

Before the Hearings Commissioners

Under the Resource Management Act 1991 (the **RMA**)

In the matter of a submission by Waka Kotahi NZ Transport Agency on resource consent LU2200107.

and in the matter of 21 Ralph Trimmer Drive
Marsden Point (Northport)

Supplementary Joint statement of evidence of Angela (Angie) Crafer and Catherine (Cath) Lynda Heppelthwaite for Waka Kotahi regarding LU2200107 at 21 Ralph Trimmer Drive, Marsden Point

Dated 11 October 2023

1 INTRODUCTION, QUALIFICATIONS AND EXPERIENCE

- 1.1 This supplementary joint statement of evidence has been prepared by Ms Crafer and Ms Heppelthwaite. We provide this statement in advance of our appearance to enable parties to review our updated position subsequent to a further meeting between parties on 4 October 2023.
- 1.2 Our qualifications and experience is set out in our joint statement of 22 September 2023.
- 1.3 We re-confirm that we have read the Environment Court's Code of Conduct for Expert Witnesses (2023) and agree to comply with it. Our qualifications as experts are set out above. We confirm that the issues addressed in this brief of evidence are within our areas of expertise. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed.
- 1.4 Except where specifically attributed, the evidence reflects our shared opinion within our areas of expertise.
- 1.5 Ms Crafer attended the expert conferencing on 5 September 2023. Both Ms Crafer and Ms Heppelthwaite attended the expert conferencing on 20 and 26 September 2023 for which a JWS was not produced.
- 1.6 Ms Heppelthwaite (along with Waka Kotahi staff members Mr Steve Mutton, Ms Sonya McCall and Ms Hannah Thompson) attended a subsequent meeting with Northport representatives (Mr Jon Moore, Mr Greg Blomfield) and Mr Brett Hood on 4 October 2023.

2 SCOPE OF EVIDENCE

- 2.0 Our assessment continues to focus on how best to address transport effects from the application by conditions of consent within the RMA framework.
- 2.1 As signalled in our primary statement, we are now in a position to provide an assessment of the conditions based on the most up to date set in Mr Hood's rebuttal (**Rebuttal conditions**). This assessment should be considered in conjunction with our primary statement including the statutory and transport context (Sections 4 and 5) and our general approach (Sections 6) to transport effects management.

3 PROPOSED CONDITIONS

- 3.0 Our **Attachment A** details further amendments sought (in **blue bold** text) to the Rebuttal Conditions for *Operational transport* numbered 60 to 70 and *Active Modes connection* numbered 71. We have also included a 'clean' version of our recommended conditions as **Attachment B**.
- 3.1 For clarity, we also continue our general support for Council's S42 recommended conditions which provide for:
- a. Construction traffic management plan (WDC conditions 40 to 43);
 - b. Port traffic and site travel (WDC condition 60); and
 - c. Cruise ship traffic management (WDC conditions 61 to 64).
- 3.2 As set out in Attachments A and B, we have proposed a number of minor changes which we consider are self-explanatory and are designed to improve the flow/interpretation of the conditions. We are of course happy to respond to any questions on these. More substantive changes are discussed in detail below.

(New) Conditions 62A-67C and 67A to 67C

- 3.3 As signalled in our primary statement, we consider there should be a traffic volume limitation condition which requires Northport to manage its traffic volumes in the event that improvements (safety or capacity) are identified but there is a time delay between identification and implementing improvements. Without such mitigation in place, Ms Crafer considers that the potential adverse effects of the Expansion Project Port Activities will be significant both in terms of increased safety risks at the intersections and significant impacts on their capacity. These effects will increase over time, with the applicant's Traffic Engineer's (WSP) modelling indicating that by 2040, key intersections along SH15 will operate at LOS F, with associated long delays, particularly for turning traffic. However, without the Expansion Port Project Activities, intersection upgrades at the SH15/Marsden Bay Drive/Rama Road and SH15/One Marsden Point Road intersections are unlikely to be required, with WSP predicting that these intersections would operate at LOS C in 2040 (rather than LOS F with the Expansion Project Port Activities). Therefore, such conditions (our 62A to 62C and 67A to

67C) are important to not only manage safety risks, but to also help ensure the efficient movement of port and other traffic.

- 3.4 Our proposed conditions reflect the fact that while Northport is a significant contributor to the need for intersection upgrades, it is not the only contributor and cannot, by itself, resolve the network capacity constraints. It does however appear that Northport is able to manage its contribution (traffic volume) to the overall network effects. This was explained in detail to Waka Kotahi representatives by Northport (Mr Jon Moore) at a meeting on 4 October 2023. Ms Heppelthwaite's understanding of Northport management techniques (as explained by Mr Moore) include a truck booking system (presently excluding logging trucks), port operational hours, ship bookings, staffing levels (which dictate the level of cargo able to be moved) and direct control over other port activities (eg. fumigation).
- 3.5 We consider our proposed additional conditions (62A to 62C and 67A to 67C) should include setting a limit on vehicles/per hour during peak periods (to manage those effects) either on a permanent basis or alternatively, until such time as a network upgrade solution is available. This is also to include monitoring of traffic volumes.
- 3.6 Administratively, we appreciate that 62A to 62C and 67A to 67C are very similar and may be able to be combined. However we have included them in separately at this point as they sequentially follow the conditions to which they relate.
- 3.7 Traffic volume limits are based on the advice of Ms Crafer (who in turn has relied on the evidence in chief of Ms Harrison). Ms Crafer notes that the morning peak period volumes have been based on the trigger levels put forward by Ms Harrison¹ and are identified as the point at which mitigation is required.
- 3.8 Ms Harrison reports that some of the intersections are predicted to operate with a level of service E or F in the evening peak period. In the absence of any evening peak trigger volumes, Ms Crafer assumed these could be the counterflow to the morning peak volumes (that is, the inbound trigger volume in the morning peak would become the outbound trigger volume in

¹ Evidence of Ms Harrison, 24 August 2023, paragraph 41.

the evening peak, and likewise for the outbound in the morning becoming the inbound in the evening).

- 3.9 In the Rebuttal Conditions, some different evening peak trigger volumes are provided to the counterflow of the morning peak volumes in some cases. Ms Crafer is concerned that the volumes shown for the inbound evening peak hour trigger volume at the SH15/Marsden Point Road intersection are double the counterflow of the morning peak hour trigger volume. In the absence of any evidence from Ms Harrison regarding this volume, Ms Crafer considers it more appropriate to use the lower volume of 200 vehicles per hour, being the counterflow volume from the morning peak. These changes are shown in the amendments in Attachments A and B.
- 3.10 These limits and time periods provide a level of traffic where Northport can operate without requiring mitigation to address capacity at the intersections along SH15; i.e. it is a way of managing capacity effects on the transport network generated by Northport.
- 3.11 We support the new conditions, combined with those noted below for the following reasons:
- a. the traffic volumes have been set in reliance on Ms Harrison's evidence² which identifies levels where the three intersections identified will no longer achieve an acceptable level of service in the morning peak period;
 - b. Ms Harrison's evidence³ and WSP's TIA⁴ identified a range of actions which are available to reduce traffic volumes (some of which WDC has proposed to include as management plans in WDC Conditions 60 to 64);
 - c. The timeframe for full implementation of the consent is approximately 10 years which will enable solutions with other parties to be identified (and possibly implemented) before the full extent of traffic (effects) are anticipated to occur; and

² Evidence of Ms Harrison, 24 August 2023, paragraph 41.

³ Evidence of Ms Harrison, 24 August 2023, paragraph 44.

⁴ WSP Traffic Impact Assessment, dated 31 August 2022, Section 10.

- d. the condition is a 'backstop' to protect the regionally significant infrastructure from adverse effects (as required by the RPS) but only in the event that mitigation has not been implemented. It is the final 'step' in a range of actions which provides the Applicant with opportunities to take actions to avoid its activation.

Condition 62 Advice Note

- 3.12 We recommend the Advice Note is deleted because it is contrary to our proposed Conditions 62A to 62C. Further to this, Ms Crafer considers safety risks will increase along the length of SH15 Port Marsden Highway because of the increased exposure to vehicular traffic resulting from the Expansion Project Port Activities and that Northport can contribute to reducing these risks by limiting its traffic volumes during peak traffic times.

Condition 63

- 3.13 This condition identifies where and when monitoring of traffic volumes on SH15 Port Marsden Highway is to be undertaken. We agree with the intent that monitoring can stop once the intersections listed in Condition 64 have been upgraded, but the level of those upgrades needs to be clarified so that they are upgrades that are sufficient to accommodate all Expansion Project Port Activities proposed to be enabled by the application. Without clarifying the degree of upgrade necessary, the upgrade might only address the effects of Expansion Project Port Activities that were occurring at the time, with no monitoring required that considers effects still to occur as the consent is implemented over time or where the full extent of Expansion Project Port Activities has not yet occurred.

Condition 64

- 3.14 Minor changes are included that make the condition consistent, and clarifies that they may be more than one entry or exit points to Northport.
- 3.15 Ms Crafer accepts the morning peak hour trigger volumes in Table 2 of condition 64. In the absence of the Consent Holder's Traffic Expert providing evidence to support the evening peak hour volumes, she is concerned that the SH15/Marsden Point Road volumes for the evening peak hours may not address safety or capacity issues that could arise. Therefore, she suggests that the 400 vehicle per hour figure for the

Northport inbound evening peak hour trigger volume be reduced to 200, to reflect the inverse of the morning trigger volumes for this intersection. Attachments A and B shows the amendment requested.

Condition 66

- 3.16 This condition needs some minor but important clarifications to make it clear that traffic levels will be reduced to the levels in Table 2 of Condition 64 in the interim period before intersection(s) are upgraded, as well as to be consistent with other conditions.

Condition 67

- 3.17 We propose additional text to this condition to clarify that adverse traffic effects are to be managed and limited until such time as mitigation measures have been implemented.

Conditions 68-70

- 3.18 Legal submissions address Conditions 68 to 70. Ms Heppelthwaite acknowledges the potential difficulties in managing cumulative effects. However she has concerns regarding the applicant's proposed funding conditions in that they transfer the mitigation of effects to a third party who, as described by Mr Mutton, may, or may not, be able to undertake mitigation. In my opinion, the inclusion of the funding conditions does not provide any certainty that the transport effects of the application would be mitigated. This compounded by the 'refund condition'.
- 3.19 Ms Heppelthwaite is familiar with other similar (plan change) situations where infrastructure is required to be provided to mitigate effects, often in conjunction with Council or transport infrastructure providers and with wider community benefit / to address cumulative effects (such as the situation here).
- 3.20 These circumstances are generally managed by placing limits on development levels until certain mitigation is in place. The mitigation is not always in the control of the plan change proponent to deliver but there is a general expectation and practice that parties will work together to find a solution outside of the RMA process.

- 3.21 For example, recently approved Auckland Unitary Plan Drury Centre Precinct *Table I450.6.2.1 Threshold for Subdivision and Development as shown on I450.10.4 Drury Centre: Precinct Plan 4⁵* requires a range of infrastructure to be provided (eg. (b) *State Highway 1 widening – Stage 1, being six lanes between the Papakura interchange and Drury interchange* and (c) *Drury Central train station including a pedestrian connection to Waihoehoe Road*) which are not deliverable by the plan change proponent alone.
- 3.22 Ms Heppelthwaite appreciates the example given relates to a plan change, however considers the principle can equally apply to a resource consent.
- 3.23 However, if these conditions were to remain, Ms Crafer proposes changes to Condition 69(a) so that the upgrade works reflect the same capacity standard as included in Condition 66. The changes also reflect that it may be the case that there is not a solution that only improves the intersection to LOS D without one or more approaches being better than LOS D. Therefore the Consent Holder cannot be limited to say that its only responsible for funding upgrades up to LOS D.
- 3.24 Amendments to condition 69(a) (if retained) (Rebuttal conditions with Ms Crafer's changes in blue):

~~69. The consent holder shall be responsible for a contribution to upgrade funding only, and required under Condition 66 must consult be calculated in accordance with Waka Kotahi NZ Transport Agency and/or other road controlling authority regarding the application the following process and formula:~~

~~69. (a) Determine the cost of such funding to the upgrading works necessary to achieve intersection upgrades.~~

~~**Advice note:** Waka Kotahi NZ Transport Agency LOS-D on each intersection approach and/or other road controlling authorities are responsible degree of saturation for intersection upgrade design turning movements no higher than 95%. for all existing and delivery.~~

~~If anticipated port traffic, where the consent holder is required to fund a contribution to intersection upgrades, it Consent Holder shall not be responsible for funding upgrades to a standard that ensures that turning movements at the intersection can be made safely. Funding for upgrades beyond this standard are not the responsibility of higher than LOS-D.~~

(b) [...]

3.25 A 'clean version' of Ms Crafer's amendments follow:

69. The funding required under Condition 66 must be calculated in accordance with the following process and formula:

(a) Determine the cost of the upgrading works necessary to achieve LOS-D on each intersection approach and degree of saturation for turning movements no higher than 95%.

(b) [...]

Condition 71 (Augier)

3.26 Our changes address that it is unlikely that the entire active modes route or cycle route between Ruakākā and Marsden Cove will be funded as a whole - instead sections of the route may be funded and delivered separately.

3.27 Where the active modes route connects to either of Ruakākā or Marsden Cove in the proximity of SH15, we have redrafted Condition 71 to ensure that Northport is linked to the active mode route therefore providing people the opportunity to travel to work by cycling, walking, running, scootering etc.

3.28 The applicant's proposed wording (that it would provide a link to Mair Road only), could result in a gap in the active modes route between Mair Road and where the provided (by others) active mode route connects to SH15. Therefore, our condition identifies that the Consent Holder would need to provide an active modes route from Northport to the new active mode route.

4 CONCLUSION

4.0 In conclusion:

- a. Northport's proposal will increase traffic volumes and generate effects on the safety and capacity of State Highway 15 (regionally significant infrastructure);
- b. other activities will also contribute to safety and capacity effects on State Highway 15;
- c. we support the general approach within the Rebuttal conditions of addressing safety via the Crash Reduction Assessment conditions and capacity via the Traffic Monitoring Report/Intersection Assessment conditions;
- d. we recommend additional conditions (62A, B and C and 67A, B and C) to manage effects by limiting traffic volumes generated by the applicant where safety and capacity improvements are identified but not in place;
- e. we recommend amendments to the Augier condition (71) to ensure that Northport connects to a planned active modes route (where this is available); and
- f. we also support the S42A proposed conditions requiring a Construction traffic management plan, Port and site travel plan and Cruise ship traffic management.

Angie Crafer and Cath Heppelthwaite

11 October 2023

Attachment A: Tracked Rebuttal Conditions [Separate Document]
Attachment B: Conditions No Markup [Separate Document]

Attachment A: Conditions – Tracked Rebuttal Conditions 11 October 2023

Base Text: Rebuttal Evidence Conditions of Mr Brett Hood, includes black, red and unbold blue.
Amendments: Bold blue text and comment boxes.

[...]

Construction transport

34. ~~32.~~ At least three (3) ~~months~~ prior to the commencement of Expansion Project construction works, the consent holder must submit a Construction Traffic Management Plan (CTMP) to the Council for certification. The objective of the CTMP is detail the procedures, requirements and standards necessary for managing traffic effects during construction of the Expansion Project so that safe facilities for local movements by all relevant transport modes are maintained throughout the construction period. The CTMP must include:

Commented [an1]: month should be plural

a. [...]

35. ~~33.~~ The CTMP must be prepared by a Suitably Qualified and Experienced person and in accordance with Council’s requirements for CTMPs (as applicable) and ~~the~~ New Zealand ~~Transport Authority’s Code of Practice for~~Guide to Temporary ~~Traffic~~ Traffic Management (April 2023) (or equivalent at the time). The CTMP shall be prepared in consultation with Waka Kotahi and Northland Transportation Alliance, or the equivalent entities at the time.

Commented [an2]: correcting grammatical typos

Commented [an3]: the document's name includes "Traffic"

36. ~~34.~~ [...]

Operational transport

60. Conditions ~~610-7261-71~~ apply upon the commencement of Expansion Project Port Activities (excluding Expansion Project construction).

Crash monitoring ~~report~~assessment

61. ~~Not~~**No** later than 12 months following commencement of Expansion ~~Container Terminal~~ Project Port Activities, the consent holder must engage an independent Suitably Qualified and Experienced ~~safety engineer~~**Person** to undertake a “Crash Monitoring ~~Report~~**Assessment**”, utilising Waka Kotahi’s Crash Analysis System (CAS). ~~The purpose of the Crash Monitoring Report is to determine a trend in accidents to identify any safety concerns as a result of Port Activities (based on a 7 day (Monday-Sunday), measured over a 12-month period) at the following critical intersections:~~

Commented [CH4]: Amended for consistency.

- a. ~~SH15/Marsden Bay Drive;~~
- b. ~~—SH15/Marsden Point Road;~~
- c. ~~SH15/One Tree Point Road; and~~
- d. ~~—SH15/SH1 (Ruakaka roundabout).~~

~~62.~~ Thereafter, the consent holder must undertake a “Crash Monitoring ~~report~~ **Assessment** ~~annually~~ **biennially** for ~~threety~~ **twenty** years.

The ~~“purpose of the Crash Monitoring Report Assessment is to determine a trend in crashes to identify any safety concerns (based on 7-days (Monday-Sunday), measured over 5-year periods) along SH15 from SH1 to Ralph Trimmer Drive, including at all intersections.~~

~~63. The “Crash Monitoring Assessment” shall include details of:~~

- a. ~~(a) The number of crashes, identifying those involving speed, such as loss of control and turning crashes, including where sight lines are only just met, with a focus on fatal and serious crashes;~~
- b. ~~(b) Any mitigation recommended to address safety concerns attributable to Port traffic.~~

~~64. 62. The consent holder must provide a copy of the “Crash Monitoring Report” required by subparagraph (a) Assessment to Council’s Compliance Manager, Waka Kotahi NZ Transport Agency, and other responsible the road controlling authority within one month of its completion.~~

~~65. Within three (3) months of satisfying condition 64 above, provide written evidence to Council’s Compliance Manager to demonstrate how any recommendations of the Crash Monitoring Report have been, or are in the process of being implemented.~~

62A. Within three (3) months of satisfying condition 62, provide written evidence to Council, Waka Kotahi NZ Transport Agency, and the road controlling authority to demonstrate how any recommendations of the Crash Monitoring Report have been, or are in the process of being implemented.

62B. Until the recommended mitigation (condition 62A) is implemented, traffic volumes at all Northport entry and exit points must be kept below the volumes listed in Table 2 of Condition 64.

62C. A monitoring report shall be provided to Council, Waka Kotahi NZTA and the road controlling authority every four months that identifies the AM and PM peak hour volumes at the entry and exit points to Northport and if compliance with 62B is not achieved, methods the consent holder will engage to reduce traffic volumes to a compliant level.

Intersection upgrade funding

~~66. The consent holder must:~~

~~Not Advice Note: For the avoidance of doubt, nothing in conditions 61-62 makes the Consent Holder responsible for safety improvements on SH15.~~

Traffic monitoring report

63. No later than 18 months following commencement of Expansion Project Port Activities, the consent holder must prepare undertake a traffic monitoring report Traffic Monitoring Report, utilising the telemetry traffic data collected continuously on SH15 by Waka Kotahi, if available. The purpose of the traffic monitoring report is to determine total traffic volume from all sources (based on a 5 day (Monday-Friday) weekly average peak hour volume, measured over a six month period), and Level of Service (‘LOS’) criteria, at the following critical intersections listed below:

- i. SH15/Marsden Bay Drive;

Commented [CH5]: We propose reinstatement of condition #65, which Mr Hood proposes be deleted combined with a new requirement (62A to 62C) to reduce Northport traffic volumes to levels that align with triggers proposed in Condition 64 until any recommended mitigation has been implemented

Commented [an6]: This clause is needed so that adverse effects are avoided until mitigation in the form of safety and or capacity upgrades at the key intersections are implemented.

Commented [an7]: This may not be the case, subject to the inclusion or not of funding related conditions. Further, this condition is contrary to later conditions concerning intersection assessments where safety issues as well as capacity issues are considered.

Commented [CH8R7]: Can we preface this comment with "Delete Advice Note". Think the explanation may need some tweaking. To discuss.

- ii. ~~SH15/Marsden Point Road; and~~
- iii. ~~SH15/One Tree Point Road.~~

Advice Note: ~~The telemetry station site is located on SH15, just north-east of Bens View Road.~~

Thereafter, ~~the consent holder must~~ undertake a traffic monitoring report either:

- iv. (a) ~~Annually for the duration of these consents, or until the intersections in Condition 64 (Table 2) are upgraded to accommodate all Expansion Project Port Activities,~~ if the telemetry traffic data collected continuously on SH15 by Waka Kotahi is available to the consent holder; or
- v. (b) ~~Once every three years for the duration of these consents, or until the intersections in Condition 64 (Table 2) are upgraded to accommodate all Expansion Project Port Activities,~~ if the consent holder is required to collect traffic data.

Advice note: ~~The different timing requirements in paragraph (b) recognise the time and cost required for the consent holder to undertake traffic surveys, in the event that the (which is to be collected at the same location as the Waka Kotahi traffic data is not available for any reason-Telemetry site).~~

~~Provide a copy~~The purpose of the traffic monitoring report ~~required by subparagraphs (a) and (b) is to Council, identify if traffic volumes on SH15 at the telemetry site exceed either one of the following:~~

- (i) ~~970 vph two-way; or~~
- (ii) ~~670 vph one way;~~

~~for three or more days in any calendar month.~~

b. ~~The consent holder must submit a copy of each Traffic Monitoring Report to Council's Compliance Manager and Waka Kotahi NZ Transport Agency and/or other responsible the road controlling authority within one month of its completion.~~

~~If total traffic volume determined in any traffic monitoring report exceeds 1,215 vehicles per hour (being 90% of the nominal capacity of 1,350 vehicles per hour) at any Assessment of Port Traffic~~

~~64. If the critical intersections listed in subparagraph (a), Traffic Monitoring Report required by Condition 63 shows that either of the traffic volumes on SH15 at the telemetry site are exceeded, the consent holder must engage a Suitably Qualified and Experienced person to conduct a survey of all port traffic contributions to the total traffic volumes at the relevant intersection(s), and more detailed analysis of the LOS at the relevant intersection, with the port traffic-measured at all or near the Northport entry and exit points.~~

c. ~~Within one (1) month of receipt of the traffic survey results, the consent holder must provide a summary of the traffic survey data required by subparagraph (d) above to Council, Waka Kotahi NZ Transport Agency, and/or other responsible road controlling authority, together with written notice of the consent holder's intended actions to satisfy condition 67 below~~

Commented [an9]: this clause needs to be clear with regard to the level of upgrade that is acceptable in order for traffic monitoring to stop

Commented [an10]: this clause needs to be clear with regard to the level of upgrade that is acceptable in order for traffic monitoring to stop

Commented [an11]: changes makes it clear, and consistent with the remainder of the condition

Commented [an12]: clarifies that there may be more than one entry point

67. If the survey of ~~port traffic contributions required by condition 0(c) all port traffic~~ demonstrates that either:
- a. ~~port traffic volumes are in excess of one or more of the Port Traffic Trigger Volumes in Table Two (relating to port traffic only) is exceeded (based on a 5 day (Monday Friday) weekly average peak hour volume, measured over a six month period), or~~
 - b. ~~a minimum LOS D two (below), the consent holder must, within seven days, advise Council's Compliance Manager and Waka Kotahi NZ Transport Agency and the road controlling authority of the exceedance and which of the following options it is not achieved, then proceeding with:~~
- ~~the consent holder must:~~
- (a) ~~Immediately take steps to reduce Reduce and maintain all port traffic so that the Port Traffic Trigger Volumes below the levels in Table Two (relating to port traffic only) are not exceeded, two; or that~~
 - (b) ~~Engage a minimum LOS of LOS D is achieved; or Specially Qualified and Experienced person to undertake and prepare an Intersection Assessment Report as per Condition 66.~~
 - (c) ~~Be responsible for contributing to funding transport upgrades for the corresponding intersection(s) in accordance with conditions 68 to 72.~~

Table Two: Port Traffic Trigger Volumes

Critical intersection <u>Intersection</u>	Northport		Northport		<u>Northport</u>		<u>Northport</u>	
	Inbound	AM	Outbound	AM	Inbound	PM	Outbound	PM
	Peak	Hour	Peak	Hour	Peak	Hour	Peak	Hour
	Trigger Volumes		Trigger Volumes		Trigger Volumes		Trigger Volumes	
SH15/Marsden Bay Drive	700		200		300		600	
SH15/Marsden Point Road	700		200		200		700	
SH15/One Tree Point Road	300		200		200		300	

~~Advice note: Note: For the purpose of these consents, the AM Peak is hours are between the hours of 0800-0900.~~

~~Advice note: A range 0630-0830 and the PM peak hours are between the hours of options may be available to 1600-1800.~~

~~If the Consent Holder has elected to reduce and maintain all port traffic below the levels in Table 2, then within two months of the initial exceedance of the traffic volume triggers in Table 2, the consent holder shall provide a report to ensure Council, Waka Kotahi NZ Transport Agency, and the road controlling authority that identifies either that:~~

Commented [an13]: In the absence of the Consent Holder's Traffic Expert providing evidence to support these traffic volumes, my preference is to err on the PM volumes being the inverse of the agreed AM volumes for the SH15/Marsden Point Road intersection.

(i) Traffic volumes are compliant with the limits specified in Table 2 above; or

(ii) Traffic volumes remain in excess of the limits specified within Table 2 above.

65. If, within six months, the Consent Holder cannot reduce and maintain traffic volumes to the limits specified in Table 2 then it must action part 64(b).

Intersection assessment report

66. The purpose of the Intersection Assessment Report is to investigate safety and operational concerns and identify mitigation measures to address those safety and operational concerns at the intersection(s) where ~~the~~ trigger volumes in ~~condition 67 are not~~ Condition 64 (Table 2) have been exceeded. ~~These may~~

Commented [CH14]: Delete "the" to take away any inference that its all the trigger volumes.

The report must include:

Avoiding(a) Traffic data collected at the ~~port~~ relevant intersection(s) including traffic movements during peak ~~coinciding with~~ and interpeak periods.

(b) Intersection modelling methodologies and expected operation of these intersections, including LOS, queueing, and delays for 3 traffic volume scenarios:

(i) Using the ~~network~~ observed data; and

(ii) Two future scenarios (reflecting appropriate design years reflecting port expansion timing), that include expected Northport traffic growth and other traffic growth.

(c) Safe System assessments for the relevant intersection(s) listed in Table 2.

(d) Recommended mitigation to address safety and operational concerns to achieve:

(i) LOS-D or better on each approach to the intersection (for ~~scenarios that include existing~~ traffic conditions and future scenarios that include all existing and anticipated port traffic); and

Commented [an15]: the added text makes it clear that the recommended mitigation will address safety and operational concerns for the three scenarios listed in (b)(ii).

(ii) A degree of saturation for turning movements no higher than 95%; and

* (iii) Measures to reduce all port traffic in the AM and PM peak ~~by, for example: hours~~ in the interim period between notice being given under Condition 68 and the intersection(s) being upgraded ~~to be below the volumes listed in Table 2 of Condition 64.~~

Commented [an16]: It needs to be made clear what the port traffic volumes needs to be reduced to

~~— Implementing a vehicle booking system for container trucks to distribute the traffic load over the port's operating hours (24 hours a day) to the extent practicable;~~

~~— Encouraging the supply chain to operate seven days a week to reduce truck movements during the weekdays when the network is busy.~~

* ~~— Reducing traffic volumes to and from the port by, for example:~~

~~— Encouraging mode sharing for staff transport to and from work.~~

~~— Moving freight to rail when available;~~

~~— Transporting cruise ship passengers by buses and disembarking outside peak~~

~~periods.~~

~~67. If the consent holder is required—A copy of the Intersection Assessment Report is to provide a be submitted to Council’s Compliance Manager, Waka Kotahi NZ Transport Agency, and the road controlling authority within one month of 64(b) being notified to Council’s Compliance Management, Waka Kotahi NZ Transport Agency and the road controlling authority as the selected option.~~

67A. Within three (3) months of satisfying condition 67, provide written evidence to Council, Waka Kotahi NZ Transport Agency, and the road controlling authority to demonstrate how any recommendations of the Intersection Assessment Report have been, or are in the process of being implemented.

67B. Until the recommended mitigation is implemented, traffic volumes at all Northport entry and exit points must be kept below the volumes listed in Table 2 of Condition 64

67CB. A monitoring report shall be provided to Council, Waka Kotahi NZTA and the road controlling authority every four months that identifies what the AM and PM peak hour volumes are at the entry and exit points to Northport and if compliance with 67B is not achieved, methods the consent holder will engage to reduce traffic volumes to a compliant level.

Commented [an17]: This clause is needed so that adverse effects are avoided until mitigation in the form of safety and/or capacity upgrades at the key intersections are implemented.

~~Funding contribution to intersection upgrade funding under condition 67, it must within of local road intersections~~

~~68. If the Intersection Assessment Report submitted under Condition 67 identifies the need to upgrade one or more of the three calendar months of receiving results from the survey required by condition 67 critical intersections, the Consent Holder must provide written notice to Waka Kotahi NZ Transport Agency and/or other responsible relevant road controlling authority of its requirement to provide a contribution to intersection upgrade funding under these conditions in accordance with Condition 69 in conjunction with the report submitted under condition 67.~~

~~69. The consent holder shall be responsible for a contribution to upgrade funding only, and required under Condition 66 must consult the calculated in accordance with Waka Kotahi NZ Transport Agency and/or other road controlling authority regarding the application the following process and formula:~~

~~69. (a) Determine the cost of such funding to the upgrading works necessary to achieve intersection upgrades.~~

~~Advice note: Waka Kotahi NZ Transport Agency LOS D and/or other road controlling authorities are responsible degree of saturation for intersection upgrade design turning movements no higher than 95% and delivery.~~

~~If anticipated port traffic, where the consent holder is required to fund a contribution to intersection upgrades, it Consent Holder shall not be responsible for funding upgrades to a standard that ensures that turning movements at the intersection can be made safely. Funding for upgrades beyond this standard are not the responsibility of higher than LOS D.~~

~~70. (b) Determine the consent holder, proportion (%) of Expansion Project Port Activities traffic relative to general traffic that is resulting in the need to upgrade the intersection(s).~~

~~Advice note: To assess intersection safety with respect to proposed upgrades, the proposed improvements shall undergo a detailed design road safety audit in accordance with the procedure set out in the Waka Kotahi NZ Transport Agency Guideline "Road Safety Audit Procedures for Projects" (May 2013 or as superseded by another Waka Kotahi NZ Transport Agency publication). The audit shall consider the safe operation of the intersection ten years after completion of the upgrades.~~

~~71. Conditions 60-70 shall not apply with respect to an intersection identified in condition 60 if at the time the trigger volume in Table Two is exceeded the corresponding intersection has already been subject to material upgrade following commencement of these resource consents.~~

~~(c) The Consent Holder contribution to the cost of upgrading the intersection(s) shall be in accordance with the proportion (%) determined in (b) above.~~

~~70. A contribution required under Condition 68 shall be paid within 6 months of agreement between the Consent Holder and Waka Kotahi based on the process and formula set out therein. However:~~

~~72. (a) The consent holder/Consent Holder shall not be required to provide a contribution to intersection upgrade funding under condition 67 if:~~

~~(a) upgrading in accordance with Condition 68 if Waka Kotahi NZ Transport Agency or any other responsible road controlling authority confirms it has no intention of delivering upgrades to the relevant intersection(s) within five years from the consent holder's/Consent Holder's notice under condition 68; or Condition 66.~~

~~(b) Five(b) Waka Kotahi or any other road controlling authority must refund to the Consent Holder any contribution to intersection upgrading in accordance with this condition if five years has elapsed since the consent holder's/Consent Holder's notice under condition 68/Condition 68 and the relevant intersection upgrade(s)/upgrades have not been constructed.~~

Active modes connection (Augier condition)

~~71. If active modes routes along Mair Road or Rama Road (connecting to Ruakākā) or Marsden Bay Drive (connecting SH15 to Marsden Cove) in the event that the a future cycling route between Waipu/Ruakaka and Marsden Cove (or any other future walking and cycling routes in the Marsden Point area) gain/gains funding for detailed design and/or implementation, the consent holder must investigate and implement an active modes connection to link from Northport safely to the new route(s) for people walking and cycling, except that the Northport connection is not required to extend beyond Mair Road.~~

The active modes connection is not required to be on land owned by the consent holder.

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72. [...]

Commented [an18]: The changes are to address that it is unlikely that the whole route between Ruakaka and Marsden Cove will be funded as a whole - instead sections of the route may be funded and delivered separately. The key is that they connect to either of Ruakākā or Marsden Cove. In addition, the route may not link to Mair Road, and therefore there would be a section missing between Mair Road and the facility unless the Consent Holder provides the connection to the facility.

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32. At least three (3) months prior to the commencement of Expansion Project construction works, the consent holder must submit a Construction Traffic Management Plan (CTMP) to the Council for certification. The objective of the CTMP is detail the procedures, requirements and standards necessary for managing traffic effects during construction of the Expansion Project so that safe facilities for local movements by all relevant transport modes are maintained throughout the construction period. The CTMP must include:
33. The CTMP must be prepared by a Suitably Qualified and Experienced person and in accordance with Council's requirements for CTMPs (as applicable) and the New Zealand Guide to Temporary Traffic Management (April 2023) (or equivalent at the time). The CTMP shall be prepared in consultation with Waka Kotahi and Northland Transportation Alliance, or the equivalent entities at the time.

Operational transport

60. Conditions 61-71 apply upon the commencement of Expansion Project Port Activities (excluding Expansion Project construction).

Crash monitoring assessment

61. No later than 12 months following commencement of Expansion Project Port Activities, the consent holder must engage an independent Suitably Qualified and Experienced Person to undertake a "Crash Monitoring Assessment", utilising Waka Kotahi's Crash Analysis System (CAS).
Thereafter, the consent holder must undertake a Crash Monitoring Assessment biennially for twenty years.

The purpose of the Crash Monitoring Assessment is to determine a trend in crashes to identify any safety concerns (based on 7-days (Monday-Sunday), measured over 5-year periods) along SH15 from SH1 to Ralph Trimmer Drive, including at all intersections.

The Crash Monitoring Assessment shall include details of:

- a. The number of crashes, identifying those involving speed, such as loss of control and turning crashes, including where sight lines are only just met, with a focus on fatal and serious crashes;
 - b. Any mitigation recommended to address safety concerns.
62. The consent holder must provide a copy of the Crash Monitoring Assessment to Council's Compliance Manager, Waka Kotahi NZ Transport Agency, and the road controlling authority within one month of its completion.
 - 62A. Within three (3) months of satisfying condition 62, provide written evidence to Council, Waka Kotahi NZ Transport Agency, and the road controlling authority to demonstrate how any recommendations of the Crash Monitoring Report have been, or are in the process of being implemented.

62B. Until the recommended mitigation (condition 62A) is implemented, traffic volumes at all Northport entry and exit points must be kept below the volumes listed in Table 2 of Condition 64.

62C. A monitoring report shall be provided to Council, Waka Kotahi NZTA and the road controlling authority every four months that identifies the AM and PM peak hour volumes at the entry and exit points to Northport and if compliance with 62B is not achieved, methods the consent holder will engage to reduce traffic volumes to a compliant level.

Traffic Monitoring Assessment

63. No later than 18 months following commencement of Expansion Project Port Activities, the consent holder must prepare a Traffic Monitoring Report, utilising the telemetry traffic data collected continuously on SH15 by Waka Kotahi, if available.

Advice Note: The telemetry station site is located on SH15, just north-east of Bens View Road.

Thereafter, the consent holder must undertake a traffic monitoring report either:

- a. Annually for the duration of these consents, or until the intersections in Condition 64 (Table 2) are upgraded to accommodate all Expansion Project Port Activities, if the telemetry traffic data collected continuously on SH15 by Waka Kotahi is available to the consent holder; or
- b. Once every three years for the duration of these consents, or until the intersections in Condition 64 (Table 2) are upgraded to accommodate all Expansion Project Port Activities, if the consent holder is required to collect traffic data (which is to be collected at the same location as the Waka Kotahi Telemetry site).

The purpose of the traffic monitoring report is to identify if traffic volumes on SH15 at the telemetry site exceed either one of the following:

- (i) 970 vph two-way; or
- (ii) 670 vph one way;

for three or more days in any calendar month.

The consent holder must submit a copy of each Traffic Monitoring Report to Council's Compliance Manager and Waka Kotahi NZ Transport Agency and the road controlling authority within one month of its completion.

64. If the Traffic Monitoring Report required by Condition 63 shows that either of the traffic volumes on SH15 at the telemetry site are exceeded, the consent holder must engage a Suitably Qualified and Experienced person to conduct a survey of all port traffic contributions to the total traffic volumes at the relevant intersection(s), with the port traffic measured at all Northport entry and exit points. If the survey of all port traffic demonstrates that port traffic volumes are in excess of one or more of the Trigger Volumes in Table two (below), the consent holder must, within seven days, advise Council's

Compliance Manager and Waka Kotahi NZ Transport Agency and the road controlling authority of the exceedance and which of the following options it is proceeding with:

- (a) Reduce and maintain all port traffic below the levels in Table two; or
- (b) Engage a Suitably Qualified and Experienced person to undertake and prepare an Intersection Assessment Report as per Condition 66.

Table Two: Port Traffic Trigger Volumes

Intersection	Northport Inbound		Northport Outbound		Northport Inbound		Northport Outbound	
	Peak	AM Hour	Peak	AM Hour	Peak	PM Hour	Peak	PM Hour
	Trigger Volumes		Trigger Volumes		Trigger Volumes		Trigger Volumes	
SH15/Marsden Bay Drive	700		200		300		600	
SH15/Marsden Point Road	700		200		200		700	
SH15/One Tree Point Road	300		200		200		300	

Advice Note: For the purpose of these consents, the AM Peak hours are between the hours of 0630-0830 and the PM peak hours are between the hours of 1600-1800.

If the Consent Holder has elected to reduce and maintain all port traffic below the levels in Table 2, then within two months of the initial exceedance of the traffic volume triggers in Table 2, the consent holder shall provide a report to Council, Waka Kotahi NZ Transport Agency, and the road controlling authority that identifies either that:

- (i) Traffic volumes are compliant with the limits specified in Table 2 above; or
- (ii) Traffic volumes remain in excess of the limits specified within Table 2 above.

65. If, within six months, the Consent Holder cannot reduce and maintain traffic volumes to the limits specified in Table 2 then it must action part 64(b).

Intersection assessment report

66. The purpose of the Intersection Assessment Report is to investigate safety and operational concerns and identify mitigation measures to address those safety and operational concerns at the intersection(s) where trigger volumes in Condition 64 (Table 2) have been exceeded.

The report must include:

- (a) Traffic data collected at the relevant intersection(s) including traffic movements during peak and interpeak periods.

- (b) Intersection modelling methodologies and expected operation of these intersections, including LOS, queueing, and delays for 3 traffic volume scenarios:
 - (i) Using the observed data; and
 - (ii) Two future scenarios (reflecting appropriate design years reflecting port expansion timing), that include expected Northport traffic growth and other traffic growth.
- (c) Safe System assessments for the relevant intersection(s) listed in Table 2.
- (d) Recommended mitigation to address safety and operational concerns to achieve:
 - (i) LOS-D or better on each approach to the intersection (for scenarios that include existing traffic conditions and future scenarios that include all existing and anticipated port traffic); and
 - (ii) A degree of saturation for turning movements no higher than 95%; and
 - (iii) Measures to reduce all port traffic in the AM and PM peak hours in the interim period between notice being given under Condition 68 and the intersection(s) being upgraded to be below the volumes listed in Table 2 of Condition 64.

67. A copy of the Intersection Assessment Report is to be submitted to Council's Compliance Manager, Waka Kotahi NZ Transport Agency, and the road controlling authority within one month of 64(b) being notified to Council's Compliance Management, Waka Kotahi NZ Transport Agency and the road controlling authority as the selected option.

67A. Within three (3) months of satisfying condition 67, provide written evidence to Council, Waka Kotahi NZ Transport Agency, and the road controlling authority to demonstrate how any recommendations of the Intersection Assessment Report have been, or are in the process of being implemented. .

67B. Until the recommended mitigation is implemented, traffic volumes at all Northport entry and exit points must be kept below the volumes listed in Table 2 of Condition 64

67C. A monitoring report shall be provided to Council, Waka Kotahi NZTA and the road controlling authority every four months that identifies what the AM and PM peak hour volumes are at the entry and exit points to Northport and if compliance with 67B is not achieved, methods the consent holder will engage to reduce traffic volumes to a compliant level.

Active modes connection (Augier condition)

71. If active modes routes along Mair Road or Rama Road (connecting to Ruakākā) or Marsden Bay Drive (connecting SH15 to Marsden Cove) gain funding for detailed design and/or implementation, the consent holder must implement an active modes connection from Northport to the new route(s).

The active modes connection is not required to be on land owned by the consent holder.

Alternative wording for Condition 69 (not proposed by Ms Crafer and Ms Heppelthwaite but wording provided to assist the Panel).

69. The funding-required under Condition 66 must be calculated in accordance with following process and formula:

- a. Determine the cost of the upgrading works necessary to achieve LOS D on each intersection approach and degree of saturation for turning movements no higher than 95%;
- b. Determine the proportion (%) of Expansion Project Port Activities traffic relative to general traffic that is resulting in the need to upgrade the intersection(s); and
- c. The Consent Holder contribution to the cost of upgrading the intersection(s) shall be in accordance with the proportion (%) determined in (b) above.