

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKAURAU**

Decision [2023] NZEnvC 064

IN THE MATTER OF

an application under s 87G of the Resource Management Act 1991 for the direct referral of applications for resource consent and notices of requirement to alter designations for activities associated with the State Highway 1/State Highway 29 Intersection Upgrade Project

BETWEEN

NEW ZEALAND TRANSPORT
AGENCY

(ENV-2022-AKL-096)

Applicant / Requiring Authority

AND

WAIKATO REGIONAL COUNCIL

Consent Authority

AND

MATAMATA-PIAKO DISTRICT
COUNCIL and

SOUTH WAIKATO DISTRICT
COUNCIL

Territorial Authorities

AND

JOHN HANSEN

Section 274 Party

Court:

Chief Environment Court Judge D A Kirkpatrick
Environment Commissioner K Edmonds
Environment Commissioner M Mabin



Last case event: 5 April 2023

Date of Decision: 17 April 2023

Date of Issue: 17 April 2023

DECISION OF THE ENVIRONMENT COURT

A: The direct referral of applications for resource consent and notice of requirement to alter designations for activities associated with the SH1/SH29 Intersection Upgrade Project is granted subject to the conditions attached to this decision.

REASONS

Introduction

[1] This matter concerns the direct referral to the Environment Court of applications for resource consent and notices of requirement to alter designations by the New Zealand Transport Agency (**NZTA**) (sometimes referred to as Waka Kotahi) for activities associated with the construction of a roundabout at the intersection of State Highways 1 and 29 near Piarere, a locality between Cambridge and Tirau, identified by NZTA as the SH1/SH29 Intersection Upgrade Project (**the Project**).

[2] The matter was heard on 5-8 September 2022, with the Court granting the applications in its decision of 29 March 2023.¹ At [34] and [94] of the decision the Court directed that:

... conditions 8, 9 and 10 are to be amended to replace the “criteria” with “limits” to improve their enforceability... A clean set of conditions with the amendments to conditions 8, 9 and 10 directed by the Court is to be submitted for final approval within 20 workings days of the delivery of

¹ *New Zealand Transport Agency v Waikato Regional Council* [2023] NZEnvC 055.

this decision.

[3] On 5 April 2023 NZTA filed amended conditions as follows:

Condition 8

Noise from any Enabling Works or Construction Works must comply with the following [criteria limits](#) in accordance with NZS 6803 as far as practicable:

Day of week	Time	dB LAeq(15min)	dB LAmax
Buildings containing activities sensitive to noise			
Weekdays	0630 – 0730	55	75
	0730 – 1800	70	85
	1800 – 2000	65	80
	2000 – 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 – 1800	70	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Sundays and Public Holidays	0630 – 0730	45	75
	0730 – 1800	55	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Other occupied buildings			
All days	0730 – 1800	70	n/a
	1800 – 0730	75	n/a

Condition 9

Vibration from any Enabling Works or Construction Works must comply with the following [criteria limits](#). The Category A [criteria limits](#) must be complied with as far as practicable and the Category B [criteria limits](#)

must be complied with at all times:

Receiver	Details	Category A	Category B
Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times	5mm/s ppv	Tables 1 and 3 of DIN4150-3:1999

DIN4150-3:1999-02 *Structural Vibration Part 3: Effects of vibration on structures.*

Advisory Note:

Measurements of construction vibration must be undertaken in accordance with ISO 4866:2010 *Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures.*

Condition 10

- (a) If during any Enabling Works or Construction Works noise or vibration levels from the Construction Works are predicted or known to exceed the noise **criteria limits** in Condition 8 above or the Category A vibration **criteria limits** in Condition 9 above, the Requiring Authority must consult with the affected receivers or those predicted to be

affected to:

- (i) Discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur;
 - (ii) Determine whether the exceedances could be timed or managed to reduce the effects on the receiver.
- (b) The process and outcomes of (i) and (ii) must be described in detail and added as a schedule(s) to the CNVMP and implemented by the Requiring Authority for the duration of the relevant works.
- (c) The schedule(s) must be provided to the Council for information within five working days where practicable before the specific construction activity is undertaken.

[4] NZTA also added three minor amendments to ensure the final version of the conditions make sense to those who will be implementing the consents. These amendments are set out below:

- (a) statements after Conditions 3 and 61 of the Earthworks Consent (AUTH143644.01.01) to clarify that Conditions 4 to 9 and 62 to 64 have been intentionally left blank:

Conditions 4–9 have been intentionally left blank

Conditions 62–64 have been intentionally left blank; and

- (b) removed a duplication of Condition 9 in Schedule 1 – General Conditions:

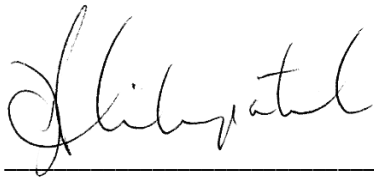
***3B.9** The Consent Holder must pay to WRC any administrative charge fixed in accordance with section 36 of the RMA, or any charge prescribed in accordance with regulations made under section 360 of the RMA.*

[5] Having considered the amended conditions supplied we are satisfied that they incorporate the amendments directed in our decision and that the further minor amendments suggested are appropriate.

Decision

[6] The applications for resource consent and notice of requirement to alter designations for activities associated with the SH1/SH29 Intersection Upgrade Project is granted subject to the conditions attached to this decision.

For the Court:



D A Kirkpatrick
Chief Environment Court Judge



APPENDIX 1 SH1/29 Intersection Upgrade – Designation and Resource Consent Conditions

SH1/29 Designation conditions

Definitions and explanation of terms

The table below defines the acronyms and terms used in the conditions.

Abbreviation/term	Meaning/definition
Application	The notices of requirement and supporting information for the State Highway 1 and State Highway 29 Intersection Upgrade Project dated 26 November 2021 and specified in Condition 1.
Best Practicable Option or BPO	Has the same meaning as in section 2 of the Resource Management Act 1991.
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
Construction Works	Activities undertaken to construct the Project, excluding Enabling Works.
Council	[South Waikato District Council and/or Matamata-Piako District Council].
Completion of Construction	When construction of the Project (or the relevant part of the Project) is complete and it is operational.
CTMP	Construction Traffic Management Plan
EIMP	Electrical Infrastructure Management Plan
Enabling Works	Includes the following and similar activities: <ul style="list-style-type: none"> • geotechnical investigations and land investigations • formation of access for geotechnical investigations • establishment of site access points and fencing (including relocation of property boundary fences) • constructing and sealing site access roads • protection and relocation of services • establishment of mitigation measures (such as erosion and sediment control measures, earth bunds and screen planting) required for the Enabling Works • vegetation protection and removal

Abbreviation/term	Meaning/definition
HIN-KPO-A	<p>Transpower NZ Ltd.'s Hinuera-Karapiro A 110 kV transmission line assets which include:</p> <ul style="list-style-type: none"> • The existing HIN-KPO-A transmission line which spans poles 53 and 55; and • Any proposed new or relocated transmission (spans and/or support structures) required to pole 53 and pole 55 as a result of the Project.
Network Utility Operator	Has the same meaning as set out in section 166 of the Resource Management Act 1991.
NOR	Notice of Requirement
NZECF	New Zealand Electrical Code of Practice for Electrical Safe Distances 2001, or any subsequent version.
NZS 6803	New Zealand Standard 6803:1999: Acoustics – Construction Noise, or any subsequent version.
Project	The construction, operation and maintenance of the State Highway 1 and State Highway 29 Intersection Upgrade Project at Piarere, including the western and south-eastern SH1 approaches and the SH29 approaches to the intersection.
PPF	Protected Premises and Facilities: Spaces in buildings used for residential activities, marae, overnight medical care, teaching (and sleeping) in educational facilities; and playgrounds that are part of educational facilities that are within 20m of buildings used for teaching purposes.
Project Representative	The person or persons appointed by the Requiring Authority to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Requiring Authority	Waka Kotahi NZ Transport Agency
RMA	Resource Management Act 1991
SCMP	Stakeholder and Communications Management Plan
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.
Waka Kotahi	Waka Kotahi NZ Transport Agency

Matamata-Piako District Council

Ref	Notice of Requirement
Designation 89	To construct, operate, maintain and improve a state highway, cycleway and / or shared path, and associated infrastructure.

South Waikato District Council

Ref	Notice of Requirement
Designation 451	To construct, operate, maintain and improve a state highway, cycleway and /or shared path, and associated infrastructure.

Condition Number		Condition
General		
1.		<p>Except as provided for in these conditions and subject to the final design, the Project must be undertaken in general accordance with the following plans and information submitted with the Application dated 26 November 2021:</p> <p>(a) The Project Drawings in Volume 4: Drawing Set of the Resource Consent Application and Notices of Requirement and Assessment of Effects on the Environment dated 26 November 2021; and</p> <p>(b) The Landscape Concept Plan provided in the response (dated 15 October 2021) to a section 92 request, and titled Landscape Concept Plan July 2021 REV 2 (NTS).</p> <p>Where there may be an inconsistency between the documents listed in this condition and the specific requirements of these conditions, these conditions prevail.</p>
2.		<p>Prior to the start of Construction Works, the Requiring Authority must arrange and conduct an on-site meeting including the Project Representative and appropriate contractor representative(s) and the Council.</p> <p>The following information must be made available at the meeting:</p> <p>(a) Timeframes for key stages of the Construction Works;</p> <p>(b) Details of the Project Representative(s), including their contact details (phone and email address); and</p> <p>(c) Contact details of the site contractor and other key contractors.</p>

3.		<p>Conditions 1-23 and 25 relate to construction of the Project and only apply during Construction Works. After Completion of Construction, those conditions will no longer apply and can be removed. Condition 24 relates to the establishment of mitigation planting and will be required for 5 years after the Completion of Construction. Following this 5 year period, Condition 24 will no longer apply and can be removed.</p>
3A.		<p>If 20 working days have passed since the applicable management plan (or amendments) required under these conditions has been submitted to Council for certification, and the Council has not certified the applicable management plan or amendment, or provided advice that the management plan or amendment is not suitable to certify, the Requiring Authority may commence works in accordance the relevant management plan.</p>

Stakeholder Engagement and Communications

4.		<p>(a) The Requiring Authority must prepare a Stakeholder and Communications Management Plan (SCMP) prior to the start of Construction Works. The purpose of the SCMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be communicated with throughout the Construction Works. To achieve the purpose, the SCMP must include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project representative(s). These details must be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of the Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Ngāti Koroki Kahukura, Ngāti Hauā and Raukawa, to be developed in consultation with Ngāti Koroki Kahukura, Ngāti Hauā and Raukawa; (iv) a list of stakeholders, organisations, businesses and persons who will be communicated with; (v) methods to communicate the proposed hours of the Construction Works outside of normal working hours and on weekends and public holidays, to surrounding residents; and (vi) linkages and cross-references to communication methods set out in other conditions and management plan(s) where relevant. <p>(b) The SCMP must be submitted to the Council for information 20 working days prior to the start of Construction Works.</p>
5.		<p>(a) At all times during the Construction Works, a record of any complaints received about the Construction Works must be held in a</p>

		<p>complaints register maintained by the Requiring Authority. The complaints register must include:</p> <ul style="list-style-type: none"> (i) The date, time and nature of the complaint; (ii) The weather conditions at the time of the complaint; (iii) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (iv) Measures taken to respond to the complaint or confirmation of no action if deemed appropriate (including a record of the response provided to the complainant); (v) The outcome of the investigation into the complaint; and (vi) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the complaints register required by this condition must be made available to the Council upon request as soon as practicable after the request is made.</p> <p>(c) Complaints related to the Construction Works must be responded to as soon as reasonably practicable and as appropriate to the circumstances.</p>
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Construction Environmental Management Plan (CEMP)

<p>6.</p>		<p>(a) The Requiring Authority must prepare a Construction Environmental Management Plan (CEMP) prior to the start of Construction Works. The purpose of the CEMP is to set out the management procedures and construction methods to be undertaken to avoid, remedy or mitigate, as far as practicable, any adverse effects associated with the Construction Works and to ensure compliance with the conditions of this designation. To achieve the purpose, the CEMP must include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the Project Manager and the Project Representative(s), including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) the proposed site layouts (including construction yards), locations of refuelling activities and construction lighting; (v) methods for controlling the removal of debris and demolition of construction materials from public roads or places; (vi) methods for providing for the health and safety of the general public; (vii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows;
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		<ul style="list-style-type: none"> (viii) procedures for incident management; (ix) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses; (x) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xi) how provision is to be made for a cultural induction programme of the contractor's staff by Ngāti Koroki Kahukura, Ngāti Hauā and Raukawa. The frequency and content of these inductions to be agreed with Ngāti Koroki Kahukura, Ngāti Hauā and Raukawa; and (xii) methods for amending and updating the certified CEMP as required. <ul style="list-style-type: none"> (b) The CEMP must be prepared having regard to the Waka Kotahi Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version. (c) At least 20 working days prior to the start of Construction Works, the Requiring Authority must submit the CEMP to the Council for certification that the CEMP satisfies the requirements of this condition. (d) The Requiring Authority must implement the certified CEMP for the duration of the Construction Works. (e) Any amendments to the certified CEMP must be confirmed in writing by the Requiring Authority and certified in writing by the Council, prior to the implementation of any amendments proposed. (f) The Requiring Authority must ensure that a copy of the certified CEMP, including any certified amendments, is kept onsite and this copy is updated within 10 working days of any amendments being certified.
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Construction noise and vibration

<p>7.</p>		<ul style="list-style-type: none"> (a) The Requiring Authority must prepare a Construction Noise and Vibration Management Plan (CNVMP) prior to the start of Enabling Works or Construction Works. The purpose of the CNVMP is to provide a framework for the development and implementation of the BPO for the minimisation of noise and vibration effects from Enabling Works or Construction Works and must set out how compliance with the construction noise and vibration standards set out in Conditions 8 and 9 below will be achieved, as far as practicable. (b) The CNVMP must be prepared in accordance with Annex E2 of NZS 6803 and the “State Highway Construction and Maintenance Noise and Vibration Guide” (Waka Kotahi version 1.1, 2019 or any subsequent version).
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- (c) At least 20 working days prior to the start of Enabling Works or Construction Works, the Requiring Authority must submit the CNVMP to the Council for certification that the CNVMP satisfies the requirements of this condition.
- (d) The Requiring Authority must implement the certified CNVMP for the duration of the Enabling Works and Construction Works.
- (e) Any amendments to the certified CNVMP must be confirmed in writing by the Requiring Authority and certified in writing by the Council, prior to the implementation of any amendments proposed.
- (f) The Requiring Authority must ensure that a copy of the certified CNVMP, including any certified amendments, is kept onsite and this copy is updated within 10 working days of any amendments being certified.

8.

Noise from any Enabling Works or Construction Works must comply with the following limits in accordance with NZS 6803 as far as practicable:

Day of week	Time	dB LAeq(15min)	dB LAmax
Buildings containing activities sensitive to noise			
Weekdays	0630 – 0730	55	75
	0730 – 1800	70	85
	1800 – 2000	65	80
	2000 – 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 – 1800	70	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Sundays and Public Holidays	0630 – 0730	45	75
	0730 – 1800	55	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Other occupied buildings			
All days	0730 – 1800	70	n/a
	1800 – 0730	75	n/a

9.		<p>Vibration from any Enabling Works or Construction Works must comply with the following limits. The Category A limits must be complied with as far as practicable and the Category B limits must be complied with at all times:</p> <table border="1" data-bbox="540 302 1416 720"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>1mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>1mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td>At all other times</td> <td>5mm/s ppv</td> <td>Tables 1 and 3 of DIN4150-3:1999</td> </tr> </tbody> </table> <p>DIN4150-3:1999-02 <i>Structural Vibration Part 3: Effects of vibration on structures.</i></p> <p>Advisory Note:</p> <p>Measurements of construction vibration must be undertaken 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></p>	Receiver	Details	Category A	Category B	Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	All other buildings	At all other times	5mm/s ppv	Tables 1 and 3 of DIN4150-3:1999
Receiver	Details	Category A	Category B																		
Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv																		
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Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv																		
All other buildings	At all other times	5mm/s ppv	Tables 1 and 3 of DIN4150-3:1999																		
10.		<p>(a) If during any Enabling Works or Construction Works noise or vibration levels from the Construction Works are predicted or known to exceed the noise limits in Condition 8 above or the Category A vibration limits in Condition 9 above, the Requiring Authority must consult with the affected receivers or those predicted to be affected to:</p> <ul style="list-style-type: none"> (i) Discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur; (ii) Determine whether the exceedances could be timed or managed to reduce the effects on the receiver. <p>(b) The process and outcomes of (i) and (ii) must be described in detail and added as a schedule(s) to the CNVMP and implemented by the Requiring Authority for the duration of the relevant works.</p> <p>(c) The schedule(s) must be provided to the Council for information within five working days where practicable before the specific construction activity is undertaken.</p>																			
10A.		<p>The Requiring Authority must ensure that construction yards are located at least 70m from the notional boundary of any PPF. If a construction yard is required to be established closer than 70m, the Requiring Authority must implement the process set out in Condition 10 in accordance with Condition 7.</p>																			

Construction Traffic Management Plan

11.		<p>The Requiring Authority must prepare a Construction Traffic Management Plan (CTMP) prior to the start of Construction Works in accordance with Waka Kotahi's Code of Practice for Temporary Traffic Management. The purpose of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects of the Project. To achieve this purpose, the CTMP must include methods to maintain vehicle access to property where practicable, or to provide alternative access arrangements when maintaining vehicle access is not practicable.</p> <p>The Requiring Authority must provide the CTMP to Council for information prior to the start of Construction Works.</p>
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Transport Design and Operation

11A.		<p>As part of the Outline Plan of Works, the Requiring Authority must describe how the following matters have been addressed:</p> <ul style="list-style-type: none">(a) Indicative safe stopping locations for school buses on the roads approaching the SH1/29 intersection during Construction Works and following Completion of Construction;(b) Arrangements for farm vehicle access including milk tankers.(c) Oversize vehicle manoeuvring; and(d) Measures to prevent public use of slip roads and private property access as short cuts (i.e. during peak traffic).
11B.		<p>Following detailed design, and prior to the start of Construction Works, the Requiring Authority must submit to the Council for information an independent road safety audit completed in accordance with Waka Kotahi Road safety audit procedures for projects (Guidelines, Interim release May 2013).</p> <p>Advice Note:</p> <p><i>The Requiring Authority expects the independent road safety audit will include specific assessment of:</i></p> <ul style="list-style-type: none">(a) <i>Truck stability;</i>(b) <i>Oversize vehicles;</i>(c) <i>Provision of infrastructure to assist in the management of special event traffic;</i>(d) <i>Farm vehicle and tanker access; and</i>(e) <i>School buses.</i>

Network Utilities

12.		<p>The Requiring Authority must manage the Construction Works so that they do not adversely impact on the ongoing safe and efficient operation of Network Utility Operations. The scope, timing and methodology for utility protection and / or relocation works must be developed in consultation with the relevant Network Utility Operator to ensure ongoing safe and efficient operation for the required works.</p>
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Transpower NZ Ltd		
Design		
13.		Temporary and permanent works must be designed to mitigate Earth Potential Rise (EPR) where the use of conductive materials for road infrastructure (e.g. metallic barriers, lighting, noise walls) or relocated network utilities are within 50 metres of the Hinuera - Karapiro A (HIN-KPO-A) 110kV transmission assets.
14.		Temporary and permanent works must be designed so that the vertical clearance provided between the transmission line conductors and the finished road level is a minimum of 9.5 metres for the HIN-KPO-A 110kV transmission line.
15.		Temporary and permanent works must be designed to maintain a comparable standard of access to the HIN-KPO-A 110kV transmission assets for maintenance at all reasonable times, and emergency works at all times.
Planting		
16.		Proposed planting and the ongoing maintenance of trees and vegetation in the vicinity of overhead transmission lines must comply with the Electricity (Hazards from Trees) Regulations 2003.
17.		Species planted within 12 metres of the centreline of the HIN-KPO-A 110kV transmission line must not exceed 2 metres in height. When planted, trees (at full maturity height) must not be able to fall within 4 metres of a transmission line conductor at maximum swing.
Electrical Infrastructure Management Plan (EIMP)		
18.		Prior to the start of Construction Works, an Electrical Infrastructure Management Plan (EIMP) must be prepared for Construction Works within 50 metres of the HIN-KPO-A 110kV transmission assets. The EIMP must be prepared by a Suitably Qualified Person in consultation with Transpower. The purpose of the EIMP is to set out the management procedures and construction methods to be undertaken so that works are safe and any potential adverse effects of works on Transpower assets are appropriately managed.
19.		To achieve the purpose, the EIMP must include: <ul style="list-style-type: none"> (a) Roles and responsibilities of staff and contractors responsible for implementation of the EIMP. (b) Drawings showing proposed works in the vicinity of, or directly affecting, the HIN-KPO A 110kV transmission assets. (c) Proposed staff and contractor training for those working near the transmission assets. (d) Proposed methods to comply with Design Conditions 13-15 above.

		<ul style="list-style-type: none"> (e) Proposed methods to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34: 2001). (f) Dispensations agreed with Transpower for any Construction Works that cannot meet New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). (g) Proposed methods to: <ul style="list-style-type: none"> (i) Delineate areas that are out of bounds during construction and areas within which additional management measures are required, such as fencing off, entry and exit hurdles, maximum height limits, or where a Transpower observer may be required. (ii) Manage the effects of dust (including any other material potentially resulting from construction activities able to cause material damage beyond normal wear and tear) on the transmission lines. (iii) Manage any changes to drainage patterns, runoff characteristics and stormwater to avoid adverse effects on foundations of any support structure. (iv) Manage construction activities that could result in ground vibrations and/or ground instability to avoid causing damage to transmission lines and support structures.
20.		The EIMP must include confirmation that it has been reviewed and endorsed by Transpower and must be submitted to Council for information.
21.		<p>Construction Works must not commence within 50 metres of the HIN-KPO-A 110kV transmission assets until the EIMP required by Condition 18 above has been completed and either:</p> <ul style="list-style-type: none"> (a) the Project has been designed to comply with Design Conditions 13 - 15 above; or (b) the HIN-KPO-A 110kV transmission assets have been relocated or altered as agreed by Transpower.
22.		Construction Works must be undertaken in accordance with the EIMP required by Condition 18 above.
		<p>Advice Notes:</p> <ul style="list-style-type: none"> (a) Written notice should be provided to Transpower 10 working days before starting works within 50 metres of transmission assets. Written notice should be sent to transmission.corridor@transpower.co.nz (b) Temporary and permanent works in the vicinity of overhead transmission assets shall be designed and undertaken to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

Landscape design, implementation and maintenance

23.		<p>(a) The Requiring Authority must prepare in collaboration with Ngāti Koroki Kahukura Trust, Ngāti Hauā Trust and Raukawa Settlement Trust a Landscape Concept Plan (LCP) prior to the start of Construction Works. The LCP must be prepared by a Suitably Qualified Person. The purpose of the LCP is to establish a framework for the integration of the permanent Project into the surrounding environment. The LCP must address the following landscape design factors:</p> <ul style="list-style-type: none">(i) Ensure that the Project's landscape treatments are context-sensitive in terms of acknowledging Ngāti Koroki Kahukura Trust, Ngāti Hauā Trust and Raukawa Settlement Trust values, landforms, land use, sense of place and the viewing audience;(ii) Ensure that the Project's landscape treatments function to address amenity, as well as support road safety, biodiversity and stormwater management;(iii) Provide safe connectivity for cyclists and pedestrians;(iv) Appropriate design treatment(s) to support safety and wayfinding; and(v) Crime Prevention Through Environmental Design (CPTED) principles, where practicable. <p>(b) The LCP must include a summary of the engagement undertaken with Ngāti Koroki Kahukura Trust, Ngāti Hauā Trust and Raukawa Settlement Trust and how any feedback has been incorporated into the LCP, and an explanation of where and why any feedback has not been incorporated into the LCP.</p> <p>(c) At least 20 working days prior to the start of Construction Works, the Requiring Authority must submit the LCP to the Council for certification that the LCP satisfies the requirements of this condition.</p> <p>(d) The Requiring Authority must implement the certified LCP.</p> <p>(e) Any amendments to the certified LCP must be confirmed in writing by the Requiring Authority and certified in writing by the Council, prior to the implementation of any amendments proposed.</p>
24.		<p>(a) The Requiring Authority must prepare in collaboration with Ngāti Koroki Kahukura Trust, Ngāti Hauā Trust and Raukawa Settlement Trust a Detailed Planting Plan (DPP) for the Project prior to the start of Construction Works.</p> <p>(b) The DPP must be prepared to implement the LCP in accordance with the Waka Kotahi NZ Transport Agency Highway Landscape Guidelines and P39 – Standard Specification for Highway Landscape Treatments, and include the following:</p> <ul style="list-style-type: none">(i) All planting zones and layouts;

		<ul style="list-style-type: none"> (ii) Species list, including native eco-sources species and specimen trees. With the grades of plants at the time of planting and an indication of their height at maturity; and (iii) An indication of site preparation, subsoil and topsoil and mulch treatments. <p>(c) The DPP must include a summary of the engagement undertaken with Ngāti Koroki Kahukura Trust, Ngāti Hauā Trust and Raukawa Settlement Trust and how this has been incorporated into the DPP and an explanation of where and why any feedback has not been incorporated into the DPP.</p> <p>(d) At least 20 working days prior to the start of Construction Works, the Requiring Authority must submit the DPP to the Council for certification that the DPP satisfies the requirements of this condition.</p> <p>(e) The Requiring Authority must implement the certified DPP and thereafter maintain this planting and associated landscape works for 5 years following the Completion of Construction to ensure that the mitigation is properly established. After this 5 year period, the Requiring Authority must add the areas in the DPP to its Network Outcome Contract for this section of the State Highway to require maintenance of the planting and associated landscape.</p> <p>(f) Any amendments to the certified DPP must be confirmed in writing by the Requiring Authority and certified in writing by the Council, prior to the implementation of any amendments proposed.</p>
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Archaeological Authority

25.		<p>Prior to the commencement of Enabling Works, the Requiring Authority must provide to the Council, evidence that an Archaeological Authority (or Authorities) under the Heritage New Zealand Pouhere Taonga Act 2014 has been obtained from Heritage New Zealand Pouhere Taonga as appropriate, to modify or destroy any of the unknown archaeological sites likely to be affected during the Enabling Works or Construction Works.</p>
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Lighting

26.		<p>Lighting of the intersection must comply with AS/NZS 1158: <i>Lighting for roads and public spaces</i>.</p>
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27.

Lighting of the intersection must meet the following thresholds:

- (i) LED colour temperature must not exceed 2700 Kelvins; and
- (ii) Light levels must not exceed 0.3 lux at the boundary of key bat habitats shown in as a white line in Figure 1 below.



Figure 1: Boundary of bat habitats

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH143644.01.01

File Number: 61 71 51A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waka Kotahi New Zealand Transport Agency (Regional Office)
PO Box 973
Waikato Mail Centre
Hamilton 3240
(hereinafter referred to as the Consent Holder)

Consent Type: Land use

Consent Subtype: Earthworks

Activity authorised: Undertake earthworks both within and outside of high risk erosion areas; cleanfill and overburden disposal; and any associated discharges of contaminants to water or air in association with the SH1/SH29 Intersection Upgrade

Location: Intersection of SH1/SH29, Piarere

Map reference: NZTM 2744699 E 6358798 N

Consent duration: This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire 1 March 2028.

**Subject to the conditions
overleaf:**

GENERAL CONDITIONS

1. The Consent Holder must ensure that the works and activities authorised by this resource consent are carried out in accordance with the conditions as set out in Schedule 1.
2. In accordance with section 125 RMA, this resource consent shall lapse five years after the date on which it commenced unless it has been given effect to before the end of that period.

Review

3. Each year during the term of this resource consent, WRC may, following service of notice on the Consent Holder, commence a review of the conditions of this resource consent pursuant to section 128(1) of the RMA for the following purpose:
 - a) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the environment.

Conditions 4 – 9 have been intentionally left blank.

CONDITIONS TO BE COMPLIED WITH PRIOR TO START OF CONSTRUCTION

Pre-construction Site meeting

10. Prior to the start of Enabling Works and again prior to the start of Construction Works, the Consent Holder must arrange and conduct an on-site meeting including the Project Representative, appropriate contractor representative(s), erosion and sediment control team nominated under Condition 11 of this consent and WRC (“pre-construction meeting”). The following information must be made available at the pre-construction meeting:
 - a) Conditions of Schedule 1 and this consent;
 - b) Timeframes for key stages of the works authorised under the Consents;
 - c) Details of the Project Representative, including their contact details (phone and email address); and
 - d) Contact details of the Site contractor and other key contractors.

Erosion and sediment control team

11. Prior to the start of Construction Works, the Consent Holder must establish an erosion and sediment control team which is to be managed by a Suitably Qualified Person experienced in erosion and sediment control and associated environmental issues. The sediment control team must consist of personnel who have clearly defined roles and responsibilities to monitor compliance with the consent conditions and will be available to meet with the WRC monitoring personnel on a weekly basis, or as otherwise agreed in writing, to review erosion and sediment control issues. The person managing the sediment control team must be approved in writing by the WRC.

Construction Environmental Management Plan

12. At least 20 working days prior to the start of Construction Works, the Consent Holder must prepare and submit to the WRC for Certification, a **Construction Environmental Management Plan (CEMP)**. The purpose of the CEMP is to set out the management procedures and construction methods to be undertaken to avoid, remedy or mitigate, as far as practicable, any adverse effects associated with the Construction Works and to ensure compliance with the conditions of Schedule 1. The CEMP shall be prepared in accordance with the Waka Kotahi ‘Guideline for Preparing Environmental and Social Management Plans’ (April 2014), or any subsequent version.

13. The CEMP required by Condition 12 of this consent must include, but not be limited to:
- a) The roles and responsibilities of staff and contractors;
 - b) Details of the Project Manager and the Project Representative(s), including their contact details (phone and email address);
 - c) The Construction Works programmes and the staging approach, and the proposed hours of work;
 - d) The proposed Site layouts (including construction yards), locations of refuelling activities and construction lighting;
 - e) Details of construction activities for the stream diversions;
 - f) Methods for the removal of debris and demolition of construction materials from public roads or places;
 - g) Methods for providing for the health and safety of the general public;
 - h) Measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;
 - i) Procedures for incident management;
 - j) Procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;
 - k) Measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;
 - l) Procedures for responding to complaints about Construction Works;
 - m) How provision is to be made for a cultural induction programme of the contractor's staff by Ngāti Koroki Kahukura, Ngāti Hauā and Raukawa. The frequency and content of these inductions to be agreed with by Ngāti Koroki Kahukura, Ngāti Hauā and Raukawa; and
 - n) Methods for amending and updating the certified CEMP as required.

Advice Note 1: *The designations for the Project also include conditions that require the preparation and implementation of a CEMP. It is considered appropriate that one CEMP be prepared by the Consent Holder which meets the conditions of Schedule 1 and the conditions of the designation.*

Dust Management Plan

14. At least 20 working days prior to the start of Construction Works, the Consent Holder must submit a **Dust Management Plan (DMP)** to WRC for Certification. The DMP must detail all methods and measures that will be implemented to ensure that the Construction Works do not cause objectionable or offensive effects beyond the Site.
15. The DMP required by Condition 14 of this consent must be prepared in accordance with the Ministry for the Environment 'Good practice guide for assessing and managing dust'; 1 November 2016. It must detail:
- a) Identification of sensitive receivers to potential dust effects and specific works methodologies for undertaking works in proximity to these parties;
 - b) Methods and measures to avoid, where practicable, and where not practicable, to minimise dust emissions;
 - c) Methods for monitoring dust emissions;
 - d) Contingency methods for controlling any identified dust effects e.g. cease works/site stabilisation; and
 - e) Procedures for receiving, recording, validating and responding to dust-related complaints.

16. Construction Works must not commence until the DMP has been certified by WRC.

Project Erosion and Sediment Control Plan

17. At least 20 days prior to the start of Construction Works, the Consent Holder must submit a **Project Erosion and Sediment Control Plan (PESCP)** to WRC for Certification. The PESCP must be based on the draft Erosion and Sediment Control Plan provided in Appendix B of the Stormwater Assessment Report dated 19 August 2021 as part of the Application. The purpose of the PESCP is to confirm the design and management principles that will be adopted to minimise sediment discharge from earthworks associated with the Construction Works.
18. The PESCP required by Condition 17 of this consent must, as a minimum, be consistent with TR2009/02, and must include, but not be limited to, the following:
- a) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the Site;
 - b) A Site plan of a suitable scale to identify;
 - (i) The locations of waterways;
 - (ii) The extent of soil disturbance and vegetation removal;
 - (iii) Any “no go” and/or buffer areas to be maintained undisturbed adjacent to watercourses;
 - (iv) Areas of cut and fill;
 - (v) Locations of topsoil stockpiles;
 - (vi) All key erosion and sediment control structures;
 - (vii) The boundaries and area of catchments contributing to key erosion and sediment control structures;
 - (viii) The locations of all specific points of discharge to the environment; and
 - (ix) Any other relevant Site information.
 - c) Construction timetable for the erosion and sediment control works and the earthworks proposed;
 - d) Timetable and nature of progressive Site rehabilitation and re-vegetation proposed;
 - e) Maintenance, monitoring and reporting procedures;
 - f) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;
 - g) Procedures and timing for review of and/or amendment to the certified PESCP; and
 - h) Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.
19. Construction Works must not commence until the PESCP and any relevant Site Specific Erosion and Sediment Control Plan (SSESCP) required as per Condition 23 of this consent have been certified by WRC.

Flocculation Management Plan

20. At least 20 days prior to the start of Construction Works, the Consent Holder must submit a **Flocculation Management Plan (FMP)** to the WRC for Certification. The purpose of the FMP is to confirm the effectiveness of chemical treatment to enhance the efficiency of sediment retention ponds and decanting earth bunds and establish the management of the flocculation management system. The FMP must include, as a minimum:
- a) An analysis of Site soil reactivity to flocculants based on soil tests;

- b) Specific design details of the flocculation system;
 - c) Monitoring (including pH and any other testing procedures), maintenance (including post-storm) and including a record system;
 - d) Details of optimum dosage (including assumptions);
 - e) Results of any initial flocculation trial;
 - f) A spill contingency plan; as set out within the requirements of Condition 60; and
 - g) Contact details of the person responsible for the operation and maintenance of the flocculation treatment system and the organisational structure to which this person must report.
21. Construction Works must not commence until the FMP has been certified by WRC.
22. *This condition has been intentionally left blank.*

Site Specific Erosion and Sediment Control Plan(s)

23. At least 10 working days prior to the commencement of earthworks in any given area of the Project, (which could be the whole Site), the Consent Holder must submit to the WRC for Certification, a **Site Specific Erosion and Sediment Control Plan (SSESCP)** for the works in that area. Each SSESCP must be prepared in accordance with the principles of the PESCP required by Condition 17 of this consent and TR2009/02, and all relevant conditions of this consent. Each SSESCP must include at least the following:
- a) Specific erosion and sediment control measures (location, dimensions, capacity);
 - b) Supporting calculations and design drawings;
 - c) Catchment boundaries and contour information;
 - d) Location(s) of stabilised entranceway(s);
 - e) Details of temporary and permanent stabilisation; and
 - f) Construction methodology for any stream works within the relevant SSESCP works area.
24. Earthworks must not commence within a given area until the corresponding SSESCP as required by Condition 23 of this consent has been certified by WRC.

Vegetation Management Plan

25. At least 30 working days prior to the Start of Construction, the Consent Holder must submit a **Vegetation Management Plan (VMP)** to WRC for Certification that it satisfies the requirements of Condition 26 of this consent. The purpose of the VMP is to outline the details of planting required to mitigate the removal of habitat for long-tailed bats, lizards and birds.
26. The VMP required by Condition 25 of this consent must be prepared in consultation with Ngāti Koroki Kahukura Trust, Ngāti Hauā Trust and Raukawa Settlement Trust and must include, but not be limited to, the following matters:
- a) Details of any mechanisms implemented to protect any mitigating planting required by these conditions;
 - b) Details of riparian planting enhancement for the length of the property at 1896 State Highway 1 (Record of Title SA32A/615) where it abuts the unnamed river, as shown in orange on Figure 1 (Indicative Location of Vegetation Management Plan C152);

- c) The removal or disturbance of vegetation (except that addressed by Condition 29 in relation to bats) from the construction of the access track and stormwater discharge structure within the property at 1896 State Highway 1 (Record of Title SA32A/615) requires restorative planting and weed control at a ratio of 1:1;
- d) Measures to protect the trees and/or shrubs that are to remain, including delineation and protection of root zones, avoidance of works in root zones;
- e) Details of timing, species, source of planting material, size of plants, extent, location, stabilisation methods, and ongoing maintenance requirements;
- f) Weed control and pest plant control must occur for a minimum of five years after initial planting in general accordance with the document “NZTA P39 Standard Specification for Highway Landscape Treatments (2013)”; and
- g) If, five years after the initial planting, 80% canopy coverage has not been achieved, weed control, pest plant control, and any necessary maintenance must continue until 80% canopy coverage has been achieved which is in general accordance with the document “NZTA P39 Standard Specification for Highway Landscape Treatments (2013)”.

27. Vegetation clearance must not commence until the VMP has been certified by WRC.

Bat Management Plan

28. At least 30 working days prior to the Start of Construction, the Consent Holder must submit a **Bat Management Plan (BMP)** (including a Vegetation Removal Protocol) to WRC for Certification that it satisfies its purpose and the requirements of Condition 29 of this consent. The purpose of the BMP is to detail the measures that will be implemented during the Construction Works to avoid, or otherwise minimise, mitigate, offset and / or compensate impacts on long-tailed bats such that the overall ecological effect on those bats is Low, based on the EIANZ 2018 assessment methodology. The BMP must be prepared by a Suitably Qualified Person with at least five years’ experience in bat management.

Advice Note 2: *EIANZ 2018 is not a planning assessment and it merely provides a framework to convert ecological information into a RMA interpretation.*

29. The BMP required by Condition 28 of this consent must be prepared in accordance with the draft BMP included with the documents listed in Condition 1 of Schedule 1 and include measures to offset and/or compensate for the loss of potential and / or confirmed bat roost trees if such trees are identified and require removal. Such measures must include:

- a) Steps to investigate any options to avoid the tree(s).
- b) A proposed planting ratio commensurate to the type of roost tree required to be removed based in the following scenarios:

Roost type lost	Planting
Potential Roost Tree	
Low / no roosting suitability	1:1 planting
Moderate roosting suitability	1:4 planting
High roosting suitability	1:8 planting
Confirmed roost tree (solitary, communal or maternal)	

1 bat	Planting of 4 trees
2-5 bats	Planting of 8 trees
> 5 bats	Investigate options to avoid the tree altogether. If avoidance is not possible, mitigation as agreed between the Consent Holder, DOC and WRC.

- c) Assessment of a suitable offset or compensation measure to address the loss of a confirmed roost tree (or a tree with 'High' roosting suitability), which for this Project (offered on an *Augier* basis) will include a compensation measure, which requires the Consent Holder to pay funds to a conservation group or organisation operating within the bats' home range, to address both the loss of the roost tree from the landscape and the period until the mitigation trees become functional roost habitat. The compensation measure (for this Project) will be based on the following scenarios:

Roost type lost	Compensation
Potential Roost Tree	
Low/no roosting suitability	N/A
Moderate roosting suitability	N/A
High roosting suitability	Cost equivalent to 1 roost box (25-year maintenance). Based on the assumption that the tree is used as a roost on occasion.
Confirmed roost tree (solitary, communal or maternal)	
1 bat	Cost equivalent to 1 roost box (25 years' maintenance)
2-5 bats	Cost equivalent to 2 roost box (25 years' maintenance)
> 5 bats	Investigate options to avoid the tree altogether. If avoidance is not possible, mitigation as agreed between the Consent Holder, DOC and WRC.

- d) In the event more than 5 bats are found to be occupying any given roost tree, a meeting between Waka Kotahi, the Department of Conservation and WRC will be held to discuss the implications of removing the roost tree (if all options to avoid the tree are exhausted) and potential options to address or compensate for the loss of the roost.
- e) A requirement of a post-felling tree clearance report providing details of the exact number and roosting value of the trees that were removed. This report must include a final calculation of the necessary planting and/or compensation to be provided based on the scenarios provided in the BMP and the vegetation that was removed. The post felling report will be submitted to council for review.

- f) Evidence of consultation with the Department of Conservation, including the outcomes of that consultation.
 - g) Vegetation removal protocols (VRP) that are to be implemented to avoid direct mortality to bats during tree clearance.
 - h) Confirmation of lighting specification that will comply with Condition 29A.
 - i) A map that identifies key bat habitats on which compliance with Condition 29A(ii) must comply.
 - j) Protocols to avoid noise and vibration disturbance during construction in the event an active bat roost is identified.
- 29A. All permanent lighting that is installed and operated at the intersection and its approaches must meet the following thresholds:
- (i) LED colour temperature must not exceed 2700 Kelvins; and
 - (ii) Light levels must not exceed 0.3 lux at the boundary of key bat habitats.
30. At least 5 working days prior to vegetation clearance required by the Construction Works, the Consent Holder must provide to WRC the name and contact details of the nominated Project Ecologist, who must have a Department of Conservation bat competency level 3.1 High Risk Activities, and Class 2.1 Handling long-tailed bats, to oversee vegetation clearance and ensure compliance with the Vegetation Removal Protocols in Appendix A of the certified BMP, and to implement the BMP.
31. Vegetation clearance must not commence until the BMP has been certified by WRC.

Lizard Management Plan

32. At least 30 working days prior to the Start of Construction Works, the Consent Holder must submit a **Lizard Management Plan (LMP)** to WRC for Certification that it satisfies the requirements of Condition 33 of this consent. The purpose of the LMP is to minimise injury or mortality of indigenous lizards potentially present within the construction footprint of the Project and minimise the loss of potential lizard habitat through passive management by a Suitably Qualified Person.
33. The LMP required by Condition 32 of this consent must consider, but will not be limited to the following matters:
- a) A description of lizard habitat, lizard species potentially present, legal requirements, disease management, survey timing and recovery and translocation methods, reporting requirements, mitigation commensurate with the number and species of lizards rescued, and incidental kill and harm minimisation protocols.
 - b) A description of the methodology for incidental capture of native lizard species including but not limited to: handling protocols, relocation protocols, reporting protocols, potential relocation sites, and protocols for dealing with injured or dead lizards encountered during the works.
 - c) If indigenous lizards are found; based on number of lizards and the species conservation status, particular trigger levels will outline requirements for lizard habitat creation and improvement methodology within the proposed translocation site; including discussion of:
 - i. appropriate plant species to be planted;
 - ii. appropriate location/s for habitat creation or improvement;
 - iii. methods for provision of providing additional refugia, e.g. depositing salvaged logs, wood or debris;
 - iv. any protection mechanisms (if required) to ensure the relocation site is maintained (e.g. covenants, consent notices etc); and

- v. any weed and pest management to ensure the created and/or improved lizard habitat site/s are maintained as appropriate habitat.

Advice Note 3: Authorisations under the Wildlife Act 1953 may be required, separate to the Resource Management Act 1991 process. The purpose of this condition is to ensure consistency between any authorisation and the content of the Management Plans.

- 34. Vegetation clearance must not commence until the LMP has been certified by WRC.

CONDITIONS TO BE COMPLIED WITH FROM COMMENCEMENT OF ENABLING AND/OR CONSTRUCTION WORKS

Management of erosion and sediment controls

- 35. All erosion and sediment control measures must be established and maintained in accordance with the TR2009/02, and the certified SSES CPs. This applies to all Enabling Works and Construction Works.
- 36. The Consent Holder must implement and comply with each certified SSES CP, and any certified amendments, for the duration of the earthworks covered by that SSES CP.
- 37. All erosion and sediment control measures that are installed within the Site must be as-built certified as complying with the corresponding SSES CP, prior to any other Construction Works commencing in that SSES CP area. The as-built certification must be prepared by a Suitably Qualified Person and submitted to WRC within five working days of the erosion and sediment control measures being installed. Information to be supplied, if applicable, must include:
 - a) Contributing catchment area;
 - b) Retention volume of structure (dead storage and live storage measured to the top of the primary spillway);
 - c) Shape and dimensions of structure;
 - d) Position of outlets;
 - e) Stabilisation of the structure;
 - f) Compliance with the TR2009/02; and
 - g) Compliance with any relevant conditions of the Consents.
- 38. The Consent Holder must ensure that sediment control devices cleaned out (de-silted) when no more than 20% full of sediment.
- 39. Unless Site specific analysis provides evidence to the contrary, as detailed in the certified PESCP, the Consent Holder must ensure that the concentration of suspended solids discharged from any sediment control device does not exceed 100g/m³.
- 40. Discharges of treated sediment laden water during Enabling Works or Construction Works must not cause a conspicuous change in water colour or clarity in any flowing water body, after reasonable mixing and at a point 50 metres downstream of any point of discharge to the water body.
- 41. The Consent Holder must ensure that all clean water run-off from stabilised surfaces including catchment areas above and around the Site are diverted away from earthworked areas via a stabilised diversion system where practicable, or otherwise included in the sizing of the sediment control device catchment that it is located within.
- 42. Unless the FMP required by Condition 20 of this consent indicates that chemical treatment will not enhance settlement, all sediment retention ponds and decanting earth bunds must be chemically treated in accordance with the FMP.
- 43. Unless Site specific analysis provides evidence to the contrary, as detailed in the FMP, the Consent Holder must ensure that:

- a) The soluble aluminium concentration of any sediment retention pond discharge shall not exceed 0.2 grams per cubic metre; and
 - b) The pH of any sediment retention pond discharge must not be less than 5.5 or greater than 8.5 pH units.
44. The erosion and sediment controls specified in any relevant SSES CP, must not be disestablished without the prior written approval of WRC.

Sediment Retention Pond Discharge Monitoring

45. Unless WRC approves otherwise in writing, the Consent Holder must take samples of the discharges from all sediment retention ponds on the Site a minimum of once per month and after all rainfall events greater than 20 millimetres in the preceding 24 hours, excepting times when there are no discharges. The Consent Holder must take the samples within four hours of becoming aware of a rainfall event greater than 20 millimetres in the preceding 24 hours.

Advice Note 4: *The purpose of this condition is to provide an opportunity for pond discharge sampling to be required if either flocculants are being used; due to potential overdosing pH/Al issues, or where the discharge from a pond is not acceptable and actions are required (potentially including the use of flocculants) to resolve that situation.*

46. Within one working day of taking any samples required by Condition 45, the Consent Holder must submit those samples to an independent reputable laboratory for analysis for suspended solids and turbidity and, if flocculants are being used to treat any sediment retention pond, pH, and soluble aluminium. The results of the analysis must be forwarded to the WRC within 7 working days of the Consent Holder receiving results of the analysis.
47. Sampling required by Conditions 45 and 46 of this consent, the frequency of sampling, analysis and reporting may be altered or reduced with the written approval of WRC.

Stabilisation

48. The earthworks must be stabilised against erosion as soon as practicable and in a progressive manner as earthworks are finished. Sediment control devices may not be removed until the catchment of the device is fully stabilised, and written approval has been received from WRC that the device can be removed.
49. Re-vegetation and/or stabilisation of all disturbed areas is to be completed in accordance with the measures detailed in the TR2009/02, and the certified SSES CP.
50. If required by WRC in writing, the Consent Holder must carry out immediate stabilisation of any required area of exposed earthworks surfaces on site using straw mulching, pinned geotextile or similar instant stabilisation techniques to the satisfaction of WRC.

Cleanfill

51. The Consent Holder must not import any cleanfill into the Site that does not meet the definition of cleanfill as defined in the Waikato Regional-Plan, as follows:

Material that when discharged to the environment will have no adverse effect on people or the environment. This includes natural materials such as clay, soil and rock and other inert materials such as concrete and brick, or mixtures of any of the above.

Cleanfill excludes for example:

- a) *material that has combustible, putrescible or degradable components;*
- b) *materials likely to create leachate by means of biological or chemical breakdown;*
- c) *any products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices;*

- d) *materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health;*
- e) *soils or other materials contaminated with hazardous substances or pathogens; and*
- f) *Hazardous substances.*

Machinery

- 52. All earthmoving machinery, pumps and generators must be operated in a manner that ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities must be carried out away from any surface water, such that any spillage can be contained and does not enter any surface water.
- 53. The Consent Holder must ensure that all machinery used in the exercise of this consent is cleaned prior to being transported to/from the Site to ensure that all seed and/or plant matter has been removed and documented in accordance with the National Pest Control Agencies A series, best practice guidelines 'A16 Keep it Clean – Machinery and Vehicle Hygiene Guidelines and Logbook to Prevent the Spread of Pests and Weeds' (2015 (minor revisions April 2020)).

Dust Management

- 54. The Consent Holder must implement the DMP certified under Condition 14 of this consent, or any certified amendments of that plan, for the duration of the Construction Works.
- 55. Enabling Works and Construction Works must be undertaken in a manner that ensures all dust and particulate emissions are kept to a practical minimum and to the extent that there are no dust discharges beyond the Site that cause an objectionable or offensive effect.
- 56. If so required by the WRC, the Consent Holder carry out immediate sealing of any problematic dust generating surfaces within the Site using hydro-seed/hydro-mulch, polymer soil stabilisers or a similar dust control product to provide instant remediation of dust effects to the satisfaction of the WRC.

Winter Works

- 57. The earthworks authorised by this resource consent must not be carried out during the winter period 1 May to 30 September inclusive, unless approved in writing by WRC in accordance with Condition 59 of this consent. The purpose of this condition is to ensure that the risk of sediment discharge from the Site during the winter period is not greater than that anticipated to occur during the balance of the earthworks duration (1 October to 30 April of any year).
- 58. To comply with Condition 57, the Consent Holder must ensure that the Site is stabilised by 30 April of each year, unless otherwise approved in writing by WRC. Stabilisation must be undertaken in accordance with (TR2009/02).
- 59. Requests to undertake earthworks during the period 1 May to 30 September inclusive must identify and explain how the environmental effects of earthworks during that period will be minimised and controlled to achieve the purpose of Condition 57. The request must be submitted in writing to WRC by 1 April and must be in the form of amendments to the corresponding SSESCP. In considering a request for winter works, WRC will consider a number of factors, including, but not limited to:
 - a) The earthworks activities to be undertaken during the winter period.
 - b) The cumulative area to be exposed to erosion during that period and the extent that the open area has been reduced leading into winter.
 - c) An updated Site Specific Erosion and Sediment Control Plan that addresses the management of the works for the winter period.

- d) Progressive stabilisation to minimise the area exposed to erosion at any one time.
- e) Any additional contingencies to minimise risk, including additional monitoring.
- f) The compliance history of the Site/operator.

Hazardous Substances and Spill Response

60. With respect to hazardous substances and contaminated sites, the CEMP required by Condition 12 of this consent must include, but not be limited to, the following matters:
- a) A list of the hazardous materials and their quantities kept on Site and their storage details;
 - b) The prevention measures that will be undertaken on Site in order to avoid a spill of hazardous materials;
 - c) The equipment available to contain and/or remove spills of hazardous materials;
 - d) Specific procedures and measures that will be undertaken when machinery is operating within close proximity to water bodies that are designed to minimise the risk of any spillages or significant leakages of hazardous materials entering the waterbody;
 - e) The training staff will receive in the use of hazardous materials spill prevention, containment and clean up measures and associated equipment;
 - f) How the disposal of any contaminated materials arising from spills, leakages of hazardous materials will be undertaken;
 - g) The procedures involved in reporting of any such incidents to WRC; and
 - h) Review procedures.
61. The Consent Holder must notify WRC as soon as is practicable, and as a minimum requirement within 12 hours, of the Consent Holder becoming aware of a discovery or spill of hazardous materials, fuel, oil, hydraulic fluid or other similar contaminants. The Consent Holder must, within 7 days of the incident occurring, provide a report to WRC, identifying the possible causes, the nature of any adverse effects on the environment, steps undertaken to remedy the effects of the incident, any residual effects, and any additional measures that will be undertaken to avoid future spills.

Conditions 62 – 64 have been intentionally left blank.

Archaeological Authority

65. Prior to the start of Enabling Works, the Consent Holder must provide to WRC, evidence that an Archaeological Authority (or Authorities) under the Heritage New Zealand Pouhere Taonga Act 2014 has been obtained from Heritage New Zealand Pouhere Taonga as appropriate, to modify or destroy any of the unknown archaeological sites likely to be affected during the Construction Works.

Vegetation Management

66. The Consent Holder must implement and comply with the VMP that has been certified under Condition 25 of this consent, or any certified amendments of that plan, for the duration of the Construction Works.

Bat Management

67. The Consent Holder must implement and comply with the updated BMP that has been certified under Condition 28 of this consent, or any certified amendments of that plan, for the duration of the Construction Works.

Lizard Management

68. The Consent Holder must implement and comply with the LMP that has been certified under Condition 32 of this consent, or any certified amendments of that plan, for the duration of the Construction Works.

Bird nesting survey

69. The Consent Holder must engage a Suitably Qualified Person to undertake a nesting survey for native birds a minimum of 5 working days prior to any vegetation clearance occurring within the Site, where such clearance is programmed between the months of October to January (inclusive). When a nest is found occupied by native birds, works must be delayed until the hatchlings or nestlings have fledged.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH143644.02.01

File Number: 61 71 51A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waka Kotahi New Zealand Transport Agency (Regional Office)
PO Box 973
Waikato Mail Centre
Hamilton 3240
(hereinafter referred to as the Consent Holder)

Consent Type: Discharge permit

Consent Subtype: Water- Stormwater

Activity authorised: To discharge of stormwater in association with the SH1/SH29 Intersection Upgrade Project.

Location: Intersection of SH1/SH29, Piarere

Map reference: NZTM 2744699 E 6358798 N

Consent duration: This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire 1 December 2057.

Subject to the conditions overleaf:

CONDITIONS

General

1. The stormwater diversion and discharge activities authorised by this resource consent must be undertaken in accordance with the conditions as set out in Schedule 1.

Stormwater Detailed Design Report

2. At least 40 working days prior to the start of construction of the permanent stormwater management system for the Project, the Consent Holder must submit a **Stormwater Detailed Design Report (SDDR)** to the WRC for Certification. The SDDR must be prepared by a Suitably Qualified Person and must include calculations and detailed plans confirming accordance with:
 - a) the application documents listed in Condition 1 of Schedule 1, including the Stormwater Drainage Layout Plans in Volume 4 of the Application: Drawing Set; and
 - b) Waikato Regional Council Technical Report 2020/07 'Stormwater Management Guideline' (TR2020/07).
3. Construction of the permanent stormwater management system must not commence before the SDDR has been certified by WRC.

Stormwater Treatment Device Planting and Management Plan

4. At least 40 working days prior to the start of construction of the permanent stormwater management system for the Project, the Consent Holder must submit a **Stormwater Treatment Device Planting and Management Plan (STDPMP)** to the WRC for Certification. The purpose of the STDPMP is to ensure that the planting in the stormwater devices will achieve the anticipated water quality and ecological function on which the consent is based.
5. The STDPMP required by Condition 4 of this consent must be developed in accordance with WRC 'Waikato stormwater management guideline' (TR2020/07) and other relevant planting guidelines, and must include, but not be limited, to:
 - a) Site plantings including species to be planted, size of plants, and where they are to be planted i.e. shallow/deep marsh, littoral or riparian zone;
 - b) Site preparation for planting including weed and pest control;
 - c) Timeline for planting;
 - d) Ongoing weed and pest control;
 - e) Supplementary/replacement planting plan specifications; and
 - f) Timing of monitoring, maintenance and inspections.

Stormwater Operation and Maintenance Plan

6. Prior to Completion of Construction and commencement of operation of all components of the stormwater management system, the Consent Holder must provide a **Stormwater Operation and Maintenance Plan (SOMP)** to WRC for Certification. The purpose of the SOMP is to ensure that the ongoing management of stormwater will be consistent with the effects and benefits anticipated by the certified detailed design and conditions of this resource consent.
7. The SOMP required by Condition 6 of this resource consent must include, but not be limited to:
 - a) A programme, including frequency, for regular monitoring and inspection of the stormwater management system;

- b) A schedule of maintenance requirements for each treatment device and outfall;
- c) A programme for the regular collection and disposal of debris and sediment collected by the stormwater management devices to ensure that attenuation volumes are not compromised and that appropriate contaminant removal procedures are established;
- d) Inspection checklists for all aspects of the stormwater management system, including monitoring and maintenance of all wetlands, swales and all inlet and outlet structures;
- e) Details of who will be responsible for the operation and maintenance works; and
- f) Details of recording and reporting of operation and maintenance activities.

Advice Note 1: *The SOMP may be certified as part of a wider Waka Kotahi stormwater operation and maintenance plan if such a plan is created in the future.*

As Built Certification Statements

- 8. All components of the stormwater management system certified under Condition 2 of this consent must be as-built certified as complying with the certified design. The as-built certification must be prepared by a Suitably Qualified Person and submitted to WRC within 6 months of Completion of Construction of the stormwater management system.

Stormwater Quantity and Receiving Environment

- 9. The Consent Holder must manage the stormwater management system to avoid, as far as practicable, or otherwise minimise, the following stormwater quantity effects:
 - a) Adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;
 - b) Adverse ponding and flooding of land, property and stormwater receiving water bodies; and
 - c) Adverse effects on aquatic ecosystems.

Stormwater Quality and Receiving Environment

- 10. The Consent Holder must manage the stormwater management system to avoid, as far as practicable, the discharge of any substance that is likely to cause the production of conspicuous oil, or grease films, scums or foams, or floatable suspended materials in stormwater receiving water bodies after reasonable mixing.
- 11. The Consent Holder must manage the stormwater management system to avoid, as far as practicable, and otherwise minimise, the discharge of suspended solids and any other substances that are likely to cause the following effects in stormwater receiving water bodies after reasonable mixing:
 - a) Conspicuous changes in colour or visual clarity;
 - b) Increases in suspended solids concentrations by more than 10 percent; and
 - c) 100 grams per cubic metre suspended solids concentrations or greater.

For the purposes of this condition, the suspended solids discharge parameters referenced above must only apply to the operational stormwater discharges authorised by this resource consent and do not apply to the earthworks activities which are authorised under a separate land disturbance resource consent.

- 12. The Consent Holder must manage the stormwater management system to avoid, as far as practicable, and otherwise minimise, the discharge of hazardous substances in concentrations that are likely to adversely affect aquatic life, or the suitability of water for human consumption after treatment. Where a question arises as to whether the concentration of any particular hazardous substance is causing these effects, it must be determined through the application of the United States

Environmental Protection Agency 'National Recommended Water Quality Criteria (USEPA, 2009) – Criteria Maximum Concentration'.

13. The Consent Holder must manage the stormwater management system to avoid, as far as practicable, and otherwise minimise, discharges that are likely to adversely affect aquatic ecosystems and cause any of the following effects in the downstream watercourses after reasonable mixing:
 - a) Dissolved oxygen levels to fall below 80% of saturation;
 - b) pH to fall below 6 or exceed 9;
 - c) Suspended sediments to smother benthic organisms;
 - d) Undesirable biological growths;
 - e) Water temperature to change by more than 3 degree C or exceed 25 degree C;
 - f) Turbidity levels to exceed 25 NTU between the months of August and December; and/or
 - g) Ammoniacal nitrogen concentrations to exceed 0.88 grams of nitrogen per cubic metre.
14. As soon as practicable after becoming aware of any of the adverse effects of the nature specified in Conditions 11, 12 and 13 that are more than minor, the Consent Holder shall submit a report to the WRC in relation to the adverse effects. As a minimum, the report must include:
 - a) A description of the adverse effects;
 - b) A description of the cause of the adverse effects;
 - c) An explanation of any measures taken to remedy or mitigate the adverse effects, the outcome of those measures, and whether further measures are necessary and reasonably practicable;
 - d) If no measures have been taken in accordance with (c), a description of any reasonably practicable measures that could be taken to remedy or mitigate the adverse effects and a recommendation as to whether those measures are necessary. The Consent Holder must liaise with WRC with a view to determining any reasonably practicable measures which should be taken to remedy or mitigate the adverse effects.

Advice Note 2: *Separate resource consents may be required to undertake remedial or mitigation works. The Consent Holder is advised to obtain all such consents at its sole expense, prior to any works being undertaken.*

Stormwater Treatment Devices

15. All stormwater treatment system authorised by this resource consent must be operated and maintained for the duration of the consent in accordance with the SOMP certified under Condition 7 of this consent and the STDPMP certified under Condition 4 of this consent, or any certified amendment of those management plans.

Review

16. At any time during every fifth year thereafter for the term of the consent, WRC may, following service of notice on the Consent Holder, commence a review of the conditions of this resource consent pursuant to section 128(1) of the RMA for the following purposes:
 - a) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the environment.
 - b) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment.
 - c) To review the adequacy of and the necessity for monitoring undertaken by the Consent Holder.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH143644.03.01

File Number: 61 71 51A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waka Kotahi New Zealand Transport Agency (Regional Office)
PO Box 973
Waikato Mail Centre
Hamilton 3240
(hereinafter referred to as the Consent Holder)

Consent Type: Discharge

Consent Subtype: Cleanfill Disposal

Activity authorised: Cleanfill disposal associated with the construction of the roundabout at the intersection of State Highway 1 and State Highway 29.

Location: Intersection of SH1/SH29, Piarere

Map reference: NZTM 2744699 E 6358798 N

Consent duration: This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire 1 December 2057.

Subject to the conditions overleaf:

CONDITIONS

General

1. In accordance with section 125 RMA, this resource consent will lapse five years after the date on which it commenced unless it has been given effect to before the end of that period.
2. Upon Completion of Construction, the land shall be contoured as outlined in the Application.

Review

3. Each year during the term of this resource consent, WRC may, following service of notice on the Consent Holder, commence a review of the conditions of this resource consent pursuant to section 128(1) of the RMA for the following purpose:
 - a) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the environment.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH143644.04.01

File Number: 61 71 51A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waka Kotahi New Zealand Transport Agency (Regional Office)
PO Box 973
Waikato Mail Centre
Hamilton 3240
(hereinafter referred to as the Consent Holder)

Consent Type: Water permit

Consent Subtype: Diversion

Activity authorised: Diversion of water associated with the construction and operation of the roundabout at the intersection of State Highway 1 and State Highway 29.

Location: Intersection of SH1/SH29, Piarere

Map reference: NZTM 2744699 E 6358798 N

Consent duration: This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire 1 December 2057.

Subject to the conditions overleaf:

CONDITIONS

General

1. The surface water diversions authorised by this resource consent must be undertaken in accordance with the relevant conditions of Schedule 1.
2. In accordance with section 125 RMA, this consent will lapse five years after the date on which it commenced unless it has been given effect to before the end of that period.

Diversion of Surface Water Associated with Permanent Stormwater Reticulation

3. The diversion of stormwater water associated with permanent stormwater reticulation must comply with the relevant conditions of Discharge Consent AUTH143644.02.01.

Stream Diversion

4. The Consent Holder must design and construct all permanent diversions to match the existing channel dimensions and/or to avoid any adverse ponding or flooding effects.

Information on and Monitoring of Instream Structures

5. Within 20 working days following completion of stream diversion, the Consent Holder must provide to WRC the information that is listed in the following Resource Management (National Environmental Standards for Freshwater) Regulations 2020:
 - a) Regulation 62(3) Requirements for all activities: information about structures and passage of fish; and
 - b) Regulation 63(3) Requirement for culvert activities: information about culverts.

Review

6. Each year during the term of this consent, WRC may, following service of notice on the Consent Holder, commence a review of the conditions of this resource consent pursuant to section 128(1) of the RMA for the following purpose:
 - a) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the environment.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH143644.05.01

File Number: 61 71 51A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waka Kotahi New Zealand Transport Agency (Regional Office)
PO Box 973
Waikato Mail Centre
Hamilton 3240
(hereinafter referred to as the Consent Holder)

Consent Type: Land Use

Consent Subtype: Culvert

Activity authorised: Placement of a culvert within an ephemeral watercourse, associated with the construction and operation of the roundabout at the intersection of State Highway 1 and State Highway 29.

Location: Intersection of SH1/SH29, Piarere

Map reference: NZTM 2744699 E 6358798 N

Consent duration: This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire 1 December 2057.

Subject to the conditions overleaf:

CONDITIONS

General

1. The diversion of a stream authorised by this resource consent must be undertaken in general accordance with the relevant conditions of Schedule 1.
2. In accordance with section 125 RMA, this consent will lapse five years after the date on which it commenced unless it has been given effect to before the end of that period.

Stream Diversion Works

3. The Consent Holder must design and construct all permanent diversions to match the existing channel dimensions and/or to avoid any adverse ponding or flooding effects.

Information on and Monitoring of Instream Structures

4. Within 20 working days following completion of stream diversion, the Consent Holder must provide to WRC the information that is listed in the following Resource Management (National Environmental Standards for Freshwater) Regulations 2020:
 - a) Regulation 62(3) Requirements for all activities: information about structures and passage of fish; and
 - b) Regulation 63(3) Requirement for culvert activities: information about culverts.

Review

5. Each year during the term of this consent, WRC may, following service of notice on the Consent Holder, commence a review of the conditions of this resource consent pursuant to section 128(1) of the RMA for the following purpose:
 - a) If necessary and appropriate, to require the Consent Holder to adopt the best practicable option to remove or reduce adverse effects on the environment.

SH1/SH29 Intersection Upgrade Project — Resource Consent Conditions

SCHEDULE 1 – GENERAL CONDITIONS THAT APPLY TO ALL CONSENTS

DEFINITIONS

Abbreviation/term	Meaning/definition
Application	The applications for resource consents and supporting information for the State Highway 1 and State Highway 29 Intersection Upgrade Project dated 26 November 2021 and specified in Condition 1 of Schedule 1.
Certification	In relation to any management plan, that the WRC has certified that the management plan contains all information specified in the relevant management plan condition(s) and that the management plan meets all the requirements set out in the conditions of the Consents.
Completion of Construction	When construction of the Project (or the relevant part of the Project) is complete and it is operational.
Consents	WRC resource consents AUTH143644.01.01, AUTH143644.02.01, AUTH143644.03.01, AUTH143644.04.01 and AUTH143644.05.01 and includes the Schedule 1 general conditions which apply to each Consent.
Consent Holder	Waka Kotahi NZ Transport Agency
Construction Works	Activities undertaken to construct the Project, excluding Enabling Works.
DoC October 2021 Protocol	Department of Conservation (2021) <i>Protocols for minimising the risk of felling bat roosts (Bat Roost Protocols (BRP)) Version 2: October 2021 approved by the New Zealand Department of Conservation's Bat Recovery Group.</i>
EIANZ 2018	<i>Ecological Impact Assessment (EclA) EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems</i> ; 2nd Edition, Environment Institute of Australia and New Zealand Inc., May 2018
Enabling Works	Includes the following and similar activities: <ul style="list-style-type: none"> • geotechnical investigations and land investigations • formation of access for geotechnical investigations • establishment of Site access points and fencing (including relocation of property boundary fences) • constructing and sealing Site access roads • protection and relocation of services • establishment of mitigation measures (such as erosion and sediment control measures, earth bunds and screen planting) required for the Enabling Works • vegetation protection and removal

Abbreviation/term	Meaning/definition
Project	The construction, operation and maintenance of the State Highway 1 and State Highway 29 Intersection Upgrade Project at Piarere, including the western and south-eastern SH1 approaches and the SH29 approaches to the intersection.
Project Representative	The person or persons appointed by the Consent Holder to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the Construction Works.
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.
RMA	Resource Management Act 1991
Site	The land generally within the vicinity of the intersection of SH1 / SH29 shown by the Extent of Works line on Drawings V250D, V251D and V252C identified in Volume 4: The Drawing Set for the Project contained in the documents listed in Condition 1 of Schedule 1.
TR2009/02	Waikato Regional Council Technical Report No. 2009/02 <i>Erosion and Sediment Control – Guidelines for Soil Disturbing Activities</i> ; January 2009
Waka Kotahi	Waka Kotahi NZ Transport Agency
WRC	Waikato Regional Council

GENERAL CONDITIONS

1. Except as modified by the conditions below and subject to final detailed design, the activities authorised by these Consents must be undertaken in general accordance with the information provided in the Application, and supporting documents being:
 - a) The Project Drawings in Volume 4: Drawing Set of the Resource Consent Application and Notices of Requirement and Assessment of Effects on the Environment dated 26 November 2021; and
 - b) The Stormwater Assessment Report contained in Volume 3 of the Assessment of Effects on the Environment dated 19 August 2021, including the draft Erosion and Sediment Control Plan contained in Appendix B.
2. The Consents are subject to the following general conditions that shall apply to each individual consent. Where there may be differences or apparent conflict between these Schedule 1 conditions and conditions contained in the individual consents contained within this suite, the conditions contained in the respective individual consents shall prevail.
3. Where there is any inconsistency between the conditions of these Consents and the Application, the conditions of the Consents shall prevail.
- 3A. Where there is any inconsistency between the conditions of these Consents and the certified management plans required as part of those conditions, the conditions of these Consents shall prevail.
- 3B. The Consent Holder must pay to WRC any administrative charge fixed in accordance with section 36 of the RMA, or any charge prescribed in accordance with regulations made under section 360 of the RMA.

General conditions applying to all management plans required by the Consents

4. All management plans required by these Consents must be implemented by the Consent Holder and must be complied with for the duration of the Consents in accordance with the latest version of the management plans certified by the WRC.
5. All management plans required under these Consents must be submitted to the WRC for Certification.
6. Any amendment to a certified management plan must be submitted to WRC for further Certification. Any amendments to a management plan must not be given effect to until such time as the Consent Holder receives Certification from WRC.
- 6A. If the Consent Holder has not received any response from WRC within 20 working days of submitting the relevant plan or amendment, the relevant plan or amendment shall be deemed to be certified. The WRC response may comprise Certification, or identification of amendments or additional information necessary to achieve Certification.
7. The Consent Holder must ensure copies of all certified management plans and any certified amendments, are kept on the Site and the copies held on Site must be updated within 10 working days of any amendments being certified by WRC.
8. The management plans must be produced (electronically or paper form) without reasonable delay upon request by WRC.

Complaints

9. At all times during the Construction Works, a record of any complaints received about the Construction Works must be held in a complaints register maintained by the Consent Holder. The record of each complaint must include:
 - a) The date, time and nature of the complaint;
 - b) The weather conditions at the time of the complaint;
 - c) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);
 - d) Measures taken to respond to the complaint or confirmation of no action if deemed appropriate (including a record of the response provided to the complainant);
 - e) The outcome of the investigation into the complaint; and
 - f) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.
10. A copy of the complaints register required by this condition must be made available to the WRC upon request as soon as practicable after the request is made.
11. Complaints related to the Construction Works must be responded to as soon as reasonably practicable and as appropriate to the circumstances.

General Advice Notes

1. These Consents do not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.
2. The Consent Holder may apply to change the conditions of these Consents under section 127 of the RMA.
3. Costs associated with any review of the conditions of these Consents will be recovered from the Consent Holder in accordance with the provisions of section 36 of the RMA.

4. The reasonable costs incurred by WRC arising from supervision and monitoring of these Consents will be charged to the Consent Holder. This may include but not be limited to routine inspection of the Site by WRC officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the Site, and review and assessment of compliance with the conditions of these Consents.
5. Note that pursuant to section 333 of the RMA, enforcement officers may at all reasonable times go onto the property that is the subject of these Consents, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.