▪ landscaping; and ▪ installation of permanent road furniture and ancillary works. 	-
Council(s)	Palmerston North City Council, Manawatū District Council or Tararua District Council.	-
<u>Cultural and Environmental Design Framework</u>	<u>Te Ahu a Turanga Cultural and Environmental Design Framework dated April 2019 or as subsequently amended in accordance with Condition 16.</u>	Corrected cross-reference to Condition 16 and relocated from above.
dB	Decibel	-
District Plan	Palmerston North City District Plan, Manawatū District Plan or Tararua District Plan.	-
ECR	Environmental compensation ratio	-
Enabling works	Preliminary activities, including: <ul style="list-style-type: none"> ▪ pre-construction site investigations (including access for such investigations); ▪ site establishment activities; ▪ site and property access formation; ▪ ecological surveys and any necessary relocations; ▪ any necessary reconfiguration of the Te Āpiti wind farm and other utilities infrastructure; ▪ vegetation removal <u>ancillary to other enabling works</u>; and 	Amendment to clarify that the only vegetation removal that will be undertaken as enabling works is removal associated with other enabling works activities.

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ABBREVIATION/TERM/ACRONYM	TERM/DEFINITION	NZ TRANSPORT AGENCY COMMENT/RATIONALE
	<ul style="list-style-type: none"> ▪ vegetation protection; and ▪ the establishment of erosion and sediment control measures. 	
First Gas	First Gas Limited	-
Frame site(s)	field research measurement sites at Ballantrae Research Station	-
ha	Hectares	-
KRH	KiwiRail Holdings Limited	-
L _{Aeq(24h)}	Time-average sound level over a twenty-four-hour period, measured in dB	-
L _{AFmax}	has the same meaning as the 'maximum A-frequency weighted, F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound	-
m	Metres	-
Meridian	Meridian Energy Limited	-
mm/s	Millimetres per second	-
NZEC 34:2001	New Zealand Electrical Code of Practice for Electrical Safe Distances	-
NZS	New Zealand Standard	-
NZTA	New Zealand Transport Agency	-
PPFs	Protected premises and facilities	-
Project	Te Ahu a Turanga; Manawatū Tararua Highway Project	-
Project Iwi Partners	Rangitāne o Manawatū, Rangitāne o Tamaki Nui-ā-Rua, Ngāti Kahungunu ki Tāmaki Nui-ā-Rua, Ngāti Raukawa	-
QEII Trust	Queen Elizabeth the Second National Trust, also known as the QEII National Trust.	-
Requiring Authority	has the same meaning as section 166 of the RMA and, in the case of the Designations is NZTA.	-
Responsible Officer	the Chief Executive Officer of each Council or their nominee; or such other person that has been delegated by one or more Councils(s) as a Responsible Officer for the purposes of this <u>these</u> Designations.	Typographical error correction.
RMA	Resource Management Act 1991.	-
Shared path	A safe , sealed, contraflow path for pedestrians and cyclists that is separated from the carriageway.	The use of the term 'safe' is not necessary, nor sufficiently certain, in the context of the definition.
TPR	Transpower New Zealand Limited.	-

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Construction Conditions (common to all jurisdictions)		NZ Transport Agency Comment/ Rationale
General and Administration		
1.	<p>General</p> <p>a) Except as modified by the conditions below, and subject to detailed design and accompanying outline plan(s), the Project must be undertaken in general accordance with the following information provided in 'Te Ahu a Turanga; Manawatū Tararua Highway Project, Notices of Requirement for Designations', dated 31 October 2018:</p> <ul style="list-style-type: none"> i) Volume 2: Assessment of Effects on the Environment and Supporting Material Parts A to G; ii) Volume 2: Part J, Appendix Three – Preliminary Design Philosophy Report; iii) Volume 2: Part J, Appendix Four – Bridge and Retaining Wall Design Philosophy Report; iv) Volume 3: Technical Assessments; v) Volume 4: Plans and Drawings: <ul style="list-style-type: none"> A) land Requirement Plans LR-00 to LR-11; B) designation Plans D-00 to D-10; <p>b) In addition to the matters set out in clause (a), the Project must be undertaken in general accordance with the Cultural and Environmental Design Framework.</p> <p>c) Where there is inconsistency between the documents listed above and the requirements of these conditions, these conditions prevail.</p>	-
2.	<p>Compliance with outline plan(s) and management plan(s)</p> <p>a) The Project must be undertaken in accordance with any:</p> <ul style="list-style-type: none"> i) Approved Outline Plan(s); and ii) Management plan(s) required by Conditions 11, 14, 17, 19, 20, 21, 22, 23, 24, 28, 29, 30, PN2, PN3, T1, T2 and T3. 	Amendment to include reference to two further management plans required by these conditions.
3.	<p><u>Ecological</u> Management plan certification process</p> <p>(a) When the Requiring Authority is required to submit an <u>Ecological Management Plan</u> for certification as required by a condition of this designation, the management plan must be submitted to the Responsible Officer of the respective Council in electronic and hard copy form at least 40 working days (or such other time specified in the relevant condition) prior to the commencement of the works to which the management plan relates. The certification process must be confined to confirming that the management plan adequately gives effect to the relevant condition(s).</p> <p>(b) Subject to (c) <u>and (e)</u> below, works to which the management plan relate must not commence until the Requiring Authority has received written certification from the Responsible Officer(s) <u>or the management plan has been considered as part of an outline plan in accordance with clause (f)</u>.</p> <p>(c) If the Requiring Authority has not received a response from the Responsible Officer(s) within 20 working days of the date of submission under (a) above, the management plan must be deemed to be certified.</p> <p>(d) If the Responsible Officer(s) response is that that they are not able to certify the management plan they must provide the Requiring Authority with reasons and recommendations for changes to the management plan in writing. The Requiring Authority must consider any reasons and recommendations of the Responsible Officer(s) and resubmit an amended management plan for certification.</p> <p>(e) If the Requiring Authority has not received a response from the Responsible Officer(s) within 5 working days of the date of resubmission under (d) above, the management plan must be deemed to be certified.</p>	<p>The inclusion of reference to 'ecological' is to confirm that the Ecological Management Plan is the only management plan that needs to be certified.</p> <p>The inclusion of reference to clause (e) and (f) in clause (b), and amendment to clause (f), is necessary to be clear that the outline plan pathway is available in situations where a resubmitted management plan is not certified.</p> <p>Reference to Condition 8 is deleted because the EMP is not required to be prepared as part of condition 8.</p>

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	<p>(f) If the Responsible Officer(s) response is that that they are still not able to certify the resubmitted management plan then the Requiring Authority must nevertheless include the resubmitted management plan in the relevant outline plan (Condition 8 or 9) with a notation that certification of the management plan has not occurred.</p>	
<p>4.</p>	<p>Amendments to certified Ecological Management Plan(s)</p> <p>a) A certified management plan may be amended at the request of the Requiring Authority at any time.</p> <p>b) Subject to (c) and (f) below, works to which the amended management plan relate must not proceed until the Requiring Authority has received written certification of the amended management plan from the Responsible Officer(s).</p> <p>c) If the Requiring Authority has not received a response from the Responsible Officer(s) within 10 working days of the date of request under (a) above, the amended management plan must be deemed to be certified.</p> <p>d) If the Responsible Officer(s) response is that they are not able to certify the amended management plan they must provide the Requiring Authority with reasons and recommendations for changes to the management plan in writing. The Requiring Authority must consider the reasons and recommendations and resubmit an amended management plan for certification.</p> <p>e) If the Requiring Authority has not received a response from the Responsible Officer(s) within 5 working days of the date of resubmission under (d) above, the amended management plan must be deemed to be certified.</p> <p>f) If the Responsible Officer(s) response is that they are still not able to certify the resubmitted management plan then the Requiring Authority must engage an independent, suitably qualified and experienced expert to adjudicate on the area(s) of disagreement between the Requiring Authority and the Responsible Officers(s) and the determination of that expert with regard to those areas of disagreement must be included in the resubmitted management plan which shall thereafter be deemed to be certified.</p>	<p>The inclusion of reference to 'ecological' is to confirm that the Ecological Management Plan is the only management plan that needs to be certified.</p> <p>The amendment to clause (f) to delete 'independent' is made to achieve internal consistency of the conditions and on the basis that it is unnecessary given experts are already under a professional obligation to provide independent expert advice.</p>
<p>5.</p>	<p>Post-construction review of designation width</p> <p>a) As soon as practicable following completion of construction of the Project, the Requiring Authority must:</p> <p>i) Review the width of the area designated for the Project;</p> <p>ii) Identify any areas of designated land that are no longer necessary for the on-going operation or maintenance of the State Highway; or for on-going mitigation, offsetting, or compensation measures required to address adverse effects of the Project, including the Ramarama Protection Area identified on Figure B in the Statement of Evidence of Dr Adam Forbes (dated 8 March 2019); and</p> <p>iii) Give notice to the Council(s) in accordance with section 182 of the RMA that requesting the removal of those parts of the designation identified in (ii) above <u>are no longer wanted</u>.</p>	<p>The amendment to clause (a)(iii) more closely aligns to the language used in section 182 of the RMA.</p>
<p>6.</p>	<p>Post-construction removal of conditions</p> <p>a) The following conditions relate to the construction of the Project and only apply to construction activities, such that, once construction of the Project is complete these conditions will no longer apply and can be removed as part of any subsequent District Plan review:</p> <p>i) Conditions 1 to 39;</p> <p>ii) Conditions M1 and M2;</p> <p>iii) Conditions PN1, PN2 and PN3; and</p> <p>iv) Conditions T1, T2, T3 and T4.</p>	<p>Advice note is deleted to provide greater clarity in respect of Conditions (or parts of Conditions) that are required to endure following the completion of construction through replacement with a new operational condition (see below – suggested Condition 47). The replacement condition is particularly necessary to</p>

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	<p>b) For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the State Highway within the designation where the provisions of section 176A of the RMA apply.</p> <p><i>Advice Note: On completion of construction there may be management plans, including those relating to planting and habitat maintenance, that require ongoing implementation and review. Any changes or deletions to the conditions must account for those ongoing obligations.</i></p>	<p>ensure a legal arrangement is in place for plantings (as contemplated under Condition 19(b)(viii)) on land gazetted as state highway and thus without title.</p>
<p>7.</p>	<p>Lapse period</p> <p>The designation shall lapse if not given effect to within 10 years from the date on which it is included in a District Plan under section 175 of the RMA.</p>	<p>-</p>
<p align="center">Outline plan(s)</p>		
<p>8.</p>	<p>Outline plan(s) (enabling works)</p> <p>a) An outline plan(s) must be prepared and submitted to the relevant Council in accordance with section 176A of the RMA for enabling works that are not otherwise a permitted activity pursuant to the relevant District Plan (unless the requirement is waived by the Council).</p> <p>b) In addition to the matters required by section 176A(3) of the RMA, the outline plan(s) must, to the extent that those matters are relevant to enabling works, demonstrate how the following are achieved:</p> <p>i) The matters in Condition 9(e);</p> <p>ii) Where relevant, compliance with the following conditions:</p> <p>A) condition PN1: Outline plan – Parahaki Island;</p> <p>B) condition M1: Outline plan – Tararua High Pressure Gas Transmission Pipeline;</p> <p>C) condition M2: Outline plan – Palmerston North to Gisborne Rail Corridor;</p> <p>D) condition T4: Outline plan – QEII National Trust open space covenants.</p> <p>c) The outline plan(s) (enabling works) <u>is not required to include:</u></p> <p><u>i) need not cover details of reinstatement of any non-permanent works if that matter will be or is addressed in any Outline Plan(s) (construction works); and</u></p> <p><u>ii) the management plans required by Conditions 19, 20, 21, 22, 23 and 24.</u></p> <p><u>d) Where an outline plan is not required by clause (a), the Requiring Authority is not required to prepare and submit any management plan that is otherwise required by these conditions.</u></p>	<p>The amendment to clause (c) is proposed to reflect the timing of respective outline plans and clarify that some management plans are not required. It is noted that NZTA seeks that further management plans are not required for enabling works, for example in Condition 11.</p> <p>New clause (d) is included to clarify that no management plans are required where an activity would be permitted by the relevant district plan.</p>
<p>9.</p>	<p>Outline plan(s) (construction works)</p> <p>a) An outline plan(s) must be prepared and submitted to the relevant Council in accordance with section 176A of the RMA.</p> <p>b) The outline plan(s) may be submitted for the entire Project or for one or more stages, <u>aspects</u>, sections or locations of works.</p> <p>c) The following must be included in each outline plan(s) as relevant to the particular design or construction matters being addressed:</p> <p>i) A Communications Management Plan (Condition 11);</p> <p>ii) A Construction Environmental Management Plan (Condition 14);</p> <p>iii) A Landscape Management Plan (Condition 17);</p> <p>iv) An Ecological Management Plan (Condition 24) <u>that is not otherwise certified</u> which must include:</p> <p>A) A Planting Management Plan (Condition 19);</p> <p>B) a Lizard Management Plan (Condition 20);</p> <p>C) a Bat Management Plan (Condition 21);</p>	<p>The amendment to clause (b) is to also provide for situations where an outline plan may be prepared for specific elements of the Project (as opposed to a geography). For instance, an outline plan for the main bridge where details of the surface finish under the bridge may be subject to another process.</p> <p>The amendment to clause (c)(iv) is to clarify the relationship between the certification process set out in Condition 3 and the subsequent outline plan process.</p>

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<p>D) an Avifauna Management Plan (Condition 227);</p> <p>E) a Terrestrial Invertebrates Management Plan (Condition 23);</p> <p>v) A Construction Noise and Vibration Management Plan (Condition 28);</p> <p>vi) A Construction Traffic Management Plan (Condition 29);</p> <p>vii) A Tangata Whenua Values Monitoring and Management Plan (Condition 30);</p> <p>viii) A Network Integration Plan (Condition 34);</p> <p>vii) A Western Car Park Construction Management Plan (Condition PN2);</p> <p>viii) A Western Car Park Reinstatement Management Plan (Condition PN3);</p> <p>ix) A Wind Farm Management Plan (Condition T1);</p> <p>x) A National Grid Management Plan (Condition T2);</p> <p>xi) A Ballantrae Station Management Plan (Condition T3);</p> <p>xii) Details of reinstatement and remediation works, including of temporary and enabling works not covered by any other management plan or condition;</p> <p>xiii) To the extent the shared path required by Condition 36 is to be provided within the boundaries of the designation, the location and design of the shared path;</p> <p>xiv) A Cultural and Environmental Design Framework design review completed in accordance with Condition 16.</p> <p>d) Subject to Condition 4, the documents and plans referred to in clause (c) above may be amended to provide updated information or reflect changes in design, construction methods or the management of effects without the need for a further outline plan where:</p> <p>i) The amendment proposed is provided in writing to the Council(s); and</p> <p>ii) The amendment is in general accordance with the outcome described in the original document or plan; of</p> <p><u>e) The Cultural and Environmental Design Framework may be amended</u> is to supplement 1.5 'Iwi Crown Partnership and Treaty of Waitangi Settlements', 2.1 'Tangata Whenua Principles', Appendix A.2 'Cultural Values and Narratives' or Appendix A.3 'Sites of Significance to Tangata Whenua' of the Cultural and Environmental Design Framework, including to incorporate outcomes of cultural management and monitoring activities undertaken in accordance with Tangata Whenua Values Monitoring and Management Plan required by Condition 30 and <u>where</u> the amendment:</p> <p><u>iiA)</u> is an agreed outcome of consultation with Project Iwi Partners;</p> <p><u>iiB)</u> does not delete content of the Cultural and Environmental Design Framework; and</p> <p><u>iiC)</u> is provided to the Council(s) at the earliest opportunity.</p> <p><u>iiD)</u> In the event that agreement to amend the Cultural and Environmental Design Framework as provided in <u>(eiii)</u> above is not obtained with the Project Iwi Partner(s) then the April 2019 version <u>(including any amendments that may be made under Condition 16)</u> of the Cultural and Environmental Design Framework applies.</p> <p><u>ge)</u> In addition to the matters required by section 176A(3) of the RMA, the outline plan(s) must demonstrate how the following are achieved:</p> <p>i) That the maximum length of the following streams (shown on Drawing C-10) permanently disturbed by diversion or other physical modifications is minimised as far as practicable and does not exceed:</p> <p>A) QEII Trust west (stem 7A): 350m in total;</p> <p>B) QEII Trust east (stems 6A, 6B and 6C): 460m in total.</p>	<p>The amendment to clause (c)(iv)(D) is to correct the Condition reference.</p> <p>The amendment to clause (c)(xii) is a typographical error correction.</p> <p>The amendment to clause (e)(iii) is to reflect terminology in Condition 18.</p> <p>The use of 'subject to Condition 4' in clause (d) is not clear. It could be understood to mean notwithstanding or that Condition 4 prevails. In particular it is not entirely clear whether an amendment to a certified ecological management plan that is 'in general accordance' is provided for by clause (d) or if such immaterial amendments also require recertification under Condition 4.</p> <p>Clauses (iii) and (iv) are amended to become new clause (e) and (f) so that amendments to the CEDF are a separate process that is not 'subject to Condition 4'.</p> <p>The amendment to Clause (e)(vi) (now proposed as (g)) is to recognise that there are situations where uninterrupted access to existing network utilities cannot be achieved during construction of the Project.</p> <p>The amendment to Clause (e)(vii) (now proposed as (g)) is to recognise that the connections required by this condition can only be realised where land is made available to do so.</p>
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	<ul style="list-style-type: none"> ii) That physical works within the Ramarama Protection Area identified on Figure B in the Statement of Evidence of Dr Forbes dated 8 March 2019 are restricted to restoration planting; iii) That the area of indigenous vegetation or exotic-dominated seepage wetlands removed does not exceed the maximum areas <u>of vegetation or habitat able to be removed</u> provided for in <u>Table 1: Vegetation Removal and Replacement in</u> Condition 18; iv) That in addition to the specific matters addressed in Conditions 34, M1, M2, T1 and T2, the scope, location and timing of works to relocate network utilities and any measures necessary to provide for the identification of, safety and protection of network utilities (in consultation with the network utility operator/Council); v) That except where Meridian provides written consent, the Project must not remove more than two turbines from the Te Āpiti wind farm; vi) The maintenance of permanent access to existing and relocated network utilities and Te Āpiti wind farm turbines (<u>where the turbines are retained</u>), including <u>reasonable and emergency uninterrupted</u> access during construction of the Project; vii) That the design of the new bridge over the Manawatū River includes a shared pathway required by Condition 36 that also connects to the Manawatū Gorge Scenic Reserve (on the northern bank of the Manawatū River), <u>subject to land availability</u>; viii) Where relevant, compliance with the following conditions: <ul style="list-style-type: none"> A) Condition PN1: Outline plan – Parahaki Island; B) Condition M1: Outline plan – Tararua High Pressure Gas Transmission Pipeline; C) Condition M2: Outline plan – Palmerston North to Gisborne Rail Corridor; D) Condition T4: Outline plan – QEII National Trust open space covenants. 	
Engagement and Participation		
<p>10.</p>	<p>Community Liaison Person</p> <ul style="list-style-type: none"> a) A Community Liaison Person must be appointed by the Requiring Authority as the main and readily accessible point of contact for persons affected by enabling or construction works for the duration of the enabling or construction phase of the Project. b) The Community Liaison Person is to be available by telephone during reasonable hours per day (for example, 6am to 10pm), seven days per week, determined in consultation with the Community Liaison Group. c) If the Community Liaison Person is not available for any reason, an alternative person must be nominated. d) The Requiring Authority must take appropriate steps to advise the Community Liaison Person’s name, telephone and email contact details, so that all members of the community can access the contact details. 	-
<p>11.</p>	<p>Communications Management Plan</p> <ul style="list-style-type: none"> a) Prior to the commencement of enabling or construction work activities, the Requiring Authority must prepare a Communications Management Plan that sets out procedures detailing how the public, stakeholders and residents will be communicated with throughout the enabling or construction work activities. b) The objective of the Communications Management Plan shall be to ensure that potentially affected parties are communicated with about ongoing design and enabling or construction management activities. c) The Communications Management Plan must accompany any relevant outline plan prepared in accordance with Conditions 8 or 9. 	<p>Deletion of reference to ‘enabling’ as such works have begun and therefore the Condition cannot be complied with. Further, it is anticipated that enabling works are limited to the formation of site accesses and ancillary works that are generally permitted by the relevant district plans. Discernible adverse effects (within district jurisdiction) will</p>

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	<p>d) As a minimum, the Communications Management Plan must include:</p> <ul style="list-style-type: none"> i) Details of the Community Liaison Person (Condition 10), including the ways in which their contact details will be found, such as on the Project website and at site access points. ii) A list of stakeholders, organisations, businesses and residents who will be communicated with. iii) Topics of communication, including but not limited to: <ul style="list-style-type: none"> A) proposed hours of enabling or construction work activities where these are outside of normal working hours or on weekends or public holidays, including night-time heavy vehicle movements; B) proposed routes for enabling or construction vehicles, including the total number of vehicles, proportion of heavy vehicles and the times of day these routes will be used; C) methods to deal with concerns raised; D) methods to provide early notification to businesses of enabling or construction work activities, particularly any such activities that will or may impact on Saddle Road (and use of Saddle Road for traffic); E) methods to communicate on any temporary traffic management measures, including disruption of, or changes to, pedestrian and cycling routes and the reinstatement of those routes disrupted by closure of State Highway 3 through Manawatū Gorge (such as the Saddle Road/Pahiatua cycleway route); F) methods to communicate on any disruption of, or changes to, access to the Manawatū Gorge Scenic Reserve walkways (and/or the Western Car Park during enabling or construction works); G) general conceptual design matters including but not limited to landscaping, rest areas, viewing points, and the shared path; H) progress of any enabling or construction works in comparison to key project milestones and completion dates; and I) details of communication activities proposed including: <ul style="list-style-type: none"> 1. details of a Project website for providing information to the public, publication of newsletters (or similar), and proposed newsletter delivery areas; 2. information days, open days or other mechanisms to facilitate community engagement; 3. newspaper advertising; and 4. notification and consultation with road user groups, business owners and operators and individual property owners and occupiers with premises/dwellings within 100 metres of active enabling or construction works activities, and for all businesses, pre-schools and schools in Woodville and Ashhurst. 	<p>be confined to the subject sites and will have no impact on the public or stakeholders. Requiring management plans for enabling works is not commensurate with the scale of work proposed and would result in a significant (1 year) delay in respect of the construction programme.</p>
<p>12.</p>	<p>Community Liaison Group</p> <p>a) The Requiring Authority must establish a Community Liaison Group at least 30 working days prior to the commencement of enabling or construction works, or at least 30 working days prior to the completion of the Cultural and Environmental Design Framework (Condition 16), a Landscape Management Plan (Condition 17), a Construction Traffic Management Plan (Condition 29), or a Western Car Park Construction Management Plan (Condition PN2) to allow sufficient opportunity for consultation.</p>	<p>Deletion of reference to 'enabling' as such works have begun and therefore the Condition cannot be complied with and for the further reasons set out above.</p> <p>Amendments to clause (c) and (d) to add a macron and correct a typographical error.</p>

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<p>b) The purpose of the Community Liaison Group is to:</p> <ul style="list-style-type: none"> i) share information and, except for B), provide input on: <ul style="list-style-type: none"> A) detailed design, including planned landscaping, mitigation works (including offset, compensation and replacement planting) and enabling or construction works environmental management (particularly construction traffic); B) key project milestones; C) rest areas or viewing points that are integrated with the Project; D) opportunities to integrate the Project design with public access / walkway opportunities including to areas such as the Manawatū Gorge; E) planting plans (in accordance with Condition 19); F) provision of pedestrian access across the new Manawatū River bridge to provide views to the Manawatū Gorge; G) the design of the walking and cycling facilities required by Conditions 35, 36 and 37; H) the Landscape Management Plan, the Construction Traffic Management Plan and the Western Car Park Reinstatement Management Plan; ii) report on and respond to concerns and issues raised in relation to enabling or construction works, particularly in respect of the existing local roads such as Saddle Road and Pahiatua Track; and iii) provide a forum to assist the Requiring Authority to monitor any effects on the community arising from enabling-or construction works. <p>c) The Community Liaison Group must hold meetings at least once every three months throughout the enabling-or construction works period and up to twelve months following completion of enabling-or construction works so that on-going monitoring information can be shared, discussed and responded to (noting that the Group may decide to meet less frequently or may be discontinued earlier at the agreement of the majority of non-Project participants, that is the majority of members not including the Project Liaison Person, Requiring Authority representatives and the enabling-or construction works contractor).</p> <p>d) In addition to the Project Liaison Person and representatives of the Requiring Authority and the enabling-or construction works contractor, the Requiring Authority will invite representatives of the following entities (at least) to be members of the Community Liaison Group:</p> <ul style="list-style-type: none"> i) Ashhurst community (at least 3) and Woodville community (at least 3), Dannevirke (1), Palmerston North (1) – noting for accessibility it may be appropriate for the groups to meet separately in Woodville and Ashhurst; ii) Local schools, including Ashhurst School, Te Kōhanga Reo o Atawhai, Woodville School, and Learning Adventures; iii) Respective Responsible Officer(s); iv) The Manawatū Whanganui Regional Council; v) The Department of Conservation; vi) Project Iwi Partners; vii) Mr Tom Shannon; viii) Manawatū River Source to Sea; and ix) Road user group representatives, including accessibility, cycling and walking group representatives. <p>ae) The Requiring Authority must prepare an agenda and record minutes for each meeting.</p>	
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	<p>bf) The Requiring Authority must maintain a record of issues raised by the Community Liaison Group and the Requiring Authority's response to those issues (including reasons in circumstances where no action is taken).</p> <p>eg) The Requiring Authority must meet all reasonable costs associated with resourcing the Community Liaison Group.</p>	
<p>13.</p>	<p>Complaints management</p> <p>a) At all times during enabling or construction works, the Requiring Authority must maintain a permanent register of any public or stakeholder complaints received in relation to adverse effects of the enabling or construction works for the Project.</p> <p>b) The register must include:</p> <ul style="list-style-type: none"> i) The name and contact details (if supplied) of the complainant; ii) The nature and details of the complaint; iii) Location, date and time of the complaint and the alleged event giving rise to the complaint; iv) The weather conditions at the time of the complaint (as far as practicable), including wind direction; v) Other activities in the area, unrelated to the Project, that may have contributed to the complaint; vi) The outcome of the Requiring Authority's investigation into the complaint; vii) Measures taken to respond to the complaint;and viii) If any action was taken, a description of measures taken to resolve the issue to which the complaint relates. <p>c) The Requiring Authority must respond to the complainant as soon as reasonably practicable, as appropriate to the urgency of the circumstances, and within 10 working days at the latest.</p>	<p>Clause (b)(viii) is deleted because it duplicates the requirement in (b)(vii).</p>
<p align="center">Construction Management</p>		
<p>14.</p>	<p>Construction Environmental Management Plan</p> <p>a) Prior to the commencement of enabling or construction, the Requiring Authority must prepare a Construction Environmental Management Plan.</p> <p>b) The objective of the Construction Environmental Management Plan is to set out measures that must be implemented to comply with the designation conditions and to appropriately remedy or mitigate any adverse effects of enabling or construction work activities.</p> <p>c) The Construction Environmental Management Plan must accompany any relevant outline plan prepared in accordance with Condition 8 and Condition 9 and also include the following suite of management plans <u>where relevant</u>:</p> <ul style="list-style-type: none"> i) Landscape Management Plan prepared in accordance with Condition 17; ii) Ecological Management Plan prepared in accordance with Condition 24; iii) Construction Noise and Vibration Management Plan prepared in accordance with Condition 28; iv) Construction Traffic Management Plan prepared in accordance with Condition 29; v) Tangata Whenua Values Monitoring and Management Plan prepared in accordance with Condition 30; vi) Western Car Park Construction Management Plan prepared in accordance with Condition PN2; and vii) Western Car Park Reinstatement Management Plan prepared in accordance with Condition PN3. <p>d) The Construction Environmental Management Plan must include (as a minimum):</p>	<p>Reference to enabling works and associated Condition 8 deleted for the reasons set out in respect of Condition 11.</p> <p>Amendment to Clause (c) is to more clearly provide for a staged outline plan approach by direction that relevant management plans need only be provided as relevant to the outline plan. For instance, where an outline plan is in respect of the Woodville roundabout, it would not be relevant or necessary to provide the Western Car Park Construction Management Plan.</p> <p>Clause (e) is amended to provide for a situation where updating the Management Plan is not necessary.</p> <p>Deletion of reference to the Ecological Management Plan being part of the Construction Environmental Management Plan so that it is clear that this Ecological Management Plan is certified and the CEMP is</p>

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	<ul style="list-style-type: none"> i) the roles and responsibilities of staff and contractors; ii) The environmental outcomes anticipated by: <ul style="list-style-type: none"> A) the Requiring Authority’s ‘Environmental and Social Responsibility Policy’ (2011) and relevant regional and district plan rules and associated performance standards and conditions (including those imposed by other authorisations or permissions), B) the Cultural and Environmental Design Framework; and C) relevant performance standards and conditions of the designation. iii) A description of the Project including: <ul style="list-style-type: none"> A) the enabling and construction works programmes and staging approach; B) enabling and construction works methodologies; C) a detailed site layout; D) the design and management specifications for all earthworks on-site, including disposal sites and their location; E) the design of temporary lighting for enabling and construction works and construction support areas; F) the approach to the management of enabling and construction works waste, taking into account the waste management hierarchy to reduce, re-use, recycle and recover, along with responsible disposal of residual waste; iv) a description of training requirements for all site personnel (including employees, sub- contractors and visitors); v) environmental incident and emergency management procedures; vi) environmental complaints management measures; vii) compliance monitoring, environmental reporting and environmental auditing, including a requirement to provide the results or outcomes of monitoring, reporting and auditing to the Responsible Officer(s); viii) the details for emergency contact personnel who must be contactable 24 hours, 7 days a week; ix) site security arrangements; x) an accidental discovery protocol, where required by and in accordance with Condition 31; xi) a requirement for a copy of the Construction Environmental Management Plan to be held at all site offices; xii) methods for amending, augmenting and updating the Construction Environmental Management Plan; and e) The Construction Environmental Management Plan must may be updated to incorporate any requirements of Regional Council resource consents. 	<p>considered as part of the outline plan process.</p>
<p>15.</p>	<p>Erosion and sediment control measures</p> <ul style="list-style-type: none"> a) All erosion and sediment control measures must be designed, constructed and maintained in accordance with Auckland Council-GD05 “Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region”, June 2016 (GD05). 	<p>Condition deleted because erosion and sediment control is a matter that is addressed by the Regional Council. Including a particular standard at this stage predetermines the standard and measures that might apply ahead of design or the required regional resource consents. Initial advice from Horizons is that a mix of GD05 and NZTA guidelines is preferred, Condition 15 would conflict with this approach.</p>

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Landscape, Visual Amenity and Natural Character		
<p>16.</p>	<p>Cultural and Environmental Design Framework</p> <p>a) The detailed design of the Project must achieve the corridor design principles and emerging design outcomes contained in the <u>April 2019 operative version, including as amended in accordance with this Condition and/or Condition 9(e)</u>, of the Cultural and Environmental Design Framework.</p> <p>b) Any <u>relevant</u> management plan required by conditions of this designation, or outline plan prepared and submitted in accordance with section 176A of the RMA, must demonstrate compliance with (a) through the completion of the ‘design review template’ (attached as Appendix B to the Cultural and Environmental Design Framework).</p> <p>c) The Cultural and Environmental Design Framework may be amended to take into account the outcomes of consultation with Project Iwi Partners, the Department of Conservation, the Councils, the Manawatū-Whanganui Regional Council, the QEII National Trust, the Te Āpiti Manawatu Gorge Governance Group, the Community Liaison Group, affected network utility providers, Meridian, and AgResearch.</p> <p>d) If the Cultural and Environmental Design Framework is amended in accordance with (c) above, a copy of the amended Cultural and Environmental Design Framework must be provided to the Responsible Officer of each Council.</p> <p>e) If an amendment to the Cultural and Environmental Design Framework would materially affect the content of a certified <u>Ecological Management Plan</u> or an approved outline plan, then an amended management or outline plan must be submitted for certification in accordance with Condition <u>34</u> or approval in accordance with Condition <u>8-or</u> 9 as appropriate.</p>	<p>Amendment to clause (a) is to clarify what is ‘operative’.</p> <p>Amendment to clause (b) is to require completion of a design review template only where relevant. There may be situations (for instance, the Construction Noise and Vibration Management Plan) where a design review is not necessary.</p>
<p>17.</p>	<p>Landscape Management Plan</p> <p>a) The objective of the Landscape Management Plan is to address the potential adverse effects of the Project on landscape, visual amenity and natural character values by describing the integration of the Project’s permanent works into the surrounding landscape and establishing the requirements for landscape mitigation works and to ensure that planting is completed as soon as is reasonably practicable following the completion of each stage of, or discrete location of, construction works.</p> <p>b) The Landscape Management Plan forms part of the Construction Environmental Management Plan required by Condition 14 and must:</p> <p>i) be prepared by a n independent, suitably qualified and experienced person;</p> <p>ii) accompany any relevant outline plan prepared in accordance with Condition 8-or 9;</p> <p>iii) have particular regard to the outcomes of consultation with landowners within the Designation, the Project Iwi Partners, the Department of Conservation, the Council(s), the Manawatū-Whanganui Regional Council, the QEII National Trust, the Te Āpiti Manawatū Gorge Governance Group, the Community Liaison Group, Meridian, and Manawatū River Source to Sea;</p> <p>iv) As a minimum, the Landscape Management Plan must:</p> <p>A) describe how permanent works, such as earthworks areas, are integrated into the surrounding landscape and topography, including (but not limited to) the restoration of areas used for temporary work and enabling or construction works yards and the opportunity for the permanent exposure of valuable geological profiles to provide geosites;</p> <p>B) describe and map indigenous vegetation that is to be retained and any proposed new landscape and visual amenity plantings;</p>	<p>Reference to Condition 8 is deleted because this Management Plan is to address permanent works, while interim landscape treatment will be described in any outline plan as a requirement of section 176A(3)(e).</p> <p>The rationale for the deletion of ‘independent’ in clause (b)(i) is set out above in respect of Condition 4.</p> <p>Amendments to clause (b)(iii) to include macrons.</p> <p>Amendment to clause (b)(v) to include all sites intended to be covered by this condition and correct typographical errors.</p>

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	<p>C) require any proposed new landscape or visual amenity planting to be undertaken as soon as is reasonably practicable following the completion of works and in accordance with the Planting Management Plan required by Condition 19;</p> <p>D) describe proposed planting at 75 Hope Road, developed in consultation with the owners of 75 Hope Road, to screen views of the new road;</p> <p>E) demonstrate:</p> <ol style="list-style-type: none"> 1. the integration of works and planting required by the Landscape Management Plan with any replacement, offset or compensation planting required by Condition 18; 2. opportunities for the planting of stream riparian and wetland margins to restore natural character values. <p>v) Planting required by the Landscape Management Plan within a portion of the Te Āpiti wind farm indicated by property reference numbers 8, 9, 10, 11, and 12 on Land Requirement Plan LR-11 dated October 2018 must be:</p> <p>A) <u>be</u> within the Designation boundary; and</p> <p>B) must not exceed a height of 1.5 metres at maturity except where:</p> <ol style="list-style-type: none"> 1. the planting is for the restoration of areas subject to QEII Trust open space covenants at 31 October 2018 and shown on Plan C-06 dated October 2018 (where the planting is in a similar location and as exists on 31 October 2018 and Meridian is consulted in respect of the species proposed to be planted); or 2. the requirements of clauses A) or B) are not met and Meridian provides the Requiring Authority with its written consent to such planting; or 3. the planting is within areas of existing vegetation habitat types that are expected to grow higher than 1.5m. 	
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Terrestrial Ecology

18.	<p>Replacement, offset or compensation planting</p> <p>Replacement, offset or compensation planting must:</p> <p>a) Be provided in accordance with the environmental compensation ratios (ECR) set out in Table 1 <u>or as revised by the process set out in the Ecological Management Plan required by Condition 25(b)(iv)(l)</u>. Where vegetation or habitat removal is less than the maximum area, the minimum area of replacement planting must be calculated by multiplying the slope-corrected area of affected vegetation by the ECR for the relevant ecosystem type.</p> <p>Table 1: Vegetation Removal and Replacement</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Ecosystem type <u>(identified on the plans attached as Appendix A to the Statement of Evidence of Dr Forbes dated 8 March 2019)</u></th> <th style="text-align: center;">Maximum area of vegetation or habitat able to be removed (ha)</th> <th style="text-align: center;">ECR</th> <th style="text-align: center;">Maximum area of replacement, offset or compensation planting (ha)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Secondary broadleaved forests with old-growth signatures</td> <td style="text-align: center;">3.07</td> <td style="text-align: center;">5</td> <td style="text-align: center;">15.35</td> </tr> <tr> <td style="text-align: center;">Old-growth treelands</td> <td style="text-align: center;">0.41</td> <td style="text-align: center;">5</td> <td style="text-align: center;">2.05</td> </tr> </tbody> </table>	Ecosystem type <u>(identified on the plans attached as Appendix A to the Statement of Evidence of Dr Forbes dated 8 March 2019)</u>	Maximum area of vegetation or habitat able to be removed (ha)	ECR	Maximum area of replacement, offset or compensation planting (ha)	Secondary broadleaved forests with old-growth signatures	3.07	5	15.35	Old-growth treelands	0.41	5	2.05	<p>Clause (a) is amended to provide a pathway for the revision process established by Condition 25.</p> <p>Table 1 is amended to clarify the ecosystem types and to distinguish the maximum area of vegetation to be removed from within areas subject to QEII Open Space Covenants as opposed to within the designations generally. As such, the distinction between areas future limits the impact on the covenanted areas.</p> <p>The rationale for the deletion of ‘independent’ in clause (b)(i) is set out above in respect of Condition 4.</p> <p>It is noted that clause (b) could be understood to require 200 further trees for every existing tree, rather than only in respect of any tree that dies. The clause could clarify that it is</p>
Ecosystem type <u>(identified on the plans attached as Appendix A to the Statement of Evidence of Dr Forbes dated 8 March 2019)</u>	Maximum area of vegetation or habitat able to be removed (ha)	ECR	Maximum area of replacement, offset or compensation planting (ha)											
Secondary broadleaved forests with old-growth signatures	3.07	5	15.35											
Old-growth treelands	0.41	5	2.05											

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Kānuka forests (<u>CH4000-4400</u>)	4.591.0	5	7.955	<p>intended to reflect 200 x dead tree/s as opposed to 200 x existing trees.</p> <p>Amendment to clause (d) to include all sites intended to be covered by this condition.</p> <p>Amendment to clause (f) to clarify that additional planting to address edge effects is subject to landowner agreement and land availability.</p>
<u>Kānuka forests (elsewhere in designation)</u>	<u>0.59</u>	<u>5</u>	<u>2.95</u>	
Advanced secondary broadleaved forests (<u>CH5600-5800</u>)	0.980.5	5	4.882.5	
<u>Advanced secondary broadleaved forests (elsewhere in designation)</u>	<u>0.48</u>	<u>5</u>	<u>2.4</u>	
Secondary broadleaved forests and scrublands (<u>CH6100-6400</u>)	16.460.86	3	9.382.58	
<u>Secondary broadleaved forests and scrublands (elsewhere in designation)</u>	<u>15.6</u>	<u>3</u>	<u>46.8</u>	
Mānuka and kānuka shrublands (<u>CH6100-6400</u>)	4.041.22	1.5	4.041.83	
<u>Mānuka and kānuka shrublands (elsewhere in designation)</u>	<u>2.82</u>	<u>1.5</u>	<u>4.23</u>	
Divaricating shrublands	0.33	3	0.99	
Old-growth forests (alluvial)	0.15	12	1.8	
Old-growth forests (hill country)	1.0	10	10	
Raupō dominated seepage wetlands (high value)	0.13	4	0.52	
Indigenous-dominated seepage wetlands (moderate value)	1.12	3	3.36	
Exotic-dominated seepage wetlands (low value)	2.74	1.5	4.11	
<p>b) Include the planting of swamp maire at the following rates:</p> <p>i) 100 swamp maire trees for each existing swamp maire tree affected by more than 10% of live growth pruning as determined by a an <u>independent</u>, suitably qualified and experienced arborist;</p> <p>ii) 200 swamp maire trees for each existing swamp maire tree where a swamp maire tree dies as a result of enabling or construction works activities.</p> <p>c) Include the planting of ramarama at a rate of 1:100 where any ramarama greater than 15 centimetres tall located outside of the Ramarama Protection Area (shown on Figure B in the Statement of Evidence of Dr Forbes dated 8 March 2019) is removed as a result of enabling or construction works activities.</p>				

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	<p>d) Not be located within a portion of the Te Āpiti wind farm indicated by property reference numbers <u>8</u>, 9, 10, 11, and 12 on Land Requirement Plan LR-11 dated October 2018 except where:</p> <p>i) Meridian provides the Requiring Authority with its written consent to such planting; or</p> <p>ii) The planting is for the restoration of areas subject to QEII Trust open space covenants at 31 October 2018 and shown on Plan C-06 dated October 2018 (where the planting is in a similar location as exists on 31 October 2018 and Meridian is consulted in respect of the species proposed to be planted).</p> <p>e) The maximum area of exotic dominated seepage wetland able to be removed must be updated to include any additional exotic dominated seepage wetland identified in pre-construction surveys undertaken by the Requiring Authority.</p> <p>f) Include plantings additional to those required by (a) to (e) above in order to mitigate-edge effects associated with indigenous vegetation removal, <u>subject to landowner agreement and land availability.</u></p> <p>Advice Note: Section 3.2 of the Cultural and Environmental Design Framework deals with the disruption (damage) of indigenous vegetation and habitats.</p>	
<p>19.</p>	<p>Planting Management Plan</p> <p>a) The objective of the Planting Management Plan is to ensure that any planting required by Conditions of this Designation is undertaken in an appropriate manner to facilitate the ongoing survival of those plants.</p> <p>b) The Planting Management Plan forms part of the Ecological Management Plan required by Condition 24 and must:</p> <p>i) Be prepared by an independent, suitably qualified and experienced expert (such as an arborist, terrestrial ecologist or landscape architect) in consultation with the Department of Conservation and the Project Iwi Partners;</p> <p>ii) Take into account the outcomes of that consultation with the Department of Conservation and the Project Iwi Partners;</p> <p>iii) Require that all planting to be completed within the three planting seasons following the completion of each stage or discrete location of construction works;</p> <p>iv) Identify areas (including legal boundaries) where planting is to occur including:</p> <p>A) where planting is to be staged with reference to the enabling of construction works programme; and</p> <p>B) canopy gap planting in retired areas and any areas of edge buffer planting;</p> <p>C) areas for planting required by Conditions 17 and 18;</p> <p>v) Describe where the plants will be sourced from (including eco-sourcing, species genetic source and propagation methodology);</p> <p>vi) Describe plant species mixes; plant spacing, density and layout; plant size (at time of planting); and planting methods (including ground preparation, mulching and trials);</p> <p>vii) Describe fencing, stock exclusion, or any other physical works necessary to protect planted areas <u>from the effects of grazing in perpetuity</u>;</p> <p>viii) Require legal arrangements (land purchase, leasing or covenanting) to be entered into to protect provide for the retention of the plantings in perpetuity;</p> <p>ix) Include a plant pest management programme that as a minimum targets species that threaten new or replacement plantings, forest regeneration, forest succession, and the regeneration of any retirement areas;</p>	<p>Reference to ‘enabling’ is deleted on the basis that planting (required by conditions) is not proposed as part of enabling works and would not be able to be practicably provided as part of enabling works.</p> <p>The rationale for the deletion of ‘independent’ in clause (b)(i) is set out above in respect of Condition 4.</p> <p>Clause (b)(iii) is amended to remove reference to the completion of discrete stages or locations because this is not practical in the context of ecological mitigation planting and may result in the subsequent removal of plants as part of later works.</p> <p>Reference to ‘in perpetuity’ is deleted from clause (b)(vii) because it is not clear what the planting areas are being protected from and legal protection required by 19(b)(viii) will cover relevant aspects. For clarity reference to ‘grazing’ is added.</p> <p>Reference to ‘other physical works’ is deleted from clause (b)(vii) because it is not clear what these works might be.</p> <p>Amendment to clause (b)(viii) to provide clarity in respect of what is meant by ‘protect’.</p> <p>Clause (b)(xi) amended to make clear that 80% canopy cover measure relates to</p>

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	<ul style="list-style-type: none"> x) Include an animal pest management programme to manage possums and rats to achieve and maintain a 5% or better residual trap catch/tracking index score (or equivalent monitoring method); xi) Describe the ongoing maintenance and management of planted areas, including a requirement that plants that fail to establish are replaced over a 5-year period, or in the case of masse<u>ecological mitigation</u> plantings until 80% canopy cover is achieved; xii) Describe how the potential for bird strike from vehicles using the road will be reduced through plant species selection in proximity of the new road; xiii) Include a species list for divaricating shrubland replacement planting that has a high representation of the indigenous plant genera/species <i>Coprosma rhamnoides</i>, <i>Melicytus</i>, <i>Olearia virgata</i>, <i>Olearia solandri</i>, <i>Muehlenbeckia</i>, <i>Parsonsia</i> and <i>Rubus</i>, (subject to the reasonable availability of those genera/species); xiv) Identify areas that are avoided to achieve the requirements of Conditions 9(e)(i), (ii) and (iii) and Condition 23. 	<p>ecological mitigation rather than landscape planting.</p> <p>Clause (b)(xiv) is deleted on the basis that it could imply that the areas referred to in this clause are areas where planting must be avoided.</p>
<p>20.</p>	<p>Lizard Management Plan</p> <ul style="list-style-type: none"> a) The objective of the Lizard Management Plan is to avoid, remedy or mitigate the potential adverse effects of the Project on lizards. b) The Lizard Management Plan forms part of the Ecological Management Plan required by Condition 24 and must: <ul style="list-style-type: none"> i) Be prepared by an independent, suitably qualified and experienced ecologist in consultation with the Department of Conservation and the Project Iwi Partners; ii) Take into account the outcomes of any consultation with the Project Iwi Partners and the Department of Conservation; iii) Describe the methodology for survey, salvage, transfer and release, including the identification of potential habitats for survey and planned and opportunistic relocations; iv) Identify release sites (which may include the Manawatū Gorge Scenic Reserve, subject to permission being granted by the Department of Conservation) and confirm any works necessary to protect such sites from predation or disturbance (when the sites are not in the Manawatū Gorge Scenic Reserve); and v) Be updated to achieve consistency with any authorisation given by the Director-General of Conservation under section 53 of the Wildlife Act 1953 where any such authorisation is required. 	<p>The rationale for the deletion of 'independent' in clause (b)(i) is set out above in respect of Condition 4.</p>
<p>21.</p>	<p>Bat Management Plan</p> <ul style="list-style-type: none"> a) Prior to the commencement of construction and between the months of November to March, the Requiring Authority must engage a suitably qualified and experienced person to undertake a bioacoustic survey consistent with the survey methodology that has been agreed with the Department of Conservation. b) Where the investigations required by clause (a) identify the presence of bats in the designation, the Requiring Authority must prepare a Bat Management Plan to manage the potential adverse effects of the Project on bats. ca) The objective of the Bat Management Plan is to avoid, remedy or mitigate the potential adverse effects of the Project on bats. cb) The Bat Management Plan forms part of the Ecological Management Plan required by Condition 24 and must: <ul style="list-style-type: none"> i) Be prepared by an independent, suitably qualified and experienced ecologist in consultation with the Department of Conservation and the Project Iwi Partners; ii) Require, prior to the commencement of construction and between the months of November to March, the undertaking of a bioacoustic 	<p>Additional clauses (a) and (b) included to require a survey to determine whether bats are present in the first instance and before requiring a management plan. It is noted that these surveys have been completed and have not identified the presence of bats.</p> <p>The rationale for the deletion of 'independent' is set out above in respect of Condition 4.</p>

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	<p>survey with the survey methodology to be developed in consultation with the Department of Conservation;</p> <ul style="list-style-type: none"> iii) Include procedures for the removal of any bat roosts (including measures to retain and monitor any active roosting site) if the bioacoustic survey identifies the presence of bats in the Designation; iv) where necessary, set out an approach to habitat replacement and pest control; and v) be updated to achieve consistency with any authorisation given by the Director- General of Conservation under section 53 of the Wildlife Act 1953 where any such authorisation is required. 	
<p>22.</p>	<p>Avifauna Management Plan</p> <ul style="list-style-type: none"> a) The objective of the Avifauna Management Plan is to avoid, remedy or mitigate the potential adverse effects of the Project on avifauna. b) The Avifauna Management Plan forms part of the Ecological Management Plan required by Condition 24 and must: <ul style="list-style-type: none"> i) Be prepared by an independent, suitably qualified and experienced ecologist in consultation with the Department of Conservation and the Project Iwi Partners; ii) In the Manawatū River riverbed: <ul style="list-style-type: none"> A) Describe the measures necessary (prior to the July to March breeding season) to deter black-fronted dotterels and banded dotterels from nesting; B) Set out the methodology for a pre-construction survey to identify any nesting dotterels; C) If nesting dotterels are present, in accordance with the NZTA’s ‘Guidance in relation to New Zealand dotterels on NZTA land’ dated November 2012: <ul style="list-style-type: none"> 1. require the establishment an exclusion area around the nesting area within which works may not be undertaken until nesting activities are completed;-and 2. provide for the relocation (by driving away under the supervision of an suitably qualified and experienced person) of the dotterels that are not actively nesting; iii) For any vegetation clearance between the months of September and January, including in potential whitehead nesting habitats: <ul style="list-style-type: none"> A) set out the methodology for a pre-construction survey to identify any nesting whiteheads; B) if nesting whiteheads are present, require the establishment of an exclusion area around the tree containing the nest and immediately adjacent trees within which works may not be undertaken until nesting activities are completed. v) For any clearance or mowing of rank grass between the months of August and March: <ul style="list-style-type: none"> A) set out the methodology for a pre-construction survey to identify any nesting pipit; B) if nesting pipit are present, require the establishment of an exclusion area around the nesting area within which works may not be undertaken until nesting activities are completed. vi) Prior to any works occurring in the raupō dominated seepage wetlands, as shown on Designation Plan D-02 dated October 2018, set out the methodology for a pre-construction survey for cryptic bird species. If nesting cryptic bird species are present, require the establishment of an exclusion area around the nesting area within which works may not be undertaken until nesting activities are completed. 	<p>The rationale for the deletion of ‘independent’ in clause (b)(i) is set out above in respect of Condition 4.</p> <p>Amendment to clause (b)(iii) to clarify that there is no need to survey areas that are not potential habitats.</p>

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	<p>vii) Consider opportunities to minimise disturbance to the freshwater ponds located between CH9200 and CH9600 in order to maintain possible habitat for Australian coot and New Zealand dabchick.</p> <p>viii) Be updated to achieve consistency with any authorisation given by the Director-General of Conservation under section 53 of the Wildlife Act 1953 where any such authorisation is required.</p>	
<p>23.</p>	<p>Terrestrial Invertebrate Management Plan</p> <p><u>a) Prior to the commencement of construction, the Requiring Authority must undertake preconstruction surveys to determine:</u></p> <p><u>i. invertebrate community composition; and</u></p> <p><u>ii. the presence of ‘at risk’ or ‘threatened’ taxa (as defined by the Department of Conservation’s New Zealand Threat Classification System).</u></p> <p><u>b) The methodology for the surveys required by clause (a) must be developed in consultation with the Project Iwi Partners and the Department of Conservation and:</u></p> <p><u>i. will inform any mitigation monitoring and any offsetting proposed under Condition 24(b);</u></p> <p><u>ii. define the timing and locations of surveys; and</u></p> <p><u>iii. set out the appropriate levels of taxonomic resolution and/or community composition indices to be applied.</u></p> <p><u>c) Where the surveys required by clause (a) detect the presence of ‘at-risk’ or ‘threatened’ taxa, the Requiring Authority must prepare a Terrestrial Invertebrate Management Plan</u></p> <p><u>da)</u> The objective of the Terrestrial Invertebrate Management Plan is to avoid, remedy or mitigate the potential adverse effects of the Project on At-Risk or Threatened terrestrial invertebrates.</p> <p><u>eb)</u> The Terrestrial Invertebrate Management Plan forms part of the Ecological Management Plan required by Condition 24 and must:</p> <p>i) Be prepared by a n independent, suitably qualified and experienced ecologist in consultation with the Department of Conservation and the Project Iwi Partners;</p> <p>ii) Require, prior to the commencement of enabling or construction works, pre-construction surveys to determine:</p> <p>A) invertebrate community composition;</p> <p>B) the presence of ‘At Risk’ or ‘Threatened’ taxa (as defined by the Department of Conservation’s New Zealand Threat Classification System).</p> <p>iii) Inform any mitigation monitoring and any offsetting or compensation proposed under Condition 24(b);</p> <p>iv) Define the timing and locations of surveys;</p> <p>v) Set out the appropriate levels of taxonomic resolution and/or community composition indices to be applied;</p> <p>vii) Where the pre-construction surveys detect the presence of ‘At Risk’ or ‘Threatened’ taxa:</p> <p><u>iiA)</u> identify the vegetation or habitats that should be avoided in the first instance;</p> <p><u>iiiB)</u> outline the optimal timing of vegetation clearance based on the ‘At-Risk’ or ‘Threatened’ taxa present;</p> <p><u>ivC)</u> where appropriate, describe the methods of direct invertebrate management;</p> <p><u>vD)</u> identify areas where measures to manage enabling or construction works activities apply;</p> <p><u>viE)</u> set out approaches to the restoration of invertebrate taxa/community composition in planting and retirement areas required by Conditions 18 and 24, including but not limited to:</p>	<p>Additional clause (a), (b) and (c) are included to allow for the identification of terrestrial invertebrates prior to the preparation of the management plan so that the management plan can address those identified taxa in a targeted and specific manner.</p> <p>Further it is noted that reference to ‘enabling’ is not consistent with the management plan not being required for enabling works (being part of the Ecological Management Plan).</p> <p>The rationale for the deletion of ‘independent’ is set out above in respect of Condition 4.</p>

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	<p>A)1- wood disk stepping stones and long grass corridors;</p> <p>B)2- the salvage and transfer of soils, coarse woody material or debris and leaf litter; and</p> <p>C)3- detailed measures to create and/or restore habitats for populations of 'At-Risk' or 'Threatened' taxa impacted by the Project;</p> <p>D)4- monitoring protocol for populations of 'At-Risk' or 'Threatened' taxa impacted by the Project, where monitoring forms part of the measures determined by Condition 24(b); and</p> <p>E)5. biosecurity measures required in carrying out these activities.</p>	
<p>24.</p>	<p>Ecological Management Plan</p> <p>a) The Objective of the Ecological Management Plan to address the potential adverse effects of the Project on ecological and <u>indigenous</u> biodiversity values.</p> <p>b) The Ecological Management Plan must be prepared prior to the commencement of construction, form part of the Construction Environmental Management Plan required by Condition 14, and it must:</p> <ul style="list-style-type: none"> i) Be certified under Condition <u>23</u>; ii) Be prepared by a n independent, suitably qualified and experienced person(s); iii) Accompany any relevant Outline Plan prepared in accordance with Condition 9; iv) As a minimum: <ul style="list-style-type: none"> A) summarise the terrestrial ecology and biodiversity values and effects of the Project; B) take into account the outcomes of any consultation with the Project Iwi Partners, the Department of Conservation, the Te Āpiti Manawatū Gorge Governance Group and any other party having a direct interest in the land subject to planting required by Condition 18; C) include the Planting, Bat, Lizard, Avifauna, and Terrestrial Invertebrate Management Plans required by Conditions 19, 20, 21, 22 and 23; D) detail how vegetation to be removed will <u>be</u> identified on site; E) set out site staff induction procedures in respect of ecological requirements, including measures to prevent the introduction of pest plants; F) consider opportunities for: <ul style="list-style-type: none"> 1. the reuse of natural materials and felled trees by the Project Iwi Partners; and 2. community participation in planting; G) provide for the salvage and transfer of soils, coarse woody material or debris and leaf litter for use in areas of replacement and retirement planting; H) confirm the location of any areas to be retired from grazing; I) include a process for any revision of the ECRs contained in Condition 18. <p>c) Taking into account the measures to avoid, remedy, mitigate, offset or compensate for adverse ecology effects (including the measures to be undertaken as described in the Ecological Management Plan), the Requiring Authority must, in consultation with the Department of Conservation and the Project Iwi Partners:</p> <ul style="list-style-type: none"> i) Determine the extent of any further offsetting or compensation necessary to achieve a net indigenous biological diversity gain with reference to the direction given by Policy 13-4 of the One Plan – Part II; 	<p>Amendment to clause (a) to include 'indigenous'.</p> <p>Deletion of reference to the management plan being part of the Construction Environmental Management Plan so that it is clear that this management plan is certified and the CEMP is considered as part of the outline plan process.</p> <p>Amendments to clause (b)(i) and (c)(ii)(C) to correct a cross-reference and to add macrons.</p>

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	<p>ii) Where further offsetting or compensation is necessary, this may include (but not be limited to):</p> <p>A) the retirement of areas (where available) within the areas shown for this purpose on Figure 6.A.9 (in Appendix 6.A to Technical Assessment 6: Terrestrial Ecology);</p> <p>B) the retirement of additional areas in an alternative location, additional offset or compensation planting and/or additional pest management measures;</p> <p>C) funding provided to the Manawatu Gorge Governance Group to undertake activities described in the 'Te Āpiti – Manawatu Gorge Biodiversity Management Plan' dated 8 August 2017 including, but not limited to, items that are consistent with the section 4 of that Plan and the following items listed in section 6.1 of that Plan:</p> <ol style="list-style-type: none"> 1. weed and animal pest survey and planning; 2. weed control; 3. animal control; 4. monitoring and reporting; 5. biodiversity enhancement; 6. landscape level linkages. <p>iii) The required offsetting or compensation activities must be managed, where appropriate, in accordance with the management framework set out in the Ecological Management Plan.</p>																									
<p>25.</p>	<p>At risk or threatened flora and fauna discovery protocol</p> <p>a) In the event of discovery or any 'At-Risk' or 'Threatened' flora or fauna (as defined by the Department of Conservation's New Zealand Threat Classification System) within the Designation that is not specifically addressed by Conditions 20, 21, 22, 23 or 24, the Requiring Authority must determine a course of action:</p> <ol style="list-style-type: none"> i) Based on the advice of an independent, suitably qualified and experienced ecologist; ii) With reference to the Ecological Management Plan framework; and iii) Taking into account the outcomes of any consultation the Project Iwi Partners and the Department of Conservation. <p>b) The Requiring Authority must provide written advice to the Responsible Officer(s) setting out the course of action determined in accordance with clause (a).</p>	<p>The rationale for the deletion of 'independent' in clause (a)(i) is set out above in respect of Condition 4.</p>																								
<p>Construction Noise and Vibration</p>																										
<p>26.</p>	<p>Measurement Limits and assessment – construction noise</p> <p>a) All construction works must be designed and conducted to ensure that, as far as practicable, construction noise does not exceed the limits in Table 2. Sound levels must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction noise as follows (at occupied dwellings).</p> <p>Table 2: Construction Noise Limits</p> <table border="1" data-bbox="336 1697 1046 2022"> <thead> <tr> <th>Time of week</th> <th>Time period</th> <th>L_{Aeq}</th> <th>L_{Afmax}</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Weekdays</td> <td>0630-0730</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730-1800</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800-2000</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000-0630</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="2">Saturdays</td> <td>0630-0730</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730-1800</td> <td>70 dB</td> <td>85 dB</td> </tr> </tbody> </table>	Time of week	Time period	L _{Aeq}	L _{Afmax}	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	<p>Heading amended to be consistent with Condition 27.</p>
Time of week	Time period	L _{Aeq}	L _{Afmax}																							
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			1800-2000	45 dB	75 dB																									
			2000-0630	45 dB	75 dB																									
		Sundays and public holidays	0630-0730	45 dB	75 dB																									
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			1800-2000	45 dB	75 dB																									
			2000-0630	45 dB	75 dB																									
27.	Measurement and assessment – construction vibration						The rationale for the deletion of 'independent' is set out above in respect of Condition 4.																							
	<p>a) Construction vibration must, as far as practicable, comply with the criteria in Table 3, where:</p> <p>i) Measurement is in accordance with ISO 4866:2010 <i>Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures</i>; and</p> <p>ii) BS 5228-2 is British Standard BS 5228-2:2009 <i>Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration</i>.</p> <p>Table 3: Vibration Criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Location</th> <th>Details</th> <th>Category A PPV</th> <th>Category B PPV</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied PPFs</td> <td rowspan="2">Inside the building</td> <td>Night 2000h to 0630h</td> <td>0.3 mm/s</td> <td>1 mm/s</td> </tr> <tr> <td>Day 0630h to 2000h</td> <td>1 mm/s</td> <td>5 mm/s</td> </tr> <tr> <td>Other occupied buildings</td> <td>Inside the building</td> <td>Day 0630h to 2000h</td> <td>2 mm/s</td> <td>5 mm/s</td> </tr> <tr> <td rowspan="2">Unoccupied buildings</td> <td rowspan="2">Building foundation</td> <td>Vibration transient</td> <td rowspan="2">5 mm/s</td> <td>BS 5228-2 Table B.2</td> </tr> <tr> <td>Vibration continuous</td> <td>50% of BS 5228-2 Table B.2</td> </tr> </tbody> </table> <p>b) The Category A construction vibration criteria in the table above must be complied with as far as practicable. If measured or predicted vibration from construction activities exceeds the Category A criteria, a an independent, suitably qualified and experienced person must assess and manage construction vibration during those activities. If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a an independent, suitably qualified and experienced person.</p>					Receiver		Location	Details	Category A PPV	Category B PPV	Occupied PPFs	Inside the building	Night 2000h to 0630h	0.3 mm/s	1 mm/s	Day 0630h to 2000h	1 mm/s	5 mm/s	Other occupied buildings	Inside the building	Day 0630h to 2000h	2 mm/s	5 mm/s	Unoccupied buildings	Building foundation	Vibration transient	5 mm/s	BS 5228-2 Table B.2	Vibration continuous
Receiver	Location	Details	Category A PPV	Category B PPV																										
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28.	Construction Noise and Vibration Management Plan						Reference to enabling works and associated Condition 8 deleted for the reasons set out in respect of Condition 11. Clause (d)(ii)(H) amended to correct Management Plan reference. The rationale for the deletion of 'independent' in clause (d)(i) is set out above in respect of Condition 4.																							
	<p>a) Prior to the commencement of enabling or construction works activities, the Requiring Authority must prepare a Construction Noise and Vibration Management Plan.</p> <p>b) The Construction Noise and Vibration Management Plan forms part of the Construction Environmental Management Plan required by Condition 14 and must accompany any relevant outline plan prepared in accordance with Condition 8 or 9.</p> <p>c) The objective of the Construction Noise and Vibration Management Plan is to demonstrate how compliance with the criteria in Conditions 26 and 27 will be achieved for the duration of construction of the Project.</p> <p>d) The Construction Noise and Vibration Management Plan must:</p>																													

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	<ul style="list-style-type: none"> i) Be prepared by a n-independent, suitably qualified and experienced person and in general accordance with the requirements of Annex E2 of NZS 6803:1999; ii) Include, as a minimum: <ul style="list-style-type: none"> A) a description of the likely construction noise and vibration emissions; B) a description of the construction work, anticipated equipment and processes and their scheduled durations; C) a description of noise or vibration suppression devices to be used on equipment or processes; D) the hours of operation, including times and days when activities causing noise and/or vibration would occur; E) the construction noise and vibration criteria for the Project; F) identification of affected houses and other sensitive locations where noise and vibration criteria apply; G) methods and frequency for monitoring and reporting on construction noise and vibration; H) procedures for maintaining contact with stakeholders, notifying or proposed construction activities and handling noise and vibration complaints (consistent with the Communications <u>Management</u> Plan and complaints register); I) a description of alternative mitigation strategies where compliance with the criteria in Conditions 26 or 27 may not be achieved; J) procedures, developed in consultation with TPR, to-remedy or mitigate any potential adverse effects in instances where the construction vibration criteria set out in Condition 27 might not be complied with in respect of the Mangamaire – Woodville A 110kV National Grid transmission line support structures; K) procedures, developed in consultation with Meridian, to remedy or mitigate any potential adverse effects in instances where the construction vibration criteria set out in Condition 27 might not be complied with in respect of Te Āpiti wind farm turbines; L) construction equipment operator training procedures and expected construction site behaviours; M) contact numbers for key construction staff, staff responsible for noise assessment and the Responsible Officer(s). 	
Construction Traffic		
<p>29.</p>	<p>Construction Traffic Management Plan</p> <ul style="list-style-type: none"> a) Prior to the commencement of enabling-or construction works activities, the Requiring Authority must prepare a Construction Traffic Management Plan. b) The objective of the Construction Traffic Management Plan is to minimise adverse effects on property access, traffic safety and efficiency as a result of enabling or construction works activities. The Construction Traffic Management Plan forms part of the Construction Environmental Management Plan required by Condition 14, must accompany any relevant outline plan prepared in accordance with Condition 8-or 9 and must, as a minimum: <ul style="list-style-type: none"> i) Be prepared by a suitably qualified and experienced person; ii) Take into account the outcomes of any consultation with the Community Liaison Group (Condition 12), the Responsible Officer(s), and any relevant issues arising from the implementation of the Communications Management Plan (Condition 11); iii) Set out the numbers, frequencies, routes and timing of enabling-or construction works traffic movements; 	<p>References to enabling works and reference to associated Condition 8 deleted for the reasons set out in Condition 11.</p> <p>Amendment to clause (b)(iv) to provide clarity in respect of the management of site accesses.</p> <p>Deletion of clause (b)(iv)(D) on the basis that what is required to achieve ‘safe’ site access and ‘safe’ passing opportunities on Saddle Road is not clear and may not be able to be achieved. Including COPTTM achieves an appropriate level of safety.</p> <p>Amendment to clause (b)(xi) to add macron.</p>

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	<ul style="list-style-type: none"> iv) Identify site access routes and access points for heavy vehicles <u>in a manner consistent with the NZTA's Code of Practice for Temporary Traffic Management</u> and describe measures to: <ul style="list-style-type: none"> A) monitor and manage, as necessary, the movements of heavy vehicles on Saddle Road during peak times; B) provide for access to the site to be gained (where possible) from both sides of the Ruahine Ranges; C) minimise, as far as practicable, any adverse effects of the movements of heavy vehicles accessing the site from Hope Road, including by: <ul style="list-style-type: none"> 1. restricting construction related heavy vehicle movements to between the hours of 0730 and 1800; and 2. consulting with the owners/occupiers of 29 Hope Road and 75 Hope Road to identify any further practicable measures to manage adverse effects on these properties; D) provide safe site access onto Saddle Road at Cook Road and Morgan Road (if those roads are used for construction access purposes), as well as including safe passing opportunities on Saddle Road; v) Describe methods to manage local and network wide effects of the construction of individual elements of the Project including, as a minimum, the roundabout connections at Ashhurst and Woodville including temporary traffic management measures; vi) Describe methods to limit the movement of construction related heavy vehicles through Ashhurst at night and peak times, including limiting night-time movements to oversized loads and essential movements (such as concrete trucks for continuous pours); vii) Describe methods to limit the movement of construction related heavy vehicles through Woodville at night, including limiting night-time movements to oversized loads and essential movements (such as concrete trucks for continuous pours); viii) Require all heavy construction vehicles to have effective noise suppression devices for engine brakes; ix) Give consideration to opportunities to reduce adverse effects though: <ul style="list-style-type: none"> A) use of KRH's infrastructure to deliver construction materials to the Manawatū River bridge site; B) accelerated construction of the Manawatū River bridge and Hope Road bridge so that these bridges may be used to access the site; x) Set out how the current provision for pedestrians and cyclists is maintained; xi) Detail measures to provide on-going vehicle access to private and adjacent properties, including the Te Āpiti wind farm and the Manawatū Gorge Scenic Reserve, and limit the adverse effects of construction and severance, including by forming any new permanent accesses at the earliest opportunity; and xii) Confirm the management approach to loads on heavy vehicles, including covering loads of fine material and the timely removal of any material deposited or spilled on public roads. 	
Tangata Whenua Values		
<p>30.</p>	<p>Tangata Whenua Values Monitoring and Management Plan</p> <ul style="list-style-type: none"> a) Prior to the preparation and submission of any Outline Plan for enabling or construction works, the Requiring Authority must prepare a Tangata Whenua Values Monitoring and Management Plan. b) The objective of the Tangata Whenua Values Monitoring and Management Plan is to recognise and provide for the tangata whenua 	-

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	<p>values of the area affected by the Project and to develop mechanisms and processes to seek to avoid or minimise potential impacts on those values through the implementation of agreed monitoring and mitigation measures.</p> <p>c) The Tangata Whenua Values Monitoring and Management Plan must be prepared by a person (or persons) endorsed by the Project Iwi Partners and must include (but not be limited to):</p> <ul style="list-style-type: none"> i) Enabling activities, including site dedications; ii) Cultural protocols and procedures for cultural inductions; iii) A description of specific monitoring activities to be undertaken; iv) Confirmation of the roles and responsibilities of personnel in respect of clauses(i) to (iii); v) Approaches to realising opportunities to reuse natural materials/trees, participation in planting, fish surveys and/or transfer, species monitoring and translocation; vi) Setting out the detailed accidental discovery protocol procedures development under Condition 31; vii) Consideration of potential effects on taonga species, or other species of significance to tangata whenua, including, but not limited to: <ul style="list-style-type: none"> A) koura; B) tuna; C) kererū; D) parapara (<i>P. brunoniana</i>); E) tī kōuka; F) toitoi; G) karaka; H) mataī; I) puku tawai; J) northern rātā; and viii) Any other matters or measure to avoid or mitigate potential impacts on tangata whenua values, customs and practices. 	
Archaeology and Historic Heritage		
<p>31.</p>	<p>Accidental discovery protocol and archaeological authority</p> <ul style="list-style-type: none"> a) Where an area of the Designation is not subject to an archaeological authority (sought under section 44(a) and granted under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014), an accidental discovery protocol must apply to all works in that area. b) The accidental discovery protocol must be prepared in consultation with the Project Iwi Partners and Heritage New Zealand Pouhere Taonga and must include, but not be limited to: <ul style="list-style-type: none"> i) Details of contractor training regarding the skills necessary to be aware of the possible presence of cultural or archaeological sites or material; ii) General procedures following the accidental discovery of possible archaeological sites, kōiwi tangata, wāhi tapu or wāhi taonga, including the requirement to immediately cease enabling or construction works activities in the vicinity of the discovery and the requirement to notify parties including, but not limited to, Heritage New Zealand Pouhere Taonga; iii) Specific procedures in the event that kōiwi tangata are discovered; iv) Procedures for the custody of taonga (excluding kōiwi tangata) or material found at an archaeological site; v) Activities (including a review of available and relevant archaeological information) that must be undertaken before enabling or construction works activities in the vicinity of the 	<p align="center">-</p>

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	<p>discovery can recommence, including appropriate tikanga, recording, recovery of artefacts and consultation.</p> <p>c) In the event of kōiwi tangata being discovered, work must cease immediately in the vicinity of the remains and the Project Iwi Partners, Heritage New Zealand Pouhere Taonga, New Zealand Police and the relevant Council(s) must be contacted.</p>	
Network Utilities and Roding Infrastructure		
32.	<p>Electrical clearances</p> <p>a) Enabling or construction works activities and structures must be designed and undertaken to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</p> <p>b) The planting required by, and managed by, Conditions 17, 18, 19 and 24 must be selected, located and managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003, including at full maturity.</p>	-
33.	<p>National Code of Practice for Network Utility Operators' Access to Transport Corridors</p> <p>a) All works must be undertaken in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors (September 2016), or any approved update to the Code.</p>	-
34.	<p>Network Integration Plan</p> <p>a) Prior to the commencement of construction, the Requiring Authority must prepare a Network Integration Plan.</p> <p>b) The objective of the Network Integration Plan is to demonstrate how the Project integrates with the existing local road network including pedestrian and cycling facilities and with future, planned, improvements to the network.</p> <p>c) The Network Integration Plan must be prepared in consultation with the relevant road controlling authority and, as a minimum, include:</p> <ul style="list-style-type: none"> i) Details of proposed works at the interface between the State Highway and the local road network, including road surfacing, road markings and signs; ii) The outcomes of any consultation with the Community Liaison Group established by Condition 12; iii) Confirmation that the Project design does not preclude the future development of the balance of the Lindauer Arts Trail (Woodville to Manawatū Gorge walkway); iv) Specification of how the following requirements will be met: <ul style="list-style-type: none"> A) Prior to the opening of the new road, the improvement of the intersections of State Highway 3 with York Street and Cambridge Avenue to redirect traffic onto the new road; B) The extension of the existing walkway from Hampson Street, Woodville to west of the eastern roundabout; C) The provision of a safe, separated, sealed contraflow shared path along the northern side of SH3 from the intersection of Cambridge Avenue to the Western Car Park; and D) The upgrading of the Ashhurst Bridge to provide improved separated walking and cycling access, subject to any necessary resource consents for the upgrade works being granted. 	Deletion of 'safe, separated, sealed and contraflow' on the basis that the description is not necessary given the new definition of 'shared path'.
35.	<p>Ashhurst Bridge</p> <p>a) Prior to the opening of the new road, the Ashhurst Bridge on State Highway 3 must be improved to provide a separated pedestrian and cyclist facility, <u>subject to any necessary resource consents for the upgrade works being granted.</u></p>	Amendment to correct spelling and achieve consistency with Condition 34(c)(iv)(D).

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<p>36.</p>	<p>Provision of shared paths</p> <p>a) Prior to the opening of the new road a safe, separated, sealed contraflow shared path must be in place along <u>the entire length of the new road including across any bridges and:</u></p> <p>i) the northern side of SH3 from the intersection of Cambridge Avenue to the Western Car Park;</p> <p>ii) the entire length of the new road including across any bridges; and</p> <p>iii) from Woodlands Road, including around or through the proposed Woodlands Road roundabout, to Hampson Street in Woodville.</p> <p>b) The shared path(s) must:</p> <p>i) be separated from the carriageway of the new road by, at minimum, a wire barrier;</p> <p>ii) be designed and constructed in accordance with Austroads Guide to Road Design Part 6A Appendix A Figure A1: Bicycle Path Operation Scenario C;</p> <p>iii) have a minimum sealed width of 3.0 metres for the entire length of the new road; and</p> <p>iv) in addition to iii) provide a minimum width of 0.2m clearance from any barrier.</p> <p><u>b) Prior to the opening of the new road a shared path must be in place along:</u></p> <p>i) <u>the northern side of SH3 from the intersection of Cambridge Avenue to the Western Car Park;</u></p> <p>ii) <u>from Woodlands Road, including around or through the proposed Woodlands Road roundabout, to Hampson Street in Woodville.</u></p> <p><u>c) The shared paths required by (b) must achieve the standards in clauses (a)(i) and (ii) to the extent practicable, subject to the constraints imposed by the area of land available.</u></p>	<p>Deletion of 'safe, separated, sealed and contraflow' on the basis that the description is not necessary given the new definition of 'shared path'.</p> <p>Amendment made to separate the new shared path from the upgrade of existing median/path so that situations where the Austroads width cannot be achieved within the area of land available is addressed.</p> <p>Amendment to delete 'Scenario C' and clauses (iii) and (iv) on the basis that Austroads establishes the appropriate standards (based on anticipated use and constraints present) and the standards set out in (iii) and (iv) may not be appropriate nor practically accommodated along certain stretches of the new road.</p>
<p>37.</p>	<p>New Manawatū River Bridge</p> <p>a) The new Manawatū River Bridge must include a pedestrian viewing platform(s) providing unobstructed views both upstream and/or downstream. The viewing platform(s) must be physically separated from shared path and the carriageway for pedestrian safety reasons. The viewing platform(s) must have direct access for pedestrians from the Western Car Park/Manawatu Gorge Scenic Reserve carpark.</p>	<p>Amendments to include macrons and to correct reference to the Western Car Park.</p> <p>Amendment to delete 'unobstructed', and to replace 'and' with 'or' because this is not sufficiently clear or achievable. That is any view will necessarily be obstructed by handrails required for safety reasons. Further, a path is likely to be provided on one side of the bridge and therefore views either upstream or downstream will be obstructed by the bridge and vehicles using it.</p>
<p>38.</p>	<p>Recreational path connections</p> <p>a) For the purpose of providing new, or enhancing existing, recreational and tourism assets for the region, the Requiring Authority must establish a fund of \$1 million to, in consultation with the Project Iwi Partners, Te Āpiti Manawatū Gorge Governance Group, the Councils, and landowners, undertake the investigation and, subject to land availability and obtaining any necessary statutory approvals, <u>for the</u> construction of recreational paths that potentially connect to the shared path required by Condition 36. The fund will be available for the duration of the construction period only.</p>	<p>Amendment to clause (a) to correct a typographic error.</p>

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39.	<p>Road Safety</p> <p>a) Road safety audits must be carried out for the Requiring Authority at the detailed design stage and pre-opening/post-construction stages by an independent, suitably qualified and experienced road safety auditor or team.</p> <p>b) The Requiring Authority must request that the independent road safety auditor or team expressly consider, amongst other matters, the safety of the Project in respect of vulnerable road users.</p> <p>c) The Requiring Authority must provide to the Responsible Officer(s), within two weeks of their completion, the outcomes of the detailed design and pre-opening/post-construction stages road safety audit processes.</p>	<p>Amendments to clauses (a) and (b) to reflect fact that the audit is undertaken by a team.</p> <p>The rationale for the deletion of 'independent' is set out above in respect of Condition 4.</p>
x.	<p>Noise bunds</p> <p>a) Prior to undertaking or enabling or construction works activities in the vicinity of 1213 Fitzherbert East Road or 49846 State Highway 3 (subject to reasonable property access and land availability):</p> <p>i) An extended earth bund must be designed and constructed along the roadside boundary of the designation with for 1213 Fitzherbert East Road for the purpose of operational road noise mitigation mitigating and screening the property from operational road noise. The design must be undertaken in consultation with the owners/occupiers of the property.</p> <p>ii) An earth bund must be designed and constructed along the roadside boundary of the designation with for 49846 State Highway 3, Woodville, for the purpose of operational road noise mitigation mitigating and screening the property from operational road noise. The design must be undertaken in consultation with the owners/occupiers of the property.</p> <p>b) An independent, suitably qualified and experienced person must design the noise bunds provided for 1213 Fitzherbert East Road and 49846 State Highway 3 required by i) and ii) to ensure that the best practicable option is adopted to mitigate heavy vehicle engine braking noise effects on these properties.</p>	<p>Relocated to be a construction related condition.</p> <p>Amendment to clause (a) to delete reference to enabling works because construction of the bund would itself be enabling works.</p> <p>Amendment to clause (a)(i) to reflect presence of the existing bund.</p> <p>Amendments to clauses (a)(i) and (ii) to clarify that the purpose of bunds includes visual screening and the location of the bunds.</p> <p>Amendment to clause (a) to clarify that implementation of this condition is subject to NZTA being able to have access the relevant properties.</p> <p>The rationale for the deletion of 'independent' is set out above in respect of Condition 4.</p> <p>Reference to 'heavy vehicle engine braking' is deleted on the basis that this is not the primary purpose of the proposed bunds.</p>
Construction Conditions (Palmerston North City only)		
Parahaki Island		
PN1	<p>Outline Plan – Parahaki Island</p> <p>a) Where an Outline Plan(s) describes works related to the bridging of the Manawatū River, including any piers, abutments and the northern and southern approaches (and associated construction access), the Requiring Authority must:</p> <p>i) Consult with the Te Āpiti Ahu Whenua Trust for the purpose of recognising the values of Parahaki Island and providing for those values including by:</p> <p>A) minimising, as far as practicable, any impact of the enabling or construction works activities or Manawatū River bridge piers on Parahaki Island;</p> <p>B) identifying opportunities to recognise the historical and cultural significance of Parahaki Island in the design of Manawatū River bridge and approaches to the bridge;</p> <p>C) identifying opportunities for landscape or ecological</p>	<p>Amendment to clause (a)(i)(A) to correct a typographic error.</p>

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	<p>mitigation planting required by Conditions 17, 18 and 24 on Parahaki Island.</p> <p>ii) As a minimum, include the following in the Outline Plan(s):</p> <p>A) details of the consultation undertaken with the Te Āpiti Ahu Whenua Trust, including comments made in relation to the matters listed in a) and any measures taken by the Requiring Authority to respond to these comments.</p>	
Recreation and Open Space		
PN2	<p>Western Car Park Construction Management Plan</p> <p>a) Prior to any enabling or construction works that affect access to or use of the car park at the western boundary of the Manawatū Gorge Scenic Reserve and/or access to the Manawatū Gorge walking tracks, a Western Car Park Construction Management Plan must be prepared.</p> <p>b) The objective of the Western Car Park Construction Management Plan is to detail how public access will be maintained for the duration of enabling and construction works activities.</p> <p>c) The Western Car Park Construction Management Plan must be prepared in consultation with the landowner, Department of Conservation, Palmerston North City Council, Te Āpiti Manawatū Gorge Governance Group, the Project Iwi Partners, and the Community Liaison Group and must be consistent with the design principles and design outcomes in the Cultural and Environmental Design Framework.</p> <p>d) The Western Car Park Construction Management Plan must include, as a minimum:</p> <p>i) While allowing for construction activities, provision of a temporary car park that is generally of the same standard and capacity of the existing car park at 31 October 2018. Details of the temporary car park must be provided to the Department of Conservation and the landowner for consideration and feedback prior to the Western Car Park Construction Management Plan being finalised;</p> <p>ii) Details of how public access between any temporary carpark and the Manawatū Gorge Walking Track will be provided;</p> <p>iii) <u>A Crime Prevention Through Environmental Design Safety Site Assessment</u>Details of security measures including lighting and electronic monitoring of the area beneath the new Manawatu River Bridge; and</p> <p>iv) Details of any changes to or temporary relocation of existing way finding and interpretation signs within and adjacent to the Western Car Park (including signs to existing walking tracks and to any pedestrian access or viewpoints for pedestrians on the new Manawatū River bridge) and any upcoming closure information.</p> <p>e) If a temporary closure to the Western Car Park is required this must only occur during weekdays and for no more than two consecutive working weeks at a time. The Department of Conservation and the Responsible Officer(s) must be made aware of the details of the temporary closure at least 10 working days prior to the closure occurring.</p>	<p>Amendment to clause (c) deletes reference to the Cultural and Environmental Design Framework because the car park is a temporary facility and the CEDF relates to final outcomes.</p> <p>Amendment to clause (d)(i) to delete 'standard' on the basis that this standard is not sufficiently clear and because the car park is temporary and may be provided on more than one location over the duration of construction. For instance, it is unclear whether 'standard' relates to the matters such as surfacing, cultural interpretation boards or other amenity features.</p> <p>The second sentence of clause (d) is deleted on the basis that it repeats the consultation requirement in clause (c).</p> <p>Amendment to clause (d)(ii) to add a macron.</p> <p>Amendment to clause (d)(iii) is necessary to better reflect the fact that the temporary car park will not be located beneath the new bridge (that will be in the process of being constructed). A CPTED assessment provides a standard approach to safety in respect of crime.</p>
PN3	<p>Western Car Park Reinstatement Management Plan</p> <p>a) Within one year of commencing the construction of works in the proximity of the Western Car Park that will directly affect that car park, a Western Car Park Reinstatement Management Plan must be prepared.</p> <p>b) The Western Car Park Reinstatement Management Plan must be prepared in consultation with the landowner, Department of Conservation, Palmerston North City Council, the Te Āpiti Manawatū Gorge Governance</p>	<p>Amendment to clause (c)(vi) to address a circumstance where the masterplan is not completed.</p> <p>Amendment to clause (c)(iii) to include macron.</p>

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	<p>Group, the Project Iwi Partners and the Community Liaison Group and be consistent with the design principles and design outcomes in the Cultural and Environmental Design Framework.</p> <p>c) The Western Car Park Reinstatement Management Plan must, as a minimum:</p> <ul style="list-style-type: none"> i) provide for at least the same number of car parks as the number that existed at 31 October 2018; ii) provide for at least the same number of toilet and bike parking facilities that existed at 31 October 2018; iii) provide for at least the same public access to the Manawatū River that existed at 31 October 2018; iv) include a Crime Protection <u>Prevention</u> Through Environmental Design (CPTED) Safety Site Assessment; v) incorporate any decisions regarding the future status of the closed section of State Highway 3 immediately adjacent to the car park that existed at 31 October 2018; vi) take into account the final masterplan prepared by the Te Āpiti Manawatū Gorge Governance Group <u>(if any)</u>; vii) describe the reinstatement of land used for construction including: <ul style="list-style-type: none"> A) removal of structures, plant and materials associated with construction (unless otherwise agreed with the landowner); B) replacement or reinstatement of formal parking areas, boundary fences, landscaping and way finding and interpretation signs within and adjacent to the Western Car Park (including signs to existing walking tracks and to any pedestrian access or viewpoints for pedestrians on the new Manawatū River bridge); C) reinstatement of grassed areas to a similar condition as existed prior to construction; and D) replacement of trees and other planting removed as part of construction activities. viii) <u>Provide</u> details of the consultation undertaken under clause (b) above, including the comments made and any measures taken by the Requiring Authority to respond to these matters; ix) the pedestrian viewing facility on the new bridge over the Manawatū River required by Condition 37. 	<p>Amendment to clause (c)(iv) to correct a typographical error.</p> <p>Amendment to clause (c)(viii) to include a verb.</p> <p>Clause (c)(ix) is deleted because any 'facility' would be physically separated from the Car Park and because the clause does not set out what the Management Plan is to do in respect of the facility.</p>
Construction Conditions (Manawatū District only)		
Network Utilities		
M1	<p>Outline Plan – Tararua High Pressure Gas Transmission Pipeline</p> <p>a) Where an Outline Plan(s) describes enabling or construction works that traverse the Tararua High Pressure Gas Transmission Pipeline, the Requiring Authority must:</p> <ul style="list-style-type: none"> i) Consult with First Gas in order to develop any necessary measure to ensure that no enabling or construction works activities, and particularly site access, cause material damage to or affect the operation and maintenance of the pipeline. ii) Include details of the consultation undertaken and any measures to protect the pipeline in the Outline Plan. 	-
M2	<p>Outline Plan – Palmerston North to Gisborne Rail Corridor</p> <p>Where an Outline Plan(s) describes enabling or construction works within or adjacent to the Palmerston North to Gisborne rail corridor, the Requiring Authority must:</p> <p>a) Consult with KRH for the purpose of appropriately avoiding, remedying or mitigating any potential adverse effects of the Project (including as a</p>	-

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	<p>result of access across the corridor) on the continued operation, maintenance and upgrading of the rail line.</p> <p>b) Include details of the consultation undertaken and any measures to avoid, remedy or mitigate any potential adverse effects in the outline plan.</p> <p>c) Set out how any measures to avoid, remedy or mitigate any potential adverse effects identified in accordance with clause (b) may be reviewed and updated, as necessary.</p> <p>Advice Note: Written consent from KRH under section 177(1)(a) of the RMA is required independent of this condition.</p>	
Construction Conditions (Taranua District only)		
Network Utilities and Infrastructure		
T1	<p>Te Āpiti Wind Farm Management Plan</p> <p>a) Prior to any enabling or construction works, being undertaken within the portion of the Te Āpiti wind farm site indicated by property reference numbers <u>8_9</u>, 10, 11, and 12 on Land Requirement Plan LR-11 dated October 2018, the Requiring Authority must prepare a Wind Farm Management Plan.</p> <p>b) The objective of the Wind Farm Management Plan is to set out measures to avoid where practicable the potential effects of the Project on wind farm operations provided for by the wind farm resource consent (granted on 3 September 2003) and, where avoidance is not possible, set out measures to remedy or mitigate such effects, <u>where practicable</u>.</p> <p>c) The Wind Farm Management Plan must, as a minimum:</p> <ul style="list-style-type: none"> i) Be prepared in consultation with Meridian; ii) Include details of the consultation undertaken, including measures taken by the Requiring Authority to respond to Meridian’s comments and feedback; iii) Describe the details of the on-going access arrangements, including for over-dimensional loads, and as required by Condition 9(e)(vi) to accommodate Meridian’s operation, maintenance and upgrade requirements; iv) Describe the details of management of construction traffic within the wind farm; v) Describe measures to protect underground infrastructure, as required by Condition 9(e)(iv); vi) Include technical, engineering and geotechnical advice from suitably qualified and experienced person(s) in relation to the impact of the enabling or construction works activities on the safe and efficient operation of a turbine where: <ul style="list-style-type: none"> A) enabling or construction works activities (other than for the relocation of underground infrastructure and wind farm accesses) are within 160 metres of a turbine location shown on the plan marked “Drawing No. 1 (Rev 3) General Site Plan With Topo Information” (referenced in the resource consent granted on 3 September 2003) except that in the case of turbines A11, A12 and A13 (now known as TAP01, TAP02, and TAP03) this distance is limited to 60m when closer to Ashhurst; and B) that turbine is not removed as part of the Project; vii) Confirm compliance with NZECP 34:2001; viii) Set out details of site management and security; ix) Describe arrangements for wind farm site inductions and contractor training, including Meridian’s involvement in that training; and x) Confirm measures to manage the effects of dust that may damage the turbines, substation or overhead electricity transmission lines. 	<p>Amendment to clause (a) to include all sites intended to be covered by this condition.</p> <p>Amendment to clause (b) to clarify that all effects may not be able to be remedied or mitigated.</p> <p>Amendments to clause (c)(vi) to delete enabling works as these will not be of a scale that will affect turbines and will be temporary works. Any temporary effects are adequately managed by the broader requirements of the management plan in any case.</p>
T2	National Grid Management Plan	-

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	<p>a) Prior to any construction works, or enabling works, being undertaken in the vicinity of the Mangamaire – Woodville A 110kV transmission line, the Requiring Authority must prepare a National Grid Management Plan.</p> <p>b) The objective of the National Grid Management Plan is to avoid, remedy or mitigate the potential effects of the Project on the operation and maintenance of the Mangamaire – Woodville A 110kV transmission line.</p> <p>c) The NGMP must, as a minimum:</p> <ul style="list-style-type: none"> i) Be prepared in consultation with TPR; ii) Include details of the consultation undertaken, including measures taken by the Requiring Authority to respond to TPR’s comments and feedback; iii) Demonstrate how construction works and associated activities are designed and undertaken to comply with NZECP 34:2001; iv) Establish a specific height for clearance over a State highway, if necessary; v) Describe the details of the on-going access arrangements as required by Condition 9(e)(vi); vi) Develop measures to control induced and transferred voltages and earth potential rise where conductive material is within 8 metres of the transmission line support structures; vii) Confirm procedures set out for the management of construction vibration included in the Construction Noise and Vibration Management Plan require by Condition 28(d)(ii)(L); viii) Identify areas where additional management measures are necessary such as fencing or hurdles; ix) Confirm timing for any outage that may be necessary; x) Confirm measures to manage the effects of dust that may damage the National Grid transmission lines; and xi) Confirm details of contractor training, and TPR’s involvement in that training, for those working within 8 metres of the transmission line support structures or within the maximum extent of conductor swing (at maximum operating temperature). 	
Ballantrae Hill Country Research Station		
T3	<p>Ballantrae Station and Ballantrae Station Management Plan</p> <p>a) The road construction footprint (inclusive of a 10-metre buffer from the edge of any cut or fill) must be minimised as far as practicable within avoid the <u>Pylon East (Big Hill) (HFHF - High Fertiliser High Fertiliser) farmlet as shown on Figure 1 of the Statement of evidence of Alec Donald Mackay of AgResearch Ltd dated 15 March 2019, except where AgResearch Ltd provides written consent.</u></p> <p>b) Where the road construction footprint (inclusive of a 10-metre buffer from the edge of any cut or fill) traverses Ballantrae Station as shown on Land Requirement Plans LR-06 and FLR-07 dated October 2018 it must be positioned in a manner that minimises as far as is reasonably practicable the elimination of existing frame sites (permanent field measurement sampling sites) located within the Pylon East (HFNF - High Fertiliser No Fertiliser); Pylon West (LFLF – Low Fertiliser Low Fertiliser) and Pylon Centre (LFNF – Low Fertiliser No Fertiliser) farmlets as shown on Figure 1 of the Statement of evidence of Alec Donald Mackay of AgResearch Ltd dated 15 March 2019, except where AgResearch Ltd provides written consent.</p> <p>c) There must be no spoil sites or large-scale erosion and sediment control structures (such as sediment settling ponds or wetlands) located <u>outside of the road construction footprint within the farmlets referenced in clause (a) and (b) above, as shown on Figure 1 of the Statement of evidence of Alec Donald Mackay of AgResearch Ltd dated 15 March 2019, except where AgResearch Ltd provides written consent.</u>Ballantrae Station.</p>	<p>Amendment to clause (a) is necessary because avoiding the farmlet is not possible.</p> <p>Amendments to clause (a), (b) and (c) provide for alternative arrangements where AgResearch provides written consent.</p> <p>Amendments to clause (c) to clarify the extent of restriction imposed. That is, the restriction is imposed on the trial sites as opposed to the Station as a whole.</p> <p>Amendment to clause (e) to correct cross reference.</p> <p>Amendment to clause (h) to clarify that the survey need not be of all hill country farmers.</p>

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	<p>d) Prior to undertaking any enabling or construction works activities within the Ballantrae Station site, the Requiring Authority must prepare a Ballantrae Station Management Plan in consultation with AgResearch Ltd.</p> <p>e) The objective of the Ballantrae Station Management Plan is to give effect to Conditions (a) to (dc) above and to further avoid, remedy or mitigate the potential adverse effects of the Project on Ballantrae Station’s farming operations and the current long-term fertiliser and grazing trial.</p> <p>f) The Ballantrae Station Management Plan must, as a minimum:</p> <ul style="list-style-type: none"> i) Delineate the road construction footprint within the Station; ii) Where practicable, provide for the reinstatement of eliminated frame sites in a suitable alternative location; iii) Set out the measures to be implemented to maintain site access and the ability to move stock within and between farmlets during, and following, the completion of enabling or construction works; iv) Set out measures to be implemented to manage construction noise to minimise disruption to grazing stock; v) Set out measures to be implemented to minimise dust from enabling and construction works impacting on the long-term fertiliser and grazing trial farmlets; vi) Set out site security and safety measures that minimise the risk of stock rustling and manage risks to farm staff as a result of enabling or construction works activities; vii) Document a monitoring programme that: <ul style="list-style-type: none"> A) obtains soil and pasture attribute data from all 72 existing frame sites to provide a 2019 data baseline that is comparable to historical monitoring data from those frame sites; B) obtains soil and pasture attribute data that is comparable to historical monitoring data from all frame sites that will remain post-road construction, both during construction and for five years following the completion of construction works, to enable the effects of the operation of the road to be assessed. <p>g) The Requiring Authority must undertake the monitoring programme required under Condition T3(f)(vii) above and provide the results to AgResearch on an annual basis.</p> <p>h) The Requiring Authority must undertake a survey of <u>a representative group of</u> North Island hill country sheep and beef farmers to determine that sector’s future soil attribute and pasture production research priorities so as to enable AgResearch Ltd to determine what form of replacement research site would be appropriate in the event of a suitably qualified and experienced expert engaged by the Requiring Authority determining that the long term fertiliser trial at Ballantrae Station ceases to be viable on a farming system basis as a result of the new road’s construction.</p> <p>i) The survey under (h) must be designed in collaboration with AgResearch Ltd and must be undertaken and the results documented in a report that is provided to AgResearch Ltd prior to the opening of the new road.</p>	
QEII National Trust Open Space Covenants		
T4	<p>Outline Plan – QEII National Trust open space covenants</p> <p>a) Where an Outline Plan(s) describes works within the areas subject to QEII Trust open space covenants (shown on Plan C-06 dated October 2018), the Requiring Authority must consult with the QEII National Trust for the purpose of designing and constructing the Project to avoid impacts where possible and, where avoidance is not possible, minimise impacts, as far as practicable, on the QEII Trust open space values of the area subject to the covenant.</p> <p>b) As a minimum, the Outline Plan must:</p>	-

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	<ul style="list-style-type: none"> i) set out details of the consultation undertaken under clause (a) and any measures taken by the Requiring Authority to respond to matters raised; ii) demonstrate how the extent of enabling or construction works on the site is limited (including by Condition 9(e)) in order to avoid, or minimise as far as practicable, impacts on the QEII Trust open space values; and iii) describe any restoration that may be proposed (including as part of the Landscape Management Plan required by Condition 17 or the Ecological Management Plan required by Condition 24). 	
Operational Conditions (common to all three Districts)		
Noise and property		
40.	Road surfacing <ul style="list-style-type: none"> a) Prior to the opening of the new road, a low noise road surface must be laid on: <ul style="list-style-type: none"> i) State Highway 3 Napier Road between Cambridge Avenue and the Manawatū River; and ii) Vogel Street in Woodville; and iii) The main alignment from the eastern roundabout extending at least 2.0 kilometres to the west of the roundabout; or iv) Instead of (iii) concrete barriers must be provided in order to control sound levels at the dwellings at 49807 State Highway 3 and 75 Hope Road, Woodville existing on 31 October 2018. 	-
41.	Traffic separation <ul style="list-style-type: none"> a) Traffic lanes of the roundabouts must be more than 100 metres from dwellings existing on 31 October 2018; and b) Traffic lanes must be more than 200 metres from the dwellings at 49807 State Highway 3 and 75 Hope Road, Woodville existing on 31 October 2018. 	-
42.	Lot 2 DP 351133 landscaping <ul style="list-style-type: none"> a) Within 12 months of the opening of the new road, the Requiring Authority must consult with the owners of Lot 2 DP 351133 to develop and implement a plan for planting along the southern boundary of this property to screen views of the road. 	-
43.	Noise bunds <ul style="list-style-type: none"> b) Prior to undertaking or enabling or construction works activities in the vicinity of 1213 Fitzherbert East Road or 49846 State Highway 3: <ul style="list-style-type: none"> iii) An earth bund must be designed and constructed for 1213 Fitzherbert East Road for the purpose of mitigating and screening the property from operational road noise. The design must be undertaken in consultation with the owners/occupiers of the property. iv) An earth bund must be designed and constructed for 49846 State Highway 3, Woodville, for the purpose of mitigating and screening the property from operational road noise. The design must be undertaken in consultation with the owners/occupiers of the property. c) An independent, suitably qualified and experienced person must design the noise bunds provided for 1213 Fitzherbert East Road and 49846 State Highway 3 required by i) and ii) to ensure that the best practicable option is adopted to mitigate heavy vehicle engine braking noise effects on these properties. 	Relocated to be a construction related condition.
44.	Post-construction review	-

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	<p>a) Within 12 months of the opening of the new road, the Requiring Authority must undertake a post-construction review in accordance with the NZTA's 'Specification for Noise Mitigation' (NZTA P40:2014) that includes:</p> <ul style="list-style-type: none"> i) noise modelling; ii) site inspection of road surfaces or concrete barriers provided by Condition 40; and iii) noise measurements at the PPFs located at 49807 State Highway 3, 49846 State Highway 3, 75 Hope Road, Woodville and 1213 Fitzherbert East Road, Ashhurst to verify the acoustics model, subject to access being provided. <p>b) If the post-construction review concludes that the sound levels exceed the NZS 6806:2010 'Acoustics – Road-traffic noise – New and altered road' Category A criteria for new roads (at 49807 State Highway 3 and 75 Hope Road) and altered roads (at 49846 State Highway 3 and 1213 Fitzherbert East Road, Ashhurst), the Requiring Authority must, in consultation with the respective property owners, provide further noise mitigation to reduce noise levels to meet the Category A criteria (subject to reasonable access to allow any mitigation to be implemented).</p> <p>c) The noise modelling and the details of any mitigation must be provided to the Council(s).</p>	
Lighting		
<p>45.</p>	<p>Operational lighting</p> <p>a) Lighting must be designed, maintained and operated to comply with <i>AS/NZS 1158 Lighting for Roads and Public Spaces</i>.</p>	<p align="center">-</p>
Network Utilities and Infrastructure		
<p>46.</p>	<p>Written consent under section 176 of the RMA - Te Āpiti Wind Farm</p> <p>a) The Requiring Authority must not require Meridian to seek written consent under section 176 of the RMA for work that can occur in accordance with the resource consent for the Te Āpiti wind farm (dated 3 September 2003) where that work does not encroach on, or impact on, the construction or operation of the State highway. To the extent that written approval is required, this Condition must <u>constitutes</u> written approval.</p>	<p>Amendment for greater clarity.</p>
Monitoring and Management		
<p>x.</p>	<p><u>a) Notwithstanding Condition 6, any monitoring and management measures required by the following Conditions remain in place in the manner described in the Conditions, and an associated management plans:</u></p> <ul style="list-style-type: none"> <u>i) Condition 19 (Planting Management Plan);</u> <u>ii) Condition 24(c) (Ecological Management Plan);</u> <u>iii) Condition 30(c) (Tangata Whenua Values Monitoring and Management Plan);</u> <u>iv) Condition PN3(c)(vii) (Western Car Park Reinstatement Management Plan); and</u> <u>v) Condition T3(f)(vii) and (g).</u> 	<p>New condition proposed to provide greater clarity in respect of Conditions (or parts of Conditions) that are required to endure following the completion of construction. The new condition is particularly necessary to provide a legal arrangement (Condition 19(b)(viii)) for planting areas within the designation (gazetted as state highway and thus without title) where other avenues are not available.</p>

**APPENDIX B – FLOWCHART SHOWING PROCESS FOR FINALISATION
OF MANAGEMENT PLANS AND OUTLINE PLANS**

