

# Conditions – Table of Contents

## Whangarei District Council

<b>GENERAL</b>	<b>Condition No#</b>	<b>Page No#</b>
▪ General	(Conditions 1-4)	2
▪ Complaints	(Conditions 5-6)	3
▪ Certification	(Conditions 7-8)	3
▪ Review (s128 RMA)	(Conditions 9-10)	4
<b>LAPSING OF CONSENTS</b>	(Condition 11)	4
<b>CONSENT SURRENDERS</b>	(Condition 12)	5
<b>DESIGN AND CONSTRUCTION OF RECREATIONAL FEATURES AND TRANSPORT INFRASTRUCTURE</b>		
▪ Engineering Plan Approval	(Conditions 13-18)	5
▪ Pocket Park – Maintenance	(Conditions 19-21)	6
▪ Landscaping	(Conditions 22-27)	6
▪ Off-site Recreational Features	(Condition 28)	7
<b>CONSTRUCTION</b>		
▪ Accidental discovery protocol	(Conditions 29-31)	7
▪ Construction transport	(Conditions 32-35)	8
▪ Construction and Environmental Management Plan	(Conditions 36-41)	9
▪ Public access during construction	(Condition 42)	10
▪ Pavement damage to Ralph Trimmer Drive during construction	(Condition 43)	10
<b>PORT OPERATION</b>		
▪ Port activities – location	(Condition 44)	10
▪ Operational noise		
- Application	(Condition 45)	10
- Port noise limits	(Conditions 46-47)	11
- Port noise mitigation	(Conditions 48-51)	11
- Port noise management plan	(Conditions 52-56)	12
▪ Operational lighting	(Conditions 57-59)	14

▪ Operational transport	(Condition 60)	15
- Crash monitoring assessment	(Condition 61)	15
- Traffic monitoring report	(Condition 63)	15
- Assessment of port traffic	(Conditions 64-65)	16
- Intersection assessment report	(Conditions 66-67)	17
- Funding contribution to upgrade of local road intersections	(Conditions 68-70)	18
- Active modes connection (Augier condition)	(Condition 71)	18
<b>BUILDINGS, STOCKPILES AND MAJOR STRUCTURES</b>	(Conditions 72-73)	18
<b>PUBLIC ACCESS</b>	(Conditions 74-78)	19
<b>LANDSCAPE PLANTING</b>	(Condition 79)	19

# DRAFT PROPOSED WDC CONDITIONS: NORTHPORT LIMITED (UPDATED 3-10-23)

## PORT EXPANSION—, SH15, ~~Marsden Point~~MARSDEN POINT

To undertake the following activities at or near Ralph Trimmer Drive, Marsden Point:

[To insert summary of activities/buildings/consents etc]

*Note: All location coordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection (unless expressly stated otherwise).*

Subject to the following conditions:

### DEFINITIONS:

- “Building”** means a temporary or permanent moveable or immovable physical construction that:
- (a) is partially or fully roofed, and
  - (b) is fixed or located on or in land, but
  - (c) excludes any motorised vehicle or other mode of transport that could be moved under its own power.
- “Council”** means Whangārei District Council or its successor;
- “Current Port Noise Contour Map”** means the map showing predicted incident port noise levels required to be prepared and updated pursuant to condition 52.
- “Commencement of these consents”** means the date the last of the consents applied for by Northport for its Expansion Project commences according to s 116 of the RMA;
- “Expansion Project”** means the Northport expansion to the east of the existing consented and/or constructed port for the purposes of constructing, operating, and maintaining a container terminal as authorised by these consents (and associated regional consents), and all associated activities and works;
- “Major Structure”** means any:
- (a) vehicle used as residential activity, excluding temporary activities.
  - (b) network system exceeding 1.5m in height above ground level or 3m<sup>2</sup> ground coverage.
  - (c) fence or wall, or combination of either, greater than 2m in height above ground level. Where there is less than a 1m separation distance between any separate fence or wall, or combination of either then their height must be measured from the lowest ground level of either to the highest point of either.
  - (d) tank or pool exceeding 35,000 litres.

- (e) structure greater than 2.2m in height above ground level or greater than 9m<sup>2</sup> ground coverage, including outdoor stockpiles or areas of storage, but excluding amateur radio configurations.

**“Pocket Park”**

means the public park (recreational open space) area near the south-eastern corner of the Expansion Project site, as shown in Boffa Miskell “Proposed Concept Plan”, BM220519-201 (Revision B, 25.7.22); and

**“Port Activities”**

means the use of land and/or Buildings for port related activities, including but not limited to:

- (a) port and ancillary port activities;
- (b) cargo handling, including the loading, unloading, storage, processing and transit of cargo;
- (c) debarking;
- (d) fumigation;
- (e) transport, storage and goods handling activities;
- (f) maritime passenger handling/services;
- (g) construction, maintenance and repair of port operations and facilities;
- (h) port administration;
- (i) refuelling/fuel handling facilities;
- (j) activities associated with surface navigation, berthing;
- (k) maintenance or repair of a reclamation or drainage system;
- (l) marine and port accessory structures and services;
- (m) repair and maintenance services and facilities ancillary to port activities;

**“Practical Completion”**

in relation to the reclamation, means the date that the completed reclamation (or any part thereof) is available for port activities;

**“RMA”**

means the Resource Management Act 1991;

**“Suitably Qualified and Experienced”**

means a person or persons with a recognised qualification and/or more than five (5) years relevant experience relevant to the topic being assessed.

**GENERAL:**

1. The consent holder must undertake all authorised activities in general accordance with the descriptions and plans submitted with the application or as modified through the hearing/decision process.
2. A copy of these consents and the most up-to-date certified versions of all management plans required by these consent conditions must be kept on site at all times and made available to persons undertaking activities authorised by these consents.
3. All monitoring/sampling required under these consents must be undertaken by a Suitably Qualified and Experienced person(s).



4. At least thirty (30) working days in advance of the date of the commencement of works authorised by these consents, the consent holder must contact the Council to arrange for a site meeting with the consent holder's contractor(s) and a Council compliance officer prior to commencement of construction works. The details to be provided at the meeting, and then in writing no more than five (5) working days after the meeting, must include:
  - (a) The intended date of the commencement of works and a programme for the works.
  - (b) The intended date of any management plans being submitted for certification.
  - (c) The intended date for providing the final design drawings to demonstrate how the works are in general accordance with the conditions of these consents, including **Appendix 21**.
  - (d) The nominated Consent Holder contact and contractor representative (or equivalent) for the works
  - (e) Any intended staging of the works.

### Complaints

5. The consent holder must maintain a Complaints Register for the purpose of recording and dealing with any complaints that are received by the consent holder in relation to the exercise of these resource consents. The Complaints Register must record, where this information is available:
  - (a) Name of complainant, if provided to the consent holder;
  - (b) The date and time of the complaint;
  - (c) A description of the complaint;
  - (d) The location of the issue raised;
  - (e) Weather conditions at the time of complaint, including a description of wind speed and wind direction when the complaint occurred (if relevant).
  - (f) Any possible cause of the issue raised;
  - (g) Any investigations that the consent holder undertook in response to the complaint; and
  - (h) Any corrective action taken to address the cause of the complaint, including the timing of that corrective action; and
  - (i) Any feedback provided to the complainant.
6. The consent holder shall provide a copy of the complaints register to the Council's Compliance Manager within five working days of receiving a request to do so from the Council.

### Certification

7. Where any condition requires the consent holder to submit a management plan to the Council for "**certification**" it must mean the process set out in the following paragraphs (a) to (d) and the terms "certify" and "certified" must have the equivalent meanings:

- (a) The consent holder supplies a management plan to the Council, and the Council assesses the documentation submitted. The certification process for management plans and reports required by conditions of this consent must be confined to confirming that the plans or reports give effect to their purposes, consent condition requirements, and schedule requirements, and contain the required information;
  - (b) Should the Council determine that the documentation supplied in accordance with (a) above achieves the requirements of the relevant condition(s), the Council must issue a written confirmation of certification to the consent holder;
  - (c) If the Council's response is that it is not able to certify a management plan or report, it must provide the consent holder with reasons and recommendations for changes to the plan or report in writing. The consent holders must consider any reasons and recommendations of the Council and resubmit an amended management plan/report for certification;
  - (d) A management plan or report cannot be subject to a third-party approval. The Council in deciding whether to certify the management plan or report, however, may also obtain advice from other qualified person(s).
8. This process in condition 7 must be repeated until the Council is able to provide written confirmation that the requirements of the applicable condition(s) have been satisfied.

#### **Review under s128 of the RMA**

9. The Council may serve notice on the consent holder of its intention to review the conditions of these consents pursuant to Section 128 of the RMA either:
- (a) Annually during the month of March, for any one or more of the following purposes:
    - (i) To require the adoption of the Best Practicable Option to remove or reduce any adverse effect on the environment; or
    - (ii) To deal with any change(s) to the materials handled through the Port Terminal; or
    - (iii) To respond to any new technology, standards or monitoring parameters relevant to the environmental monitoring undertaken in accordance with these consents.
  - (b) At any time, to deal with any adverse effects on the environment which may arise from the exercise of the consents and which it is appropriate to deal with at a later stage, including effects identified in the consent holders monitoring results or reports from activities authorised by these consents and/or as a result of Council's state of the environment monitoring in the area.
10. The consent holder shall meet all reasonable costs of any such review.

#### **LAPSING OF CONSENTS**

11. Each of these resource consents **[(insert consent refs)]** lapses ten (10) years after the commencement of those resource consents that are subject to section 116(2)(b) of the RMA **[(insert consent refs)]**.

**Advice Note:**—Pursuant to section 116(2)(b) of the RMA any district resource consent relating to an area of the coastal marine area that is proposed to be reclaimed shall not commence until the proposed location of the activity has been reclaimed and a certificate has been issued under section 245(5) in respect of the reclamation.

## CONSENT SURRENDERS

12. Within three (3) months of the date of Practical Completion of the Expansion Project reclamation, the consent holder must give written notice to the Council of its intention to surrender of the following resource consents:

- (a) RC36355.1 (Berth 1 and 2); and
- (b) Decision Number 1 (Berth 3 and 4) (no known consent reference number).

**Advice Note:**—The surrender of the above resource consents will consolidate, including for monitoring and enforcement purposes, resource consents and conditions applying to the expanded Northport, meaning that a single resource consent and single set of conditions will apply.

## DESIGN AND CONSTRUCTION OF RECREATIONAL FEATURES AND TRANSPORT INFRASTRUCTURE

### Engineering Plan Approval

13. Prior to the commencement of construction authorised by these consents the consent holder shall provide a detailed set of engineering plans to the Development Engineer or their delegated representative for approval. The plans shall be prepared in accordance with Council's Engineering Standards (2020 Edition or most relevant version at the time) and are to include:
- (a) Earthworks plans showing the finished interface between proposed Berth 5 and the adjoining esplanade reserve. Plans should demonstrate how public access (which offers a maximum 1:12 gradient for people with all levels of mobility) has been facilitated to the residual beach area to the east;
  - (b) Design details of the construction of a [placeholder – standard to be confirmed with WDC Development Engineer's input] at the end of Ralph Trimmer Drive in accordance with [placeholder – standards to be confirmed with WDC Development Engineer's input];
  - (c) Design details of the construction of the Pocket Park private accessway from Ralph Trimmer Drive in accordance with [placeholder – standard to be confirmed with WDC Development Engineer's input] of Council's Engineering Standards (2020 Edition or most relevant version at the time) including a typical cross section, long section, culverts, drainage flow paths and overland flow;
  - (d) Pocket Park and associated recreational features, including at least 26 car parks, street lighting, and a new public toilet as generally depicted on the Boffa Miskell "Proposed Concept Plan" BM220519-201 (Revision B, 25.7.22) at **Appendix 2**; and

- (e) Design details of sewer and water connections for the Pocket Park facilities (public toilet and water fountain) in accordance with Council's Environmental Engineering Standards (2020 Edition or most relevant version at the time).
- 14. All work on the approved engineering plans in Condition 13 is to be carried out to the satisfaction of the Development Engineer or their delegated representative. Compliance with this condition shall be determined by;
  - (a) Site inspections undertaken as agreed in Council's engineering plan approval letter/ Inspection and Test Plan; and
  - (b) [placeholder – certification standards (PS4/PS3 etc.) to be confirmed].
- 15. No construction works are to commence until the engineering plans required in Condition 13 have been approved.
- 16. The applicant shall ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the satisfaction of the Council's Development Engineer or delegated representative.
- 17. All damage to street footpaths, stormwater kerb and channels, road carriageway formation, street berm and services by the demolition and construction works associated with the consent holders activities shall be reinstated in accordance with Council's Engineering Standards (2020 Edition or most relevant version at the time). Any reinstatement works shall be undertaken at the expense of the consent holder and be completed to the approval of Council's Development Engineer or delegated representative.
- 18. The consent holder shall ensure the provision and maintenance of all assets listed in condition 17 above in good working order for the duration of these consents. Parking and manoeuvring areas are required to maintain an urban finish (all weathered surface).

#### **Pocket Park – Maintenance**

- 19. Prior to the commencement of construction authorised by these consents the consent holder shall prepare and submit a Pocket Park Maintenance Management Plan for certification by Council's Compliance Manager or delegated representative. The purpose of this plan is to detail ongoing maintenance requirements for the Pocket Park, to ensure recreational value is maintained for the public for the duration of these consents.
- 20. The Pocket Park Maintenance Management Plan shall be prepared with input from Council's Infrastructure Planning and/or Parks Department.
- 21. The consent holder shall maintain the Pocket Park in accordance with the Maintenance Management Plan certified by condition 19 above for the duration of these consents.

#### **Landscaping**

- 22. Prior to the commencement of construction authorised by these consents the consent holder shall prepare a Landscape Planting Plan for the Container Terminal Project, including the Pocket Park, for certification by Council's Compliance Manager or delegated representative.

23. The Plan shall be prepared by a Suitably Qualified landscape architect and shall be for the purpose of detailing amenity planting associated with the construction of Berth 5 and associated public coastal structures (water taxi, fishing pontoon, and swimming steps) and the Pocket Park and shall reflect the coastal landscape and natural character values of the Whangārei Harbour entrance and Bream Bay area. The plan shall be prepared in accordance with:
- (a) The Stephen Brown Landscape Architecture Plan dated December 1999 and as amended on the Boffa Miskell Plan dated 31/01/2002, but excluding the Pohutukawa planting on the eastern side of the reclamation which shall be removed and reinstated on the eastern side of the proposed reclamation; and
  - (b) The Boffa Miskell “Proposed Concept Plan” for the Pocket Park BM220519-201 (Revision B, 25.7.22) at **Appendix 2**.
24. The Landscape Planting Plan shall include at a minimum:
- (a) A schedule of the species to be planted, including the name, numbers, location, spacing and size of plant species at time of planting, planting density, details on the timing of plantings, and details of any existing vegetation to be retained;
  - (b) Proposed site preparation and plant establishment measures; and
  - (c) Ongoing maintenance and monitoring requirements, including any recommended ongoing pest and weed controls.

**Advice Note:** — Any planting will be designed and maintained to meet the security requirements of Maritime Security Act 2004.

25. Prior to Practical Completion, all planting required by the certified Landscape Planting Plan in condition 22 above shall be implemented in accordance with the details of that Plan. Such planting shall be undertaken to the satisfaction of the Council Compliance Manager or delegated representative.
26. Wherever practicable, all specimens shall be eco-sourced from within the Waipu Ecological District, as identified by the Department of Conservation’s Protected Natural Areas Programme.
27. The consent holder must maintain the landscape planting in accordance with the approved Landscape Planting Plan in condition 22 above in perpetuity. If any plants fail or are removed, they shall be replaced as soon as practicable and prior to the end of the following planting season (April – October) with an equivalent specimen.

#### Off-Site Recreational Features

28. [PLACEHOLDER — PENDING EXPERT CONFERENCING]

28. [INTENTIONALLY LEFT BLANK]

#### CONSTRUCTION

##### Accidental discovery protocol

29. In the event of discovery of archaeological material during construction (e.g. intact shell midden, hangi, or storage pits relating to Māori occupation; or cobbled floors, brick or stone foundations, or rubbish pits

relating to 19th century European occupation), work in the immediate vicinity must cease. Heritage NZ Pouhere Taonga, tangata whenua representatives and the Council must be notified as soon as reasonably practicable.

30. Work must not recommence in the immediate vicinity of the discovery until either: it has been determined that no Heritage New Zealand Pouhere Taonga approval(s) are required; or that any necessary Heritage New Zealand Pouhere Taonga approval(s) have been obtained.
31. In the event of koiwi tangata (human remains) being uncovered, work in the immediate vicinity of the remains must cease. Mana Whenua, Heritage NZ Pouhere Taonga, NZ Police and the Council must be contacted so that appropriate arrangements can be made.

**Advice Note:** —The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga.

### Construction noise

32. Expansion Project construction noise from activities on land must not exceed the noise limits in Table One:

**Table One: construction noise limits**

#### **RESIDENTIAL ZONES AND DWELLINGS IN RURAL AREAS:**

*Upper limits for construction noise received in residential zones and dwellings in rural areas*

Time of week	Time period	Noise limits (dB)	
		L <sub>Aeq</sub>	L <sub>AFmax</sub>
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

#### **INDUSTRIAL OR COMMERCIAL AREAS:**

*Upper limits for construction noise received in industrial or commercial areas on all days*

Time period	Noise limits (dB L <sub>Aeq</sub> )
0730-1800	70

***Advice Note:** The limits in **Table One** are reproduced from New Zealand Standard NZS 6803: 1999 "Acoustics – Construction Noise"*

~~33. Construction noise must be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".~~

***Advice Note:** Northland Regional Council resource consents for the Expansion Project include noise limits for construction noise from activities within the coastal marine area.*

## Construction transport

34.32. At least three (3) month 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:

- (a) The estimated numbers, frequencies, routes and timing of construction traffic movements;
- (b) Any restriction on construction traffic routes, including Marsden Point Road;
- (c) Methods required to manage vehicular traffic and/or to manage traffic congestion;
- (d) Methods to manage the effects of temporary traffic management activities on general traffic;
- (e) Measures to manage the safety of all transport users;
- (f) Site access routes and access points for heavy vehicles,
- (g) The size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;
- (h) Identification of detour routes and other methods for the safe management and maintenance of all users on existing roads;
- (i) Methods to maintain vehicle access to property where practicable, or to provide alternative access arrangements when it will not be;
- (j) Methods to maintain public access to Marsden Bay beach following reclamation activities, and signage to inform the public about beach access;
- (k) The management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;
- (l) Methods that will be undertaken to communicate traffic management measures to affected road users such as residents/public/emergency services; and

- (m) Measures to ensure the safe disembarking/embarking of passengers on cruise vessels.

~~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 New Zealand ~~Transport Authority's Code of Practice~~ ~~for~~ 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.

~~36.34.~~ The CTMP must be certified in writing by the Council prior to construction works authorised commencing, and the consent holder must undertake all activities authorised by these consents in accordance with the certified CTMP (including any certified variation).

~~37.35.~~ Any variation to the CTMP must be subject to certification by Council.

### **Construction and Environmental Management Plan**

~~38.36.~~ At least three (3) months prior to the commencement of construction authorised by these consents, the consent holder must submit a Construction and Environmental Management Plan (CEMP) to the Council for certification. The objectives of the CEMP are:

- (a) ~~to~~To detail the environmental monitoring and management procedures to be implemented during the Container Terminal Project's construction phase to ensure that appropriate environmental management practices are followed and adverse construction effects are minimised to the extent practicable; and
- (b) ~~to~~To ensure construction effects of the Container Terminal Project are in accordance with the assessments accompanying the resource consent applications.

~~39.37.~~ The CEMP must include the following sections:

- (a) Construction phase roles and responsibilities protocols;
- (b) Environmental Risk Assessment;
- (c) Dust;
- (d) Construction Noise;
- (e) Traffic, including to demonstrate how the relevant consent conditions will be satisfied;
- (f) Archaeology;
- (g) Hazardous Substances;

(h) Public access;

~~(h)~~(i) Erosion and Sediment Control; and

~~(i)~~(j) Communications Protocols, including Complaints Procedures.

~~40.38.~~ The CEMP must be prepared by a Suitably Qualified and Experienced person, with advice from relevant technical experts, and be in general accordance with the draft CEMP provided as part of the resource consent application (Enviser, Draft Construction and Environmental Management Plan, October 2022).



41.39. The CEMP must be certified in writing by the Council's Compliance Manager prior to construction works authorised by these consents first commencing, and the consent holder must undertake all activities authorised by these consents in accordance with the certified CEMP (including any certified variation).

42.40. The CEMP may be submitted in stages to reflect the design and construction programme. If staging is proposed and any matters in condition 39.37(c-i) are not relevant, a statement shall be provided of why management of these effects are not relevant to the particular stage of works.

43.41. Any variation to the CEMP must be subject to certification by Council's Compliance Manager.

### **Public access during construction**

42. Public walking access from Ralph Trimmer Drive to the residual beach area must be maintained during construction except for short durations where health and safety requires restriction.

***Advice note:** See also public access section of the CEMP.*

### **Pavement damage to Ralph Trimmer Drive during construction**

43. The consent holder shall ensure vehicles and machinery leaving the site do not deposit earth or other material in or on the road reserve or otherwise damage road surfaces and surrounds; if such spills or damage occurs, the consent holder shall clean or repair road surfaces to their original condition immediately and avoid discharge of any material into the stormwater system.

## **PORT OPERATION**

### **Port Activities - location**

44. From the first commencement of any of these resource consents, Port Activities may occur on any land within the area shown in the figure at **Appendix 1**.

***Advice Note:** ——— The definition of "Port Activities" is based on the current definition in the Whangārei District Plan (Operative in Part 2022).*

### **Operational noise**

#### **Application**

45. Upon Practical Completion of the Expansion Project reclamation, conditions 46 to 56 apply to all Port Activities within the area shown in the figure at **Appendix 1**.

***Advice Note:** ——— In accordance with condition 1245, the consent holder will (concurrently with, or prior to, the commencement of the application of conditions 46 to 56) surrender certain existing resource consent(s) authorising Northport operational port noise. This will consolidate, including for monitoring and enforcement purposes, the operational port noise resource consents and conditions applying to the expanded Northport, meaning that a single resource consent and single set of conditions will apply to all Northport operational port noise.*

#### Port noise limits

46. Noise from Port Activities within the area shown in the figure at **Appendix 1** must be measured and assessed in accordance with NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning.

~~47. Noise from Port Activities within the area shown in the figure at **Appendix 1**, as measured within any residential or Settlement Zone land must not exceed the following levels shown in the Future Port Noise Map in **Appendix 3** which reflects limits:~~

~~(a) Day-night (Long Term):~~

~~of 58 dB L<sub>dn</sub> (5-day)~~

~~47. 61 in the Settlement Zone in Reotahi and 54 dB L<sub>dn</sub> (5-day) in the Residential zone in Marsden.~~

~~(b) Night-time (Short term):~~

~~53 dB L<sub>night</sub> (10pm–7am)~~

~~58 dB L<sub>Aeq</sub> (15-min)~~

~~75 dB L<sub>AFmax</sub>~~

**Advice Note:** The noise contours in the Future Port Noise Contour Map were interpolated between grid points calculated at 10m intervals and 1.5m above ground level. Topographical contours and building outlines were sourced from LINZ (2017) and assumed a generic building height of 4.5m.

#### Port noise mitigation

48. Where the measured or predicted incident port noise level shown on the Current Port Noise Contour Map exceeds 55 dB L<sub>dn</sub> (5-day) at the external façade of a habitable space in a residential unit existing at the Commencement of these consents, the consent holder must investigate, and if identified as required, offer to the landowner the option to install (at the consent holder's cost) mechanical ventilation, mechanical cooling, and/or other noise mitigatory works. The Current Port Noise Map is informed by a periodic review as part of the Port Noise Management Plan detailed in Condition 52. Any works must:

- (a) Achieve an indoor design noise level no greater than 40 dB L<sub>dn</sub> (5-day) in all habitable rooms of the residential unit when the windows and doors are closed;
- (b) Satisfy clause G4 of the New Zealand Building Code;
- (c) Provide occupant controlled ventilation that provides at least six (6) air changes per hour, or occupant controlled cooling that can maintain the inside temperature of the habitable room below 25°C;
- (d) Provide relief for equivalent volumes of spill air; and
- (e) Locate any outdoor heat pump condenser unit at least 5m from the direct external entrance to a living area

49. Mechanical ventilation noise within mitigated dwellings identified in condition 48 must be measured in accordance with AS/NZS 2107:2016 "Acoustics- Recommended design sound levels and reverberation times for building interiors". The mechanical ventilation noise levels in habitable spaces must not exceed the following on the low-speed setting:

~~(iv)~~(i) 3530 dB L<sub>Aeq</sub> in bedrooms, and

~~(v)~~(ii) 40 dB L<sub>Aeq</sub> in all other habitable spaces.

50. If the offer under condition 48 is accepted by the landowner, the mechanical ventilation, cooling, and/or other noise mitigatory works must be installed at the expense of the consent holder within one (1) year of the offer being accepted, except that the Consent Holder shall not be responsible for more than ten (10) such installations in any calendar year.

**Advice Note:** *The consent holder's obligations extend only to installation of the mechanical ventilation or cooling. To avoid doubt, the consent holder is not responsible for ongoing maintenance.*

51. Acceptance of the offer under condition 48 may be made by the landowner at any time during which this consent is operative.

#### Port Noise Management Plan

52. A Port Noise Management Plan must be prepared in accordance with the requirements in Section 8 of NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning and submitted to the Council for certification at least three (3) months before the commencement of any Expansion Project Port Activities (excluding Expansion Project construction). The Port Noise Management Plan must contain the following information:

- (a) The Port Noise Management Plan objectives and methods to achieve the objectives, including:
  - (i) To ensure the consent holder complies with the noise limits in Condition 47;
  - (ii) To provide a framework for the measurement, monitoring, assessment, and management of port noise levels;
  - (iii) To identify and adopt the best practicable options for the management of noise effects;
  - (iv) To engage with the community and manage noise complaints in a timely manner, including through participation in a Port Noise Liaison Committee to be established as a sub-committee of the existing Community Liaison Group;
- (b) Noise modelling, noise monitoring, auditing, and reporting procedures to be undertaken and funded by the consent holder;
- (c) Practices that will be used to manage noise effects, including procedures for achieving noise reduction through port operational procedures and staff and contractor training;
- (d) Procedures to receive and respond to complaints, and to maintain a register of all complaints received, the details of the complaints, and any action taken to investigate and/or resolve the complaints;
- (e) The Current Port Noise Contour Map;
- (f) Identification of all properties where Condition 48 applies;
- (g) Details of the Port Noise Liaison Committee required under condition 52(a)(iv) including:

- (i) The functions and processes of the Committee, including to consider all noise issues arising from the port and to ensure that mitigation functions identified in the Port Noise Mitigation Plan are carried out;
  - (ii) The members for the Committee and their roles, with Committee seat invitations being required to be made as follows:
    1. Two representatives of the port operator;
    2. Two port user representatives (with invitations to be made to two different port users);
    3. One representative of Northland Regional Council;
    4. One representative of Whangārei District Council;
    5. One community representative for Reotahi;
    6. One community representative for Albany Road;
    7. One representative of the Ruakākā Parish Residents & Ratepayers Association;
    8. One representative of the Whangārei Heads Citizens Association;
    9. One representative of Patuharakeke Te Iwi Trust Board; and
    10. One representative of Ngātiwai Trust Board;
    11. One representative of Te Parawhau Hapu.
  - (iii) Details of the secretarial and logistical support to the Committee which must be provided and fully funded by the consent holder;
  - (iv) The frequency of Committee meetings, which must be annually at a minimum, and procedures for calling an emergency meeting of the Committee;
  - (v) Procedures for recording minutes of the Committee, which must be made publicly available;
  - (vi) Procedures for consideration by the consent holder of any recommendations by the Committee; and
  - (h) Where applicable, any recommendations made by the Port Noise Liaison Committee, and any actions by the consent holder to implement those recommendations (this requirement must not apply to the first Port Noise Management Plan produced).
53. The Port Noise Management Plan, including the appended Current Port Noise Contour Map, must be revised annually (at a minimum). An annual report must be prepared for the Port Noise Liaison Committee that:
- (a) Details any changes to the Port Noise Management Plan and Current Port Noise Contour Map resulting from the revision; and
  - (b) Provides a record of:
    - (i) All acoustic mitigation works undertaken in the preceding twelve (12) months, including records of offers of mitigation that have been refused or not responded to; and

(ii) Any physical monitoring undertaken and the results of that monitoring.

54. The Port Noise Management Plan must be certified in writing by the Council prior to Expansion Project Port Activities (excluding Expansion Project construction) commencing. The consent holder must undertake all Port Activities in accordance with the certified Port Noise Management Plan.
55. Any material variation to the Port Noise Management Plan, including as a result of a revision under condition 53, must be subject to certification by Council.
56. The first Port Noise Management Plan must be in general accordance with the draft Port Noise Management Plan provided as part of the resource consent application (*Marshall Day Acoustics: Northport Port Noise Management Plan, Rp 001 20170776, 3 August 2022*).

#### **Operational lighting**

57. From the first commencement of any of these resource consents, within the area shown in the figure at **Appendix 1**:
  - (a) Artificial lighting required for health and safety purposes will not exceed the following standards:
    - (i) 15 Lux at the boundary of a road reserve; and
    - (ii) 10 Lux at the boundary of any other allotment not within the ownership of the consent holder.
  - (b) Subject in each case to (a) above, the consent holder shall ensure that:
    - (i) new flood lighting luminaires installed use LED (Light Emitting Diode) or LEP (Light Emitting Plasma) lamps or any other advanced technology lamps;
    - (ii) all lighting poles have recessive colour finishes;
    - (iii) where practicable, lighting is directed below the horizontal plane;
    - (iv) the colour temperature of lamps used for new flood lighting are no more 4000°K; and
    - (v) new flood lighting luminaires are designed so that the principal output is, as far as practicable, directed to within the container terminal and adjoining wharfs or to land that is zoned Port Zone.
58. The consent holder must engage a Suitably Qualified and Experienced lighting engineer to design/review new flood lighting installed at Northport.

#### **Operational lighting management plan**

59. At least three (3) months prior to Practical Completion, the consent holder shall prepare an Operational Lighting Management Plan ("OLMP") for certification by Council's Compliance Manager or delegated representative. The objectives of the OLMP is to minimise visual impacts and impacts on avifauna from the use artificial lighting during night-time Port operations authorised by this consent, having regard to

condition 57 and the requirements of the Avifauna Management Plan required by the regional consent conditions. The OLMP shall:

- (a) Detail the positions and technical specifications of all exterior light sources and indicate the means by which compliance with the relevant Whangārei District Plan artificial lighting standards are to be achieved; and
- (b) Include comments of the Community Liaison Group on the plan and the consent holder's response to these.

### 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:~~

- ~~(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 annually~~Assessment ~~biennially~~ for ~~threetwenty~~ years.

The ~~"purpose of the Crash Monitoring ReportAssessment 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.

*Intersection upgrade funding*

66. The consent holder must:

**NotAdvice Note:** *For the avoidance of doubt, nothing in conditions 61-62 makes the Consent Holder responsible for safety improvements on SH15.*

Traffic monitoring report

~~(a)~~63. No later than 18 months following commencement of Expansion Project Port Activities, the consent holder must 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;
- (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.*

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

- ~~(i)~~ (a) Annually for the duration of these consents, or until the intersections in Condition 64 (Table 2) are upgraded, if the telemetry traffic data collected continuously on SH15 by Waka Kotahi is available to the consent holder; or
- (ii) ~~(b)~~ Once every three years for the duration of these consents, or until the intersections in Condition 64 (Table 2) are upgraded, 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.

~~(c)~~ 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~~

~~(d) 64. If the critical intersections listed in subparagraph (a), Traffic Monitoring Report required by Condition 63 shows that 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 and more detailed analysis of the LOS at the relevant intersection, measured at or near the Northport entry point.~~

~~(e) 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~~

~~67. If the survey of port traffic contributions required by condition 64(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 (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 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~~

~~(a)(b) Engage a minimum LOS of LOS-D is achieved; or Suitably Qualified and Experienced person to undertake and prepare an Intersection Assessment Report as per Condition 66.~~

~~(b) 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**

<del>Critical</del> <del>intersection</del> <u>Intersection</u>	Northport Inbound AM Peak Hour Trigger Volumes	Northport Outbound AM Peak Hour Trigger Volumes	<u>Northport</u> <u>Inbound PM</u> <u>Peak Hour</u> <u>Trigger</u> <u>Volumes</u>	<u>Northport</u> <u>Outbound PM</u> <u>Peak Hour</u> <u>Trigger</u> <u>Volumes</u>
SH15/Marsden Bay Drive	700	200	<u>300</u>	<u>600</u>
SH15/Marsden Point Road	700	200	<u>400</u>	<u>700</u>
SH15/One Tree Point Road	300	200	<u>200</u>	<u>300</u>

**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:

- (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

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 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 ~~by, for example: hours~~ in the interim period between notice being given under Condition 68 and the intersection(s) being upgraded.

~~—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.~~

~~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 67critical intersections, the Consent Holder must provide written notice to Waka Kotahi NZ Transport Agency and/or other responsiblerelevant road controlling authority of its requirement to provide a contribution to intersection upgrade funding under these conditionsin 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 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 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.~~

~~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.~~ In the event that ~~the~~ future cycling route between ~~Waipūruakaka~~ and Marsden Cove ~~(or any other future walking and cycling routes in the Marsden Point area)~~ 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 ~~for people walking and cycling~~, except that the Northport connection is not required to extend beyond Mair Road.

~~73.~~ The active modes connection is not required to be on land owned by the consent holder.

## **BUILDINGS, STOCKPILES AND MAJOR STRUCTURES**

~~74-72.~~ Upon Practical Completion of the Expansion Project reclamation, within the area shown in the figure at **Appendix 1:**

- (a) Building height and Major Structure height (excluding public utilities, light towers, silos, aerials, tanks, cargo handling equipment, cranes, and shipping containers) must not exceed 20m above ground level.
- (b) The height of public utilities, light towers, silos, aerials, tanks, and cargo handling equipment (excluding cranes and shipping containers) must not exceed 60m above ground level.
- (c) The operational height for cranes must not exceed 85m above ground level.
- (d) The height of shipping container stacks must not exceed 30m above ground level.
- (e) The height of stockpiles must not exceed 20m above ground level.

**Advice Note:** ~~—~~ *The definitions of “Building” and “Major Structure” in these resource consents are based on the current corresponding definitions in the Whangārei District Plan (Operative in Part 2022).*

~~75-73.~~ Upon Practical Completion of the Expansion Project reclamation, within the area shown in the Figure at **Appendix 1**, buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Open Space and Recreation Zone boundary.

## **PUBLIC ACCESS**

~~76-74.~~ The construction of the Pocket Park required by condition 28 must be completed within 12 months of Practical Completion.

~~77-75.~~ The consent holder must provide public recreational access to and across the Pocket Park, except as required to ensure operational or public safety, or in an emergency response scenario.

**Advice Note:** ~~—~~ *Revocation of the esplanade reserve for the Pocket Park must have Council resolution prior to construction.*

~~78-76.~~ Prior to Practical Completion, provide written evidence to Council’s Compliance Manager to demonstrate that public access to and along the Pocket Park has been formalised by an appropriate legal mechanism.

~~79-77.~~ Restricted access from Ralph Trimmer Drive to Marsden Bay must occur for no longer than eighteen (18) months total.

80-78. The consent holder must continue to provide public access to the existing fishing jetty on the western edge of the reclamation from Papich Road.

#### LANDSCAPE PLANTING

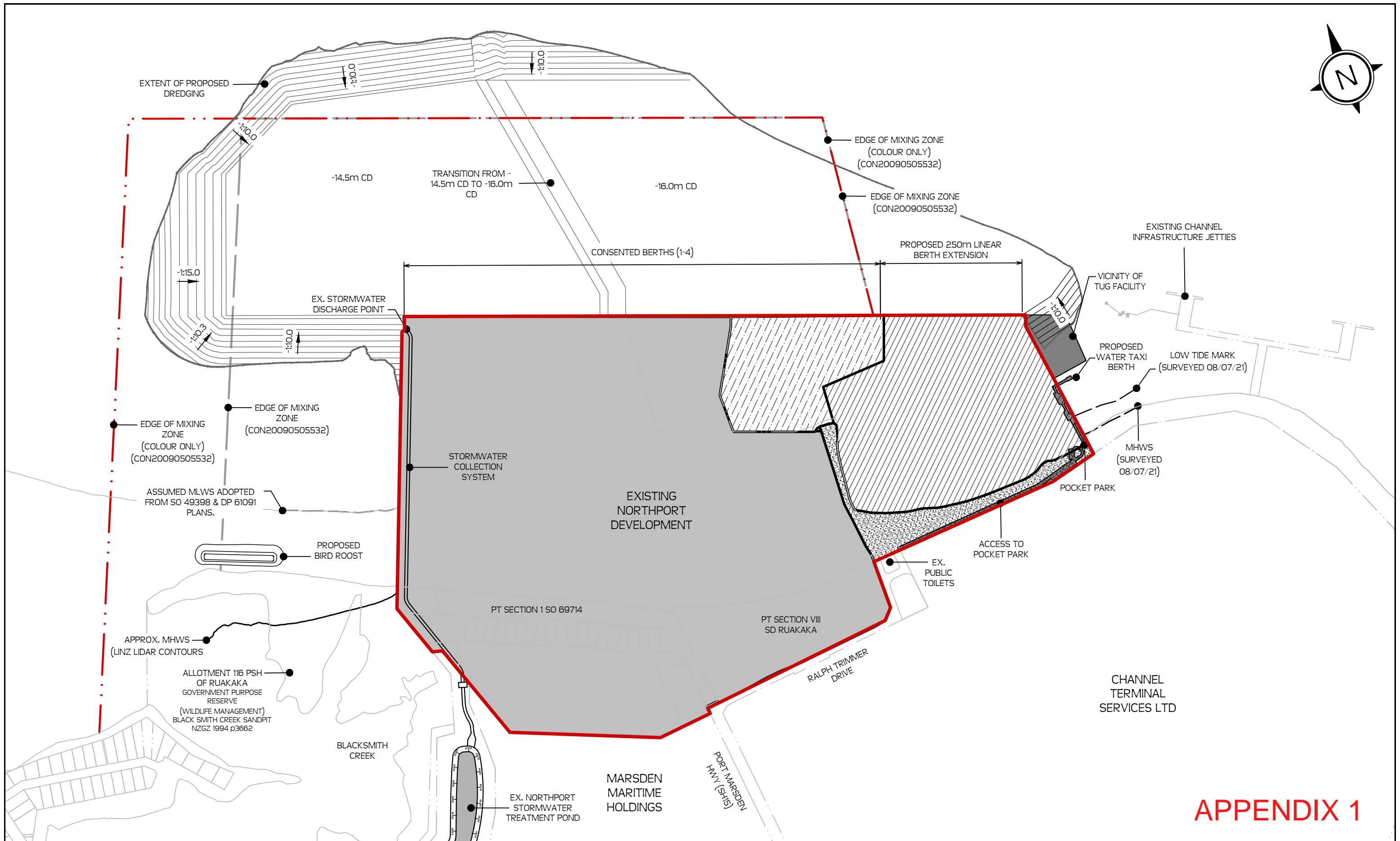
81-79. The consent holder must continue to maintain the landscape planting shown on the Stephen Brown Landscape Architecture Plan dated December 1999 and as amended on the Boffa Miskell Plan dated 31/01/2002 (copies of plans attached as **Appendix 2**) but excluding the Pohutukawa planting on the eastern side of the reclamation (area shown outlined in red on the plan in **Appendix 2**) which is to be removed.

**Advice Note:** — Any planting will be designed and maintained to meet the security requirements of Maritime Security Act 2004.

DRAFT

## APPENDIX 1: PLAN

DRAFT



**reyburn  
&bryant**





[www.reyburnandbryant.co.nz](http://www.reyburnandbryant.co.nz)

TITLE			
NORTHPORT EXPANSION (BERTH 5)			
DATE	SEPT. 2023	SCALE	1:6000 @A3
NO.	014656	SHEET	1/1
		Rev.	B

CLIENT		
<h1 style="text-align: center;">NORTHPORT</h1> <h2 style="text-align: center;">MARSDEN POINT</h2>		
B	07.09.23	ADDED PORT ACTIVITY AREA - BH/TM
A	06.07.23	FIRST ISSUE - BH/TM
REV	DATE	DESCRIPTION
REF. DATA:		

<b>CAUTION:</b>	
1.	THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
2.	AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY
3.	THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN.
4.	SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
5.	DO NOT SCALE OFF DRAWINGS.
6.	THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
7.	DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
8.	04m 2014-2016 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
9.	BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

KEY:

	CONSENTED DEVELOPMENT (NOT YET CONSTRUCTED)		PARCEL BOUNDARY
	PROPOSED RECLAMATION		PORT ACTIVITY AREA
	EXTENT OF BULK EARTHWORKS		
	EXISTING NORTHPORT DEVELOPMENT		







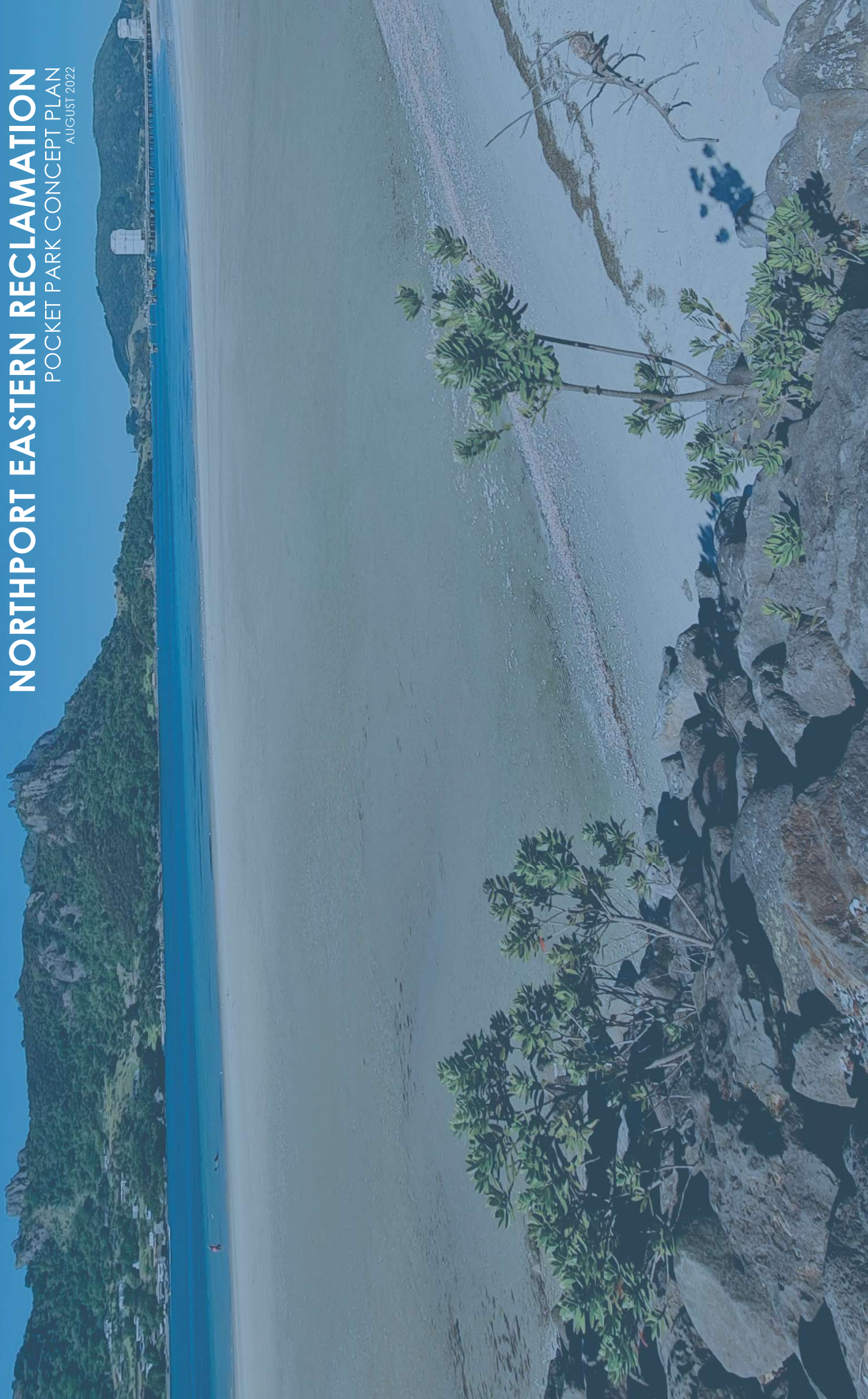
## APPENDIX 2: LANDSCAPE PLANTING PLANS

DRAFT

# NORTHPORT EASTERN RECLAMATION

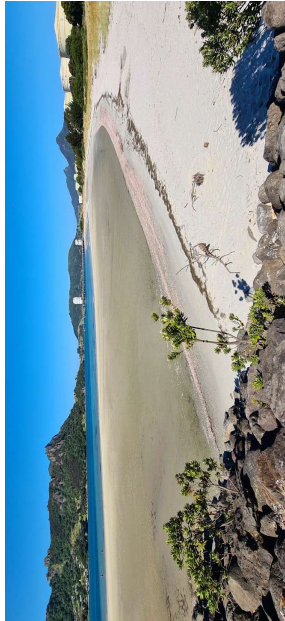
## POCKET PARK CONCEPT PLAN

AUGUST 2022





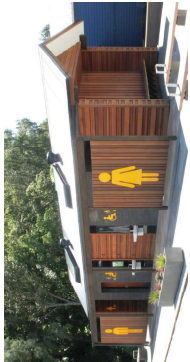
# NORTHPORT POCKET PARK CONCEPT LOOK AND FEEL



The beach to the west of the Northport Eastern reclamation affords wonderful views across the Whangarei Harbour and it draws people in for a range of recreational activities. As the port area is expanded the provision of a pocket park and facilities will replace the facilities and parking that currently exists at the edge of the existing port reclamation.

Access to the proposed Pocket Park is provided along a six metre wide road, biking and walking access is provided along the adjacent grass berm.

Our concept has been developed to provide for the identified recreation needs. There is an opportunity for local iwi to become involved, which should be early in the design process, so that opportunities identified can be realised.



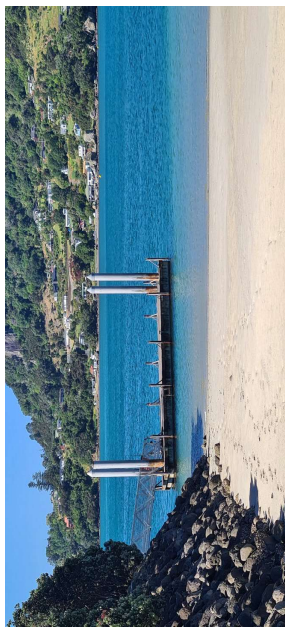
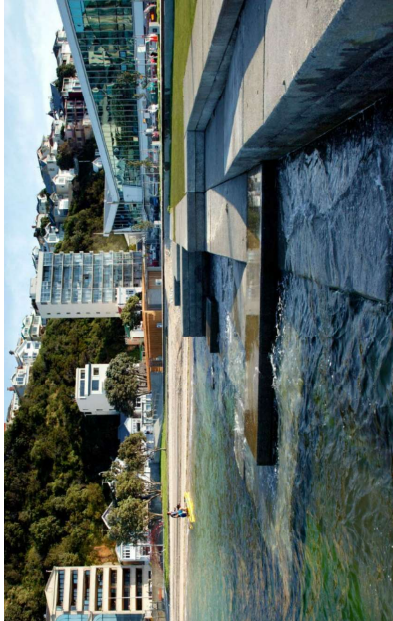
**Parking:** Allows for twenty cars, similar numbers to the existing public area parking, in addition we propose a secure bicycle parking bay. Many people who drive to the carpark are simply 'out for a drive'. We have, therefore, allowed for six additional short stay spaces adjacent to the turn around. The adjacent amenities space includes a toilet block, water drinking fountain, shelter and sitting edge to view across the harbour.

**Walking:** Access to the beach will be retained for fishermen, on the existing mown path along the refinery fenceline. This route is important for fisher persons whom, with their fishing trolleys, use the ramp to get down to the beach closer to the refinery loading facility, where the 'fishing is good'. Beach access will also be provided on the steps and a ramp (providing for fisher persons trolleys and people with buggies) adjacent to the Pocket Park. People could also choose to walk down to the pontoon which would be similar the the existing structure.

**Planting:** We suggest that shade can be provided by the existing pohutukawa trees, which might be carefully lifted, bagged on and later planted for early shaded impact to the park area. In addition these semi-mature trees will help mitigate the impacts of the development.

The back dune area to the SW corner of the beach will be redeveloped as part of the rehabilitation process, dune planting installed, allowing the bird habitat area to be re-established from the outset. The beach will change and with sand movement, continue to build-up and develop over time. The area will remain a vegetated 'safe haven' for birdlife and invertebrates. Access for people is clearly designated away from this area so that people walk along paths and birdlife habitat is retained.

**Swimming:** From the beach will continue to happen. We have also provided for swimming in an area from the pontoon, which would be similar to the current structure, back to steps which are part of the seawall embankment.



Access to the pontoon is along a four metre wide walkway which also allows for occasional service vehicle access. Edges beneath the shade of trees have been designed in, providing opportunities for people to pause and enjoy the views.

**Look and feel:** The language of the current environ is dominated by the outlook to the northern side of the Whangarei Harbour, natural materials are sand, dune, back dune and some pohutukawa. This materiality will be retained adjacent to the new Pocket Park, as practical and the park materiality should respect this, old wharf timbers, concrete engineered as part of the seawall and laid as solid steps, seeks to provide a safe environ and the spilled rock batters are avoided where people will use the bank. This imagery provides a look and feel.

The existing carpark, turnaround and access to parking, it will be retained within the Eastern reclamation. That existing area is 6,949 m² and the proposed pocket park is 4,395 m².





This graphic has been prepared by Boffa Miskell Limited for the specific instructions of our Client. It is solely for our Client's use in accordance with the agreed scope of work. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.



KEY

ORIGINAL IN COLOUR

Boffa Miskell

REV	DATE	DESCRIPTION
A	20.07.22	FOR INFORMATION
B	20.07.22	FOR INFORMATION

APPROVED  
SCS

**NORTHPORT  
RECLAMATION**

Design	SCo	Scale	Date
Drawn	DHI	1:750 @ A1	20.07.22
Check	SCo	1:1500 @ A3	

**FOR INFORMATION**

REVISION  
**BM220519-201**  
**(B)**

PROPOSED CONCEPT PLAN

DRAWING NO.  
U:\2022\BM220519-201\_Northport\_Reclamation\_Proposed\_Concept\_Plan\BM220519-201.dwg

Printed: 24/07/2022 12:01:13 pm





REV DATE DESCRIPTION  
A 27.07.22 FOR INFORMATION  
B 22.06.22 FOR INFORMATION

APPROVED  
SCO  
SCO

NORTHPORT  
RECLAMATION

EXISTING CONDITIONS

Design SCO  
Drawn CH  
Check SCO

Scale  
1:100 @ A1  
1:2500 @ A3

Date  
27.07.22

FOR INFORMATION

REVISION  
BM220519-200 (B)

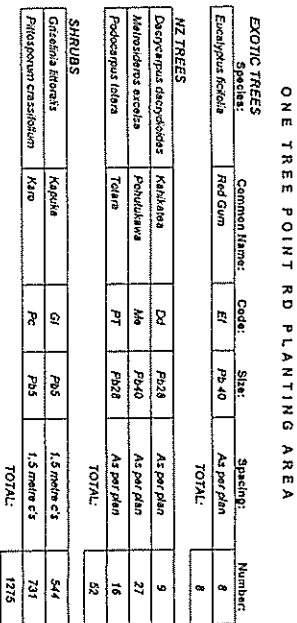
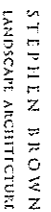
DRAWING NO.  
U:\2022\BM220519\_NORTHPORT\_Reclamation\Reclamation\Reclamation.dwg

ORIGINAL IN COLOUR

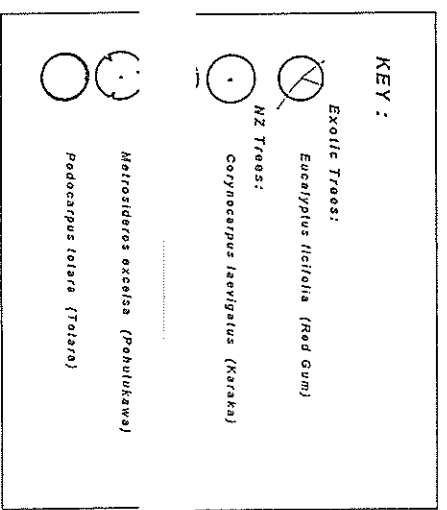
KEY

Boffa Miskell

Printed: 16/06/2022 11:47:56 am



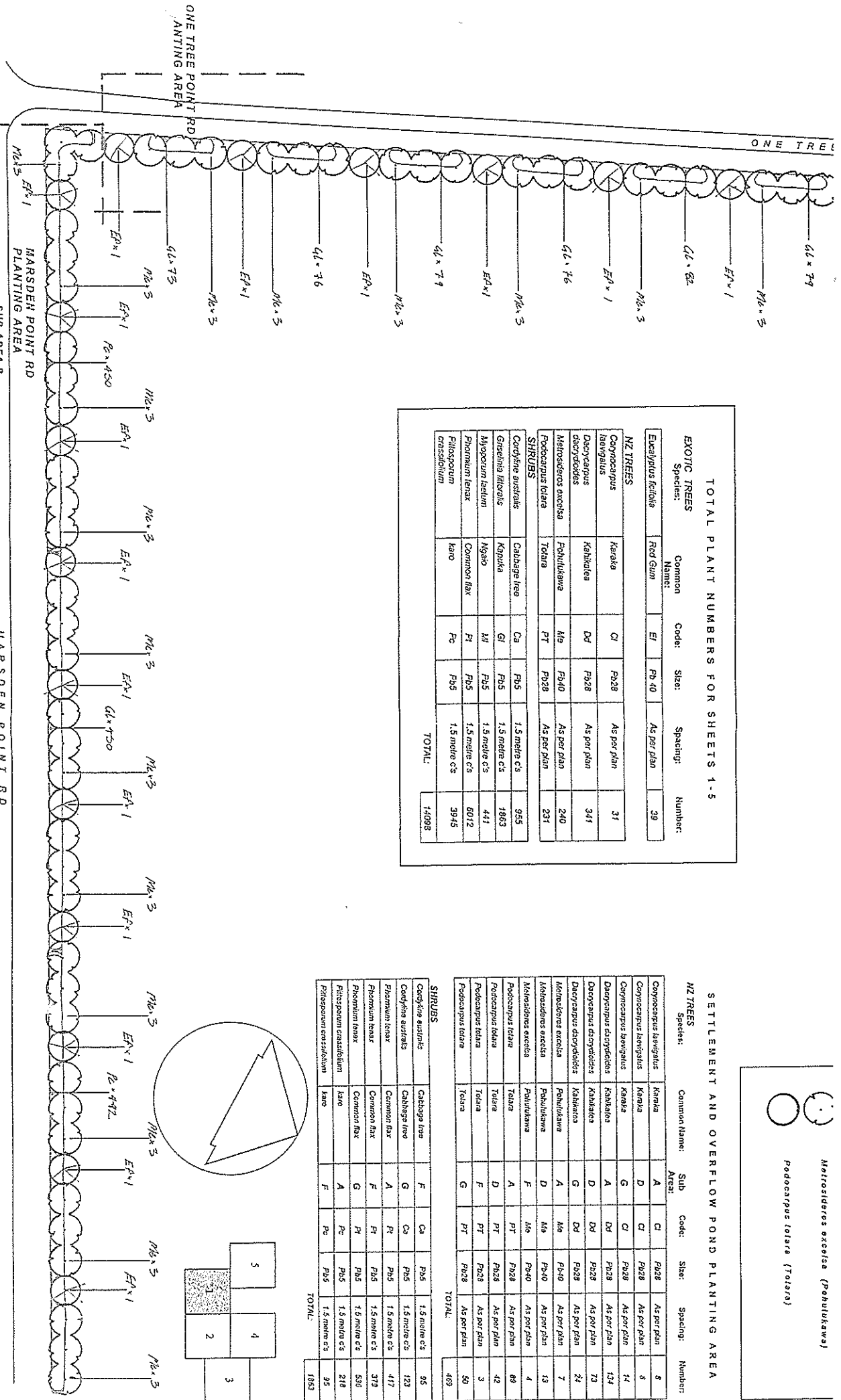
TOTAL PLANT NUMBERS FOR SHEETS 1-5						
EXOTIC TREES		Common	Code:	Size:	Spacing:	Number:
Species:	Name:	Red Gum	EI	Pb 40	As per plan	39
<b>NE TREES</b>						
<i>Corymborpus laevigatus</i>	Kuraka	CI	Pb28	As per plan	31	
<i>Dacrydium deyerioides</i>	Kohiaidea	DI	Pb28	As per plan	341	
<i>Microserotes excelsa</i>	Pohutukawa	Me	Pb40	As per plan	240	
<i>Podocarpus totara</i>	Totara	PT	Pb29	As per plan	231	
<b>SHRUBS</b>						
<i>Cordyline australis</i>	Cabbage tree	Ca	Pb5	1.5 metre c/s	955	
<i>Gracilina hircalis</i>	Kapuka	GI	Pb5	1.5 metre c/s	1863	
<i>Myoporum laetum</i>	Nyssa	MI	Pb5	1.5 metre c/s	441	
<i>Phormium tenax</i>	Common flax	PI	Pb5	1.5 metre c/s	6012	
<i>Philopodium crassifolium</i>	Karo	PC	Pb5	1.5 metre c/s	3945	
TOTAL:					14098	

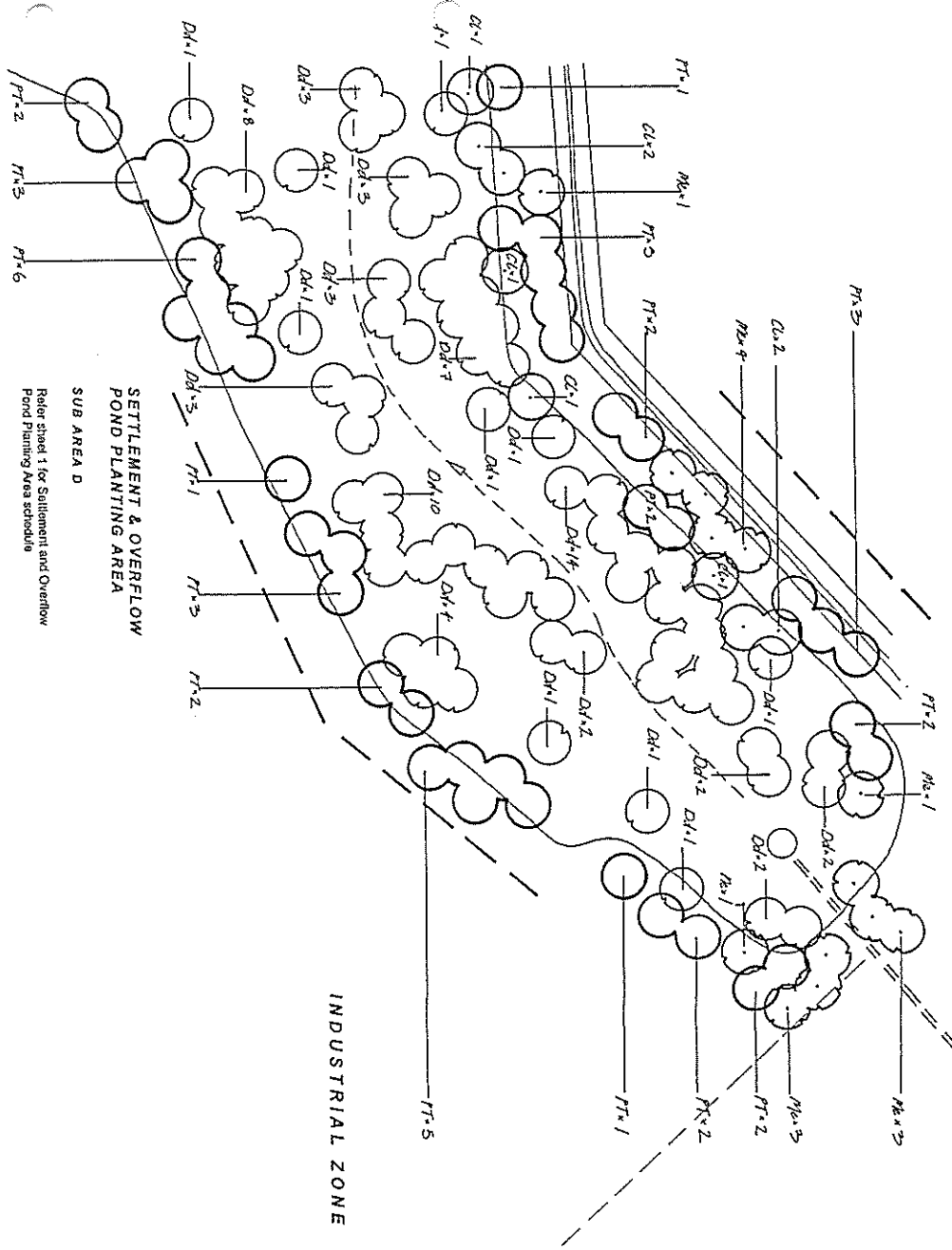


NZ TREES						
Species:	Common Name:	Sub	Code:	Size:	Spacing:	Number
		Area:				
<i>Corynephorus baeuatus</i>	Komika	A	C1	P248	As per plan	8
<i>Corynephorus baeuatus</i>	Komika	D	C1	P248	As per plan	8
<i>Corynephorus baeuatus</i>	Komika	G	C1	P248	As per plan	14
<i>Duroyanthus doryforoides</i>	Kohakala	A	D4	P248	As per plan	134
<i>Duroyanthus doryforoides</i>	Kohakala	D	D4	P248	As per plan	74
<i>Duroyanthus doryforoides</i>	Kohakala	G	D4	P248	As per plan	24
<i>Malindocus erectus</i>	Pohulihawa	A	M4	P450	As per plan	7
<i>Malindocus erectus</i>	Pohulihawa	D	M4	P450	As per plan	13
<i>Malindocus erectus</i>	Pohulihawa	F	M4	P450	As per plan	4
<i>Podocarpus totara</i>	Totara	A	P1	P328	As per plan	89
<i>Podocarpus totara</i>	Totara	D	P1	P328	As per plan	42
<i>Podocarpus totara</i>	Totara	F	P1	P328	As per plan	3
<i>Podocarpus totara</i>	Totara	G	P1	P328	As per plan	50
TOTAL:						469

SHRUBS						
Species:	Common Name:	Sub	Code:	Size:	Spacing:	Number
<i>Cordyline australis</i>	Cabbage tree	F	C4	P465	1.5 metre c/s	95
<i>Cordyline australis</i>	Cabbage tree	G	C4	P465	1.5 metre c/s	123
<i>Phormium tenax</i>	Common flax	A	P1	P465	1.5 metre c/s	417
<i>Phormium tenax</i>	Common flax	F	P1	P465	1.5 metre c/s	372
<i>Phormium tenax</i>	Common flax	G	P1	P465	1.5 metre c/s	350
<i>Phormium tenax</i>	Common flax	A	P4	P465	1.5 metre c/s	218
<i>Phormium tenax</i>	Common flax	F	P4	P465	1.5 metre c/s	95
<i>Phormium tenax</i>	Common flax	G	P4	P465	1.5 metre c/s	95
TOTAL:						1082





**KEY :**

Exotic Trees:  
Eucalyptus ficifolia (Red Gum)

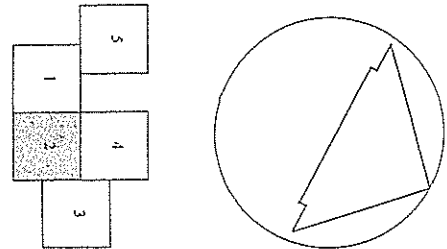
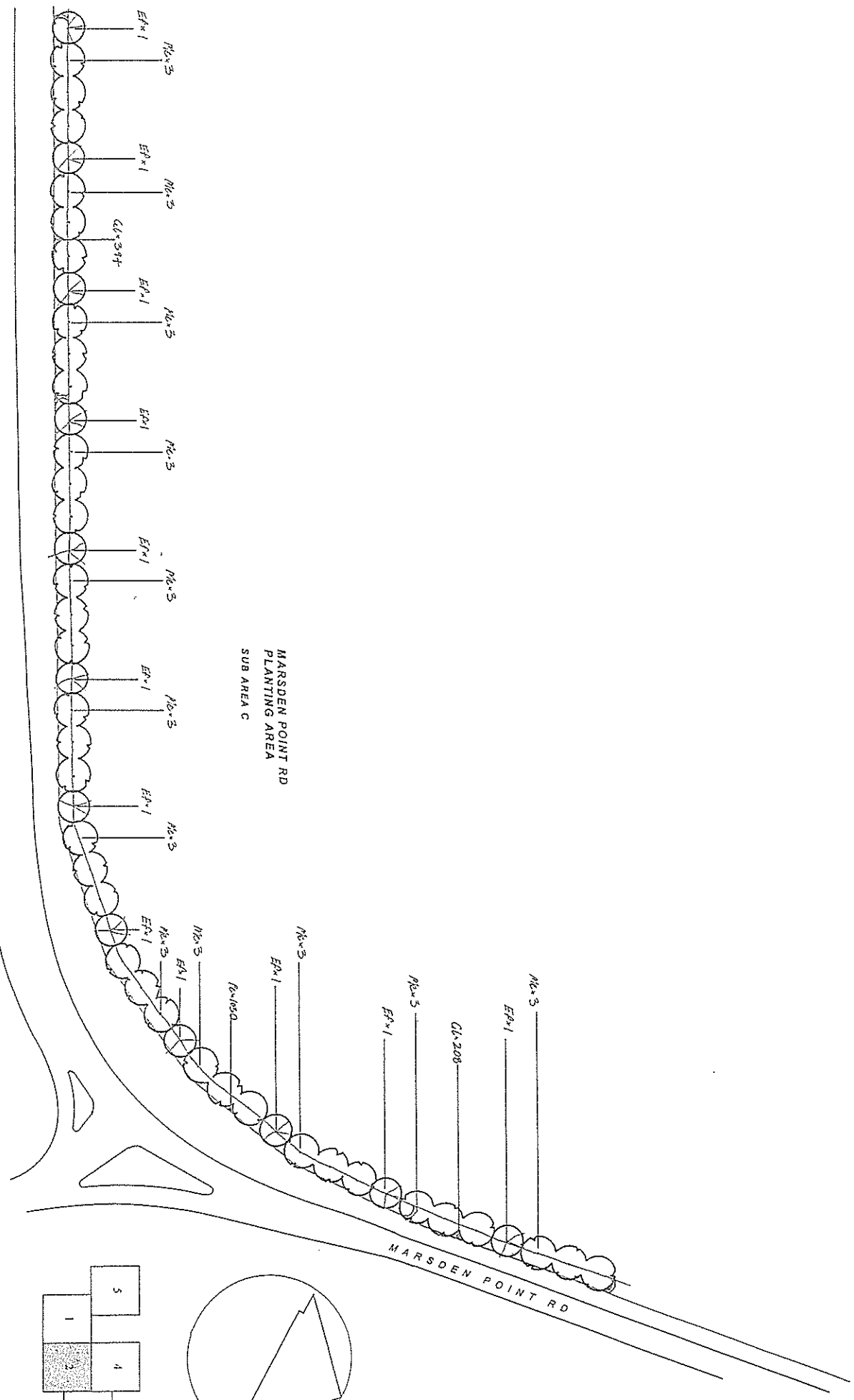
NZ Trees:  
Corynocarpus laevigatus (Karaka)  
Dacrydium dacrydioides (Kahikatea)  
Metrosideros excelsa (Pohutukawa)  
Podocarpus totara (Totara)

MARSDEN POINT RD PLANTING AREA

EXOTIC TREES						Number
Species	Common Name	Sub Area	Code	Size	Spacing	
Eucalyptus ficifolia	Red Gum	B	ET	Pg 40	As per plan	10
Eucalyptus ficifolia	Red Gum	C	ET	Pg 40	As per plan	12
Eucalyptus ficifolia	Red Gum	E	ET	Pg 40	As per plan	5
TOTAL						27
NZ TREES						Number
Species	Common Name	Sub Area	Code	Size	Spacing	
Metrosideros excelsa	Pohutukawa	B	ME	Pg 40	As per plan	33
Metrosideros excelsa	Pohutukawa	C	ME	Pg 40	As per plan	36
Metrosideros excelsa	Pohutukawa	E	ME	Pg 40	As per plan	17
TOTAL						86
SHRUBS						Number
Species	Common Name	Sub Area	Code	Size	Spacing	
Ceanothus litoralis	Kopaka	B	GI	Pg 5	1.5 metre c/s	450

Pittosporum caudatum	Karo	C	Pe	Pg 5	1.5 metre c/s	1050
Pittosporum caudatum	Karo	E	Pe	Pg 5	1.5 metre c/s	379
TOTAL						3870

Refer sheet 1 for total plant numbers



PORT ACTIVITIES AREA

EASTERN PORT  
PLANTING AREA

MARSDEN POINT RD  
PLANTING AREA

SUB AREA E

Refer sheet 2 for Marsden Point Rd  
Planting Area schedule

INDUSTRIAL ZONE

MARSDEN POINT RD

POSED RECLAMATION

WHANGAREI HARBOUR

KEY :

Exotic Trees:



*Eucalyptus ficifolia* (Red Gum)

NZ Trees:

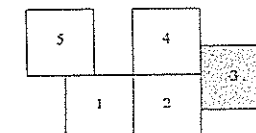
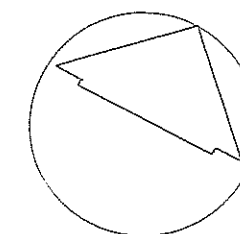


*Metrosideros excelsa* (Pohutukawa)

EASTERN PORT PLANTING AREA

EXOTIC TREES					
Species:	Common Name:	Code:	Size:	Spacing:	Number:
<i>Eucalyptus ficifolia</i>	Red Gum	El	Pb 40	As per plan	4
TOTAL:					4
NZ TREES					
<i>Metrosideros excelsa</i>	Pohutukawa	Mo	Pb 40	As per plan	65
<i>Metrosideros excelsa</i>	Pohutukawa	Mo	Pb 200	50 metre c's	5
TOTAL:					70

Refer sheet 1 for total plant numbers



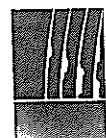
3  
5

MARSDEN POINT PORT DEVELOPMENT

# PLANTING PLAN

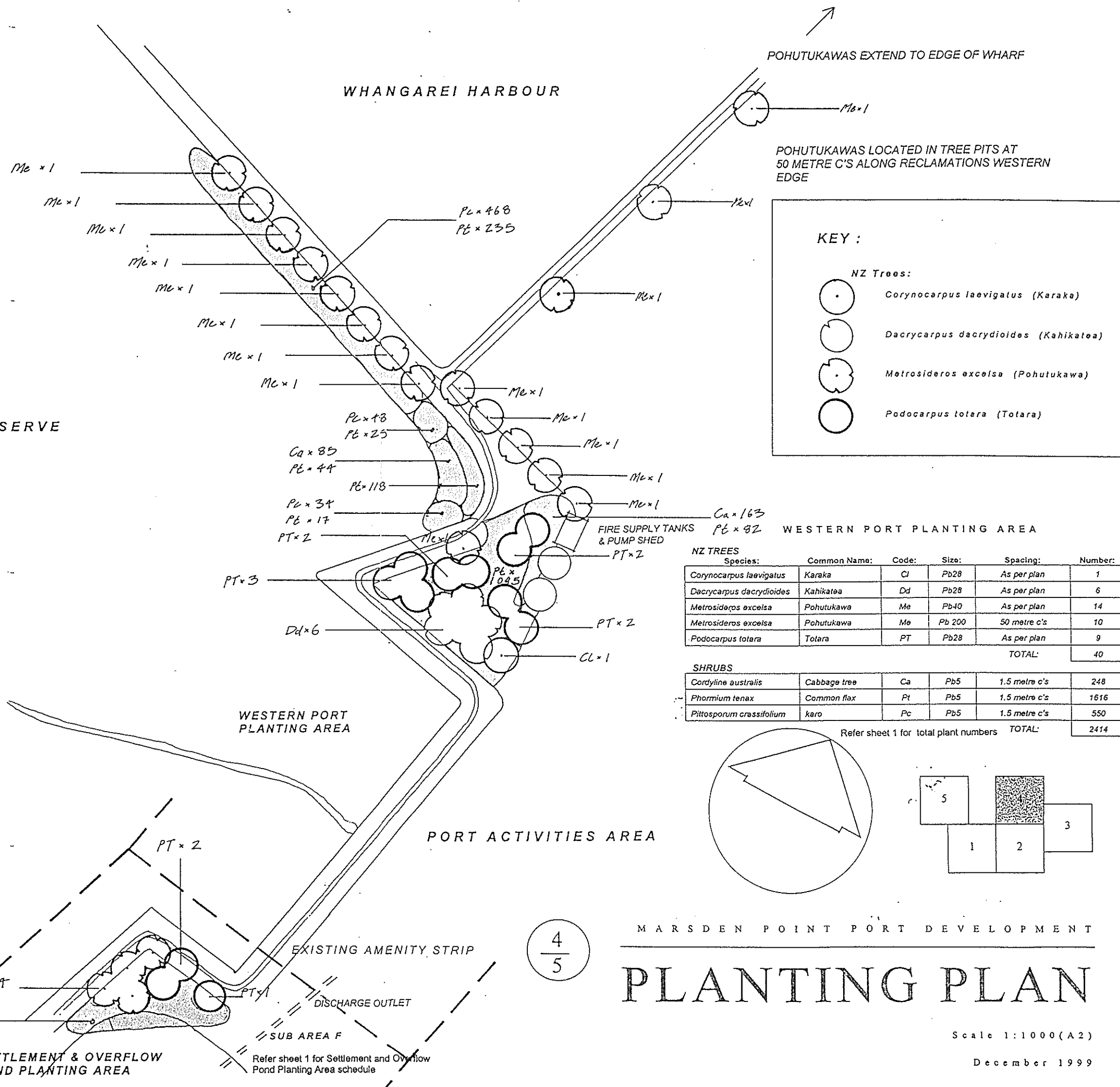
Scale 1:1000(A1)

December 1999



STEPHEN BROWN  
LANDSCAPE ARCHITECTURE







Our Ref: D60/1/0  
Your Ref: LU 96/316 P00302

13 November, 2002

Whangarei District Council  
Private Bag 9023  
WHANGAREI

Attention: Trish Routley, Monitoring Officer

Dear Trish,

**Resource Consent 5055: Condition 22 and 23**  
**Landscape Plan Marsden Point Road \ One Tree Point Road**

At a recent meeting of the Community Liaison Group, the question of landscape strip alongside Marsden Point Road and One Tree Point Roads was discussed.

The plan as currently approved, envisages Pohutukawa, with under planting with other natives and the use of Eucalyptus at intervals.

Northport proposed, on advice from its landscape expert, that the Eucalyptus be replaced with Totara making the whole area a native planting in keeping with the general area, and preferably with eco sourcing of the plants.

The Committee accepted and fully agreed with this viewpoint and a copy of the relevant minutes are attached.

The same matter was considered at a meeting with our Patuharakeke Liaison Group on 8<sup>th</sup> November 2002. They also endorsed the change and a copy of a letter confirming their agreement is enclosed.

Your agreement to change the Landscape Plan accordingly is requested.

Yours faithfully



John Palmer  
**SPECIAL PROJECTS MANAGER**

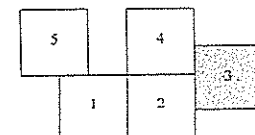
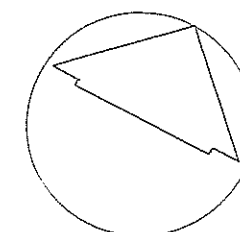
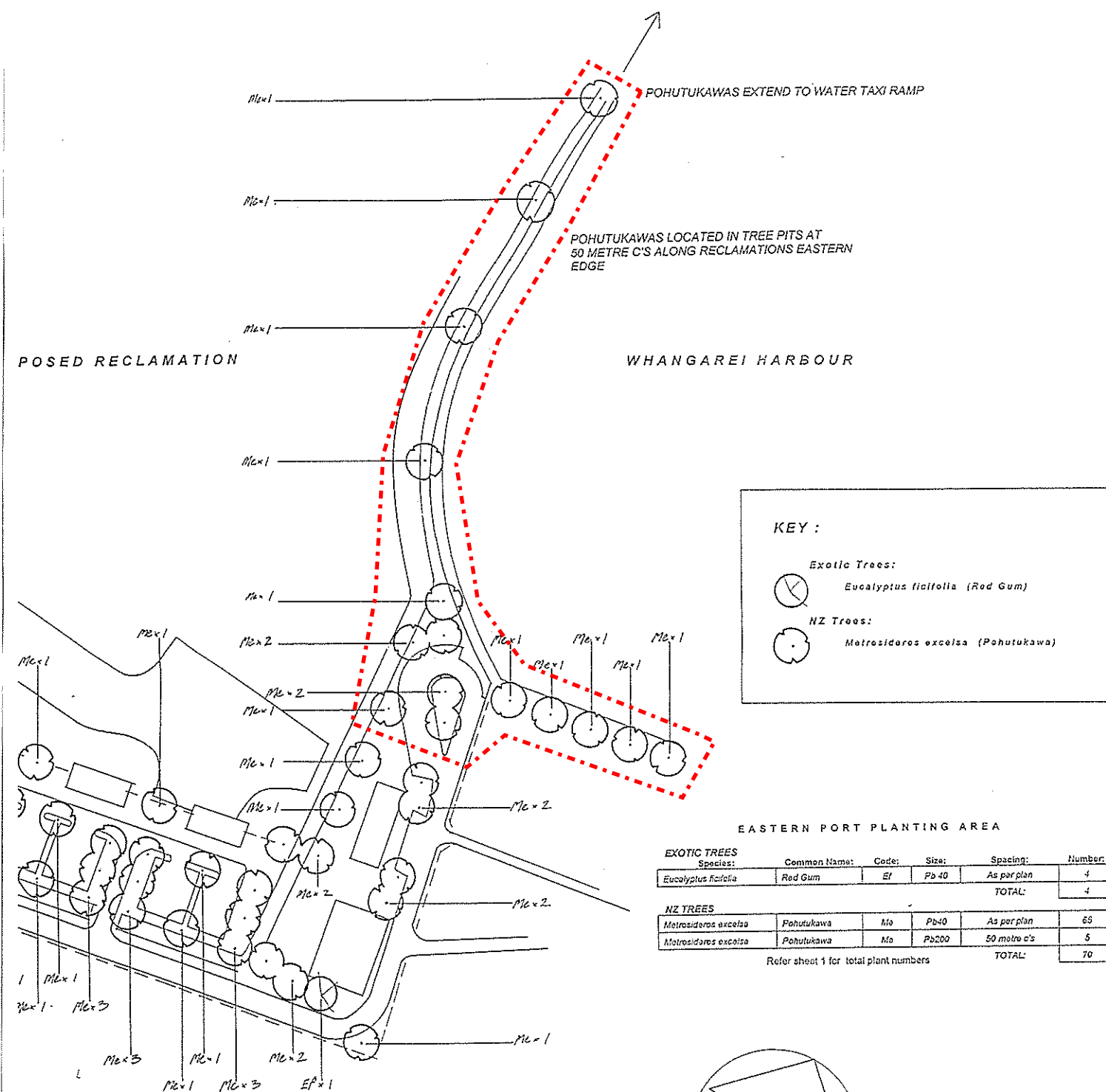
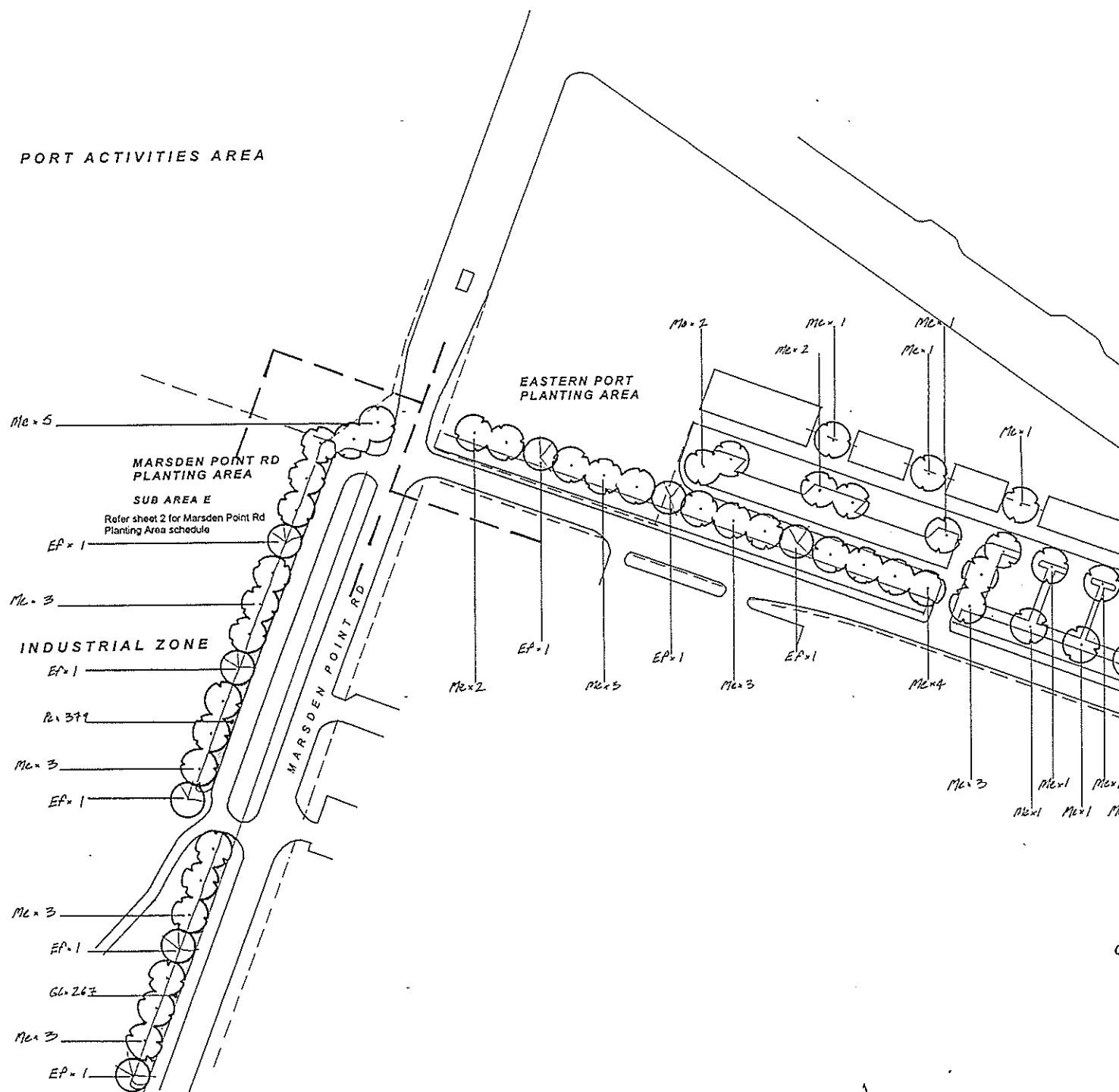
Direct dial (09) 432 5012  
Email john.palmer@northport.co.nz  
Mobile 021 764 484

Attachments: Minutes of the CLG meeting dated 5 November 2002  
Copy of letter from Patuharakeke Liaison Group

4/11

copy.  
D61/6.

----- TREES TO BE REMOVED (BERTH 5 EXPANSION)

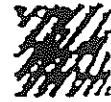


3/5

# MARSDEN POINT PORT DEVELOPMENT PLANTING PLAN

## APPENDIX 2

Scale 1:1000(A1)  
December 1999



**BOFFA  
MISKELL**

*planning • design • ecology*

PO Box 91 250

Level 3, IBM Centre

5 Wyndham Street

Auckland, New Zealand

Tel: 64 9 358 2526

Fax: 64 9 359 5300

Website: [www.boffamiskell.co.nz](http://www.boffamiskell.co.nz)

## **MARSDEN POINT PORT DEVELOPMENT**

### **Description of changes to the landscape treatment of the Stormwater Ponds Area.**

Boffa Miskell have been engaged by the Northland Port Corporation to review the landscape proposals for the stormwater pond at Marsden Point and to prepare new plans in light of changes to the pond.

The Landscape Concept for the Stormwater Ponds Area and subsequent planting plans that were approved by the Whangarei District Council on 31/03/00, were based on the ponds being dry ponds that would be periodically flooded during storms. The pond would only contain water in prolonged wet periods and during storms hence the pond was to be grassed and planted with clumps of trees.

The pond has now been constructed. It became obvious during construction that the pond will contain shallow water for several months during winter making grassing impracticable. Hence there is a clear need to reevaluate the suitability of grassing and planting the pond with specimen trees.

The planting plan for the Stormwater Pond, that was approved by Council, involved planting of Pohutakawa, Totara and Karaka on the pond side of the bund and groups of Kahikatea within the pond.

This planting was described as establishing a solid band of planting along the eastern side of Blacksmith Creek Reserve and assisting this providing a solid buffer between the port development areas and the residential community of Marsden Bay.

The change in the nature of the pond has meant that the Landscape proposal needed to be modified. The pond will at its original design depth contain water for much of the year, where as it was planned to be a grassed dry pond, and on this basis it was decided to change the pond to a wet pond. The pond will now be constructed some 200 – 300mm deeper than originally designed and become a wet pond for most of the year.

This change in design philosophy has resulted in a change to the planting design whilst retaining the original overall landscape objectives of linking the planting with Blacksmith Creek Reserve and the remnant pockets of lowland forest in the surrounding landscape, as well as reinforcing the buffer between the port and the residential community of Marsden Bay.

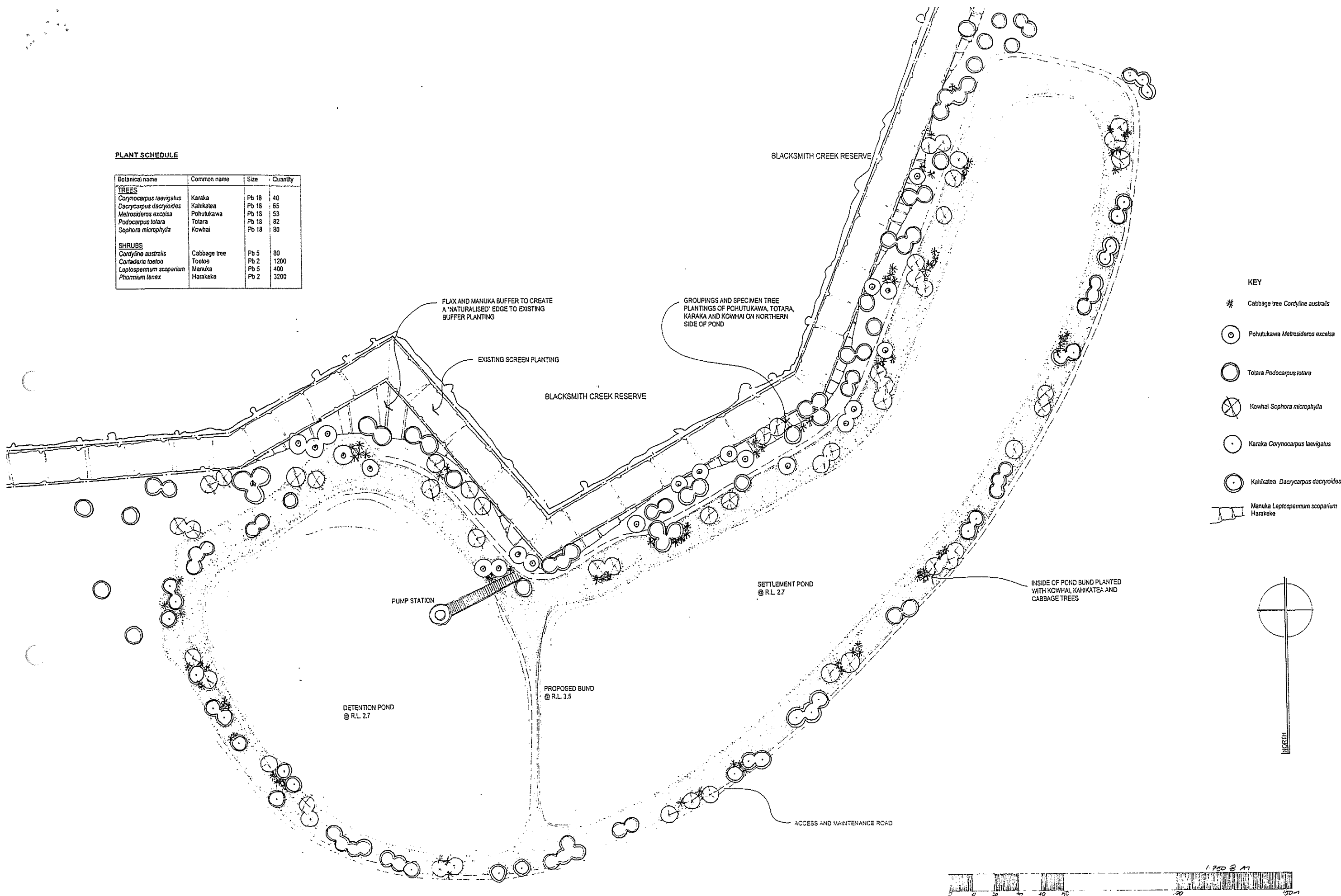
The pond bund and land adjoining Blacksmith Creek Reserve will be planted with clumps of Pohutukawa, Karaka, Totara, Kowhai and Manuka trees. An understorey of flax and cabbage trees will be planted with these trees along the boundary of the Reserve to visually link the pond and reserve and reduce the hard edge of the existing fenceline.

The pond side of the bund will be planted with Kahakatia, Totara, Kowhai and Cabbage Trees. Kahakatia will be planted at the waters edge.



# PLANT SCHEDULE

Botanical name	Common name	Size	Quantity
<b>TREES</b>			
<i>Corynocarpus laevigatus</i>	Karaka	Pb 18	40
<i>Dacrydium dacryoides</i>	Kahikatea	Pb 18	65
<i>Metrosideros excelsa</i>	Pohutukawa	Pb 18	53
<i>Podocarpus totara</i>	Totara	Pb 18	82
<i>Sophora microphylla</i>	Kowhai	Pb 18	80
<b>SHRUBS</b>			
<i>Cordyline australis</i>	Cabbage tree	Pb 5	80
<i>Cortaderia toetoe</i>	Toetoe	Pb 2	1200
<i>Leptospermum scoparium</i>	Manuka	Pb 5	400
<i>Phormium tenax</i>	Harakeke	Pb 2	3200



### APPENDIX 3: FUTURE PORT NOISE MAP



