

**Table 2: Whangarei District Council (construction) Recommended Amendments and Northport Response**

Northport Condition	Recommended Council Amendment	NRC Comment	Northport Response
<b>GENERAL</b>			
Referenced reports and plans	Include reference to Applicants Expert Evidence Reference all Plans attached to the conditions in this list	Forms a full part of the application scope	<b>Adopted in part</b> – all plans now referenced. Unnecessary to refer to evidence.
<i>New condition:</i> <b>Website</b>	Reinstate agreed website conditions 17 – 19 recommended in the s42A Addendum Condition Set	Key project milestones	<b>Not adopted</b> – website is part of NRC condition suite. Does not need to be replicated in WDC conditions.
<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> (20 <u>10</u> years) after commencement.”	Aligns with NRC consent lapse periods	<b>Not adopted</b> – the 20-year lapse date is appropriate given the nature of the infrastructure (Condition 17).
<b>DESIGN AND CONSTRUCTION OF RECREATIONAL FEATURES AND TRANSPORT INFRASTRUCTURE</b>			
Engineering Plan Approval	Delete reference in a-d to EES or design standard as this is covered in the condition preamble	Suggested for simplicity	<b>Adopted</b> (Condition 18(a)-(d))
Engineering Plan Approval – Pocket Park access standard	Amend to add underlined / delete strikethrough: (b) Design details of the construction of the Pocket Park private accessway, <del>including the and</del> connection to Ralph Trimmer Drive, <u>to provide two traffic lanes and a footpath, in accordance with the relevant engineering standards at the time</u> including a typical cross section, long section, culverts, drainage flow paths and overland flow;	Retain the position set out in the original wording of Condition 22(b) Council s42A Addendum set (dated 17 Nov 2023) to provide certainty for appropriate pedestrian and vehicle access.	<b>Not adopted</b> (Condition 18(b)) – detail not needed at this time.
Pocket Park – Maintenance	Condition 29 refers to Tangata Whenua Relationship Group.	Suggestion to include definition that refers to the regional consent requiring the group to be established.	<b>Adopted</b> (Condition 26) – definition added.
Mair Road Improvement Works (Augier Condition)	Retain the position set out within the s42A Addendum but reframe as a management plan condition.	Council position is this is a necessary offset to address the significant local recreational effects. It is not Augier.	<b>Adopted in part</b> (Conditions 31 to 33) – conditions amended to provide more certainty of implementation.

	If feasibility of implementation remains an issue, the alternative is to transfer the calculated cost of the Improvement Works to Council to deliver.		
<b>CONSTRUCTION</b>			
Construction Traffic Management Plan	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 CTMP must include:  ... (m) Measures to ensure the safe disembarking/embarking of passengers on cruise vessels, <u>and to minimise traffic effects of cruise ship traffic coinciding with operational Port and construction traffic, particularly during peak periods.</u>	Retain the position of the s42A set of conditions on the recommendation of Councils expert	<b>Not adopted</b> – Condition 39(m) considered adequate as is.
Construction and Environmental Management Plan	Amend (d) of the CEMP sections to:  (d) <u>Construction Noise, including to demonstrate how the relevant conditions will be satisfied;</u>	To clearly link to the noise performance standards in the conditions.	<b>Not adopted</b> – compliance with the conditions mandatory regardless. No other items in Condition 44 refer to compliance with other conditions.
<b>PUBLIC ACCESS</b>			
Construction of the Pocket Park	Amend to: The construction of the Pocket Park required by Condition XX must be completed <del>within 12 months of</del> <u>by</u> Practical Completion.	Maintenance of public access is an NZCPS policy driver and there has been no evidence that this can't be reinstated by practical completion  Note, Condition 57 may conflict with the timeframes in Condition 55 for landscape planting	<b>Not adopted</b> (Condition 52) – 12 month post practical completion condition retained for flexibility (different civil contracts etc.). Condition 29 amended to remove conflict with pocket park and landscape planting completion dates.
<i>New condition:</i> Retention of public access to fishing jetty	<u>The consent holder must continue to provide public access to the existing fishing jetty on the western edge of the reclamation from Papich Road.</u>	Recommend retaining condition requiring continued access to fishing jetty, as per that included in the existing consents and the proposed Operational condition set.	<b>Not adopted</b> – included in operations conditions (Condition 46). Existing consent conditions (including the requirement for access to the Papich Road fishing jetty) prevail in the interim. No need for double up.
Appendix 2: Landscape Plan	Remove Appendix 2 and any reference to Landscape Planting Plans	Conditions 30 to 33 relate to Landscape Planting but no specific planting plans are referenced	<b>Adopted</b> – covered in operations conditions.