



## **Application by Highways England for an Order Granting Development Consent for the A38 Derby Junctions Scheme The Examining Authority's further written questions dated 5 May 2020**

The following table sets out the Examining Authority's (ExA's) further written questions. The further written questions are directed to specified parties, but responses will also be accepted from other Interested Parties.

**Responses are requested by Deadline 12, on Tuesday 12 May 2020.**

**Any comments on the responses are requested by Deadline 13, on Tuesday 19 May 2020.**

### **Abbreviations:**

dDCO	draft Development Consent Order	EBC	Erewash Borough Council
DCC	Derbyshire County Council	ExA	Examining Authority
DCiC	Derby City Council	OEMP	Outline Environmental Management Plan
EA	Environment Agency	TMP	Traffic Management Plan

### **Useful links:**

Examination Library: <http://infrastructure.planninginspectorate.gov.uk/document/TR010022-000671>

Frequently Asked Questions: <http://infrastructure.planninginspectorate.gov.uk/document/TR010022-001269>

No	Question to	Reference	Question
<b>1.</b>	<b>The draft Development Consent Order</b>		
	Reference is made to the draft Development Consent Order submitted by the Applicant at Deadline 9 [REP9-004] and the ExA's Schedule of Changes to the dDCO [PD-017].		
	<b>Part 1 – Preliminary</b>		
1.1.	Derby City Council (DCiC) Derbyshire County Council (DCC) Applicant	Article 3 Disapplication of permit schemes	<p>a) Are DCiC content with the proposed disapplication of their permit scheme and with any other provisions required for them to accept disapplication, including those in Articles 11 and 12, in the Traffic Management Plan (TMP) [REP7-003], and in the Outline Environmental Management Plan (OEMP) [REP10-002]?</p> <p>b) DCC have reiterated concerns [REP9-047] that the Applicant <i>"consults closely, effectively and in a timely manner with Derbyshire County Council's Network Management Officers on any works that are carried out to streets by the applicant (that would otherwise subject to DCC's Permit Scheme)"</i>. Are DCC content with the provisions for consultation and other relevant provisions in paragraphs 1.1.7, 3.1.7, 5.7.1-4 and 6.3.2-5 of the TMP [REP7-003]?</p> <p>c) Should the final sentence of paragraph 6.3.2 of the TMP [REP7-003] read <i>"... the DCC Permit Scheme ..."</i>?</p>
	<b>Part 2 – Principal Powers</b>		
1.2.	DCiC DCC Applicant	Article 6 Maintenance of authorised development	<p>a) Further to the concerns raised by DCiC [REP9-030], should the Applicant include a provision in the OEMP [REP10-002] to specifically ensure the maintenance of the flood storage areas at Kingsway Island which is to return to the original landowner?</p> <p>b) Do DCiC and DCC consider that an acceptable process is secured in the OEMP [REP10-002] for the identification of final maintenance and repair responsibilities? Have satisfactory principles for maintenance and repair been agreed?</p>

No	Question to	Reference	Question
<b>Part 3 – Streets</b>			
1.3.	DCiC	Article 18 Clearways	The Applicant has stated [REP10-009] that it has updated the Schedules following discussions with DCiC. Is DCiC now content with the updated Schedules [REP9-004]?
1.4.	Applicant DCiC	Article 19 Traffic regulations	The Applicant has stated [REP10-009] that it has updated the Schedules following discussions with DCiC. Is DCiC now content with the updated Schedules [REP9-004]?
<b>Part 4 – Supplemental Powers</b>			
1.5.			
<b>Part 6 – Operations</b>			
1.6.	DCiC	Article 40 Trees subject to tree preservation orders	Are DCiC content with these provisions and with the related provisions in Schedule 8 and in the OEMP [REP10-002]? If not, how should they be amended?
<b>Schedule 2 – Requirements</b>			
1.7.	Environment Agency (EA)	Requirement 13(1) Surface and foul water drainage	Is the EA content that OEMP [REP10-002] provisions would provide enough protection for controlled and drinking waters in the vicinity of the main construction compound, including during the preliminary works?
<b>Schedule 5 – Land in Which New Rights, etc. May be Acquired</b>			
1.8.	Applicant	Schedule 5	a) Further to Cadent Gas' comments [REP9-032] and for clarity and consistency with Cadent Gas' standard easements, please could the relevant purposes be amended to " <i>...for the diversion, operation, maintenance, protection and decommissioning of, and access to ...</i> "?

No	Question to	Reference	Question
			<p>b) If the Applicant disagrees with Cadent Gas' reasoning for the inclusion of "<i>protection</i>", "<i>operation</i>" or "<i>decommissioning</i>", please could it explain why?</p> <p>c) If the Applicant considers that the wording proposed by Cadent Gas would cause a problem, please could it explain why?</p>
<b>Schedule 8 – Trees Subject to Tree Preservation Orders</b>			
1.9.	DCiC	Schedule 8	Does DCiC have any outstanding concerns? How should any outstanding concerns be addressed?
<b>Schedule 9 – Protective Provisions</b>			
1.10.	Applicant Cadent Gas Limited	Schedule 9	It would be helpful to the ExA and the Secretary of State if the majority, if not all, matters of contention [REP9-032][REP10-009] could be resolved between the Applicant and Cadent Gas Limited during the Examination. To that end it is suggested that the expert legal advisors acting for each party discuss the points on which they differ and seek to resolve them collaboratively rather than through a series of statements and counterstatements to the Examination.
1.11.	Applicant Network Rail	Schedule 9	Please could Network Rail consider the Applicant's response [REP10-009] to its proposed wording [REP9-037] and please could the Applicant consider Network Rail's further amendments [REP10-013]? It would be helpful if the parties could please discuss the few remaining points that have yet to be agreed.
1.12.	Applicant Statutory Undertakers	Schedule 9	<p>a) Do any statutory undertakers have any other outstanding concerns? How should any outstanding concerns be addressed?</p> <p>b) Before the close of the Examination, please could the Applicant and any other relevant party please provide a summary of any protective provisions that have not been agreed together with a summary of the differences between the parties?</p>
<b>Schedule 10 – Documents to be Certified</b>			

No	Question to	Reference	Question
1.13.	Applicant	Schedule 10	<p>Further to the Applicant's response [REP9-029], it is not clear to the ExA that the Schedule provides references to:</p> <ul style="list-style-type: none"> <li>• the latest versions of <b>all</b> relevant new or updated documents provided by the Applicant during the Examination; and</li> <li>• updated environmental statement documents incorporating <b>all</b> clarifications to paragraphs, tables, figures or plans provided by the Applicant in its' Written Representations during the Examination.</li> </ul> <p>a) Please could the Applicant carry out a detailed review of its' submissions during the Examination, including both standalone documents and relevant material embedded in its responses to the ExA's questions and in its comments on submissions made by others?</p> <p>b) Please could the Applicant provide a summary (with Examination Library reference number and specific page, figure, plan, table or paragraph number, as appropriate) of all relevant submissions to the Examination (including, but not limited to, those provided at item 33 of [PD-015]) and clarify which Schedule 10 document includes each submission?</p> <p>c) Please could the Applicant then update Schedule 10, providing a unique date and revision number to each updated Schedule 10 document, and provided copies of the updated Schedule 10 documents that are to be certified?</p>
<b>2.</b>	<b>Transport networks and traffic</b>		
2.1.	DCiC	Modelling of queueing and junctions during construction	<p>a) Is DCiC content the Applicant has given enough consideration to the potential for queues at one junction to effect other junctions and potentially lead to gridlock for the purposes of identifying reasonable worst-case impacts during construction and as appropriate for this stage of the process?</p>

No	Question to	Reference	Question
			b) If DCiC is not content, does it have any suggestions about how this can be addressed during the remainder of the Examination?
2.2.	Applicant	Increases in road traffic	<p>The Applicant has previously cited a Post Opening Project Evaluation of Major Schemes which finds relatively low levels of induced traffic. Christian Murray-Leslie [AS-054] has stated that a “CRPE report on impact of local road projects in England- Sloman et al 2017 shows that such schemes generate increased road traffic with 7% increase over first 3 to 5 years and an increase of 47% over the subsequent 8 to 20 years”.</p> <p>a) Please could the Applicant comment?</p> <p>b) If the Applicant disagrees with the figures quoted by Christian Murray-Leslie or the underlying CPRE methodology, or considers that they are not relevant to the proposed development, please could it explain why?</p>
2.3.	Applicant DCiC	Customer and Stakeholder Manager	<p>DCiC has committed to providing a desk for a Customer and Stakeholder Manager and this has been added to the OEMP [REP10-002]. However, no commitment has been given to whether the Customer and Stakeholder Manager would actually spend any time at DCiC’s office.</p> <p>a) Please could the Applicant and DCiC agree on either:</p> <ul style="list-style-type: none"> <li>• how much time the Customer and Stakeholder Manager’s time should spend in DCiC’s office; or</li> <li>• on the circumstances in which their attendance at DCiC’s office would be required?</li> </ul> <p>b) Please can the OEMP be updated accordingly?</p>
2.4.	DCiC	Access to Royal Derby Hospital during construction	a) Is DCiC content with the measures set out in the TMP [REP7-003] to maintain access to the Royal Derby Hospital during construction?

No	Question to	Reference	Question
			<p>b) If DCiC is not content, does it have any suggestions about what other mitigation should be secured?</p> <p>c) Should “a dedicated passage for emergency vehicles” be provided in the manner suggested by Anne Morgan [AS-056]?</p>
2.5.	Applicant	Non-motorised users (NMU)	<p>Further to the Applicant’s response [REP10-009] to Derby Cycling Group’s submission [REP9-041], is the Applicant able to secure commitments in the TMP [REP7-003], for example:</p> <ul style="list-style-type: none"> <li>• commitment to (rather than support for) a Fleet Operator Recognition Scheme (FORS) to be operated to a minimum of silver standard, with exceptions for some specialist plant, but this would be kept to a minimum and plans would be put in place such that their movements would minimise interfacing with NMU; and</li> <li>• for reasonable or best endeavours to be made to including the measures set out in sections A1, A2 and A3 of Derby Cycling Group’s Deadline 6 submission [REP6-031]?</li> </ul>
2.6.	Applicant DCC Network Rail Derby Cycling Group	Ford Lane bridge	<p>a) Do DCC, Network Rail or Derby Cycling Group have any comments on the measures secured in the OEMP [REP10-002], reference MW-TRA12? How should any outstanding concerns be addressed?</p> <p>b) Please could the Applicant provide an update on the verification survey and subsequent assessment? Is this work likely to be completed during the remainder of the Examination?</p>
2.7.	DCiC	Ford Lane / A6 junction	<p>a) Is DCiC content with the measures secured in the OEMP [REP10-002], reference MW-TRA14?</p> <p>b) If DCiC is not content, please could it suggest alternative wording?</p>
<b>3.</b>	<b>Climate change</b>		

No	Question to	Reference	Question
3.1.	Applicant	National policy considerations	<p>Derby Climate Coalition [REP9-040] has referred to the need “to challenge the validity of this scheme in terms of national policy on climate change as well as the NPSNN”.</p> <p>Please could the Applicant briefly summarise the consideration given to national policy on climate change, and to local policy and whether the proposed development is consistent with them?</p>
3.2.	Applicant	CO <sub>2</sub> emissions	<p>The Applicant considers that the greenhouse gas impact of the proposed development as a proportion of current UK carbon budgets is negligible and therefore immaterial.</p> <p>a) Please could the Applicant comment on the suggestion that to meet the UK’s targets requires attention to sources of the scale of the proposed development, and smaller, as cumulatively these represent a high proportion of the total?</p> <p>b) Please could the Applicant comment on the suggestion that the proposed development is likely to be a larger source of greenhouse gases, and (during construction) a larger source of increases, than most other individual sources?</p> <p>c) How is the Applicant’s conclusion consistent with consideration of cumulative impacts and (if appropriate) the large contribution from the proposed development compared with other sources?</p>
3.3.	Applicant DCiC DCC	Net zero carbon by 2050	<p>The Applicant advises that the schemes in Road Investment Strategy (RIS)1 have been assessed and included in the UK Government’s carbon budget. It also advises that the Proposed Development is included in RIS2 and, as such, is fully integrated with the Road to Zero Strategy. However, RIS1 and the Road to Zero Strategy pre-date the Government’s updated target for net zero carbon by 2050 (Climate Change Act 2008 (2050 Target Amendment) Order 2019). The Applicant also advises that ‘Consideration has been made of the potential impact of the proposed development against the updated net zero GHG target by 2050 and the Applicant does not consider that this gives cause to alter the assessment findings.’</p>

No	Question to	Reference	Question
			<p>a) Please would the Applicant provide further details of how it concluded that there was no need to alters is assessment finding in its consideration of the scheme against the updated net zero GHG target.</p> <p>b) Please would the Applicant clarify how that assessment takes into account the fact that the carbon budgets for the net zero target will not be available until later in 2020?</p> <p>c) Please would the Applicant clarify its understanding of the weight to be attached to locally allocated carbon budgets and whether the assessment takes them into account.</p> <p>d) Do DCiC and DCC consider that the locally allocated budgets are consistent with the UK Government's net zero target?</p>
3.4.	Applicant	Operational emissions	<p>a) The Applicant has stated [REP9-029] a commitment to reducing operational emissions. Does it intend to apply any of those methods to the proposed development, for example photovoltaic noise barriers or other renewable energy technology? If not, why not?</p> <p>b) Would the use of photovoltaic noise barriers have any implications for the visual impact assessment?</p>
3.5.	Applicant DCiC DCC Erewash Borough Council (EBC)	Carbon footprint	<p>a) Should carbon footprint targets be set in the OEMP to ensure that best practice is followed?</p> <p>b) Please could the Applicant advise whether the planting of new trees fully compensates for the loss of mature trees from a climate change and carbon sequestration perspective? If not, why not and should it? Please clarify the age of new planted trees considered in the response.</p>
3.6.	Applicant DCiC DCC	Support to other transport modes	<p>The ExA questioned [PD-018] whether enough support has been given to other transport modes and behavioural change.</p> <p>The Applicant responded [REP9-029] that "...Highways England is the strategic highway authority. Other transport modes are the</p>

No	Question to	Reference	Question
	Derby Cycling Group		<p><i>responsibility of the DfT and the Local Highway Authority (which at two of the three junctions is DCiC). These organisations are responsible for promoting transport interventions that promote behavioural changes and the use of non-carbon-emitting transport modes.</i></p> <p>Paragraph 5.205 of the National Policy Statement for National Networks states that <i>"Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure."</i></p> <p>a) Please could the Applicant reconsider its earlier response, if necessary following discussion with other relevant parties about which initiatives it would be appropriate to support? Should these include the <i>"ride share schemes"</i> suggested by Mair Bain [REP9-043], <i>"park and ride schemes"</i> suggested by Mr B.W.Day [AS-051] or other additional measures to support pedestrians, cyclists or public transport?</p> <p>b) Please could DCiC, DCC and Derby Cycling Group comment?</p>
<b>4.</b>	<b>Air quality</b>		
4.1.	Applicant	The potential for materially new or materially worse air quality effects during construction	<p>The Applicant has stated [REP9-029] that it would review impacts during detailed design and that <i>"in the unlikely event that the assessment indicates that the traffic management proposals give rise to materially new or materially worse environmental effects, this will indicate the need to amend the traffic management proposals or propose additional mitigation"</i>.</p> <p>a) Please could the Applicant advise whether there is a commitment to implement the amendments to traffic management proposals and other additional mitigation that it refers to and, if so, how that is secured?</p> <p>b) Please could the outcomes to be required of any amendments to traffic management proposals or proposed additional mitigation be</p>

No	Question to	Reference	Question
			clarified in the OEMP? Should these be to ensure that there were no materially new or materially worse air quality effects during construction?
4.2.	DCiC	The Applicant's assessment	Putting to one side any overall considerations of the proposed development, such as the overall balance of benefits and adverse impacts of the proposed development, do DCiC agree with the Applicant's assessment on the specific point that there are likely to be no significant air quality effects during construction? If not, why not?
4.3.	Applicant	Consistency with DEFRA compliance modelling	<p>DCiC [REP9-030] have stated that inconsistency remains between the Applicant's approach and DEFRA's, noting <i>"it now appears that the approaches are still different with respect to the choice of modelled receptor points (DEFRA's national model utilises a point 4m from the kerb, however the HE Guidance is to model at all 'qualifying features' within 15m of the carriageway, which vary in terms of their distance from the kerb"</i>.</p> <p>a) Does the Applicant agree with DCiC that its methodology is different to DEFRA's?</p> <p>b) With reference to any differences in methodology and paragraphs 5.9 and 5.13 of the National Policy Statement for National Networks, please could the Applicant justify whether it has made a <i>"judgement on the risk as to whether the project would affect the UK's ability to comply with the Air Quality Directive"</i> that is sufficient for decision making by the Secretary of State?</p>
<b>5.</b>	<b>The water environment</b>		
5.1.	Applicant	Groundwater levels and trees	<p>In response to [AS-058], the Applicant has stated [REP9-028] that <i>"It is considered that the removal of trees within Markeaton park will not have a significant effect on groundwater levels or groundwater movements, or result in any ground destabilisation."</i></p> <p>Please provide details of the assessment which led to this finding.</p>

No	Question to	Reference	Question
5.2.	EBC	Little Eaton construction compound	Does the revised wording of paragraph MW-G28 of the OEMP [REP10-002] satisfy EBC's concern regarding the condition of the compound when the main works have been completed? If, not, please suggest alternative wording.
<b>6. Biodiversity and ecological conservation</b>			
6.1.	EBC	Alfreton Road Rough Grassland Local Wildlife Site	<p>a) Please would EBC set out its reasons for considering that the impact of the proposal on the Local Wildlife Site remains unacceptable in the light of the Applicant's revised assessment?</p> <p>b) Does the Applicant's Technical Note dated 13 March 2020 (referred to in REP9-029 paragraph 5.1) and potential provision of bio-diversity enhancements through the Designated Funds project affect EBC's position?</p>
6.2.	Derby Climate Coalition	Otters	Please provide a copy of the work undertaken by Sheffield University [cited in REP9-039] on the effect of the scheme on otters.
<b>7. Landscape and visual impact</b>			
7.1.	Applicant	The effect of the proposed development on veteran tree T358	<p>a) DCiC has suggested that it may be possible to retain the veteran tree with a reduced canopy and root protection area. Please comment on whether this can be achieved by:</p> <ul style="list-style-type: none"> <li>• moving the carriageway further west within the existing limits of deviation;</li> <li>• introducing protection measures for the root protection area, including working methods and avoiding impacts from utility services; and</li> <li>• undertaking necessary works to the tree canopy.</li> </ul> <p>b) Please identify how any of these specific measures can be secured in the OEMP [REP10-002], as appropriate.</p>

No	Question to	Reference	Question
<b>8.</b>	<b>Land use, social and economic impact</b>		
8.1.	Applicant Euro Garages McDonalds Restaurants	The effect of the proposed development on the McDonald's and Euro Garages sites.	<p>a) There appears to be some narrowing of the differences between the parties regarding the capacity and geometry of the A52 access into the Euro Garages/McDonalds site. Could any further adjustment to the proposal which is necessary be dealt with at the detailed submissions stage?</p> <p>b) Regarding the outstanding concerns over rights access and the strengthening of the McDonald car park, are these matters which should be addressed through the DCO or are they matters for compensation?</p> <p>c) Please provide an update on the question of providing advance signage.</p>
8.2.	Applicant	Justification of the need for the proposed development.	In its response to Derby Climate Coalition [REP10-009, paragraph 5.17] the Applicant refers to its role as the highway authority for the Strategic Road Network and the Road Investment Scheme as part of the explanation of why it's options appraisal focussed on a road-based solution for A38 Derby junctions. It also refers to long delays to journeys on the network. However, solutions which may shift journeys from cars to other modes could address such problems. The TAG guidance cited by Derby Climate Coalition [REP9-040] advises that studies should not assume a preferred modal solution. Please explain how non-road-based options were considered when the A38 Derby Junctions was appraised using the TAG guidance.
<b>9.</b>	<b>Compulsory Acquisition, Temporary Possession and funding</b>		
	<b>The accuracy of the Book of Reference, Land Plans, updates and points of clarification</b>		
9.1.	Applicant	Updates	Please could the Applicant provide any further updates before the close of the Examination.

No	Question to	Reference	Question
<b>Need for Compulsory Acquisition and Temporary Possession and minimisation of need</b>			
9.2.	Applicant	CA of unknown interests	<p>a) Please could the Applicant provide an update on establishing ownership of the remaining unregistered plots in the Book of Reference.</p> <p>b) What further steps are anticipated during the remainder of the Examination, and later?</p>
9.3.	Applicant	Reduction of CA during detailed design	<p>The ExA has questioned [PD-018] the consideration that would be given to human rights during detailed design in relation to any opportunities to reduce CA identified at that stage and how human rights would be balanced against other factors. In its response [REP9-029] the Applicant referred to decisions being based on several considerations but did not list human rights among them. There is a suggestion that other practical considerations would dominate the decision making about whether or not CA could be reduced.</p> <p>a) Please could the Applicant clarify?</p> <p>b) Please could the Applicant suggest an outline process for the consideration of human rights during detailed design and construction planning to ensure that they are given proper consideration? How should such a process be secured? How can its implementation be made transparent?</p>
<b>Alternatives</b>			
9.4.	DCiC	Alternatives to the CA of the Queensway properties	<p>a) Do DCiC consider that there is potentially an alternative A38 alignment, based on the current position of the Markeaton roundabout, that would avoid the need for CA of the Queensway properties or any other residential properties other than those currently identified in Ashbourne Road and Sutton Close?</p> <p>b) It appears that any alternative identified in (a) above would result in the loss of a strip of land to the A38 edge of Markeaton Park</p>

No	Question to	Reference	Question
			and the loss of trees. Do DCiC consider that the loss of land and impacts on trees could be mitigated? If so, how?
9.5.	Applicant DCiC	The case for CA of Ashbourne Road and Sutton Close gardens	<p>a) Please could DCiC comment on the technical content of the Independent Safety Review Technical Note [Appendix A of REP6-014]?</p> <p>b) Does the Applicant consider that the stated purpose of the Independent Safety Review Technical Note [Appendix A of REP6-014] to "<b>maximise the safety of resident's movements</b>" (emphasis added) is appropriate for the question being asked about the case for CA? Would consideration of an <b>adequate</b>, rather than <b>maximum</b>, level of safety be appropriate? If so, would that lead to a different conclusion?</p> <p>c) The Applicant has stated [REP9-029] that a turning head is not required at 255 Ashbourne Road, but that TP is still required. Please could the Applicant provide detailed justification of the case for TP at 255 Ashbourne Road and the extent?</p> <p>d) The Applicant's explanation [REP9-029] of the case for CA of the gardens at 1 Sutton Close appears to be based on minimising impact on traffic. Is that the case? If so, is that sufficient for CA?</p>
<b>Individual objections and issues</b>			
9.6.	Applicant	Voluntary agreement and blight updates	<p>Please provide an update on progress in finalising voluntary agreements, potential acquisition due to blight and SoCG, including with respect to:</p> <ul style="list-style-type: none"> <li>• the CA schedule;</li> <li>• residents of 12 Queensway;</li> <li>• 253 and 255 Ashbourne Road;</li> <li>• Millennium Isle of Man Limited; and</li> <li>• Royal School for the Deaf Derby.</li> </ul>

No	Question to	Reference	Question
9.7.	Applicant	Loss of car parking	The Applicant has suggested [REP9-029] that up to 4 car parking spaces would be lost at 255 Ashbourne Road. Why is that when only TP is now proposed?
<b>Crown interests</b>			
9.8.	Applicant	Crown consent	Please provide an update on securing written agreement and s135 consent.
<b>Statutory Undertakers</b>			
9.9.	Applicant Statutory Undertakers	Progress updates	Please provide an update on progress in: <ul style="list-style-type: none"> <li>• finalising protective provisions and SoCG; and</li> <li>• consideration of the alternative to the acquisition of rights from Network Rail of a framework agreement, a deed of easement, a bridge agreement and Relevant Asset Protection Agreement(s) suggested by Network Rail Limited.</li> </ul>
9.10.	Applicant Statutory Undertakers	Whether there is serious detriment	Please provide an update on whether there is evidence of any serious detriment. Have the Planning Act 2008 s127 and s138 tests been satisfied?
<b>Special Category Land</b>			
9.11.	Applicant	The Markeaton Park 'Mundy covenant'	a) Please provide an update on identification and engagement with the successor to the title and progress in pursuing a voluntary agreement rather than CA. b) Please clarify the consideration given to the rights of wider beneficiaries due to their use of the land as protected by the covenant, e.g. in relation to public amenity, for this specific matter. c) Please update the Book of References and Statement of Reasons, as required.

No	Question to	Reference	Question
<b>Availability and adequacy of funds</b>			
9.12.	Applicant	Updates	<p>Please provide any updates with respect to:</p> <ul style="list-style-type: none"> <li>• Government priorities and the Road Investment Strategy; and</li> <li>• the funding statement and land cost estimates.</li> </ul>
<b>Potential impediments to the proposed development</b>			
9.13.	Applicant	Updates	<p>Please provide any updates with respect to:</p> <ul style="list-style-type: none"> <li>• the Consents and Agreements Position Statement, progress in obtaining other consents, and whether there are any known impediments; and</li> <li>• any other changes to policy or priorities in the Applicant's programme that could affect the proposed development.</li> </ul>
<b>Other matters</b>			
9.14.	DCiC	Trigger mechanism	<p>Have DCiC's concerns [REP4-029] regarding the need for a trigger mechanism for 28 days or 44 days been addressed by the Applicant's response [REP5-010]? Does DCiC have any outstanding concerns on this matter? If so, could a remedy be agreed with the Applicant?</p>