

Memo

Date 10 October 2022

To: Celia Davison, Manager Planning Central South

From: Nic Lau - Planner

Subject: Plan Modification: Clause 20A modification to Auckland Unitary Plan





Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).

I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register¹ authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

Rule or Section of Unitary Plan	Chapter K Designations, Auckland Transport Designation 1837
Subject Site (if applicable)	
Legal Description (if applicable)	
Nature of change	<p>A Clause 20A modification is required to correct the conditons of Auckland Transport Designation 1837 in the AUP.</p> <p>Discussion</p> <p>A drafting error was made in the conditions after the public hearing for the Drury Aerial Network for NoR D5 Ponga Road and Ōpāheke Road Upgrade (now Designation 1837 in the AUP) when the conditions were being formatted for the Auckland Transport decision. A copy and paste error was made from another set of Auckland Transport NoR conditions (NoR D4 Opaheke North South FTN Arterial) being heard at the same time as part of the Drury Arterial Network in Schedule 1 (an attachment to the conditions), relating to Conditon 1.</p> <p>The project description in Schedule 1 of the designation conditions incorrectly describes Auckland Transport NoR D4 instead of what was then known as NoR D5. The clause 20A modification will correctly describe the project.</p>
Effect of change	<p>The change is a minor error and would not affect the rights of some of the members of the public.</p> <p>Schedule 1 for NoR D5 (designation 1837) was correct during public notification, during the public hearing, and in the closing legal</p>

	submissions made at the conclusion of the hearing. Additionally, Schedule 1 in the conditions and the associated Condition 1 was not challenged at any point during the proceedings.
Changes required to be made (text/in-text diagrams)	Amend designation 1837 in the Operative in Part version as attached to this memo and set out in a letter from Auckland Transport.
Changes required to be made (maps)	
Attachments	Attachment 1: Auckland Transport letter with corrections to text (strikethrough/underlines) Attachment 2: Corrected text

Prepared by: Nicholas Lau Senior Policy Planner	Text Entered by: Bronnie Styles Planning Technician
Signature: 	Signature: 
Maps prepared by: Geospatial Analyst n/a	Reviewed by: Craig Cairncross Team Leader
Signature:	Signature: 
Decision: I agree/disagree to authorise the Clause 20A modification using my delegated authority Celia Davison Manager Planning – Central South Date: 10/10/22	
Signature: 	

Attachment 1

Auckland Transport letter with corrections to text (strikethrough/underlines)

7 October 2022

Nicholas Lau
Central/South Planning Unit – Plans and Places
Auckland Council
135 Albert Street
Auckland Central

Via email: Nicholas.Lau@aucklandcouncil.govt.nz

CLAUSE 20A MODIFICATION TO AUP: AUCKLAND TRANSPORT DESIGNATION 1837

Dear Nic

Auckland Transport requests a plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991 to designation 1837 in the AUP (formerly known as NoR D5 Ponga Road and Ōpāheke Road Upgrade – part of the Drury Arterial Network NoR Package).

The minor plan modification is to correct a drafting error that was made in Schedule 1 (an attachment to the conditions) after the public hearing for the Drury Arterial Network NoRs when the conditions were being formatted for the Auckland Transport decision.

A copy and paste error was made from another set of Auckland Transport NoR conditions (NoR D4 Opaheke North South FTN Arterial) being heard at the same time as part of the Drury Arterial Network NoRs.

The project description in Schedule 1 of the designation conditions incorrectly describes Auckland Transport's NoR D4. The clause 20A modification will correctly describe the project for designation 1837.

Schedule 1 for NoR D5 (designation 1837) was correct during public notification, during the public hearing, and in the closing legal submissions made at the conclusion of the hearing. Additionally, Schedule 1 in the conditions and the associated Condition 1 was not challenged at any point during the proceedings.

The requested correction is minor and will not affect the rights of the public.

Included with this letter is the designation 1837 conditions showing the minor change requested to the project description in Schedule 1 (in strikethrough and underline). I have also shown this below.

Attachments

Schedule 1: General Accordance Plans and Information

Project Description

*The proposed work is the construction, operation and maintenance of an arterial transport corridor in **Ōpāheke along Ponga Road and Ōpāheke Road from Jack Paterson Road to Settlement Road** ~~Drury Ōpāheke between Waihoehoe Road and Hunua Road~~ including active transport facilities and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:*

- (a) ***An upgraded transport corridor with two lanes and active transport facilities:***
~~A new arterial transport corridor with four lanes, including public transport 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 **including a new connection between Walker Road and Ōpāheke Road**; and*
- (d) *Construction activities, including vegetation removal, construction compounds, lay down areas, bridge works area, construction traffic management and the re-grade of driveways.*

Regards

A handwritten signature in black ink, appearing to read 'AoS', is positioned below the 'Regards' text.

Aimée Simons
Team Leader – AT Consent Planning
PMO, Strategic Programmes and Property Group
Integrated Networks Division

Attachment 2
Corrected text

1837 Ponga Road and Ōpāheke Road Upgrade

Designation Number	1837
Requiring Authority	Auckland Transport
Location	Ponga Road and Ōpāheke Road from Jack Paterson Road intersection to Settlement Road intersection.
Lapse Date	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.

Purpose

Construction, operation and maintenance of an arterial transport corridor.

Conditions

Abbreviations and Definitions

Acronym/Term	Definition
Activity sensitive to noise	An activity sensitive to noise is any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility.
AUP	Auckland Unitary Plan
ARI	Annual Recurrence Interval
Average increase in flood hazard	Flow depth times velocity.
BPO or Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991
CEMP	Construction Environmental Management Plan
Certification of material changes to management plans and CNVMP Schedules	Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or

	<p>(b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received.</p> <p>(c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.</p>
CNVMP	Construction Noise and Vibration Management Plan
CNVMP Schedule or Schedule	A schedule to the CNVMP
Completion of Construction	When construction of the project (or part of the project) is complete and it is available for use.
Construction Works	Activities undertaken to construct the project excluding Enabling Works.
Council	Auckland Council
CPTED	Crime prevention through environmental design
CTMP	Construction Traffic Management Plan
Enabling works	<p>Includes, but is not limited to, the following and similar activities:</p> <ul style="list-style-type: none"> • geotechnical investigations (including trial embankments); • archaeological site investigations; • formation of access for geotechnical investigations; • establishment of site yards, site entrances and fencing; • constructing and sealing site access roads; • demolition or removal of buildings and structures; • relocation of services; and • establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).
Existing authorised habitable floor	The floor level of any room in a residential building which is authorised by building consent and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.
Flood prone area	A potential ponding area that relies on a single culvert for drainage and does not have an overland flow path.
Habitable floor level that has existing flooding	Where the flood level using the pre project model scenario is above the existing authorised the habitable floor level.
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014

Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Maximum Probable Development	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.
MID	Maintenance in Design
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NOR	Notice of Requirement
NUMP	Network Utilities Management Plan
NZAA	New Zealand Archaeological Association
NZTM	New Zealand Transverse Mercator [coordinates system]
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA.
Project Liaison Person	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.
Pre-project development	Existing site condition prior to the project (including existing buildings and roadways).
Post-project development	Site condition after the project has been completed (including existing and new buildings and roadways).
Requiring Authority	Has the same meaning as section 166 of the RMA and for this Designation is Auckland Transport (AT).
RMA	Resource Management Act (1991)
SCEMP	Stakeholder Communication and Engagement Management Plan
SID	Safety in Design
Stage of Work	Any physical works that require the development of an Outline Plan.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified and Experienced Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.
ULDMP	Urban and Landscape Design Management Plan

<u>General Conditions</u>	
1.	<p>Activity in General Accordance with Plans and Information</p> <p>(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.</p> <p>(b) Where there is inconsistency between:</p> <ul style="list-style-type: none"> (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.	<p>Project Information</p> <p>(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. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been established. The Project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) a subscription service to enable receipt of project updates by email; and (v) how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(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.</p>
3.	<p>Designation Review</p> <p>(a) The Requiring Authority shall within 6 months of Completion of Construction, or as soon as otherwise practicable:</p> <ul style="list-style-type: none"> (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.

4.	<p>Lapse</p> <p>In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.</p>
5.	<p>Network Utility Operators (Section 176 Approval)</p> <p>(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:</p> <ul style="list-style-type: none"> (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. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
<u>Pre-construction Conditions</u>	
6.	<p>Outline Plan(s)</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(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.</p> <p>(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, as follows:</p> <ul style="list-style-type: none"> (i) Network Utilities Management Plan; (ii) Construction Environmental Management Plan; (iii) Construction Traffic Management Plan; (iv) Construction Noise and Vibration Management Plan; (v) Urban and Landscape Design Management Plan; (vi) Historic Heritage Management Plan; and (vii) Tree Management Plan.
7.	<p>Management Plans</p> <p>(a) Any management plan shall:</p> <ul style="list-style-type: none"> (i) be prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 8 to 25); (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;

	<ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> 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 SCEMPs and CNVMP Schedules; and (vi) once finalised, uploaded to the project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition 7(a) may:</p> <ul style="list-style-type: none"> (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, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan as soon as practicable following identification of the need for a revision. <p>(c) Any material changes to the SCEMPs are to be submitted to the Council for information.</p> <p><i>Advice Note:</i> <i>Material change will include amendment to any base information informing the management plan or any process, procedure or method of the management plan which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.</i></p>
<p>8.</p>	<p>Cultural Advisory Report</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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;

	<ul style="list-style-type: none"> (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 Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 17; 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. <p>(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.</p> <p>(d) Conditions 8(b) and 8(c) above will cease to apply if:</p> <ul style="list-style-type: none"> (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.
<p>9.</p>	<p>Urban and Landscape Design Management Plan</p> <ul style="list-style-type: none"> (a) A ULDMMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the ULDMMP(s) is to: <ul style="list-style-type: none"> (i) enable integration of the project's permanent works into the surrounding landscape and urban context; and (ii) ensure that the project's potential adverse landscape and visual effects are avoided, remedied and mitigated as far as practicable and it contributes to a quality urban environment. (c) The ULDMMP shall be prepared in general accordance with: <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide; (ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; (iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and (v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version. (d) To achieve the objective, the ULDMMP(s) shall provide details of how the project:

	<ul style="list-style-type: none"> (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), natural environment, landscape character and open space zones; (ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure 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: <ul style="list-style-type: none"> 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.
<p>10.</p>	<ul style="list-style-type: none"> (a) The ULDMP(s) shall include: <ul style="list-style-type: none"> (i) a concept plan – which depicts the overall landscape and urban design concept, and explain 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: <ul style="list-style-type: none"> A. road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses, benching, spoil disposal sites, median width and treatment, roadside width and treatment; B. roadside elements – such as lighting, fencing, wayfinding and signage; 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. historic heritage places with reference to the HHMP in Condition 23; and

	<p>I. re-instatement of construction and site compound areas, driveways, accessways and fences.</p>
<p>11.</p>	<p>(a) The ULDMMP shall also include the following planting details and maintenance requirements:</p> <p>(i) planting design details including:</p> <p>A. identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan in Condition 24. Where practicable, mature trees and native vegetation should be retained;</p> <p>B. street trees, shrubs and ground cover suitable for berms;</p> <p>C. treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones;</p> <p>D. planting of stormwater wetlands;</p> <p>E. integration of any planting requirements required by conditions of any resource consents for the project; and</p> <p>F. re-instatement planting of construction and site compound areas as appropriate.</p> <p>(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; and</p> <p>(iii) detailed specifications relating to the following:</p> <p>A. weed control and clearance;</p> <p>B. pest animal management (to support plant establishment);</p> <p>C. ground preparation (top soiling and decompaction);</p> <p>D. mulching; and</p> <p>E. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species;</p> <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMMP(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 ULDMMP.</p> <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p>

<p>12.</p>	<p>Flood Hazard</p> <p>(a) Where relevant to the Stage of Work, the project shall be designed to demonstrate that the Mangapū Stream (Symonds Stream) generally located at NZTM 1775480, 5893662 and shown in Schedule 1 shall be crossed by a bridge.</p> <p>(b) The project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (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 existing at time the Outline Plan is submitted. <p>(c) 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).</p> <p>(d) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising the existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p>
<p>13.</p>	<p>Existing Property Access</p> <p>Where property vehicle access, which exists at the time the Outline Plan is submitted, is altered by the project, the Requiring Authority shall consult with the directly affected landowner regarding the required changes, and the Outline Plan shall demonstrate how safe alternate access will be provided, unless otherwise agreed with the affected landowner.</p>
<p><u>Construction Conditions</u></p>	
<p>14.</p>	<p>Construction Environmental Management Plan</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(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</p>

	<p>adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (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) details of the proposed construction yards including temporary screening when adjacent to residential areas, 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.
<p>15.</p>	<p>Stakeholder Communication and Engagement Management Plan</p> <ul style="list-style-type: none"> (a) A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include: <ul style="list-style-type: none"> (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 (such as community facilities), and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged with;

	<ul style="list-style-type: none"> (vi) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (vii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(c) Any SCEMP 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.</p>
<p>16.</p>	<p>Complaints Register</p> <ul style="list-style-type: none"> (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include: <ul style="list-style-type: none"> (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.
<p>17.</p>	<p>Cultural Monitoring Plan</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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;

	<ul style="list-style-type: none"> (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 23. <p>(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.</p> <p><u>Advice Note</u></p> <p><i>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.</i></p>
<p>18.</p>	<p>Construction Traffic Management Plan</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on all road users; (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 public and private 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).

19. 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 19.1: Construction noise standards

Day of week	Time period	L _{Aeq(15min)}	L _{AFmax}
Occupied activity sensitive to noise			
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
Other occupied buildings			
All	0730h – 1800h	70 dB	
	1800h – 0730h	75 dB	

(b) Where compliance with the noise standards set out in the Table 19.1 above is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 22 shall apply.

20. 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 20.1 Construction vibration criteria

Receiver	Details	Category A*	Category B**
Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv
	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999	

**Category A criteria adopted from Rule E25.6.30.1 of the AUP*

***Category B criteria are based on DIN 4150-3:1999 building damage criteria for daytime*

- (b) Where compliance with the vibration standards set out in Table 20.1 above is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 21(c)(x), then the methodology in Condition 22 shall apply.

21. Construction Noise and Vibration Management Plan

- (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 19 and 20 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 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;

	<ul style="list-style-type: none"> (iii) the construction noise and vibration standards for the project; (iv) identification of receivers where noise and vibration standards apply; (v) a hierarchy of management and mitigation options including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far as practicable; (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 19) and/or vibration standards (Condition 20 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 19) and/or vibration standards (Condition 20 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 21(c)(x)); (xii) procedures for: <ul style="list-style-type: none"> A. communicating with affected receivers, where measured or predicted vibration from construction activities exceeds the vibration criteria of Condition 20; and B. assessing, mitigating and monitoring vibration where measured or predicted vibration from construction activities exceeds the Category A vibration criteria of Condition 20, including the requirement to undertake building condition surveys before and after works to determine whether any damage has occurred as a result of construction vibration; and (xiii) requirements for review and update of the CNVMP.
<p>22.</p>	<p>Schedule to a CNVMP</p> <ul style="list-style-type: none"> (a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction activity to which it relates by a Suitably Qualified and Experienced Person, in consultation with the owners and occupiers of sites subject to the Schedule, when: <ul style="list-style-type: none"> (i) construction noise is either predicted or measured to exceed the noise standards in Condition 19, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:

	<p>A. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months; or</p> <p>B. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days;</p> <p>(ii) construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 20.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects for the duration of the construction activity to which it relates beyond those measures set out in the CNVMP. The Schedule shall as a minimum set out:</p> <p>(i) construction activity location, start and finish dates;</p> <p>(ii) the nearest neighbours to the construction activity;</p> <p>(iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Condition 22(a) and predicted duration of the exceedance;</p> <p>(iv) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</p> <p>(v) the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</p> <p>(vi) location, times and types of monitoring.</p> <p>(c) The Schedule shall be submitted to the Manager for certification 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.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p>
<p>23.</p>	<p>Historic Heritage Management Plan</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:</p> <p>(i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;</p>

	<ul style="list-style-type: none"> (ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design; (iii) known historic heritage places 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; (iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) roles, responsibilities and contact details of Project personnel, Council and NZHPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Project Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project. (vii) methods for the removal and storage of the stone marking of the World War II Ōpāheke East Camp during project works and identification of a suitable location to place it once project works are complete, in consultation with parties involved in the erection of the stone in its existing location; (viii) the proposed methodology for investigating and recording post-1900 historic heritage places (including buildings) that need to be destroyed, 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 Archaeological Guidelines Series No. 1 (AGS 1A): Investigation and recording of buildings and standing structures (November 2018), or any subsequent version; (ix) 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; (x) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation and during Construction Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> A. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access. (xi) measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and (xii) training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and
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	<p>Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 8).</p> <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring) shall be submitted to the Manager within 12 months of completion.</p> <p>Advice Note:</p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP.</i></p>
<p>24.</p>	<p>Tree Management Plan</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a Tree Management Plan shall be prepared.</p> <p>(b) The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 2.</p> <p>(c) The Tree Management Plan shall:</p> <ul style="list-style-type: none"> (i) confirm that the trees listed in Schedule 2 still exist; and (ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 2. This may include: <ul style="list-style-type: none"> 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.
<p>25.</p>	<p>Network Utility Management Plan</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(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:</p> <ul style="list-style-type: none"> (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

	<p>(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; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.</p> <p>(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.</p> <p>(d) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(e) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(f) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
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Operational Conditions

26.	<p>Low Noise Road Surface</p> <p>(a) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within twelve months of Completion of Construction of the project.</p> <p>(b) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</p> <ul style="list-style-type: none"> (i) The volume of traffic exceeds 10,000 vehicles per day; or (ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>(c) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 26(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p>
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Attachments

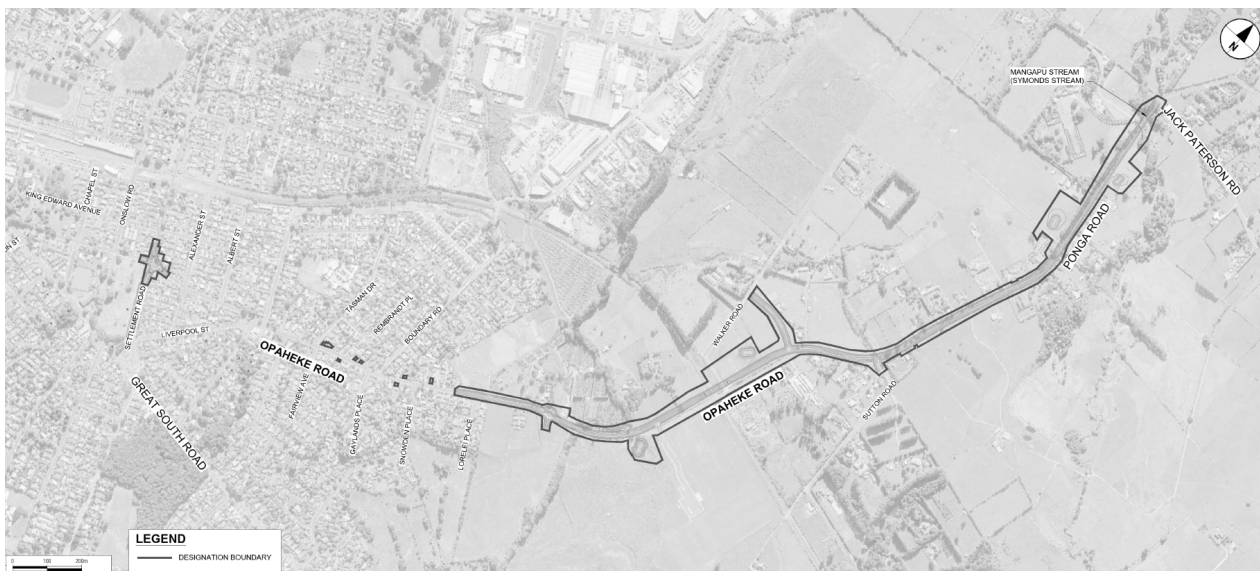
Schedule 1: General Accordance Plans and Information

Project Description

The proposed work is the construction, operation and maintenance of an arterial transport corridor in Ōpāheke along Ponga Road and Ōpāheke Road from Jack Paterson Road to Settlement Road Drury ~~Ōpāheke between Waihoehoe Road and Hunua Road~~ including active transport facilities and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

- (a) An updated transport corridor with two lanes and active transport facilities; A new arterial transport corridor with four lanes, including public transport 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 including a new connection between Walker Road and Ōpāheke Road; 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: 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 Notice of Requirement was lodged
128	Tree group	4	Taxodium distichum	Within 165 Opaheke Road (Part Allot 52 PSH OF Opaheke) adjacent to the road corridor	Road
129	Tree group	3	Taxodium distichum, Cryptomeria japonica	Within 165 Opaheke Road (Part Allot 52 PSH OF Opaheke) adjacent to the road corridor	Road
130	Tree group	4	Populus nigra	West of Hays Stream Bridge within riparian margin	Open space, Riparian
226	Tree group	4	Betula pendula, Knightia excelsa, Michelia figo, Schinus terebinthifolius	Within the Opaheke Road road corridor outside 2 Lorelei Place (Lot 4 DP 83044)	Road
227	Single Tree	1	Fraxinus angustifolia subsp. oxycarpa 'Raywood'	Within the Opaheke Road road corridor outside 97 Opaheke Road (Lot 1 DP 83044)	Road

Tree Location Plan

