

**Table 3: Whangarei District Council (Operation) Recommended Amendments and Northport Response**

Northport Condition	Recommended Council Amendment	NRC Comment	Northport Response
<b>GENERAL</b>			
Description of consented activities	Port activities on the proposed reclamation and wharves, and on those parts of the proposed port development area above MHWS (including activities on the reserve area and associated amenities).	In line with proposed WDC conditions (construction).	<b>Adopted.</b>
Referenced reports and plans	Include reference to Applicants Expert Evidence Reference all Plans (Location Plan, Planting Plans, Noise Map) attached to the conditions in this list	Forms a full part of the application scope	<b>Adopted in part</b> (Condition 1) –all plans now referenced. Unnecessary to list evidence.
<b>LAPSING OF CONSENTS</b>			
"This resource consent will lapse twenty (20 years) after commencement."	"This resource consent will lapse <del>twenty</del> <u>ten</u> ( <del>20</del> <u>10</u> years) after commencement."	Aligns with NRC consent lapse periods	<b>Not adopted</b> (Condition 13) – the 20-year lapse date is appropriate given the nature of the infrastructure.
<b>PORT OPERATION – location</b>			
Port Activities – location	Amend to insert recommended conditions 23-25 of the s42A addendum	Retain the position on application scope for use of the reclamation for empty container storage and administration/ancillary activities as applied for and set out to demonstrate need for the reclamation, need for cranes, and to ensure the incentive to reinstate public access.	<b>Not adopted</b> – impractical for a working port. Original condition retained (now Condition 17).
<b>PORT OPERATION – Noise (Conditions 18-29)</b>			
Operational Noise – mechanical ventilation	Amend conditions to require installation within 1 year rather than 18 months, and that acceptance of the offer can occur through the duration of the consent, rather than 24 months from the offer	Maintains position of the s42A and expert that mitigation is offered when noise is measured or predicted to exceed consented limits. If the latter, and noting uptake of the container terminal is expected to take longer than two years (growth scenario options from ME report) how does the mitigation	<b>Not adopted</b> – Requiring installation within 1 year may not be practical. 18 months is deemed appropriate. The 24-months acceptance period is also considered to be appropriate.

		remain reasonably available to land owners if they decide to delay acceptance until the noise is actually experienced?	
Port Noise Management Plan	Amend (b) to: Noise modelling, <u>continuous</u> noise monitoring, auditing, and reporting procedures to be undertaken and funded by the consent holder, which must include provision for live access to <u>real-time monitoring via the website (condition XX)</u> ;	To address issues raised by submitters about transparency of how noise is actually occurring	<b>Not adopted</b> – Marshall Day have advised that: <ul style="list-style-type: none"> <li>▪ A live data feed will present numbers only.</li> <li>▪ Assessment of compliance is more than just level. It also requires an understanding of the noise source. For example, if a noise event goes over the noise limit was it due to wind induced noise across the microphone, a cicada on the microphone? Was the bang construction related, port related, a motorbike on the adjacent community road, or a dog barking next door?</li> <li>▪ Noise monitoring data can be used in real-time to inform management responses. However, compliance requires review/assessment. A summary of monitoring data should be provided to the community at each liaison meeting (as provided for in the conditions already).</li> </ul>
<b>PORT OPERATION – Transport (Conditions 33-41)</b>			
Crash Monitoring Assessment	Amend to: No later than 12 months following Practical Completion, 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) <u>or equivalent at the time</u> .  (b) <u>Vehicle type, weather, date/time of the crash, specific vehicle and user detail that may associate the trip with Port traffic</u> (where such information is available); and	S42A and experts’ position is that the condition needs to future-proof potentially wider data sources that may be available in the future (acknowledging the current constraints of CAS).	<b>Not adopted</b> – the conditions have been agreed with Waka Kotahi. No changes are required.
Northport Traffic Monitoring Report	Unclear why this condition now omits reference to contribution of port traffic.	For clarification	<b>Not adopted</b> – conditions have been agreed with Waka Kotahi. No changes are required. For completeness, the contribution to port traffic conditions were abandoned as part of the agreement between Northport and Waka Kotahi.
Northport Traffic and Peak Times	Amend condition to:  (ii) Traffic volumes remain in excess of the limits specified within Table 2 above measured during a continuous five-day weekday count <u>or for more than 10 days over a month</u> .	Based on expert review	<b>Not adopted</b> – conditions have been agreed with Waka Kotahi. No changes are required.

Northport Traffic and Peak Times	Delete "within six months".	Due to condition evolution, the rationale for this timeframe no longer exists. If it is to be retained, it needs a clearer link to the '2 month' timeframe earlier in the condition, and the 3-month timeframe for the Intersection Assessment Report.	<b>Not adopted</b> (Condition 38) – For completeness and by way of explanation, the 6 months gives Northport time to implement traffic reduction measures after electing to run with Condition 37(a). The 3 months for the Intersection report comes 3 months after option 37(b) is selected, or 3 months after notification under Condition 38.
Intersection Assessment Report	Amend condition: Until the recommended mitigation detailed within the Intersection Assessment Report (required by condition xx) is implemented at the intersection(s), or as otherwise agreed by Council, Waka Kotahi NZ Transport Agency and the road controlling authority, all port traffic at peak times must be kept below the volumes outlined in Condition X Table 2: Northport Peak Traffic Volumes <u>and the consent holder shall provide a quarterly Traffic Monitoring Report to demonstrate compliance with Table 2 Volumes.</u>		<b>Not adopted</b> – this is already covered under Condition 41.