

## FORM 18

### NOTICE OF REQUIREMENT FOR AN ALTERATION TO DESIGNATION OF LAND UNDER s181 OF THE RESOURCE MANAGEMENT ACT 1991

TO: Auckland Council  
Private Bag 92300  
35 Graham Street  
Auckland 1142

FROM: Waka Kotahi New Zealand Transport Agency  
Private Bag 106602  
Auckland 1143

Waka Kotahi New Zealand Transport Agency (Waka Kotahi) gives notice of requirement for an alteration to Designation 6707 for a public work, being State Highway 22 between State Highway 1 Drury Interchange and Oira Creek.

Waka Kotahi is a network utility operator approved as a requiring authority under section 167 of the Resource Management Act 1991 (RMA). Refer to the Gazette Notices included in **Attachment A** of this Notice.

#### THE SITE TO WHICH THE REQUIREMENT APPLIES IS AS FOLLOWS:

The area of the proposed alteration to designation is shown on the Designation Plans included in **Attachment B** of this Notice. The land to be designated is an area of approximately 12.8ha located on either side of the existing State Highway 22 (SH22) in Drury between State Highway 1 (SH1) Drury Interchange and Oira Creek. The requirement applies to 42 land parcels. The land directly affected by the requirement is identified in the Schedule of Directly Affected Property included in **Attachment C** of this Notice.

#### THE NATURE OF THE PROPOSED WORKS IS:

The proposed work is the construction, operation and maintenance of an upgrade to the existing SH22, including active transport facilities, and associated infrastructure between SH1 Drury Interchange and Oira Creek (hereafter referred to as “the Project”). The nature of the proposed work is described in Section 6: *SH22 Upgrade Description of Project and Proposed Works* and Section 4.4: *Construction Methodology Approach* of the accompanying Assessment of Effects on the Environment (AEE) Report.

In summary, the proposed work includes:

- a) Widening SH22 for two additional lanes and separated active transport facilities.
- b) Associated works including intersections, bridges, embankments, retaining walls, culverts and stormwater management systems.
- c) Changes to local roads, where the proposed work intersects with local roads.
- d) Construction activities, including vegetation removal, construction compounds, lay down areas, bridge works area, construction traffic management and the re-grade of driveways.

## THE NATURE OF THE PROPOSED CONDITIONS THAT WOULD APPLY ARE:

The proposed conditions that will apply to the work are included in **Attachment D** of this Notice.

## THE EFFECTS THAT THE PROPOSED WORK WILL HAVE ON THE ENVIRONMENT, AND THE WAYS IN WHICH ANY ADVERSE EFFECTS WILL BE MITIGATED ARE:

The AEE Report contains a description of the existing and likely future environment (Section 7), and assessment of the Project's effects on the environment (Section 9), and the proposed measures to avoid, remedy or mitigate the adverse effects of the Project (Section 10).

### Positive Effects

The Project will generate a range of positive effects. The nature and degree of these positive effects are elaborated on in Section 9 of the AEE. However, they are summarised as follows:

- The Project will provide for the necessary transport infrastructure to support and integrate with the planned urban growth in Drury-Ōpāheke, unlocking development capacity.
- The Project will provide a safe, reliable transport corridor that enables sustainable travel choice, improves safety and significantly improves access to employment and social amenities.
- The upgraded bridge over Ngakoroa Stream will increase freeboard which provides a significant increase to the resilience of the bridge to flooding.
- The Project will improve active transport connectivity to recreational facilities including the ability to tie into the proposed greenways and recreational corridors anticipated by the Drury-Ōpāheke Structure Plan.
- An improved streetscape will improve the experiential qualities of the corridor for users and well as private properties adjacent to the road corridor.
- A net increase in green infrastructure within the Project area resulting in improved visual amenity for road users and adjacent audiences.

### Adverse Effects

There will be a range of potential adverse effects during the construction and operational phases of the project, which are assessed in the following sections of the AEE Report:

- Traffic and transportation (Section 9.2)
- Cultural values (Section 9.3)
- Historic heritage (Section 9.4)
- Landscape and visual (Section 9.5)
- Ecology (Section 9.6)
- Arboriculture (Section 9.7)
- Natural Hazards – Flooding (Section 9.8)
- Noise and Vibration (Section 9.9)
- Network Utilities (Section 9.10)
- Community (Section 9.11)
- Property, Land Use and Business (9.12)
- Urban Design (Section 9.13).

The AEE Report draws on information provided in the Technical Assessment Reports (contained in Volume 4 of the AEE).

## **ALTERNATIVE SITES, ROUTES, AND METHODS HAVE BEEN CONSIDERED TO THE FOLLOWING EXTENT:**

A wide range of alternatives have been investigated at all stages of Project development for addressing the future transport needs of the Drury-Ōpāheke growth area. Section 2: *Background and Context* of the AEE Report identifies the background to the development of the Drury Arterial Network, which includes this Project, and outlines the previous programme phases.

The process by which Waka Kotahi considered alternative sites, routes and methods for the Project and the outcomes for the Project are detailed in Appendix A of the AEE: *Assessment of Alternatives* Report. Development of the Project was based on a comprehensive and robust optioneering process taking into account Mana Whenua, stakeholder and landowner feedback and specialist assessment inputs.

## **THE PROPOSED WORK AND DESIGNATION ARE REASONABLY NECESSARY FOR ACHIEVING THE OBJECTIVES OF THE REQUIRING AUTHORITY BECAUSE:**

The works and designation are reasonably necessary to meet the objectives of Waka Kotahi. Refer to Section 6.2: *Project Objectives* and Section 41: *Statutory Assessment* of the AEE Report.

The objective of Waka Kotahi under section 94 of the Land Transport Management Act 2003 (LTMA) is “to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest”. The Project will assist Waka Kotahi in meeting this objective.

The Waka Kotahi objectives for the Project are to:

- Provide a transport corridor that supports and integrates with the urban growth in Drury by improving accessibility and connectivity along SH22
- Provide a transport corridor that is safe for all users
- Provide for additional capacity and a choice of transport options including active transport.

The Project is reasonably necessary for achieving these objectives because it will:

- Improve accessibility and connectivity for all users along SH22 supporting the planned urban growth in Drury and significantly improve access to employment and social amenities
- Provide additional capacity and reliability for all modes of transport to support the planned growth in Drury
- Provide for the safety of all road users by providing sufficient space and design specifications including intersection upgrades and separated active transport facilities
- Assist in the efficient operation of the surrounding local transport network
- Provide a sustainable choice of transport options through the provision of separated and protected walking and cycling facilities, including signalised pedestrian / cycle crossing facilities

The proposed alteration to the existing designation is reasonably necessary as a planning tool, as it identifies and protects land required for the Project and will enable Waka Kotahi to carry out the proposed work. The principal reasons for altering the existing designation are:

- It enables flexibility and the ability to construct, operate and maintain the transport corridor in accordance with the existing designation purpose
- It enables the future works to be undertaken in a comprehensive and integrated manner
- It provides certainty to landowners, the community and stakeholders through identifying in the AUPOIP the location, nature and likely extent of the Project and Waka Kotahi intended use of that land
- It will protect the land from incompatible development by third parties
- It will protect the land so the transport corridor can be implemented when required in line with growth
- It enables Waka Kotahi to avoid, remedy and mitigate any adverse effects of the Project.

## **THE FOLLOWING RESOURCE CONSENTS ARE NEEDED FOR THE PROPOSED ACTIVITY AND HAVE NOT BEEN APPLIED FOR:**

The Project will require resource consents for a number of activities to enable the proposed works. The resource consents are not sought at this time as the date for construction is unknown and could be many years away. The resource consents will be sought when detailed design of the Project is complete and nearer to the proposed construction start date. The future resource consents likely to be required for the Project are summarised below.

- Resource consents for the disturbance of contaminated, or potentially contaminated land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- Resource consents for specified infrastructure works within rivers, streams and natural wetlands under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.
- Resource consents for the following activities under the Auckland Unitary Plan:
  - Bulk earthworks and associated discharge of sediment
  - Vegetation removal
  - Stormwater discharge to land or water
  - Discharge of contaminants to land
  - Activities (including structures and associated works) in, on, under or over the bed of rivers, streams, wetlands
  - Water take, use and diversion
  - Temporary construction works and minor vegetation removal in significant ecological areas

## **THE FOLLOWING CONSULTATION HAS BEEN UNDERTAKEN WITH PARTIES THAT ARE LIKELY TO BE AFFECTED:**

Consultation and engagement is ongoing with various parties who are directly affected by or have an interest in the Project including Mana Whenua, property owners and occupiers, Auckland Council, Auckland Transport, network utility operators, business and community representative groups and the wider community. Engagement activities include online video meetings, phone calls, face to face meetings, workshops, hui, newsletters and online information.

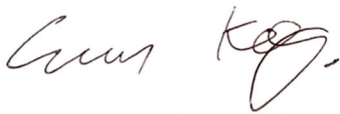
The consultation undertaken is detailed in Section 5: *Engagement* of the AEE Report.

**INFORMATION REQUIRED TO BE INCLUDED IN THIS NOTICE BY THE  
AUCKLAND UNITARY PLAN OR ANY REGULATION MADE UNDER THE  
RESOURCE MANAGEMENT ACT 1991:**

Waka Kotahi attaches the following information required to be included in this notice by the Auckland Unitary Plan, or any regulations made under the Resource Management Act 1991.

- Volume 2: Assessment of Effects on the Environment
- Volume 3: Drawings
- Volume 4: Supporting Technical Assessment Reports

Signed on behalf of Waka Kotahi



Evan Keating

Principal Planner Consents and Approvals – Transport Services

Pursuant to authority delegated by Waka Kotahi New Zealand Transport Agency

Dated: 28 January 2021

**ADDRESS FOR SERVICE:**

Waka Kotahi New Zealand Transport Agency

Level 5 AMP Tower  
29 Customs Street West  
Auckland

Private Bag 106602  
Auckland City  
Auckland 1143

**Attachment A** – Gazette Notices

**Attachment B** – Designation Plans

**Attachment C** – Schedule of Directly Affected Property

**Attachment D** – Proposed Conditions for the Alteration to Designation

**Attachment A – Gazette Notices**

## Departmental Notices

### Agriculture and Fisheries

#### Animals Protection Act 1960

##### Approval of Code of Ethical Conduct Notice No. 5330 (100-A1-07)

Pursuant to section 19A of the Animals Protection Act 1960 and on the advice of the National Animal Ethics Advisory Committee, I hereby approve the code of ethical conduct submitted to me by Elanco Animal Health, which is the same as the approved code of ethical conduct of Massey University.

Dated at Wellington this 22nd day of February 1994.

JOHN FALLOON, Minister of Agriculture.

g01646

##### Revocation of Approval of Code of Ethical Conduct Notice No. 5329 (100-A1-07)

Pursuant to section 19A of the Animals Protection Act 1960 and on the advice of the National Animal Ethics Advisory Committee, I hereby revoke the approval of Tauhara Furs Partnership to use the code of ethical conduct of the Ministry of Agriculture and Fisheries.

Notice No. 4421 appearing in the *New Zealand Gazette* on the 30th day of June 1988, at page 2628 is hereby revoked.

Dated at Wellington this 22nd day of February 1994.

JOHN FALLOON, Minister of Agriculture.

g01647

##### Approval of Code of Ethical Conduct Notice No. 5328 (100-A1-07)

Pursuant to section 19A of the Animals Protection Act 1960 and on the advice of the National Animal Ethics Advisory Committee, I hereby approve the code of ethical conduct submitted to me by Lowe Walker Hawera Limited, which is the same as the approved code of ethical conduct of NZ Pastoral Agriculture Research Institute Limited.

Dated at Wellington this 22nd day of February 1994.

JOHN FALLOON, Minister of Agriculture.

g01648

### Conservation

#### Resource Management Act 1991

##### Notice of Approval of Bylaws Amendment

The Minister of Transport and the Minister of Conservation, pursuant to section 424(6) of the Resource Management Act 1991, hereby give approval to The Northland Regional Council Maritime Bylaw Amendment No. 5 (Bylaw Charges 1992/93) resolved by way of Special Order and confirmed by a meeting of the said Council on 19 May 1993.

Dated at Wellington this 14th day of February 1994.

DENIS MARSHALL, Minister of Conservation (in relation to section 232(37) of the Harbours Act).

B. A. MARTIN, for Russell Kilvington, Director of

Maritime Safety in exercise of powers delegated by the Minister of Transport.

g01499

### Crown Law Office

#### Judicature Act 1908

##### Appointment of Temporary Judge Made Permanent

Pursuant to section 4 of the Judicature Act 1908, Her Excellency the Governor-General, in the name and on behalf of Her Majesty the Queen, has been pleased to appoint

The Honourable Dame Silvia Rose Cartwright

to be a Judge of the High Court.

Dated at Wellington this 17th day of February 1994.

PAUL EAST, Attorney-General.

g01498

### Environment

#### Resource Management Act 1991

##### The Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994

Pursuant to sections 167 and 420(6) of the Resource Management Act 1991, the Minister for the Environment, hereby gives the following notice:

##### Notice

1. Title and commencement—(1) This notice may be cited as the Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994.

(2) This notice shall come into force on the 7th day after the date of its publication in the *New Zealand Gazette*.

2. Interpretation—In this notice "State highway" and "motorway" have the same meaning as in section 2(1) of the Transit New Zealand Act 1989.

3. Application of notice—This notice shall apply in addition to and not in substitution for the Resource Management (Approval of Transit New Zealand as Requiring Authority) Order 1992.

4. Approval as requiring authority—Transit New Zealand is hereby approved as a requiring authority under section 167 of the Resource Management Act 1991, for its particular network utility operation being the construction and operation (including the maintenance, improvement, enhancement, expansion, realignment and alteration) of any State highway or motorway pursuant to the Transit New Zealand Act 1989.

5. Approval in respect of existing designation—Transit New Zealand is hereby approved as a requiring authority under section 167 of the Resource Management Act 1991 for the Christchurch Northern Arterial (State Highway 74) in the district of Christchurch City Council.

Dated at Wellington this 17th day of February 1994.

SIMON UPTON, Minister for the Environment.

g01500

**29 New Agency replaces Transit New Zealand as requiring authority**

- (1) This clause applies to any Order in Council, notice, or other instrument that approves of Transit New Zealand as a requiring authority and that was in effect immediately before 1 August 2008, including (without limitation)—
  - (a) the Resource Management (Approval of Transit New Zealand as Requiring Authority) Order 1992; and
  - (b) the Resource Management (Approval of Transit as Requiring Authority) Notice 1994.
- (2) Without limiting clauses 26 and 28, on 1 August 2008,—
  - (a) the new Agency replaces Transit New Zealand as a requiring authority under any Order in Council, notice, or other instrument to which this clause applies; and
  - (b) every reference to Transit New Zealand in any Order in Council, notice, or other instrument to which this clause applies, is, unless the context otherwise requires, to be read as a reference to the new Agency; and
  - (c) anything done, or omitted to be done, or that is to be or may be done (under or in relation to an Order in Council, notice, or other instrument to which this clause applies) by Transit New Zealand is to be treated as having been done, or having been omitted to be done, or to be or may be done, by the new Agency; and
  - (d) every notice of requirement and designation of Transit New Zealand is transferred to and held by the new Agency, with the same status and priority as if Transit New Zealand and the new Agency were the same entity.

**30 First members of new Agency**

In appointing the first members of the new Agency, the Minister may, but need not, consult in accordance with section 98(2) of the Land Transport Management Act 2003.

Compare: 2004 No 97 Schedule 2 cl 4

**31 Transferred employees**

- (1) The terms and conditions of employment of a transferred employee immediately before 1 August 2008 continue to apply in relation to that employee until—



## Departmental

The Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994 Pursuant to sections 167 and 420 (6) of the Resource Management Act 1991, the Minister for the Environment, hereby gives the following notice: N o t i c e 1. Title and commencement (1) This notice may be cited as the Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994. (2) This notice shall come into force on the 7th day after the date of its publication in the New Zealand Gazette. 2. Interpretation In this notice "State highway" and "motorway" have the same meaning as in section 2 (1) of the Transit New Zealand Act 1989. 3. Application of notice This notice shall apply in addition to and not in substitution for the Resource Management (Approval of Transit New Zealand as Requiring Authority) Order 1992. 4. Approval as requiring authority Transit New Zealand is hereby approved as a requiring authority under section 167 of the Resource Management Act 1991, for its particular network utility operation being the construction and operation (including the maintenance, improvement, enhancement, expansion, realignment and alteration) of any State highway or motorway pursuant to the Transit New Zealand Act 1989. 5. Approval in respect of existing designation Transit New Zealand is hereby approved as a requiring authority under section 167 of the Resource Management Act 1991 for the Christchurch Northern Arterial (State Highway 74) in the district of Christchurch City Council. Dated at Wellington this 17th day of February 1994. SIMON UPTON, Minister for the Environment.

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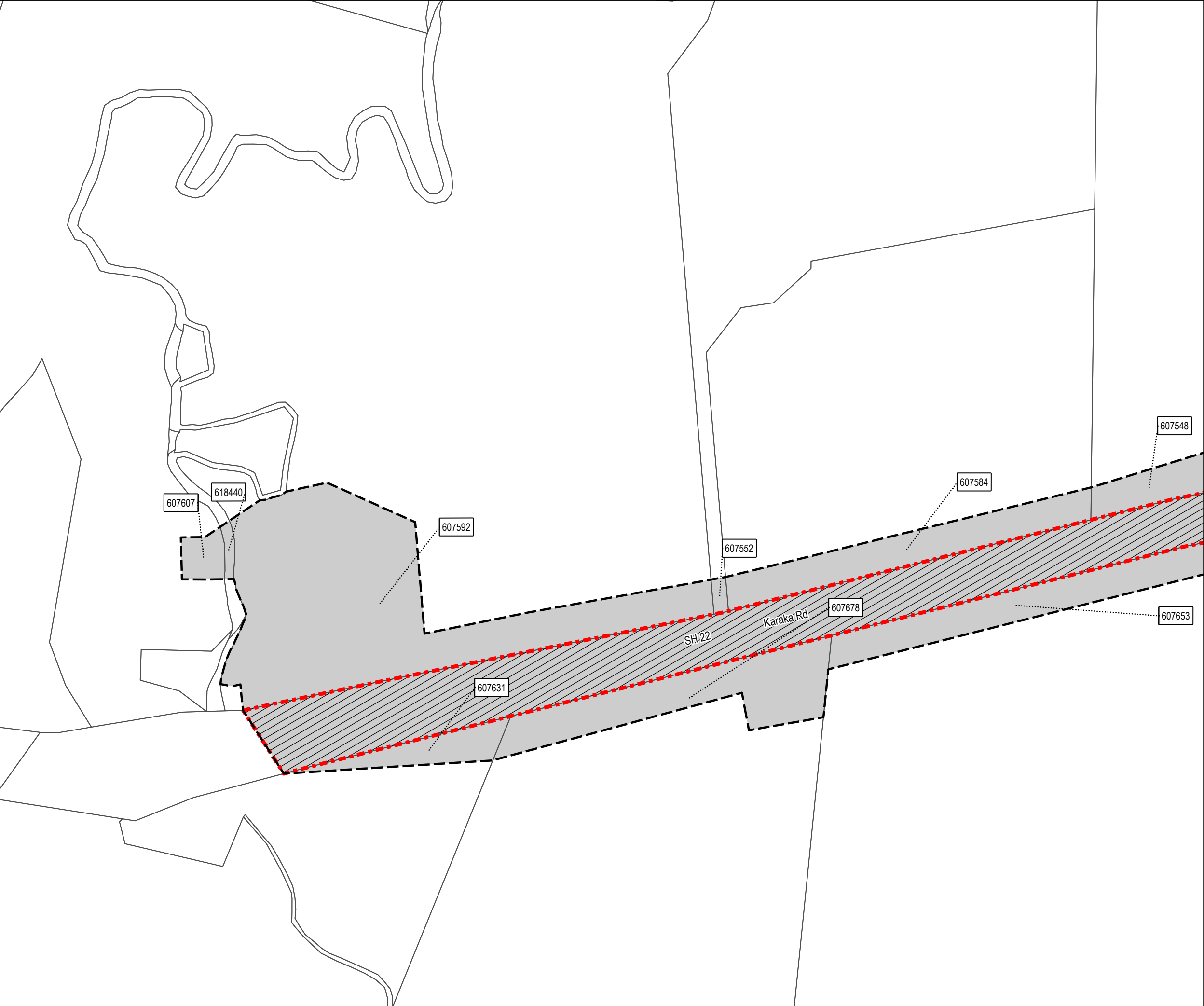
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**Attachment B** – Designation Plans

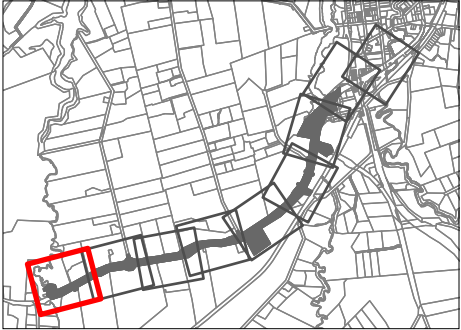


Designation Plan

Alteration to Existing Designation 6707  
State Highway 22

Legend

- Existing Designation
- Additional Land to be Designated
- Parcel Boundaries
- Property ID



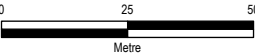
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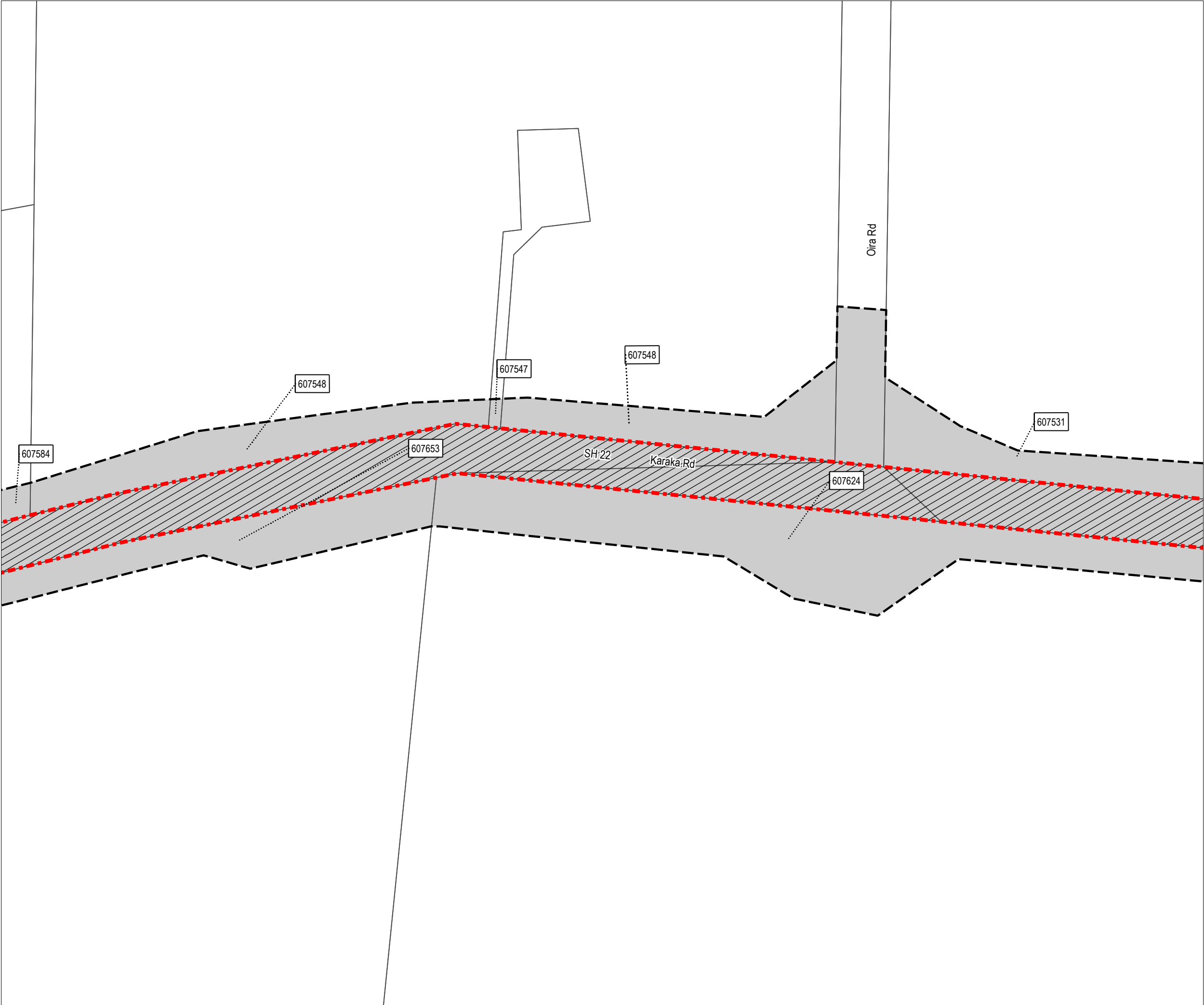
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Project:  
Drury Arterial Network

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Sheet No : 1 of 9



New Zealand Government

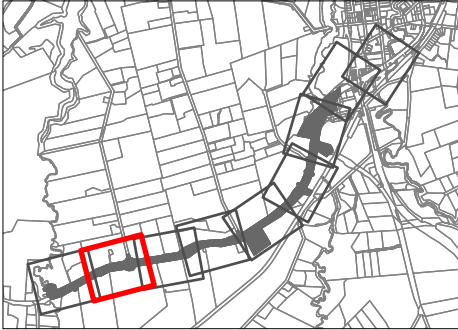


Designation Plan

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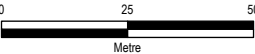
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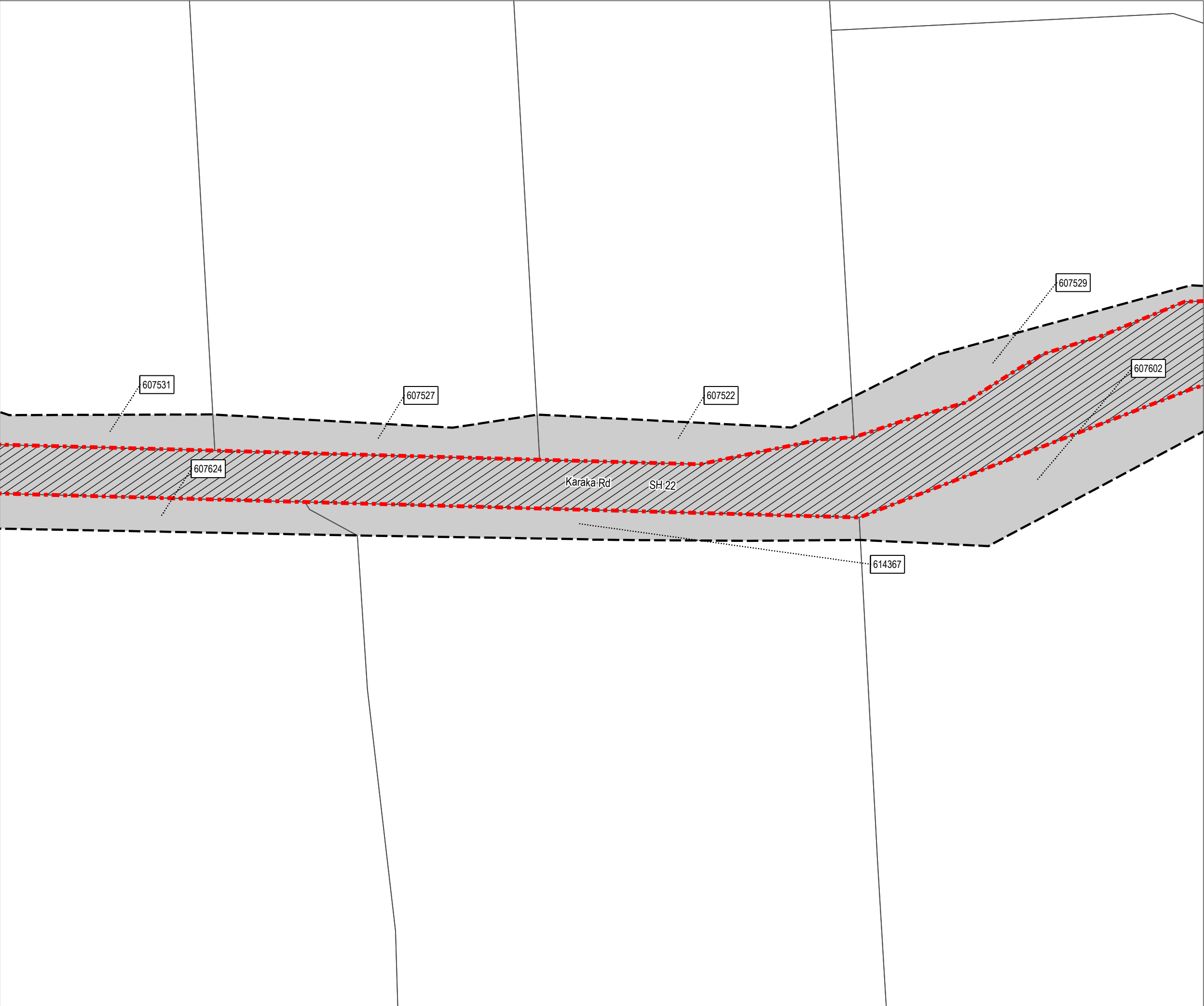
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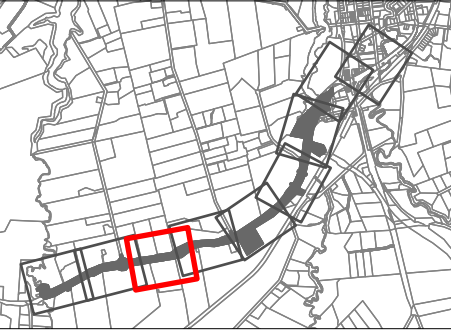


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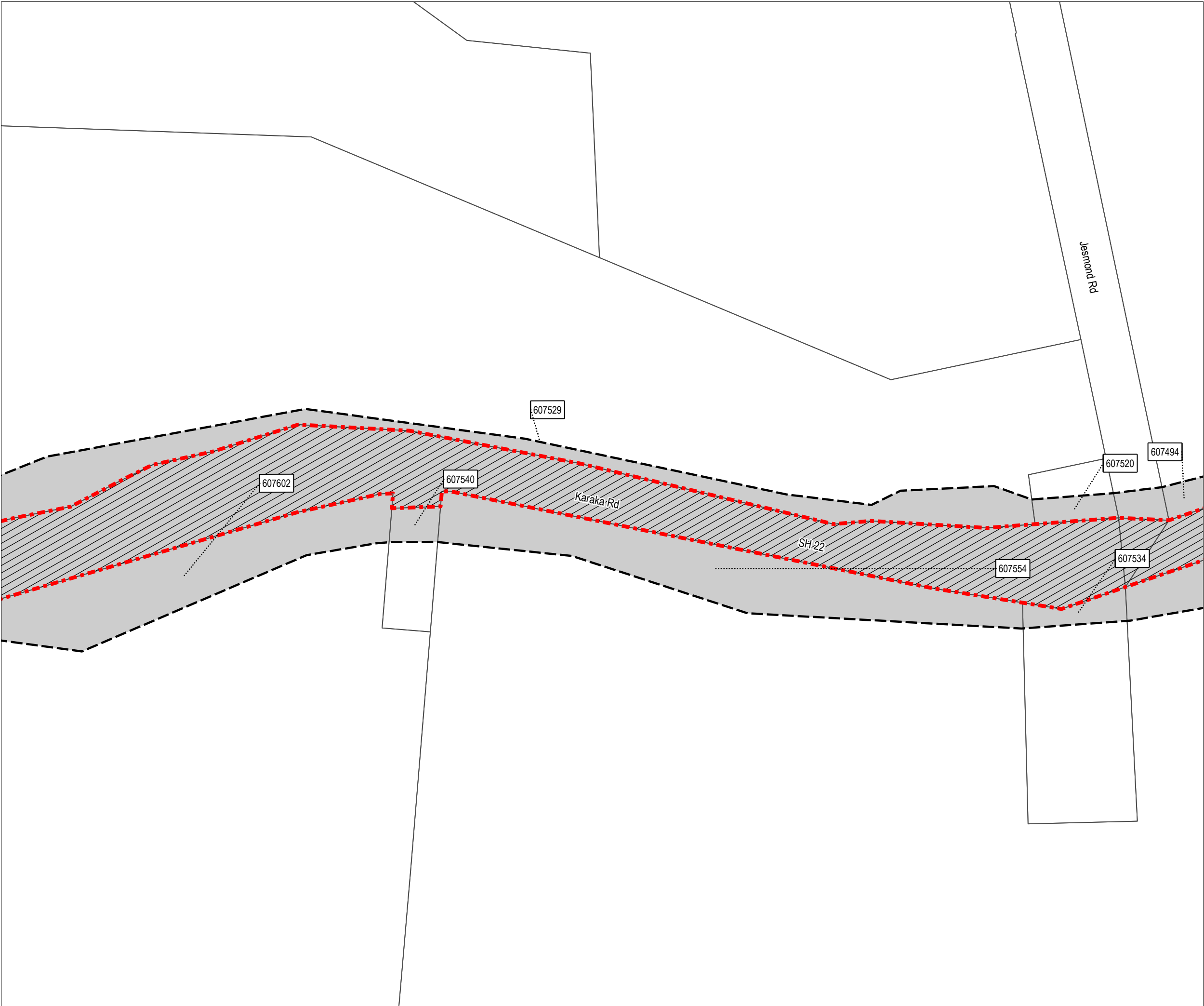


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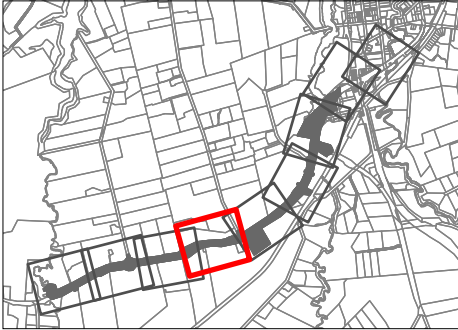


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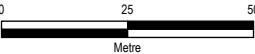
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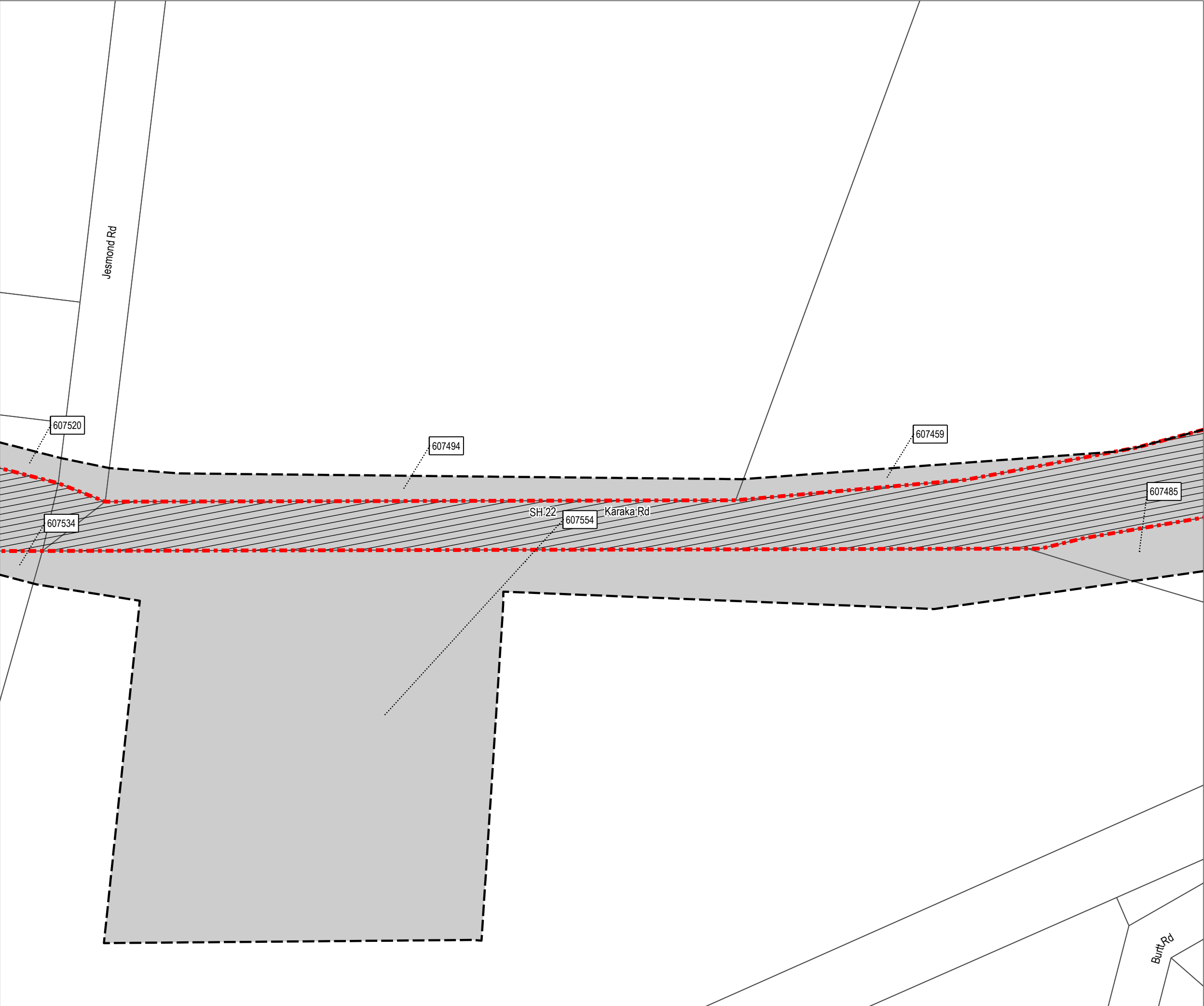
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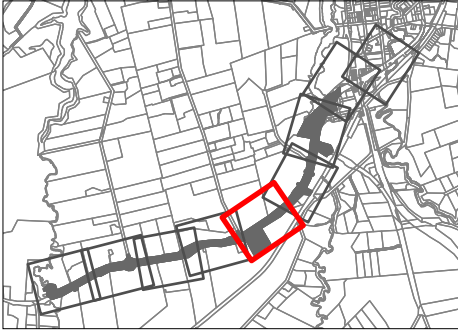


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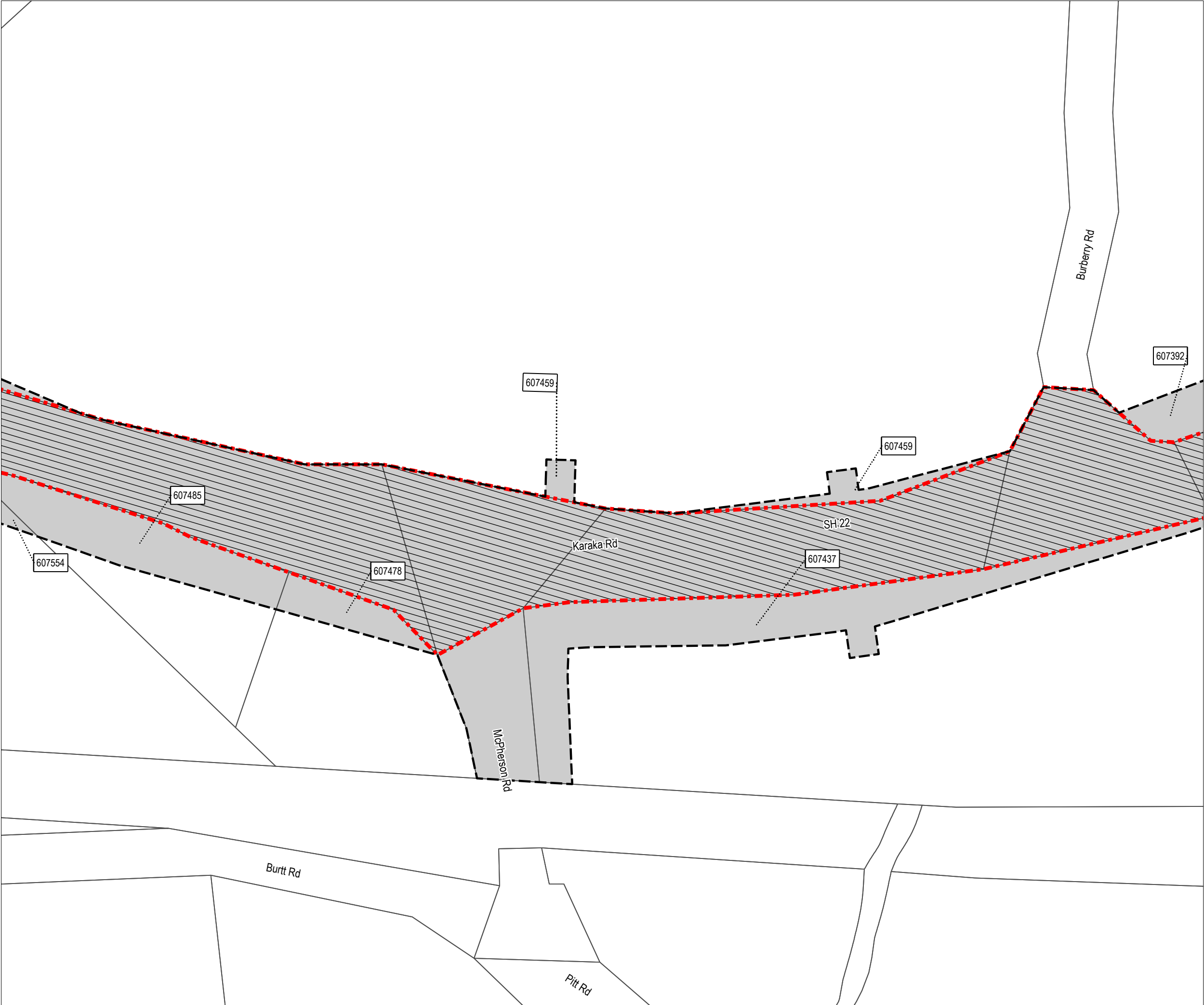
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New Zealand Government



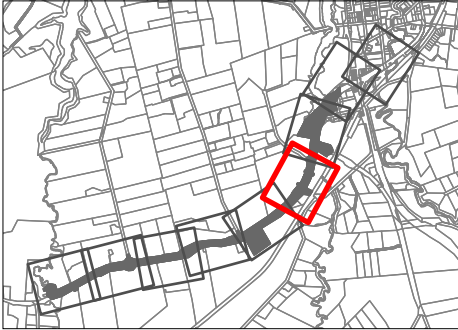


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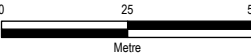
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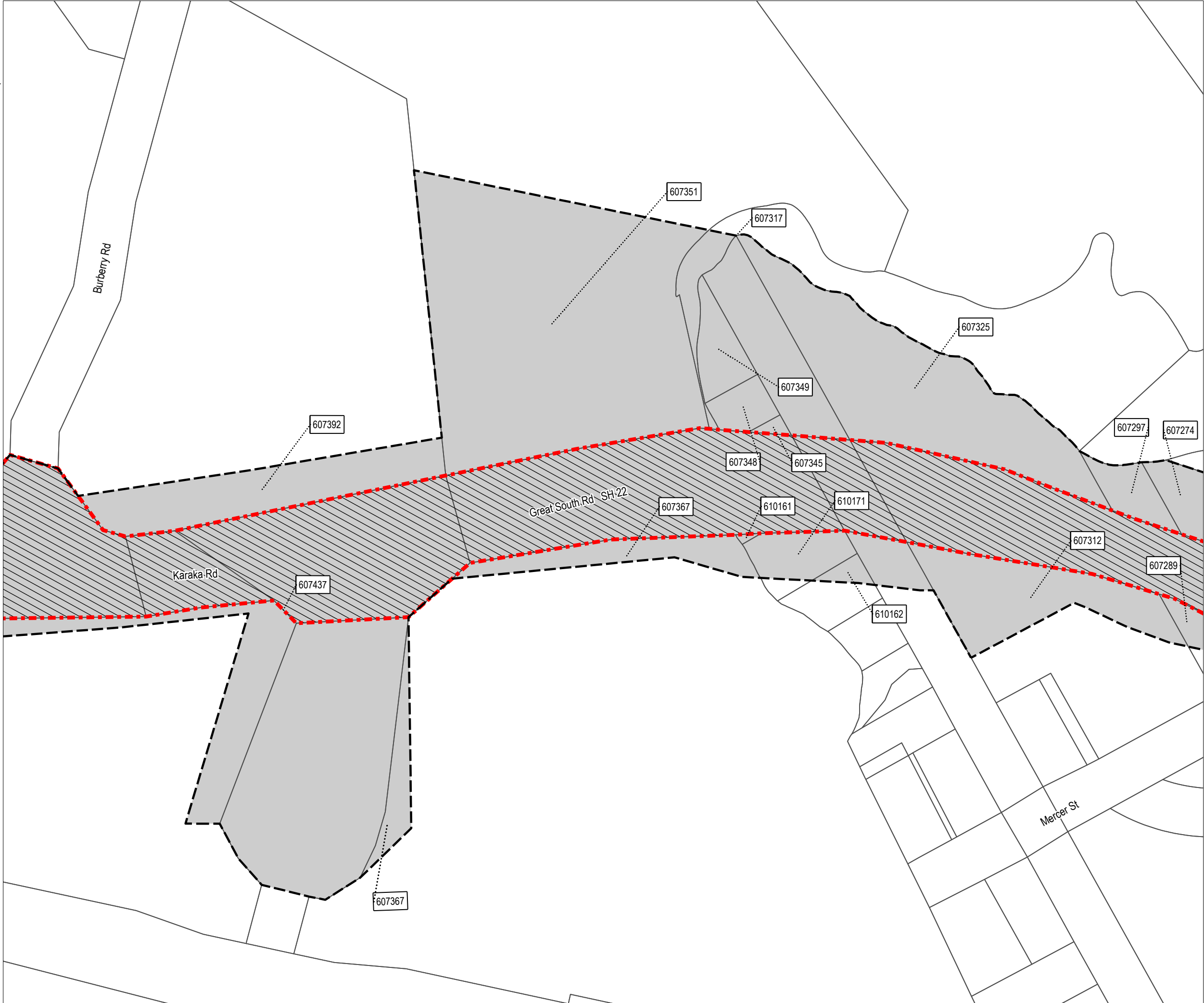
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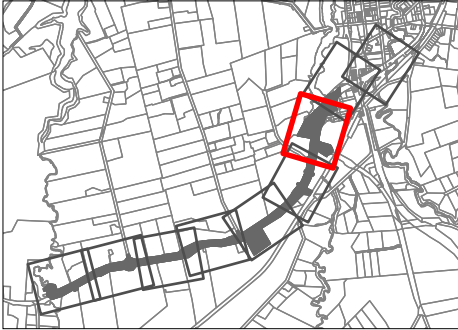


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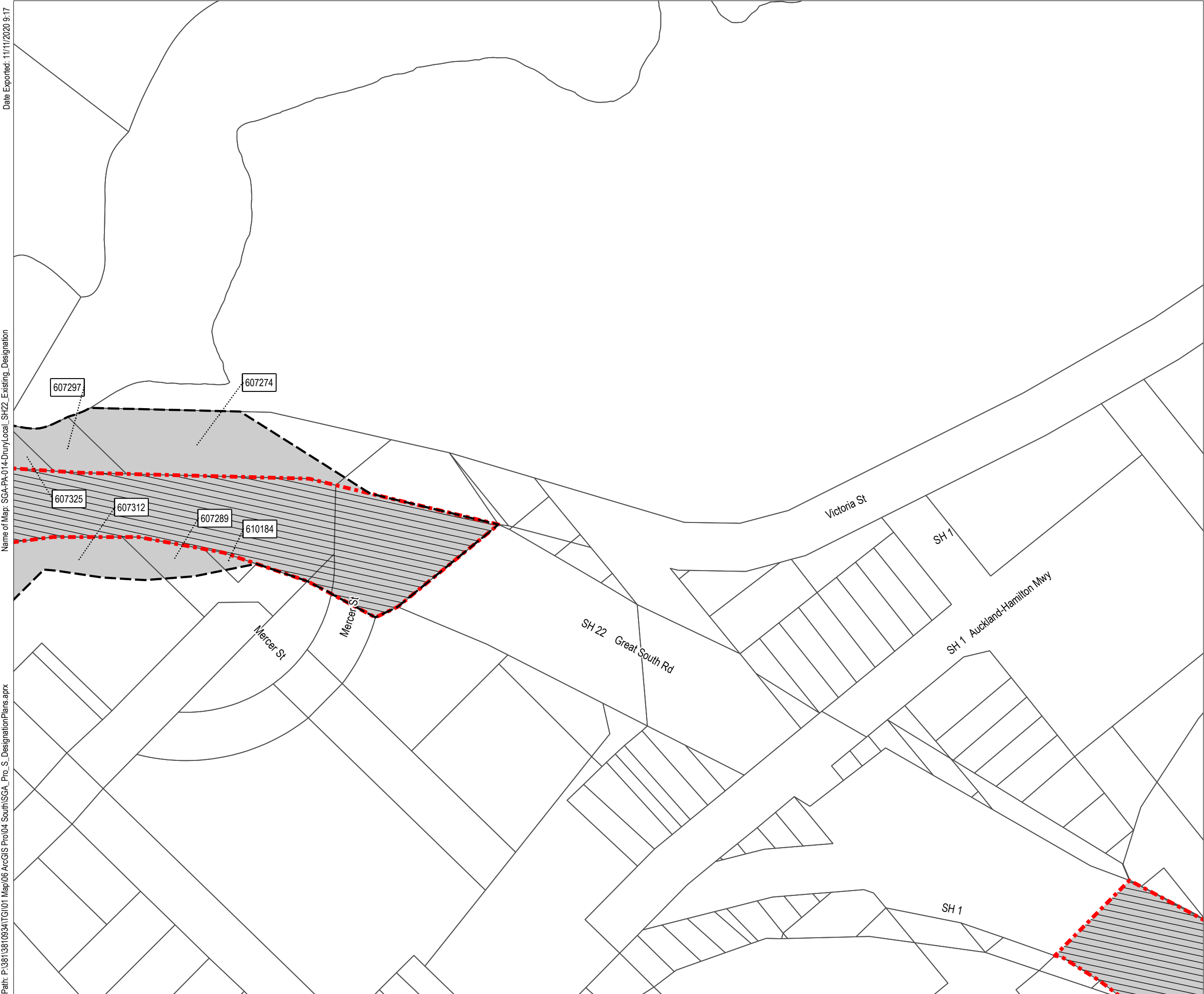
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Sheet No : 7 of 9



New Zealand Government

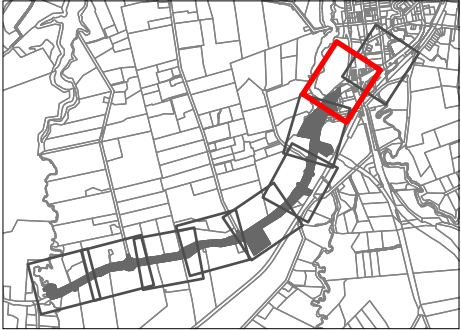


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- Parcel Boundaries
- 607531 Property ID



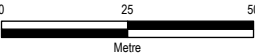
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Revision	Author	Verified	Approved	Date
1	BAP	KH	HH	15/10/2020



Client:  
Auckland Transport / Waka Kotahi

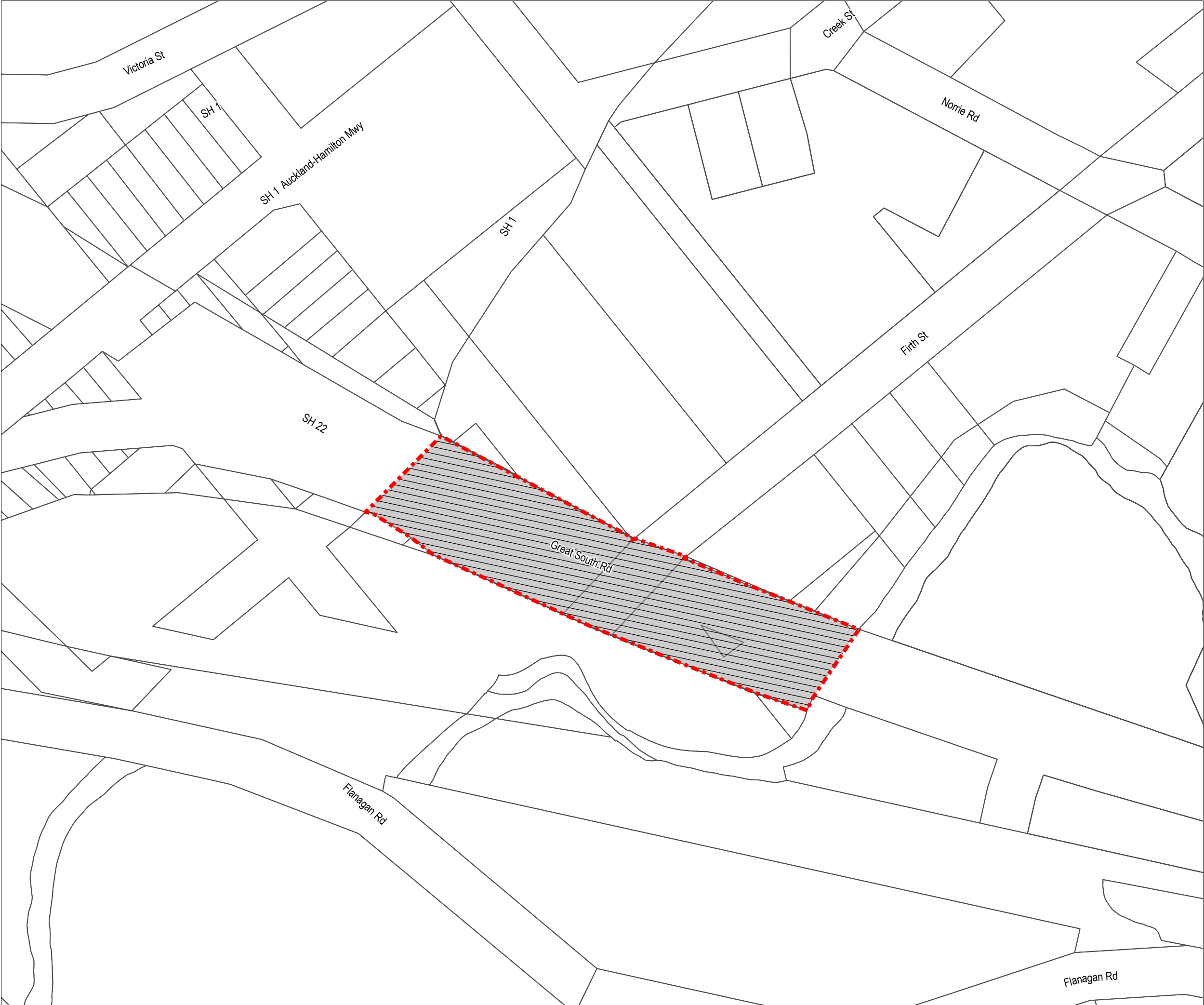
Discipline:  
GIS

Project:  
Drury Arterial Network

Drawing No:  
SGA-PA-007  
Sheet No : 8 of 9



New Zealand Government

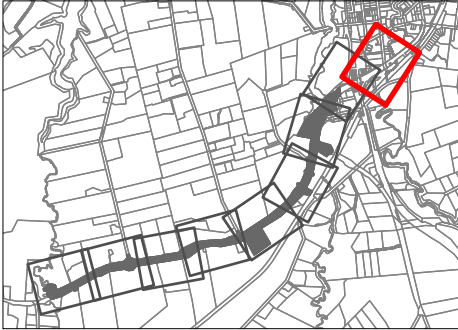


Designation Plan

Alteration to Existing Designation 6707  
State Highway 22

Legend

- Existing Designation
- Additional Land to be Designated
- Parcel Boundaries
- Property ID



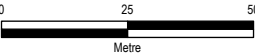
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Client:  
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Discipline:  
GIS

Project:  
Drury Arterial Network

Drawing No:  
SGA-PA-007  
Sheet No : 9 of 9



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**Attachment C** – Schedule of Directly Affected Property

Property ID	Address	Title Number	Legal Description	Approx. additional land to be designated (ha)	Sheet No
607274	67 Mercer Street, Drury, Auckland 2578,		Section 5 SO 61999	0.230	8
607289	67 Mercer Street, Drury, Auckland 2578,		Section 1 SO 61999	0.040	8
607297	67 Mercer Street, Drury, Auckland 2578,		Section 2 SO 61999	0.058	7
607312	67 Mercer Street, Drury, Auckland 2578,		Section 4 SO 61999	0.245	7
607317	67 Mercer Street, Drury, Auckland 2578,		Section 6 SO 61999	0.050	7
607325	67 Mercer Street, Drury, Auckland 2578,		Section 7 SO 61999	0.517	7
607345	Part Lot 3 Sec 10 DEEDS 35		Part Lot 3 Sec 10 DEEDS 35	0.007	7
607348	Part Lot 2 Sec 10 DEEDS 35		Part Lot 2 Sec 10 DEEDS 35	0.044	7
607349	Lot 1 Sec 10 DEEDS 35		Lot 1 Sec 10 DEEDS 35	0.067	7
607351	15 Burberry Road, Drury, Auckland 2578	NA100D/693	Lot 12 DP 166291	1.126	7
607367	50R Karaka Road, Drury, Auckland 2578,		Allot 405 PSH OF Opaheke	0.175	7
607392	5 Burberry Road, Drury, Auckland 2578	NA100D/694	Lot 13 DP 166291	0.264	7
607437	50R Karaka Road, Drury, Auckland 2578,		Allot 406 PSH OF Opaheke	0.663	6, 7
607459	6 Burberry Road, Drury, Auckland 2578	NA100D/684	Lot 1 DP 166291	0.165	5, 6
607478	90 Karaka Road, Drury, Auckland 2578,	NA122B/229	Lot 1 DP 192842	0.082	6
607485	102 Karaka Road, Drury, Auckland 2578	NA122B/230	Lot 2 DP 192842	0.244	5, 6
607494	41 Jesmond Road, Drury, Auckland 2578,	NA426/8	Lot 1 DP 12364	0.271	5
607520	16 Jesmond Road, Drury, Auckland 2578,	NA61D/983	Allot 425 PSH OF Opaheke	0.035	4
607522	329 Karaka Road, Drury, Auckland 2578,	NA43B/533	Part Lot 5 DP 62229	0.193	3
607527	329 Karaka Road, Drury, Auckland 2578,	NA43B/534	Lot 6 DP 62229	0.187	3
607529	16 Jesmond Road, Drury, Auckland 2578,	NA61D/983	Part Lot 1 DP 82833	0.439	3, 4
607531	335 Karaka Road, Drury, Auckland 2578,	NA43B/535	Lot 7 DP 62229	0.241	2, 2
607534	160 Karaka Road, Drury, Auckland 2578	NA117B/535	Lot 5 DP 187179	0.042	4
607540	200 Karaka Road, Drury, Auckland 2578,		Lot 1 DP 67146	0.029	4
607547	373 Karaka Road, Drury, Auckland 2578	NA58A/799	Lot 1 DP 105418	0.006	2
607548	351 Karaka Road, Drury, Auckland 2578,	NA58C/520	Part Allot 116 PSH OF Karaka	0.523	2
607552	415 Karaka Road, Drury, Auckland 2578,	NA76C/683	Lot 2 DP 130803	0.009	1
607554	110 Karaka Road, Drury, Auckland 2578	NA117B/536	Lot 6 DP 187179	3.473	4, 5
607584	411 Karaka Road, Drury, Auckland 2578,	NA76C/682	Lot 1 DP 130803	0.207	1
607592	435 Karaka Road, Drury, Auckland 2578,	NA61C/965	Lot 1 DP 109621	0.791	1
607602	250 Karaka Road, Drury, Auckland 2578,	NA82C/258	Part Allot 41 PSH OF Opaheke	0.405	3, 4
607607	332 Karaka Road, Drury, Auckland 2578	337782	Lot 2 DP 384460	0.033	1
607624	350 Karaka Road, Drury, Auckland 2578,	NA134A/751	Lot 1 DP 205837	0.804	2, 3
607631	462 Karaka Road, Drury, Auckland 2578	NA890/52	Part Allot 133 PSH OF Karaka	0.077	1
607653	370 Karaka Road, Drury, Auckland 2578,	NA889/167	Lot 4 DP 14876	0.429	1, 2
607678	458 Karaka Road, Drury, Auckland 2578,	NA889/168	Part Lot 3 DP 14876	0.260	1
610161	Part Lot 4 Sec 10 PSH OF Opaheke		Part Lot 4 Sec 10 PSH OF Opaheke	0.002	7
610162	Lot 6 Sec 10 PSH OF Opaheke		Lot 6 Sec 10 PSH OF Opaheke	0.016	7
610171	Part Lot 5 Sec 10 PSH OF Opaheke		Part Lot 5 Sec 10 PSH OF Opaheke	0.073	7
610184	67 Mercer Street, Drury, Auckland 2578,		Section 3 SO 61999	0.008	8
614367	300 Karaka Road, DRURY, Auckland 2578,	834199	Lot 1 DP 523765	0.259	3
618440	Hydro			0.010	1

**Attachment D** – Proposed Conditions for the Designation

## **Abbreviations and Definitions**

<b>Acronym/Term</b>	<b>Definition</b>
<b>AUP</b>	Auckland Unitary Plan
<b>ARI</b>	Annual Recurrence Interval
<b>Average increase in flood hazard</b>	Flow depth times velocity.
<b>BMP</b>	Bird Management Plan
<b>BPO or Best Practicable Option</b>	Has the same meaning as in section 2 of the RMA 1991.
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certification of material changes to management plans</b>	<p>Confirmation from the Manager that a material change to a management plan has been prepared in accordance with the condition to which it relates.</p> <p>A material change to a management plan shall be deemed certified:</p> <ul style="list-style-type: none"> <li>(a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or</li> <li>(b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received.</li> </ul>
<b>CNVMP</b>	Construction Noise and Vibration Management Plan
<b>CNVMP Schedule or Schedule</b>	A schedule to the CNVMP
<b>Completion of Construction</b>	When construction of the Project (or part of the Project) is complete and it is available for use.
<b>Construction Works</b>	Activities undertaken to construct the Project excluding Enabling Works.
<b>Council</b>	Auckland Council
<b>CPTED</b>	Crime prevention through environmental design
<b>CTMP</b>	Construction Traffic Management Plan
<b>EIANZ Guidelines</b>	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018.
<b>Enabling works</b>	<p>Includes, but is not limited to, the following and similar activities:</p> <ul style="list-style-type: none"> <li>• geotechnical investigations (including trial embankments);</li> <li>• archaeological site investigations;</li> <li>• formation of access for geotechnical investigations;</li> <li>• establishment of site yards, site entrances and fencing;</li> <li>• constructing and sealing site access roads;</li> </ul>

Acronym/Term	Definition
	<ul style="list-style-type: none"> <li>• demolition or removal of buildings and structures;</li> <li>• relocation of services; and</li> <li>• establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).</li> </ul>
<b>Flood prone area</b>	A potential ponding area that relies on a single culvert for drainage and does not have an overland flow path.
<b>Habitable floor</b>	Any room (floor) in an authorised building used for residential living activity, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.
<b>Habitable floor level that has existing flooding</b>	Where the flood level using the pre Project model scenario is above the existing authorised the habitable floor level.
<b>HAMP</b>	Heritage and Archaeology Management Plan
<b>HNZPT</b>	Heritage New Zealand Pouhere Taonga
<b>HNZPTA</b>	Heritage New Zealand Pouhere Taonga Act 2014
<b>Manager</b>	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
<b>Maximum Probable Development</b>	Design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or, if the land is zoned Future Urban in the Auckland Unitary Plan, the probable level of development arising from zone changes.
<b>MID</b>	Maintenance in Design
<b>Network Utility Operator</b>	Has the same meaning as set out in section 166 of the RMA.
<b>Ngakoroa Stream Wetlands</b>	For the purpose of Condition 23 and 24, the Ngakoroa Stream Wetlands is the area shown in Schedule 2.
<b>NOR</b>	Notice of Requirement
<b>NUMP</b>	Network Utilities Management Plan
<b>Outline Plan</b>	An outline plan prepared in accordance with section 176A of the RMA.
<b>Project</b>	Upgrade of State Highway 22 (SH22) from the Drury Interchange at State Highway 1 to Oira Creek, including active transport facilities, and associated infrastructure.
<b>Project Liaison Person</b>	The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works.



<b>Acronym/Term</b>	<b>Definition</b>
<b>Pre-Project development</b>	Existing site condition prior to the Project (including existing buildings and roadways).
<b>Post-Project development</b>	Site condition after the Project has been completed (including existing and new buildings and roadways).
<b>Protected Premises and Facilities (PPF)</b>	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> .
<b>Requiring Authority</b>	Has the same meaning as section 166 of the RMA and for this Designation is Waka Kotahi NZ Transport Agency (Waka Kotahi).
<b>RMA</b>	Resource Management Act (1991)
<b>SCMP</b>	Stakeholder Communication Management Plan
<b>SID</b>	Safety in Design
<b>Stage of Work</b>	Any physical works that require the development of an Outline Plan.
<b>Start of Construction</b>	The time when Construction Works (excluding Enabling Works) start.
<b>Suitably Qualified and Experienced Person</b>	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.
<b>ULDMP</b>	Urban and Landscape Design Management Plan

## **General Conditions**

### **1. Activity in General Accordance with Plans and Information**

- (a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.
- (b) Where there is inconsistency between:
  - (i) the Project Description and Concept Plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail; and
  - (ii) the Project Description and Concept Plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.

### **2. (a) Conditions 1 – 41 of this designation shall only apply to the work described in the Project Description and Concept Plan in Schedule 1.**

- (b) Except where explicitly provided for, conditions 1 – 41 do not apply to works associated with on-going operation, safety improvements, and maintenance of the existing state highway, or the upgraded state highway following construction of the Project.

### **3. Project Information**

- (a) A Project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. The Project website or virtual information source shall include these conditions and shall provide information on:
  - (i) the status of the Project;
  - (ii) anticipated construction timeframes; and
  - (iii) contact details for enquiries.
- (b) At the start of detailed design for a Stage of Work, the Project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.

### **4. Designation Review**

- (a) As soon as practicable following Completion of Construction the Requiring Authority shall:
  - (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and
  - (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.

### **5. Network Utility Operators (Section 176 Approval)**

- (a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure located within the designation will not require written consent under section 176 of the RMA for the following activities:
  - (i) operation, maintenance and urgent repair works;
  - (ii) minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations;
  - (iii) minor works such as new service connections; and
  - (iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects as the existing utility.
- (b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.

## **Pre-construction Conditions**

### **6. Outline Plan(s)**

- (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.
- (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.
- (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:
  - (i) Network Utilities Management Plan;
  - (ii) Construction Noise and Vibration Management Plan;
  - (iii) Urban and Landscape Design Management Plan;
  - (iv) Heritage and Archaeology Management Plan;
  - (v) Bird Management Plan; and
  - (vi) Tree Management Plan.

### **7. Management Plans**

- (a) Any management plan shall:
  - (i) be prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 8 to 26);
  - (ii) be prepared by a Suitably Qualified and Experienced Person(s);
  - (iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates;
  - (iv) summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have:
    - A. been incorporated; and
    - B. where not incorporated, the reasons why;
  - (v) be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCMPs, CEMPs, CTMPs and CNVMP Schedules; and
  - (vi) once finalised, uploaded to the Project website or equivalent virtual information source.
- (b) Any management plan developed in accordance with Condition 7(a) may:
  - (i) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation;
  - (ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process; and
  - (iii) if there is a material change required to a management plan which has been submitted with an Outline Plan in accordance with Condition 6, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision.
- (c) Any material changes to the SCMPs, CEMPs or CTMPs are to be submitted to the Council for information.

### **8. Cultural Advisory Report**

- (a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.
- (b) The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection. To achieve the objective, Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:
  - (i) identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;

- (ii) sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values;
  - (iii) identifies traditional cultural practices within the area that may be impacted by the Project;
  - (iv) identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;
  - (v) taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Heritage and Archaeological Management Plan, and the Cultural Monitoring Plan referred to in Condition 16; and
  - (vi) identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the Project required in any decision-making.
- (c) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.
- (d) Conditions 8(b) and 8(c) above will cease to apply if:
- (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and
  - (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.

## **9. Urban and Landscape Design Management Plan (ULDMP)**

- (a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the ULDMP(s) is to:
- (i) enable integration of the Project's permanent works into the surrounding landscape and urban context; and
  - (ii) ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.
- (c) The ULDMP shall be prepared in general accordance with:
- (i) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;
  - (ii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and
  - (iii) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.
- (d) To achieve the objective, the ULDMP(s) shall provide details of how the Project:
- (i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), landscape character, and open space zones;
  - (ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, and walking and cycling connections;
  - (iii) promotes inclusive access (where appropriate); and
  - (iv) promotes a sense of personal safety by aligning with best practice guidelines, such as:
    - A. Crime Prevention Through Environmental Design (CPTED) principles;
    - B. Safety in Design (SID) requirements; and
    - C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.

- 10.** (a) The ULDMP(s) shall include:
- (i) a concept plan which depicts the overall landscape and urban design concept, and explains the rationale for the landscape and urban design proposals;
  - (ii) developed design concepts, including principles for walking and cycling facilities and public transport; and

- (iii) landscape and urban design details that cover the following:
    - A. road design – elements such as earthworks contouring including cut and fill batters, benching, spoil disposal sites, median width and treatment, roadside width and treatment;
    - B. roadside elements – such as lighting, sign gantries and signage, fences, and median barriers;
    - C. architectural and landscape treatment of all major structures, including bridges and retaining walls;
    - D. architectural and landscape treatment of noise barriers;
    - E. landscape treatment of permanent stormwater control wetlands and swales;
    - F. integration of passenger transport;
    - G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;
    - H. heritage items with reference to the HAMP in Condition 22; and
    - I. re-instatement of construction and site compound areas, driveways, accessways and fences.
- 11.** (a) The ULDMP(s) shall also include the following planting details and maintenance requirements:
- (i) planting design details including:
    - A. identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan in Condition 25. Where practicable, mature trees and native vegetation should be retained;
    - B. street trees, shrubs and ground cover suitable for berms;
    - C. treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones;
    - D. planting of stormwater wetlands;
    - E. identification of vegetation to be retained and any planting requirements under Conditions 23 and 24;
    - F. integration of any planting requirements required by conditions of any resource consents for the Project; and
    - G. reinstatement planting of construction and site compound areas as appropriate;
  - (ii) a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work;
  - (iii) detailed specifications relating to the following:
    - A. weed control and clearance;
    - B. pest animal management (to support plant establishment);
    - C. ground preparation (top soiling and decompaction);
    - D. mulching;
    - E. plant sourcing and planting, including hydroseeding and grassing; and
  - (iv) a maintenance plan in accordance with the Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.
- (b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 may be reflected in the ULDMP.

## **12. Flood Hazard**

- (a) The Project shall be designed to achieve the following flood risk outcomes:
  - (i) no increase in flood levels for existing authorised habitable floors that are already subject to flooding;
  - (ii) no more than a 10% reduction in freeboard for existing authorised habitable floors;
  - (iii) no increase of more than 50mm in flood level on land zoned for urban or future urban development where there is no existing dwelling;
  - (iv) no new flood prone areas; and
  - (v) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) for main access to authorised habitable dwellings.
- (b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 100 year ARI flood levels (for Maximum Probable Development land use and including climate change).
- (c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work.

## **Construction Conditions**

### **13. Construction Environmental Management Plan (CEMP)**

- (a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:
  - (i) the roles and responsibilities of staff and contractors;
  - (ii) details of the site or Project manager and the Project Liaison Person, including their contact details (phone and email address);
  - (iii) the Construction Works programmes and the staging approach, and the proposed hours of work;
  - (iv) the proposed site layouts (including construction yards), locations of refuelling activities and construction lighting;
  - (v) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places;
  - (vi) methods for providing for the health and safety of the general public;
  - (vii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;
  - (viii) procedures for incident management;
  - (ix) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;
  - (x) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;
  - (xi) procedures for responding to complaints about Construction Works; and
  - (xii) methods for amending and updating the CEMP as required.
- (c) Any CEMP prepared for a Stage of Work shall be submitted to Council for information at least ten working days before the Start of Construction for a Stage of Work.
- (d) The CEMP shall be prepared having regard to the NZ Transport Agency Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version.

#### **14. Stakeholder and Communication Management Plan (SCMP)**

- (a) A SCMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the SCMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be communicated with throughout the Construction Works. To achieve the objective, the SCMP shall include:
  - (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
  - (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
  - (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;
  - (iv) a list of stakeholders, organisations, businesses and persons who will be communicated with;
  - (v) methods to communicate the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; and
  - (vi) linkages and cross-references to communication methods set out in other conditions and management plans where relevant.
- (c) Any SCMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.

#### **15. Complaints Register**

- (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:
  - (i) the date, time and nature of the complaint;
  - (ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);
  - (iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;
  - (iv) the outcome of the investigation into the complaint; and
  - (v) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.
- (b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.

#### **16. Cultural Monitoring Plan**

- (a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person(s) identified in collaboration with Mana Whenua.
- (b) The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction Works.
- (c) The Cultural Monitoring Plan shall include:
  - (i) requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;
  - (ii) requirements and protocols for cultural inductions for contractors and subcontractors;
  - (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;
  - (iv) identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and

- (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of any accidental discovery protocols under Condition 22.
- (d) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.

#### **Advice Note**

*Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.*

### **17. Construction Traffic Management Plan (CTMP)**

- (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:
  - (i) methods to manage the effects of temporary traffic management activities on traffic;
  - (ii) measures to ensure the safety of all transport users;
  - (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;
  - (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;
  - (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads;
  - (vi) methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;
  - (vii) 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; and
  - (viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services).
- (c) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the Waka Kotahi Code of Practice for Temporary Traffic Management.
- (d) Any CTMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.



## 18. Construction Noise Standards

- (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable.

**Table 18.1: Construction noise standards**

Day of week	Time period	L <sub>Aeq</sub> (15min)	L <sub>AFmax</sub>
<b>Occupied activity sensitive to noise</b>			
Weekday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
<b>Other occupied buildings</b>			
All	0730h – 1800h	70 dB	
	1800h – 0730h	75 dB	

- (b) Where compliance with the noise standards set out in the Table 18.1 above is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 21 shall apply.

## 19. Construction Vibration Standards

- (a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.

**Table 19.1 Construction vibration criteria**

Receiver	Details	Category A	Category B
Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv

All other buildings	At all other times	5mm/s ppv	BS 5228-2*
	Vibration transient		Table B2
	At all other times	5mm/s ppv	BS 5228-2*
	Vibration continuous		50% of Table B2 values

\*BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'

- (b) Where compliance with the vibration standards set out in Table 19.1 is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 21 shall apply.
- (c) If measured or predicted vibration from construction activities exceeds the Category A criteria, a Suitably Qualified and Experienced Person shall assess and manage construction vibration during those activities.
- (d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a Suitably Qualified and Experienced Person.

## 20. Construction Noise and Vibration Management Plan (CNVMP)

- (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
- (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 18 and 19 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the Waka Kotahi State highway construction and maintenance noise and vibration guide (version 1.1, 2019), and shall as a minimum, address the following:
  - (i) description of the works and anticipated equipment/processes;
  - (ii) hours of operation, including times and days when construction activities would occur;
  - (iii) the construction noise and vibration standards for the Project;
  - (iv) identification of receivers where noise and vibration standards apply;
  - (v) management and mitigation options, and identification of the Best Practicable Option;
  - (vi) methods and frequency for monitoring and reporting on construction noise and vibration;
  - (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints;
  - (viii) contact details of the Project Liaison Person;
  - (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;
  - (x) identification of areas where compliance with the noise [Condition 18] and/or vibration standards [Condition 19] Category A or Category B will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites;
  - (xi) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 18] and/or vibration standards [Condition 19] Category A or Category B will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls [Condition 20(c)(x) CNVMP];

- (xii) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration;
- (xiii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented; and
- (xiv) requirements for review and update of the CNVMP.

## **21. Schedule to a CNVMP**

- (a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:
  - (i) construction noise is either predicted or measured to exceed the noise standards in Condition 18;
  - (ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 19.
- (b) The objective of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:
  - (i) construction activity location, start and finish times;
  - (ii) the nearest neighbours to the construction activity;
  - (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 18 and 19;
  - (iv) the proposed mitigation;
  - (v) the proposed communication with neighbours; and
  - (vi) location, times and types of monitoring.
- (c) The Schedule shall be submitted to the Manager for information at least 5 working days, except in unforeseen circumstances, in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.

## **22. Heritage and Archaeology Management Plan (HAMP)**

- (a) A HAMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- (b) The objective of the HAMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HAMP shall identify:
  - (i) methods for the identification and assessment of potential built heritage and archaeological sites within the Designation to inform detailed design;
  - (ii) known heritage places and archaeological sites and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
  - (iii) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;
  - (iv) roles, responsibilities and contact details of Project personnel, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Project works, compliance with AUP accidental discovery rule, and monitoring of conditions;
  - (v) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;
  - (vi) the proposed methodology for investigating and recording post-1900 heritage sites (including buildings) that need to be demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT guideline AGS 1A: Investigation and Recording of Buildings and Standing Structures (4 July 2014), or any subsequent version;

- (vii) methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve Ngā Taonga Tuku Iho (treasures handed down by our ancestors) and where feasible and practicable to do so;
- (viii) methods for protecting or minimising adverse effects on heritage and archaeological sites within the Designation during Project Works as far as practicable, (for example fencing around heritage and archaeological sites to protect them from damage during construction); and
- (ix) training requirements and inductions for contractors and subcontractors on heritage and archaeological sites within the Designation, and legal obligations relating to accidental discoveries. The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 8).

**Advice Note:**

*The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.*

**23. Pre-Construction Wetland Bird Survey**

- (a) Prior to the Start of Construction for a Stage of Work within 500m of the Ngakoroa Stream Wetlands, a survey and assessment of Threatened or At-Risk wetland birds and their habitat in the area shown in Schedule 2 shall be undertaken by a Suitably Qualified and Experienced Person.
- (b) The purpose of the survey and assessment is to:
  - (i) confirm the ecological value of the Ngakoroa Stream Wetlands for Threatened or At-Risk wetland birds; and
  - (ii) confirm whether the Project will or may have a moderate or greater level of ecological effect on Threatened or At-Risk wetland birds and their habitat prior to implementation of impact management measures, as determined in accordance with the EIANZ Guidelines for Use in New Zealand: Terrestrial and Freshwater Ecosystems (May 2018) or subsequent revision.
- (c) If the wetland bird survey in (a) above confirms that the Project will or may have a moderate or greater level of ecological effect on Threatened or At Risk Wetland birds without impact management, then Condition 24 applies.

**24. Bird Management Plan (BMP)**

- (a) If required under Condition 23, prior to the start of construction for a Stage of Work within 500m of the Ngakoroa Stream Wetlands, a BMP shall be prepared and implemented.
- (b) The objective of the BMP is to avoid and/or minimise impacts of construction activities on Threatened or At-Risk wetland birds in the Ngakoroa Stream Wetlands. The BMP shall set out the methods that will be used to achieve this objective. These methods may include:
  - (i) commencing Construction Works outside of the wetland bird breeding season (September to February) where practicable, in order to discourage bird nesting in the construction areas within the designation;
  - (ii) a nesting bird survey of Threatened or At-Risk wetland birds undertaken by a Suitably Qualified and Experienced Person. This should occur prior to any Construction Works taking place within a 50m radius of the Ngakoroa Stream Wetlands (including establishment of the site compound adjacent to the Ngakoroa Stream Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;
  - (iii) protection and buffer measures if nesting Threatened or At-Risk Wetland birds are identified within 50m of any construction area (including laydown areas). This could include:

- A. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;
    - B. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and
    - C. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person;
  - (iv) a 10m setback where practicable, between the edge of the Ngakoroa Stream Wetlands and the construction area (along the edge of the stockpile/laydown area). This could be achieved by retaining existing vegetation or by planting unvegetated areas with native coastal forest/riparian/wetland species (as appropriate). Marker poles, tape and signage could also be used to clearly delineate the wetland area to prevent encroachment; and
  - (v) minimising light spill from construction areas into the Ngakoroa Stream Wetlands.
- (c) The BMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any resource consents granted for the Project.

**Advice Note:**

*Depending on the potential effects of the Project, the resource consents for the Project may include the following monitoring and management plans:*

- (a) *Stream and/or wetland restoration plans;*
- (b) *Vegetation restoration plans; and*
- (c) *Fauna management plans (e.g. herpetofauna, bats).*

**25. Tree Management Plan**

- (a) Prior to the Start of Construction for a Stage of Work a Tree Management Plan shall be prepared.
- (b) The objective of the Tree Management Plan is to mitigate effects of construction activities on trees identified in Schedule 3.
- (c) The Tree Management Plan shall:
  - (i) confirm that the trees listed in Schedule 3 still exist; and
  - (ii) demonstrate how the design and location of Project works has avoided, remedied or mitigated any effects on the trees listed in Schedule 3. This may include:
    - A. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 11);
    - B. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and
    - C. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.
  - (iii) demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees.

**26. Network Utility Management Plan (NUMP)**

- (a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:
  - (i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;

- (ii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and
  - (iii) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; and AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines.
- (c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.
- (d) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.
- (e) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.
- (f) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.

## **Operational Conditions**

### **27. Traffic Noise**

For the purposes of Conditions 28 to 41:

- (a) Building-Modification Mitigation – has the same meaning as in NZS 6806;
- (b) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;
- (c) Habitable Space – has the same meaning as in NZS 6806;
- (d) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in Schedule 4: Identified PPFs Noise Criteria Categories;
- (e) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;
- (f) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);
- (g) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;
- (h) P40 – means Waka Kotahi NZTA P40:2014 Specification for noise mitigation;
- (i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in in Schedule 4: Identified PPFs Noise Criteria Categories;
- (j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806; and
- (k) Structural Mitigation – has the same meaning as in NZS 6806.

- 28.** The Noise Criteria Categories identified in Schedule 4: Identified PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 27 to 41.

Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.

- 29.** As part of the detailed design of the Project, a Suitably Qualified and Experienced Person shall determine the Selected Mitigation Options for the PPFs identified on Schedule 4 Identified PPFs Noise Criteria Categories.

30. Prior to construction of the Project, a Suitably Qualified and Experienced Person shall develop the Detailed Mitigation Options for the PPFs identified on Schedule 4 Identified PPFs Noise Criteria Categories, taking into account the Selected Mitigation Options.
31. If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified and Experienced Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.
32. Prior to the Start of Construction, a Noise Mitigation Plan written in accordance with P40 shall be provided to the Manager for information.
33. The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction.
34. Prior to the Start of Construction, a Suitably Qualified and Experienced Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB  $L_{Aeq(24h)}$  inside Habitable Spaces ('Category C Buildings').
35. Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within twelve months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified and Experienced Person to visit the building and assess the noise reduction performance of the existing building envelope.
36. For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 35 above if:
  - (a) the Requiring Authority's Suitably Qualified and Experienced Person has visited the building and assessed the noise reduction performance of the building envelope; or
  - (b) the building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or
  - (c) the building owner did not agree to entry within twelve months of the date of the Requiring Authority's letter sent in accordance with Condition 35 above (including where the owner did not respond within that period); or
  - (d) the building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.
37. Subject to Condition 36 above, within six months of the assessment undertaken in accordance with Conditions 35 and 36, the Requiring Authority shall write to the owner of each Category C Building advising:
  - (a) if Building-Modification Mitigation is required to achieve 40 dB  $L_{Aeq(24h)}$  inside habitable spaces; and
  - (b) the options available for Building-Modification Mitigation to the building, if required; and
  - (c) that the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.
38. Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party

authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.

- 39.** Subject to Condition 36, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 38 if:
- (a) the Requiring Authority has completed Building Modification Mitigation to the building; or
  - (b) an alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or
  - (c) the building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 36 (including where the owner did not respond within that period); and
  - (d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 40.** Within twelve months of completion of construction of the Project, a post-construction review report written in accordance with P40 Specification for Noise Mitigation 2014 shall be provided to the Manager.
- 41.** The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable.



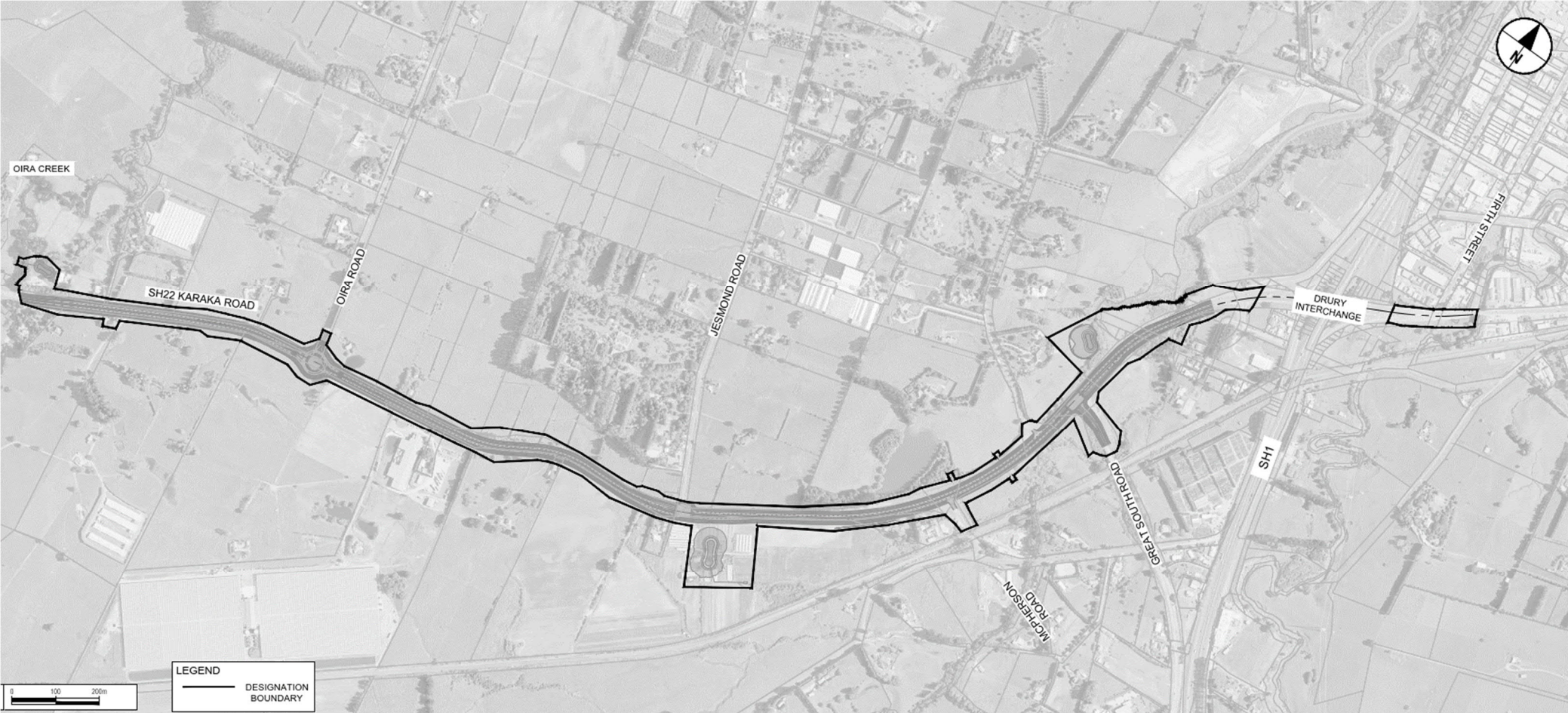
## **Schedule 1: General Accordance Plans and Information**

### **Project Description**

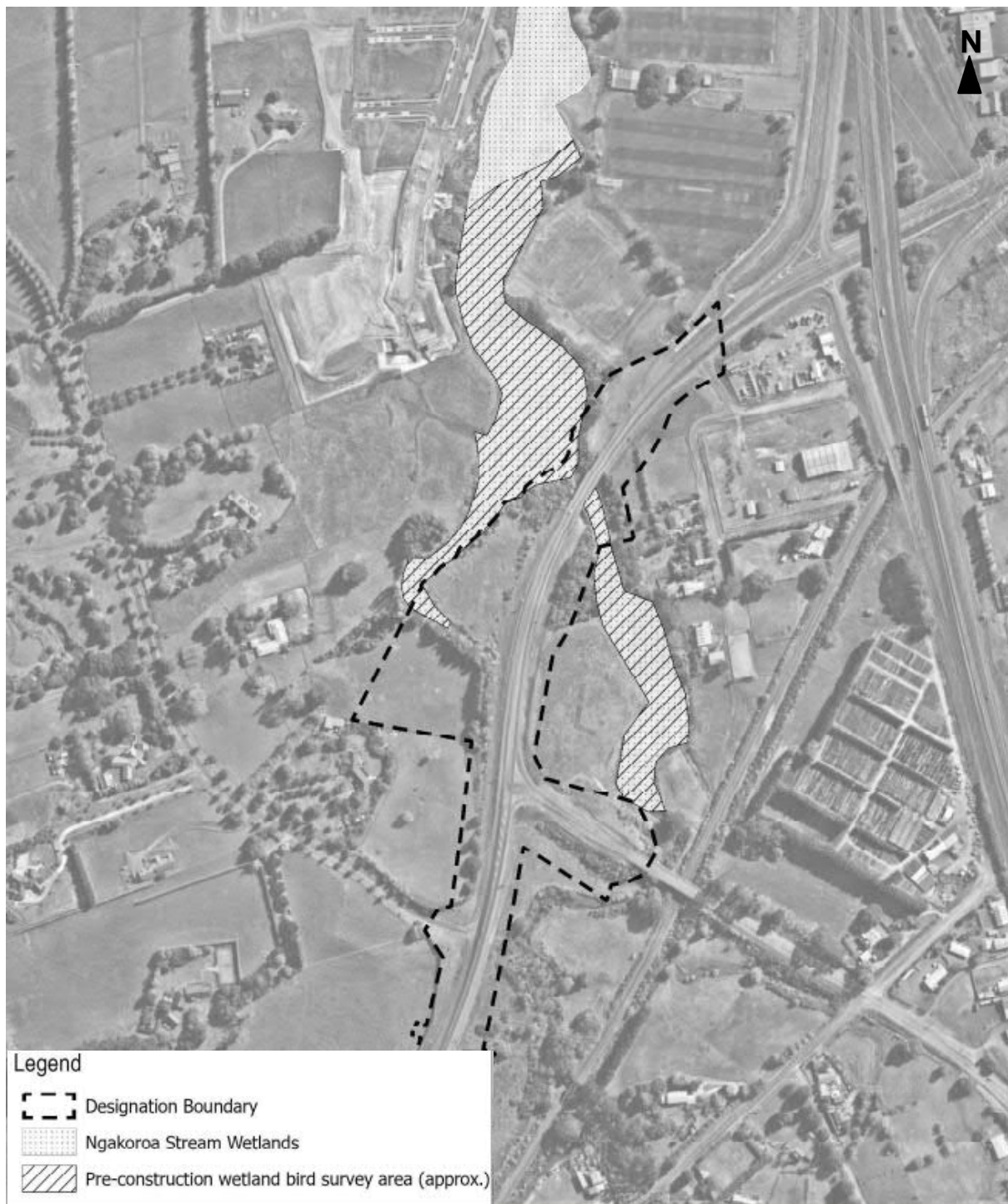
The proposed work is the construction, operation and maintenance of an upgrade of the existing State Highway 22 (SH22) from the Drury Interchange at State Highway 1 Drury to Oira Creek, including active transport facilities, and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

- a) Widening SH22 for two additional lanes and active transport facilities;
- b) Associated works including intersections, bridges, embankments, retaining, culverts and stormwater management systems;
- c) Changes to local roads, where the proposed work intersects with local roads; and
- d) Construction activities, including vegetation removal, construction compounds, lay down areas, bridge works area, construction traffic management and the re-grade of driveways.

Concept Plan



## Schedule 2: Pre-construction Wetland Bird Survey





### Schedule 3: Trees to be Included in the Tree Management Plan

Tree Number	Tree or Group	Number of trees	Species List	Location (refer to Tree Location Plan)	Reason for protection in the AUP (District Plan rules) as at January 2021 when the alteration to designation 6707 was lodged
196	Tree group	7	Eucalyptus sp., Acacia mearnsii	Within 67 Mercer Street (Section 5 SO 61999). South of Drury Sports Complex and east of Ngakoroa Stream.	Open space (note also protected under the regional plan rules as in the riparian margin)

#### Tree Location Plan

