

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison, Manager Planning – Central/South

FROM David Wong, Principal Planner, Planning - Central/South

DATE 29 August 2018

SUBJECT Designation in accordance with s168 of the Resource Management Act of the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – New designation	
Chapter	Chapter K Designations
Section	Auckland Transport
Designation only	
Designation # : 1716	AMETI Stage 2A, Auckland Transport
Locations:	Between Panmure Roundabout and Pakuranga town centre.
Lapse Date	The designation will lapse if not given effect to within 10 years from the date on which it is confirmed by Auckland Transport.
Purpose	The designation will provide for a separated busway between Panmure from the Panmure roundabout to Pakuranga along with associated cycleways, footpaths, and extensive landscaping.
Changes to text (shown in underline and strikethrough)	Refer Attachment 1 for conditions.
Changes to diagrams	Not applicable.
Changes to spatial data	The footprint of 'NoR 1 – AMETI Stage 2A designation' is shown on the AUP maps, update to show designation 1716 Ameti Stage 2 to be effective.
Attachments	AMETI Stage 2A Decision AMETI Stage 2A Attachment 1 Conditions 1716 Ameti 2A DesignationText 1716 Ameti 2A Designation Map

Prepared by:

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Principal Planner

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Signature

Reviewed by:

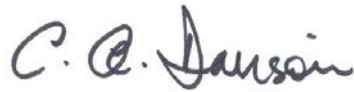
David Wong
Principal Planner



(M Dendale in David Wong's absence on leave)

Signature:

Celia Davison
Manager Planning – Central/South



Signature

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

Decision No. [2018] NZEnvC 146

IN THE MATTER of the Resource Management Act 19911
AND of an appeal pursuant to s 171 of the Act
BETWEEN PANMURE FISH & CHIPS
(ENV-2018-AKL-066)
Appellant
AND AUCKLAND TRANSPORT
Requiring Authority

Court: Environment Judge JA Smith
Environment Commissioner JA Hodges

Hearing: 20 August 2018

Appearances: G Lanning and RJ O'Connor for Auckland Transport (AT)
G Seo and J Yang for Panmure Fish & Chips (PFC)
S Anderson, Translator
Auckland Council abide decision of the Court, appearance excused

Date of Decision: 21 August 2018

Date of Issue: 22 AUG 2018

DECISION OF THE ENVIRONMENT COURT

- A: The appeal is dismissed and the Notice of Requirement is confirmed.
- B: Although an application for costs is not encouraged in respect of this appeal (and that relating to the Public Works Act), any applications for costs on either matter are to be filed within 10 working days; any reply 10 working days after that and any final reply, if any, 5 working days thereafter.



REASONS

Introduction

[1] Panmure Fish & Chips (**PFC**) appealed a decision of Commissioners granting a Notice of Requirement for the AMETI Transport Project promoted by Auckland Transport (**AT**), being a roading upgrade project between Pakuranga and Panmure roundabout. They also filed an objection in relation to a Public Works Act notice.

Public Works Act

[2] The Public Works Act notice matter has been issued contemporaneously. The Council entered into an agreement to purchase the relevant property on 20 June 2018, with settlement on 21 December 2018 or such earlier time as the vendor may require. That being the case, there is no longer a need for a Notice of Intention to Take.

Notice of Requirement appeal

[3] A number of appeals against the Notices of Requirement (**NOR**) were filed, involving matters not only in relation to the area of Panmure in which PFC is located, but also relating to the Panmure Bridge and the Panmure Marina. The matter was set on a timetable to hearing, and in the meantime, all but this PFC appeal have resolved.

Transparency

[4] There appeared to be significant issues with the status of the appeal by PFC, given the tenancy of their property ended on 14 January 2018, and they were not a landowner in the area affected by the application. Notwithstanding this, it is clear that at the time they filed their original submissions they still held a leasehold interest in the property. Mr Seo and Ms Yang for PFC have consistently raised concerns about the process adopted, and the transparency of the process.

[5] This being the case, the Court has been concerned to ensure that Mr Seo and Ms Yang for PFC had full opportunity to address their concerns before the Court in relation to the NOR.



[6] The evidence in this matter was required to be filed in advance, and the Court carefully read the evidence of the appellant to ascertain the particular issues under s 171 of the Act that were raised.

The nature of the appeal

[7] Having read that evidence, it was unclear what particular aspects of the NOR were the subject of appeal.

[8] In particular, the majority of the evidence filed (and repeated in the opening submissions for PFC) related to concerns about the process adopted by AT in dealing with them, and allegations of inappropriate or illegal actions on the part of the Council and/or representatives of AT.

[9] Throughout the hearing the Court was anxious to ascertain if there were any issues of relevance under s 171 of the Resource Management Act, and the position of PFC in respect of cancellation, modification or imposition of further conditions upon the NOR.

[10] No matters under s 171 were raised with the Court, and in her final reply Ms Yang, for PFC, said that they were not against the AMETI Project itself. She restated the concerns were as to the process by which the project was advanced and AT officers' dealings with them, and the issues of proper compensation for the impacts upon them. They consider that the process was not clear or fair, and were hoping for a negotiation to resolve issues between themselves and AT.

The role of this Court on appeal

[11] There have been a significant number of decisions in respect of the role of the Court in respect to NOR. We note in particular that no issues relating to any Policy Statements, Coastal Policy Statement, Regional Policy Statement, proposed Policy Statement or the provisions of the Auckland Unitary Plan (or any other Plan) were raised with this Court. The uncontroverted evidence for AT is that this project meets the objectives and policies of the various plans. Furthermore, that there is an interest in improving transportation and the availability of public transportation in particular, in this area. PFC does not engage with these issues or address them in any way.



[12] Furthermore, the question of alternate sites, routes or methods was the subject of evidence by AT. It is clear from the concerns of PFC that the particular part of the AMETI project they are concerned with relates to the area 13-25 Queens Road, Panmure. This is affected by the Lagoon Drive portion of the project as it approaches the Panmure roundabout. The Lagoon Drive route between this area and Church Street, less than a kilometre away, runs alongside the Panmure Basin, and historically provides a bypass of Panmure to enable better traffic movements. Again, PFC does not address this issue, or suggest in any way any alternative route.

[13] The evidence for AT is that they have considerable constraints in moving Lagoon Drive closer to the Panmure Basin, given not only the natural values involved, but historic and other values adjacent to the water itself. The road to the north is already retained in part, and there is a significant difference in height over this area between Lagoon Drive and the Panmure shopping centre (sited higher).

[14] We are told, and there was no dispute as to this, that by April 2012 a decision had been made by AT to incorporate a shared pathway to the north of the Lagoon Drive roading improvements. This would be a cycleway and footpath, enabling connection to the new Panmure bus and railway station area.

[15] The shared pathway is to be on the northern side and will access the various crossings to the established bus/railway station to the North-east. Given the difference in height between Lagoon Drive and the Panmure shops, this would mean that the retaining walls would need to be moved further to the north, involving the acquisition of land to the rear of some properties on Queens Road, particularly those between 13 and 17. A copy of the plan showing the various areas involved is annexed hereto and marked A.

Improving access within the Panmure shopping centre

[16] At the same time, there are issues relating to providing, and or improving longer term access to the south of Queens Road, particularly connecting between Queens Road to the west and Korma Lane to the east. The AMETI project had the potential to impact upon this, but as at 2012 the position was not clear.



The meeting of 8 May 2012

[17] The genesis of the complaint for PFC seems to have its source in two issues:

- the attitude of the original AT officers dealing with PFC, telling them that they had no rights over the accessway through 13, 15 and 17 Queens Road to the rear of their premises; and
- a meeting held on 8 May 2012, at which there was a discussion about a connection to Korma Lane.

[18] Unfortunately, Council witnesses that gave evidence were either not at the meeting or were unclear on what had occurred at this meeting. However, the correspondence relating to it clarifies that the meeting concerned access to the rear of properties between Queens Road west and Korma Lane, and the potential acquisition of properties at 19-23 or 39-41 Queens Road to provide access.

[19] Given that PFC were in number 21, it appears they assumed that their property was part of the land to be acquired to provide that access. Although this situation was clarified quickly by AT, confirming with the landowner (For One Limited) that they did not intend to acquire their land, and that the land they wished to acquire was 13-17 Queens Road, PFC have since remained a concerned participant in the process.

The easement

[20] The practical position is that the PFC were a tenant of the property at 21 Queens Road owned by For One Limited. The tenancy was for a period of four terms of two years, terminating on 14 January 2018. As a matter of fact, the landlord gave notice that it would not renew the lease and the lease terminated on that date. There is no evidence that AT had any part in those decisions.

[21] In the meantime, PFC continued to operate, but disagreement continued with the Council over whether or not it held easement rights over 13-17 Queens Road to the rear of 21 Queens Road.

[22] Quite simply, there does not appear to be any evidence to support the view that there was an easement of any form to the rear of 21 Queens Road premises via 13, 15 and 17 Queens Road. More importantly, practical access does not appear to have been



restricted to the rear of those properties at any time before the lease expiry date. We can see no evidence that access will be restricted in the immediate future. Access might be restricted or lost as part of the construction of the retaining walls and the shared pathway in due course. The timing of that could be any time between 2019 and 2022, during construction of the AMETI works in the future, depending on the letting of the contract and the work programme for the construction of the shared pathway. We are told that the construction of the works, particularly the Lagoon Drive pathway, may require access through this area, and access may be restricted at that time. However, for practical purposes, at no time during the lease period to January 2018, was practical access to the rear of 21 Queens Road restrained or restricted by Auckland Transport or the Council.

Adverse effects of Designation

[23] We appreciate that under s 171(1)(a) we should consider adverse effects, and although there may be an inchoate potential adverse effect on any business operating at 21 Queens Road in the future, that has yet to be realised.

[24] Even if it did, the extent of that effect would be in relation to the operation of the business, and may be subject to:

- (a) agreement with the landowner or AT;
- (b) modification to the project to enable continued access;
- (c) alternative access being provided to Korma Lane; or
- (d) another solution.

[25] Finally, there would be an obligation on an affected business owner to mitigate any losses to a reasonable extent.

[26] In the end, however, the difficulty for this Court is the RMA does not provide a mechanism to provide for monetary compensation for interference with businesses as a result of consents. That is a matter for the Civil Courts, and any claim would need to be brought in that Court.



[27] Although this Court can impose conditions, and sometimes seek to mitigate loss by compensatory measures (see the *Rena* decision¹) and such compensatory provisions are not necessarily impermissible,² they would need to be associated with an adverse effect. In this case, no demonstrated adverse effect on the environment has been shown to this Court. Given the PFC no longer hold a lease, there is no future effect to be considered.

The outcomes to be achieved

[28] We agree with Mr Lanning that nothing in the appeal or evidence filed addresses the question of whether or not the Court should confirm the NOR. Nor does any evidence suggest that the project or conditions be modified. Ms Yang, in final submissions, stated that they did not oppose the AMETI project itself.

[29] Accordingly, the only matter that might be addressed by the Court in this appeal is the question of whether there should be some further condition. There are a significant number of difficulties in doing so in the terms of this appeal:

- (a) PFC is not a landowner;
- (b) the lease agreement is terminated;
- (c) no adverse effect has been demonstrated on the environment, or has been realised during the term of the lease;
- (d) there is no guarantee that PFC would have obtained a renewal of lease (and in fact did not); and
- (e) any compensation for business loss is a matter properly brought in the District Court rather than addressed through mitigatory conditions to reduce adverse effects on the environment.

Conduct of Council

[30] A number of serious assertions have been made about the conduct of Auckland Transport officers and its advisors through this process, and we allowed all witnesses identified who had filed evidence, and PFC wished to question, to be called. PFC also sought that the Court call Mr Lopez, but he had not given a brief of evidence and was not

¹ TO BE ADDED

² *Central Otago District Council v Otago Regional Council*, C204/2004, paragraph [29]



summonsed as a witness by any party. He was, therefore, unavailable to give evidence. Having read the file, we doubt he would have been able to be any more helpful to PFC than any other Council or Auckland Transport staff or advisors.

[31] Notwithstanding the serious assertions made in the evidence, none of the cross-examination addressed these matters. Most particularly, we are not satisfied that there is any evidence whatsoever to support allegations of impropriety on the part of Auckland Transport officers or advisors.

[32] In fact, we are able to conclude clearly that the Auckland Transport personnel had the view, based upon legal and other advice, that there was no legal easement to the rear of the site. Ms Yang and Mr Seo did not agree with that and continued to argue that matter, notwithstanding they:

- (a) received legal advice in 2012-2014 from Bloekamp Solicitors;
- (b) made a complaint to the Ombudsman which upheld the Council's position; and
- (c) made the same submission to the Commissioners on this notice of requirement.

[33] We conclude that there is no suggestion of impropriety on the part of the Council. For the sake of completeness, we note that such allegations have little impact on the process, unless they go to whether or not the matters addressed under s 171 or 174 have been impugned in some way, which they do not.

Outcome of appeal

[34] This appeal cannot succeed. There is no basis in fact for a compensation claim, nor in terms of jurisdiction. Moreover, the appeal itself does not dispute the NOR itself that has been the substance of the matters before us, nor seek the imposition of any particular conditions of consent.

[35] Although arguably this Court could have dealt with this matter on the applications for strikeout, we conclude that it is important for the sake of transparency on a major public project that assertions of this sort are dealt with in open court where there has been an opportunity for witnesses to be examined. The cross-examination of witnesses by Mrs Yang did not address these issues, and there is no evidence to support any of



the many allegations made in the evidence.

[36] Accordingly, the project is clearly justified in terms of both s 171 and Part 2 of the Act, and the supporting documents including relevant plans and policy statements. Moreover, there was no dispute raised in the appeal with the granting of the notice of requirement and the remedy sought is not only one that is not supported by the evidence, but is not within the scope of this Court's jurisdiction.

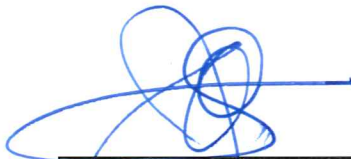
The Commissioners' Decision

[37] The Commissioners' decision comprises some 69 pages and comprehensively addresses this project and the concerns of submitters. PFC did not suggest failing in that analysis or their conclusions. In s 290A of the RMA, we are required to have regard to the decision the subject of the appeal. Although we are not bound by the decision, the Court would expect to see some different circumstances or omitted analysis to support a different outcome. The decision addresses the concerns of PFC and other parties in a comprehensive way. We have no evidence to suggest any conclusions were wrong, nor were we directed to any conditions that were disputed. For that reason, we can come to no different conclusions to the Commissioners.

Conclusion

[38] The appeal is dismissed.

[39] This is not a case in which an application for costs is encouraged. It has been dealt with in less than one day in circumstances where evidence was prepared for a range of appeals that have now all been resolved. Notwithstanding, if any party seeks costs on either of the sets of proceedings they are to file an application within **10 working days**; any reply **10 working days** after that and any final reply, if any, **5 working days** thereafter. Such an application is not encouraged.



JA Smith
Environment Judge



1716 AMETI Stage 2A

Designation Number	1716
Requiring Authority	Auckland Transport
Location	Between Panmure Roundabout and Pakuranga town centre
Lapse Date	20/3/2028

Purpose

The designation will provide for a separated busway between Panmure from the Panmure roundabout to Pakuranga along with associated cycleways, footpaths, and extensive landscaping

Conditions

Definitions

Term	Definition
Affected in proximity	Owners and occupiers who are not directly affected but may experience an adverse effect as result of their physical distance to the designation and works and includes, but is not limited to, neighbours and adjacent property owners.
Confirm Confirmation of (the designation)	This refers to the date on which section 175(2) of the RMA applies.
Consult Consulting Consultation	The process of providing information about the construction works, and receiving for consideration information from stakeholders directly affected and affected in proximity parties regarding those effects and proposals for management and mitigation of them.
Fully operational traffic lane	May include a traffic lane that is subject to a reduced speed limit, or one which may have a temporary reduction in the lane width, due to construction activity.
Two way access	Access into and out from a site or a road. This access may include restrictions (e.g. left in, left out) where these are specified in the relevant conditions.
Best practicable option	Has the same meaning as provided in the Resource Management Act 1991, namely: Best practicable option, in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to— (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and (b) the financial implications, and the effects on the environment, of that option when compared with other options; and (c) the current state of technical knowledge and the likelihood that the option can be successfully applied.
Historic heritage	This includes heritage buildings, sites and places in the Auckland District Plan (Isthmus or Manukau Sections), or in the Auckland Unitary Plan: Operative in Part (for heritage rules currently with legal effect) or as specifically identified in conditions. These buildings, sites and places may, or may not, be identified in the New Zealand Heritage List/Rārangi Kōrero ('the List') or the New Zealand Archaeological Association site recording scheme. It also includes any historic heritage items as yet undiscovered, but discovered during the works, including archaeological sites and post-1900 material of historic heritage value discovered during

	works that meet the AUP: OP criteria for scheduling.
Mana whenua	<p>Mana whenua for the purpose of this designation are considered to be the following (in no particular order) who at the time of the Notice of Requirement expressed a desire to be involved in the AMETI Stage 2A project:</p> <ul style="list-style-type: none"> • Ngāi Tai ki Tāmaki Tribal Trust; • Ngāti Maru Runanga; • Ngāti Paoa Iwi Trust; • Ngāti Tamaoho Trust; • Ngāti Te Ata Waiohua; • Ngāti Whanaunga Inc Soc; • Ngāti Whātua Ōrākei; and • Te Ākitai Waiohua.
Material change	Includes amendment to any base information informing the Construction Environmental Management Plan or other subsidiary management plans or any process, procedure or method of the CEMP or other plan which has potential to increase adverse effects on a particular receiver materially.
Protected premises and facilities (“PPF”s)	<p>For noise, PPFs are defined in accordance with the New Zealand Standard for Road Traffic Noise for New and Altered Roads 2010 (NZS 6806) as spaces inside buildings that are used for residential activities, marae, overnight medical care and teaching.</p> <p>For vibration, PPFs are dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (eg motels and hotels).</p>
Green asset	<p>Any type of plant, tree or organic matter. It includes but is not limited to:</p> <ul style="list-style-type: none"> • trees (saplings and mature specimens) • shrubs • soil • sand • flowers • irrigation • grass (native and green) • mulch • bark • landscaping • rain gardens.

Abbreviations

Acronym	Description
AUP: OP	Auckland Unitary Plan: Operative in Part
BPO	Best practicable option
CCP	Communication and Consultation Plan
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
HCV	Heavy commercial vehicle

HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
ICOMOS	International Council on Monuments and Sites
LMP	Lizard Management Plan
MSE	Mechanically stabilised earth (wall)
NoR	Notice of Requirement
POA	Protected Objects Act 1975
PPF	Protected Premises and Facilities
RMA	Resource Management Act 1991 and its subsequent amendments
SSCNMP	Site Specific Construction Noise Management Plan
SSCVMP	Site Specific Construction Vibration Management Plan
TPMP	Tree Protection and Management Plan
TNMP	Traffic Noise Mitigation Plan
UDLP	Urban Design and Landscape Plans

GENERAL CONDITIONS

1. Except as modified by the conditions below, or by any outline plan, the project is to be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement and supporting documents as follows:

- a. Volume 1: Notice of Requirement for Designation under section 168(2) of the Resource Management Act 1991 (RMA).
- b. Volume 1: Appendix A – Land requirement plans, dated 15 December 2016.
- c. Volume 1: Appendix B – Schedule of Affected Properties, dated 15 December 2016.
- d. Volume 2: AMETI Stage 2A Project - Assessment of Environmental Effects, prepared by Beca Ltd, dated 22 December 2016.
- e. Volume 3: AMETI Stage 2A –Plans Appendix A – Operational Scheme Plans, prepared by Beca Ltd and Tonkin & Taylor:
 - i. Lagoon Drive Urban Busway & Panmure Bridge, 3311120-CE-4000 Rev E (dated 19-April 2017), 4001 to 4003 Rev D (dated 15 December 2016), 3311120-CE-4004 Rev E (dated 19 April 2017), 3311120-CE-4005 Rev D (dated 15 December 2016); Pakuranga Road, 3311120-CE-4006* to 4008 Rev B, 3311120-CE-4009 Rev E (dated 19 April 2017), and 4010 Rev B (dated 10 April 2015);

***Note:** Operational Scheme Plan 3311120-CE-4006 is required by these conditions to be amended in order to show a clearway to be marked on the carriageway at the entrance/slipway to the properties at 1-9A Pakuranga Road

- f. Volume 3: AMETI Stage 2A –Plans Appendix B:
 - i. Landscape Plans: Landscape Plan Sheets, 439003-AR-4100 Rev B (dated 28 January 2016), 3311120-AR-4101 Rev B (dated 28 January 2016), 3311120-AR-4102 Rev C (dated 8 December 2016), 3311120-AR-4103 Rev B (dated 28 January 2016), 3311120-AR-4104 Rev D (dated 23 May 2017), 3311120-AR-4105 to 4108 Rev B (dated 28 January 2016), 3311120-CE-AR-4109 Rev D (dated 30 May 2017), 3311120-AR-4110 Rev B (dated 28 January 2016);
 - ii. Planting Schedule, 3311120-AR-4201 to 4206, Rev A (dated 30 April 2015);
 - iii. Typical sections, 3311120-AR-4201 Rev A, 4301 Rev B (dated 8 December 2016), 4302 Rev A (dated 30 April 2015), 4303 Rev C (dated 23 May 2017), 4304 Rev A (dated 30 April 2015); and 49003_AR-4304 Rev B (dated 28 January 2016).
- g. Volume 3: AMETI Stage2A – Plans of Structures and Typical:
 - i. Proposed Busway Bridge Plans 3311120-SE-5001 to 5006 Rev D;
 - ii. Proposed Stormwater Outlet Details, Plan 3311120-CE-5101, Rev A;
 - iii. Typical cross-sections, Lagoon Drive Urban Busway, Plans 3311120-CE-5102 Rev D (dated 29 April 2015), 5103 Rev E (dated 2 December 2016), 5104 Rev D (dated 29 April 2015), 5105 Rev D (dated 29 April 2015), 3311120-CE-5106 Rev E (Panmure Bridge dated 9 May 2017 and Lagoon Drive dated 29 April 2016)), 5107 Rev D (dated 29 April 2015), 5108 Rev D (dated 29 April 2015);
 - iv. Typical Sections –Pakuranga Road, Plans 3311120-CE-5111 to 5113 Rev B (dated 10 April 2015), 3311120-CE-5114 Rev C (dated 9 May 2017), and 3311120-CE-5115 Rev B (dated 10 April 2015).
- h. Volume 3: AMETI Stage2A – Appendix D – Construction Scheme Plans: 3311120-CE-6000 Rev B (dated 10 April 2015), 3311120-CE-6001 Rev C to 6003 Rev C (dated 16 December 2016), 3311120-CE-6004 Rev D (dated 9 May 2017), 3311120-CE-6005 Rev C (dated 16 December 2016) 3311120-CE-6006 to 6008 Rev B (dated 10 April 2015); 3311120-CE-6009 Rev C (dated 9 May 2017); and 3311120-CE- 6010 Rev B (dated 10 April 2015).
- i. Volume 4: AMETI Stage 2A – Technical reports:
 - i. Appendix A – AMETI Stage 2A – Integrated Transport Assessment – Final, prepared by Opus International Consultants Ltd, dated January 2017;
 - ii. Appendix B - AMETI Stage 2A Project – Air Quality Assessment, dated 12 December 2016;
 - iii. Appendix C - Arboricultural Assessment, Project – AMETI Stage 2A, prepared by Peers Brown Miller Ltd, dated 21 December 2016;
 - iv. Appendix D - Heritage Impact Assessment, Archaeological Assessment, AMETI Stage 2A, prepared by Opus International Consultants Ltd, dated 1 December 2016;
 - v. Appendix F - AMETI Stage 2A Panmure to Pakuranga Busway - Constructability Report, prepared by Beca Ltd, dated 21 December 2016;
 - vi. Appendix G - AMETI Stage 2A Project – Preliminary Environmental Site Investigation Report, prepared by Opus International Consultants Ltd, dated 22 December 2016;
 - vii. Appendix H - AMETI Stage 2A Project - Site Management Plan for Land Contamination, prepared by Opus International Consultants Ltd, dated 22 December 2016;
 - viii. Appendix I - Cultural Values Assessment in relation to the Proposed AMETI Project Phase 2A, prepared by Atkins Holm Majurey Ltd, dated January 2016;
 - ix. Appendix J - Auckland Manukau Eastern Transport Initiative Stage 2A Project– Assessment of Ecological Effects, prepared by Opus International Consultants Ltd, dated 30 November 2016;

- x. Appendix K - AMETI Stage 2A – Engagement Summary Report, prepared by Auckland Transport, dated January 2016;
 - xi. Appendix M - AMETI Stage 2A (Panmure to Pakuranga)– Further Options Assessment 2015, prepared by Auckland Transport and Beca Ltd, dated April 2015;
 - xii. Appendix N - AMETI Stage 2A –Landscape and Visual Assessment, prepared by Beca Ltd, dated 9 December 2016;
 - xiii. Appendix O - Mana Whenua Engagement Statement prepared by Auckland Transport, dated January 2016;
 - xiv. Appendix P - AMETI Stage 2A - Assessment of Noise and Vibration Effects, prepared by Marshall Day Acoustics, dated 18 January 2016;
 - xv. Appendix Q - AMETI Stage 2A – Social Impact Assessment, prepared Opus International Consultants Ltd, dated 1 December 2016;
 - xvi. Appendix S - AMETI NOR – Panmure to Pakuranga– Urban and Landscape Design Framework prepared by Beca Ltd, dated December 2016.
- j. AMETI Stage 2A – First response to the Auckland Council's section 92 letter, prepared by Beca Ltd, dated 2 September 2016:
- i. Attachment 2 – Maori Values Assessments;
 - ii. Attachment 3 – Stormwater outfalls in the CMA – additional details (Lagoon Drive to Panmure section: Plans 3311120-CE-0600 Rev G, 3311120-CE-0601 to 0612 Rev E, 3311120-CE-0620 to 0629 Rev D, 3311120-CE-0630 to 0642 Rev C, 3311120-CE-0645 Rev C, 3311120-CE-0651-0656 Rev C, 3311120-CE-0670 to to 0671 Rev C);
 - iii. Attachment 4: Long-section along MSE Wall;
 - iv. Attachment 5: Marshall Day Acoustics Memo on Construction Noise (16 June 2016)
 - v. Attachment 6: Revised PSIR and Draft SMP: AMETI Stage 2A Project-Preliminary Environmental Site Investigation Report (25 August 2016).
- k. Second response to the Auckland Council section 92 letter, prepared by Beca Ltd, dated 1 November 2016:
- i. Attachment 1: Addendum to Heritage Impact and Archaeological Assessment;
 - ii. Attachment 2: Lagoon Drive – Updated Stormwater Design Plans (Plans 3311120-CE-0600 Rev G, 0601 to 0611 Rev E, 3311120-CE-0612 Rev F, 0613 to 0614 Rev D, 0620 to 0629 Rev D, 0630 to 0645, 0651-0656 Rev C, 0670 to 0671 Rev C, 1640 to 1647 Rev D, 3311120-CE-1647 Rev D, 3311120-CE-1648 Rev E, 3311120-CE-1649 to 1652 Rev D, overland flowpath markups on set 0601 Rev D, 0605 and 0606 Rev E, 0608 to 0611 Rev D and 0612 Rev E);
 - iii. Attachment 3: Pakuranga Road –Updated Stormwater Design Plans (Plans P00653_001 Rev B, P00653_0010 to 0021 Rev A, P00653_0030 to 0041 Rev A, P00653_0060 to 0074 Rev C, P00653_0080 to 0083, P00653_0090 to 0093 Rev A, to P00653_0094 Rev B, P00653_0100 Rev B, P00653_0110 Rev A, NZ-SF69-76C-VF-665018; Stormfilter Supporting Calculations;
 - iv. Attachment 4: Tracking diagram – access to Panmure Squash Club (Plan 3311120-CE-0344 Rev D).
- l. AMETI Stage 2A – Response to additional stormwater and heritage questions from the Council, prepared by Beca Ltd, dated 12 December 2016:
- i. Attachment 1 Catchment Plans and Stormfilter Sizing (Lagoon Drive section) Memo from Chris Quigan dated 24 November 2016, Plans 3311120-CE-K01 and K02 Rev B;

- ii. Attachment 2 updated Stormwater Plans (Pakuranga Section), Plans P00653_0001 Rev C, 0010 to 0021 Rev A, 0030 Rev B, 0031 to 0032 Rev A, 0033 to 0034 Rev B, 0035 to 0036 Rev A, 0037 Rev B, 0038 to 0041 Rev A, 0060 to 0065 Rev A, 0066 Rev B, 0067 to 0068 Rev A, 0069 to 0070 Rev B, 0071 Rev A, 0072 to 0074 Rev B, 0080 Rev B, 0081 to 0083 Rev A, 0090 Rev B, 0091 to 0093 Rev A, 0094 Rev B, 0100 Rev C, 0110 Rev A, NZ-SF-79C-VF-665018 Rev A;
- iii. Attachment 3 Cross-section showing historical location of swing bridge lattice structure (Plan 3311120-SE-2020 Rev C).

Where there is a conflict between the documents listed above and these conditions, these conditions are to prevail.

2. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the “RMA”), this designation will lapse if not given effect to within 10 years from the date on which it is confirmed by the requiring authority.
3. As soon as reasonably practicable, and no later than 12 months from the date the AMETI Stage 2A project becomes operational, the Requiring Authority must:
 - a. Identify any areas of the designation that are no longer necessary for the ongoing maintenance of the AMETI Stage 2A project or for on-going mitigation measures;
 - b. Give notice to the Auckland Council in accordance with section 182 of the RMA for removal of those parts of the designation identified pursuant to (a); and
 - c. Undertake any process required to enable the redevelopment or transfer of properties no longer required (subject to any further processes under the Public Works Act 1981 and/or the RMA).
4. Until the previous condition is satisfied, the Requiring Authority must manage all the properties acquired for the AMETI Stage 2A project appropriately so:
 - a. They do not deteriorate below the condition existing at the date of confirmation of the Notice of Requirement for this designation and, through that deterioration, adversely affect adjoining properties; and
 - b. Any vacant land in the designated area is maintained in a tidy and safe condition.

PRE-CONSTRUCTION CONDITIONS

Communications and consultation manager

5. Within 12 months of the designation being confirmed the Requiring Authority must appoint a communications and consultation manager to implement the Pre-construction Communication and Consultation Plan required by these conditions. The Communication and Consultation Manager must be the principal and readily accessible point of contact for persons affected by or interested in the AMETI Stage 2A project until commencement of the construction phase of the project (or, if the construction phase of the project has been reached, that contact person’s details are to be provided). The Communication and Consultation Manager’s contact details are to be listed in the Pre-construction Communication and Consultation Plan and also listed on the Auckland Transport website.

Pre-construction Communication and Consultation Plan (“PCCP”)

6. At least six months prior to construction commencing the Requiring Authority must prepare a PCCP to be submitted to the Council’s Team Leader Southern Monitoring to confirm that Plan has been prepared in accordance with this condition. The objective of the PCCP is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, affected parties and affected in proximity parties prior to commencement of construction of AMETI Stage 2A. The PCCP must be implemented, complied with and publicly available from the date on which it is submitted to the Council until the date by which the Communication and Consultation Plan for the construction phase is submitted to the Council.

7. The PCCP is to set out recommendations and requirements (as applicable) that should be adopted by and/or inform the Construction Environmental Management Plan ("CEMP"). Among other things the PCCP is to set out how the Requiring Authority will:

a. Inform the community of project progress and the likely commencement of the construction works and the construction programme (specifically providing the owner and occupiers of the building at 13-17 Queens Road with at least six months' notice before works commence on the retaining structure adjacent to the building at 13-17 Queens Road);

b. Engage with the community in order to foster good relationships and to provide opportunities for learning about the project;

c. Respond to queries. This information must include but not be limited to:

i. Who is responsible for responding;

ii. How responses will be provided; and

iii. The timeframes within which responses will be provided;

d. Seek input and feedback from stakeholders and affected parties (both directly affected and affected in proximity), including identifying reasonable timeframes for such feedback to be provided. For the avoidance of doubt, the absence of input or feedback received does not constitute a 'gap' in the PCCP;

e. Assist community facilities (such as education facilities) to communicate with and to inform their customers and stakeholders.

8. The PCCP is to be prepared in consultation with stakeholders, directly affected parties and affected in proximity parties including, but not limited to:

a. All property owners, and occupiers identified in the designation footprint;

b. All owners and occupiers adjacent to construction sites, including Pakuranga Plaza Ltd;

c. Heritage New Zealand Pouhere Taonga (HNZPT);

d. Network Utility Operators; and

e. Community services and education facilities including Lagoon Stadium, Panmure Squash Rackets Club, Lagoon Pool and Leisure Centre, Lagoon View Kindergarten, Carey College, the Auckland Rowing Association, St Patrick's School (Panmure), Panmure District School, Panmure Bridge School, Riverina School, St Kentigerns College, Pakuranga Intermediate School, and the Lagoon View Kindergarten (if it has been relocated in the project area).

9. As a minimum the PCCP must include:

a. A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.) and any other relevant communication matters;

b. The communications proposed for updating stakeholders including affected parties on construction timeframes;

c. Updates to stakeholders including affected parties, on construction timeframes at least every two months prior to construction;

d. Details of the Communication and Consultation Manager for the pre-construction period including their contact details (phone, email and postal address);

e. The methods for identifying, communicating and consulting with stakeholders, directly affected parties and affected in proximity parties and other interested parties. Such methods should include, but not be limited to:

- i. Newsletters;
 - ii. Newspaper advertising;
 - iii. Notification and targeted consultation with stakeholders, affected parties and affected in proximity parties; and
 - iv. Use of the project website for public information.
- f. How communication and consultation activities will be recorded;
- g. Methods for recording reasonably foreseeable future planned network utility works so that these can be considered and incorporated, where appropriate, into the AMETI Stage 2A works;
- h. Details of the consultation undertaken prior to commencement of construction of AMETI Stage 2A including details of any feedback received from those consulted. Where feedback is received through the PCCP consultation process, the PCCP must include details of:
- i. How feedback has been incorporated into this and/or other management plans; and
 - ii. Where feedback has not been incorporated, the reasons why.

Mana whenua engagement

10. Within three months of confirmation of the designation the Requiring Authority must establish a kaitiaki mana whenua forum (or similar) to provide for an on-going role in the design and construction of the AMETI Stage 2A project and is to maintain this forum through until completion of the construction period.

11. The Requiring Authority must extend an invitation for membership on the kaitiaki forum to (but not limited to) representatives of:

- a. Ngāi Tai ki Tāmaki Tribal Trust;
- b. Ngāti Maru Runanga;
- c. Ngāti Paoa Iwi Trust;
- d. Ngāti Tamaoho Trust;
- e. Ngāti Te Ata Waiohūa;
- f. Ngāti Whanaunga Inc Soc;
- g. Ngāti Whātua Ōrākei;
- h. Te Ākitai Waiohūa;
- i. Te Kawerau a Maki;
- j. Te Ahiwaru Waiohūa; and
- k. Te Patukirikiri.

Advice Note:

It is anticipated that the existing forum for engagement with mana whenua which Auckland Transport has convened will continue. Should this forum for engagement cease to continue, an alternative forum for engagement will need to be established.

12. The role of the kaitiaki forum may include (but is not limited to) the following:
- a. Setting the frequency of meetings, which will be agreed between the Requiring Authority and mana whenua;
 - b. Input into preparation of the following plans required by these conditions:
 - i. Historic Heritage Management Plan and the practices and protocols for the discovery of tāonga, kōiwi or material of Māori cultural significance, consistent with the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975;
 - ii. Lizard Management Plan;
 - iii. Urban Design and Landscape Plan; and
 - iv. the Construction Environmental Management Plan.
 - c. Input into the methodology for site establishment works within the extent of Mokoia Pā and immediate surrounding areas, including the construction yard at the western bridge abutment and the temporary staging platforms;
 - d. Developing a section (in conjunction with the project team) for inclusion in the CEMP on managing mana whenua values and working in and around actual and potential cultural sites;
 - e. Discussion and (if possible) agreement on the appropriateness of using traditional names along the project alignment. Where this is agreed, to set those names and define how they are to be displayed and publicised, noting there may be formal statutory processes outside the project which may be involved in any decision-making;
 - f. Providing input into the urban design and landscape design associated with the project, including but not limited to:
 - i. appropriate use of Te Aranga principles;
 - ii. treatment of residual open spaces;
 - iii. the selection and supply of plant species and planting designs;
 - iv. the potential for enhancement of habitat associated with the kawau (black shag) and other identified areas of customary importance such as the Tamaki River and the Panmure Basin;
 - v. opportunities to enhance cultural values and sites by incorporating cultural recognition elements into features of the project including at the new Panmure intersection, on retaining walls, the soil nail walls, fencing, cycleways and walkways, the new Tamaki Bridge (including its abutments, piers and railings), street furniture, signage, landscaping and at the Mokoia Pā site. Cultural recognition elements may include Maori carvings and/or art, pou and/or other cultural features and/or markers to recognise and provide for the cultural relationship of Mana Whenua with the land directly affected by the project; and
 - vi. visual cues and pedestrian connections between the Church Crescent/Lagoon Drive intersection and Mokoia Pā (subject to safety and transport considerations) and between the Mokoia Pā and the Jubilee Bridge
 - g. The need for a report on restoration of cultural sites associated with the AMET1 Stage 2A project;
 - h. Involvement of mana whenua in the removal and or replanting of any native tree species, or any ongoing maintenance that may be required, and provision for use of any removed native vegetation for customary purposes;
 - i. Working collaboratively with the Requiring Authority on historic heritage matters; and

j. Undertaking kaitiakitanga responsibilities associated with the AMETI Stage 2A project, including ceremonial, monitoring/surveying of native flora and fauna, pest and weed control, assisting with discovery procedures, and providing mātauranga Māori input.

13. The kaitiaki forum may provide written advice to the Requiring Authority in relation to any of the above matters. The Requiring Authority must consider this advice and the means by which any suggestions may be incorporated in the AMETI Stage 2A project.

CONSTRUCTION CONDITIONS

Management plan certification

14. At least 20 working days prior to commencement of construction of any stage of the project or activity (whichever is relevant), the Requiring Authority must submit the relevant management plans that require certification (unless otherwise specified in these conditions) to the Council's Team Leader, Southern Monitoring to certify that they comply or are consistent with the relevant designation condition(s). If the Requiring Authority does not receive any response from the Council within 20 working days of the management plan being submitted for certification, the Requiring Authority will be deemed to have certification and can commence the works, stage or activity

Advice note:

The Council will acknowledge receipt of any management plan submitted for certification within 5 working days. It will advise if any information required for certification is missing from any submitted management plan within 10 working days. Where no further information is required the Council will provide a response to the Requiring Authority within 20 working days of submission of the management plan. If further information has been requested, the Council will provide a response to the Requiring Authority within 10 working days of the requested information being provided.

15. The management plans and documents for certification include:

- a. Construction Environmental Management Plan
- b. Communications and Consultation Plans;
- c. Construction Noise and Vibration Management Plan;
- d. Historic Heritage Management Plan;
- e. Site Management Plan;
- f. Urban Design and Landscape Plans;
- g. Tree Protection and Management Plan;
- h. Lizard Management Plan;
- i. Traffic Noise Mitigation Plan;
- j. Conservation Plans;
- k. Site Specific Construction Noise Management Plan; and
- l. Site Specific Construction Vibration Management Plan.

Advice note:

Those parts of the CEMP to be certified in relation to the designation route include matters relating to construction traffic, construction noise and vibration (excluding underwater noise), cultural matters, landscape and visual, historic heritage, urban and landscape design, tree protection and management, and terrestrial ecology.

16. For the avoidance of doubt, in the event of any dispute or disagreement arising in respect of certification of management plans including certification of changes to management plans, the

Requiring Authority is able to submit a management plan or changes to management plans as part of an outline plan of works submitted to the Council pursuant to section 176A of the RMA.

17. Certification of a management plan applies to any changes proposed to a certified management plan as if the proposed change were a new management plan.

Availability of plans

18. For the duration of construction, the Requiring Authority must ensure that a copy of the latest certified versions of the following plans, and any material changes to any of these plans, are made available for public viewing on the project website:

- a. CEMP;
- b. All other management plans covered by these conditions; and
- c. Communications and Consultation Plan.

A copy of these plans must also be held and available for viewing at each construction site on the designated route.

Monitoring

19. The Requiring Authority is to implement a collaborative working process with its contractor team and the Auckland Council's Team Leader, Southern Monitoring (or representative) for dealing with day to day construction processes, including monitoring compliance with the designation conditions, the CEMP and other management plans, and any material changes to the management plans associated with construction of the project. This collaborative working process must:

- a. Identify a "key contact" person representing the Requiring Authority and a "key contact" person representing the contractor team to work with the Council's Consent Monitoring officer(s); and
- b. The "key contacts" are to be identified in the CEMP and must meet at least monthly unless a different timeframe is agreed with the Council Consent Monitoring Officer(s). The purpose of these meetings is to report on compliance with the designation conditions and with the CEMP, other management plans and material changes to those management plans, and on any matters of non-compliance including how they have been addressed.

The purpose and function of the collaborative working process is to:

- c. Assist as necessary the Council's Team Leader Southern Monitoring (or representative) to confirm that:
 - i. The works authorised by this designation are being carried out in compliance with the designation conditions, the CEMP and other Plans and any material changes to these plans; and
 - ii. All monitoring and recording monitoring results are in compliance with the requirements of the CEMP and other plans and any material changes to these plans.
- d. Subsequent to a confirmed outline plan, provide a mechanism through which any changes to the design, CEMP or other plans which are not material changes triggering the requirement for a new outline plan, can be required, reviewed and confirmed by agreement between the Council's Consent Monitoring Officer and the Requiring Authority without further formality;
- e. Advise where changes to construction works may require an update to the CEMP or other management plan. Any update to the CEMP or other management plan must remain consistent with the relevant objective or purpose of the relevant CEMP or management plan; and
- f. Identify and review any concerns or complaints received from, or related to, the construction works monthly (unless a different timeframe is mutually agreed with the Council's Team Leader Southern Monitoring (or representative)) and the adequacy of the measures adopted to respond to these.

Communication and consultation

20. The Requiring Authority must make a contact person available during standard working hours and also a 24 hour phone contact point for the duration of the construction period to answer and/or to follow-up on public enquiries and concerns about the project and construction works.

Communication and Consultation Plan

21. The Requiring Authority must prepare and submit a CCP to the Council's Team Leader, Southern Monitoring for certification. The CCP is to be implemented and complied with for the duration of construction of the AMETI Stage 2A project. The objective of the CCP is to set out a framework to enable appropriate communication and consultation is undertaken with the community, stakeholders, directly affected parties and affected in proximity parties during the construction phase of the project.

Advice note:

Mana whenua will be engaged through the katiaki forum.

22. The CCP is to set out and/or include the following:

- a. Inform the community of construction progress and future construction activities and constraints that could affect them including activities that will cause any noise, vibration, dust and lighting effects, information on temporary traffic disruptions and suggested alternative routes to avoid traffic disruption, temporary restrictions on navigation of the Tamaki River channel);
- b. Provide early information on key project milestones;
- c. Obtain and specify a reasonable timeframe (being not less than 10 working days), for feedback and inputs from directly affected and affected in proximity parties regarding the construction of the project and implementation of the CEMP or other subsidiary management plans; and
- d. Respond to queries and complaints including, but not limited to:
 - i. Who is responsible for responding;
 - ii. How responses will be provided; and
 - iii. The timeframes for responses to be provided.
- e. A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters;
- f. Details of the Communication and Consultation Manager for the project including their contact details (phone, email and postal address);
- g. Methods for identifying, communicating and consulting with people affected by the project including but not limited to:
 - i. All residential and business property owners and occupiers directly affected or affected by proximity to the project (specifically providing the owner and occupiers of the building at 13-17 Queens Road with at least six months' notice before works commence on the retaining structure adjacent to the building at 13-17 Queens Road);
 - ii. All community and education facilities directly affected or affected by proximity to the project, including methods to assist these facilities to consult with their customers/stakeholders;
 - iii. Key stakeholders including the Council's Parks Department;

- iv. The wider community; and
 - v. Network utility operators.
- h. Methods for communication and consulting in advance of proposed hours of construction activities outside normal working hours and on weekends and public holidays, to directly affected and affected by proximity parties (including surrounding communities, and the owner and occupiers of the building at 13-17 Queens Road);
- i. Methods for communicating with directly affected and affected by proximity parties (including surrounding communities), bus (public and private) operators, taxi operators, bus users, education facilities with walking school bus services and travel management plans, and the general public in advance of temporary traffic management measures and permanent changes to road networks and layouts;
- j. Methods for communicating and consulting in advance of construction works with emergency services (police, fire, ambulance) on the location, timing and duration of construction works, and particularly in relation to temporary road lane reductions and/or closures and the alternative routes or detours to be used;
- k. Specific communications proposed for updating stakeholders including affected parties on construction timeframes;
- l. Confirmation that stakeholders including affected parties will be updated on construction timeframes at least every two months both prior to and during construction; and if construction is postponed, that affected parties will continue to be updated;
- m. Methods for consulting with residents along local roads proposed to be used for the project works, as well as Carey College and residents adjacent to construction yards;
- n. Methods for consulting and communicating with the Harbourmaster and river users, including waka ama groups, to manage temporary navigation restrictions of the Tamaki River channel safely;
- o. Methods for communicating and consulting in advance of construction works, regarding changes to staff and customer parking and supplier deliveries in the Panmure town centre;
- p. The process for concerns and complaints management;
- q. A list of the stakeholders directly affected and affected in proximity parties to be communicated with;
- r. Details of any feedback received from those consulted with. Where feedback is received through the CCP consultation process, the CCP must include details of:
- s. How feedback has been incorporated into this and/or other management plans; and
 - i. Where feedback has not been incorporated the reasons why.
- t. As relevant specific linkages and cross-references to where mitigation proposed through the CEMP and management plans contributes to achievement of the CPP's objective.
- u. A summary of the communication and consultation undertaken between the Requiring Authority and parties consulted and communicated with. This summary is to include any outstanding issues or disputes raised by parties.
23. If, in the course of amendments undertaken as part of the review process, a material change to the CCP is made, those parties affected by the change must be notified within one month of the material change occurring.

Construction Environmental Management Plan and subsidiary plans

24. The objective of the CEMP is to avoid, remedy or mitigate any adverse effects associated with the AMETI Stage 2A construction so far as is reasonably practicable. The CEMP must include

measures to give effect to any specific requirements and objectives set out in these designation conditions. In order to give effect to its objective, the CEMP must be submitted to the Council's Team Leader, Southern Monitoring for certification and is to provide for the following:

- a. Noticeboards clearly identifying the Requiring Authority and the project name, together with the name, telephone number and email address of the site or project manager and the communication and consultation manager;
- b. Training requirements for employees, sub-contractors and visitors on the cultural history and significance of the area, construction procedures, environmental management (including the Historic Heritage Management Plan) and monitoring;
- c. A complaints management process setting out methods for capturing, recording and responding to complaints;
- d. The document management system for administering the CEMP, including review and Requiring Authority / constructor / Council requirements;
- e. Environmental incident and emergency management procedures (including spills);
- f. An outline of the construction programme of the work, including construction hours, indicating linkages to the other subsidiary plans which address management of adverse effects during construction;
- g. Specific details of demolition to be undertaken during the construction period;
- h. How construction methods and processes will achieve waste minimisation and energy efficiency;
- i. Methods to provide for the safety of the general public;
- j. Where access points are to be located in the construction areas and procedures for managing construction vehicle ingress and egress to construction support and storage areas;
- k. Methods for managing and monitoring dust as a nuisance, including methods for minimising dust emissions, monitoring procedures and contingency procedures in the event of a dust nuisance event;
- l. Methods for managing silt and sediment in the construction area;
- m. Methods for earthworks management (including depth and extent of earthworks and temporary, permanent stabilisation measures and monitoring ground movement) for earthworks adjacent to buildings and structures;
- n. Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place inside the designation boundaries;
- o. How the construction areas and yards will be fenced and kept secure; q. Measures to ensure all temporary boundary / security fences associated with construction of the project are maintained in good order with any graffiti and advertising posters/billboards/fliers removed as soon as possible;
- p. The location and specifications for any temporary acoustic fences and visual barriers;
- q. The location of any temporary buildings (including workers' offices and portaloos) and construction vehicle parking (which should be located in the construction area and not on adjacent streets);
- r. Provisions for management of mana whenua values to be developed by the kaitiaki forum in conjunction with the project team;
- s. Provisions for the management of moveable historic heritage so these items are not discarded and are available for reuse where proposed as part of the certified Urban Design and Landscape Plan;

- t. Methods to control the intensity, location and direction of construction lighting to avoid light spill and glare onto sites adjacent to construction areas;
- u. Methods to ensure prevention and mitigation of adverse effects associated with storage, use, disposal, or transportation of hazardous substances;
- v. Confirmation that site offices and less noisy construction activities will be located at the edge of the construction yards where practicable and any other practical measures to reduce nuisance to adjacent residential properties; and
- w. The identity of the appropriately qualified person who will undertake building condition surveys.

25. The CEMP must incorporate the following plans once submitted or certified (whichever is appropriate):

- Construction Traffic Management Plan;
- Construction Noise and Vibration Management Plan;
- Historic Heritage Management Plan;
- Site Management Plan;
- Urban Design and Landscape Plans;
- Tree Protection and Management Plan;
- Lizard Management Plan;
- Conservation Plans;
- Site Specific Construction Noise Management Plans; and
- Site Specific Construction Vibration Management Plans.

26. All works must be carried out in accordance with the certified CEMP and with any changes to plans made through an outline plan of works or management plan review process. The CEMP must be prepared, complied with and monitored by the Requiring Authority throughout the duration of construction of the AMETI Stage 2A project.

27. The CEMP must be reviewed as a result of any material change to the project and/or to address unforeseen adverse effects arising from construction or unresolved complaints. Such a review may be initiated by either the Council's Team Leader Southern Monitoring or the Requiring Authority and will in either case be at the requiring authority's cost. A summary of the review process must be kept by the Requiring Authority, provided to the Council's Team Leader Southern Monitoring on request, and made available to members of the public on request.

Advice note:

Modifications to the CEMP resulting from such a review can be made as an update to the 'live' document. The CEMP may be prepared as a combined document that also addresses the matters required under the associated resource consents for the project.

Transport, access and parking

28. A Construction Traffic Management Plan must be prepared to avoid, remedy or mitigate the adverse effects of construction on transport, parking and property access so far as is reasonably practicable. The CTMP is to be submitted to the Team Leader Southern Monitoring for information purposes at least 20 working days prior to commencement of the construction works.

29. The CTMP must include measures for:

- a. Managing the road transport network for the duration of construction to manage congestion and to minimise delays for road users;
 - b. Informing the public about traffic management on the road transport network;
 - c. Protecting public safety including safe passage for pedestrians and cyclists;
 - d. Maintaining pedestrian access to private property at all times;
 - e. Providing vehicle access to private property to the greatest extent possible; and
 - f. Managing effects from construction yards on adjacent properties.
30. The following must also be included in the CTMP(s):
- a. The routes to be used by construction related vehicles, particularly trucks to transport construction materials, equipment, spoil and including how use of these routes by these vehicles will be managed to mitigate congestion;
 - b. Transport route options for movement of construction vehicles carrying spoil, bulk construction materials and/or machinery including why these routes are considered appropriate. In determining appropriate routes, construction vehicles carrying spoil, bulk construction materials or machinery must as far as practicably possible use only the following roads in the immediate vicinity of the project:
 - i. Lagoon Drive;
 - ii. Church Crescent;
 - iii. Pakuranga Road;
 - iv. Ti Rakau Drive;
 - v. the Eilerslie-Panmure Highway; and
 - vi. Jellicoe Road.
 - c. Where other routes are necessary, the CTMP is to identify any residential zoned land and/or education facilities and provide details on how adverse effects from these vehicle movements are to be mitigated through limiting or controlling times for vehicle movements using those routes;
 - d. Information on designated parking areas for construction workers;
 - e. How disruption to use of the road network will be mitigated for emergency services, public transport, bus users, taxi operators, freight and other related vehicles, pedestrians and cyclists through:
 - i. Prioritising pedestrian and public transport at intersections where construction works are occurring as far as practicably possible;
 - ii. Relocating bus stops to locations which minimise disruption as far as practicably possible, and
 - iii. Identifying alternate heavy haul routes where these will be affected by construction works
 - f. Parking requirements at the Lagoon Drive and Basin View Lane carparks to:
 - i. Identify alternative adequate parking facilities in the immediate vicinity to meet reasonable parking demand; or
 - ii. Relocate the site compounds to avoid the need to use these carparks;
 - g. Identification of safe routes for pedestrians and cyclists, including locations for placement of clear directional signage for safe routes and crossing points;

- h. Details of traffic management for the signalised Panmure intersection to enable four lanes of traffic (two lanes in each direction) to operate on Lagoon Drive on approach to and departure from the intersection during construction works;
- i. An assessment of the feasibility of maintaining a dedicated bus-only route from the Panmure interchange to Queens Road at all times through the construction area, including potential for phasing the works and repositioning the bus-only route as required;
- j. Details of construction activities associated with construction of the Lagoon Drive busway and retaining walls so as to enable the existing contraflow arrangements on the existing Panmure bridge (during peak periods) to be maintained. This should include preparation of cross-sections showing traffic lanes and traffic management, plus construction activities at key constrained locations on Lagoon Drive; and
- k. Details of any engagement with residents and/or stakeholders, prior to construction, to determine the need for specific access requirements during construction for mobility-impaired residents.

Construction Noise and Vibration Management Plan

31. The Requiring Authority must submit a Construction Noise and Vibration Management Plan to the Council's Team Leader, Southern Monitoring for certification. The certified CNVMP must be implemented and maintained throughout the construction periods of the works or stages of the works as appropriate. The purpose of the CNVMP is to provide a framework for development and implementation of the Best Practicable Option for management of all construction noise and vibration effects, and additionally to define the procedures to be followed when the noise and vibration standards in the CNVMP conditions are not met following adoption of the BPO.

32. The CNVMP must refer to the noise management measures set out in Annexure E of the NZS6803:1999 and as a minimum is to address:

- a. Construction sequencing;
- b. Machinery and equipment to be used, including use of non-percussive or low noise machinery where practicable;
- c. Hours of operation, including times and days when noisy construction work will occur;
- d. The design of noise mitigation measures such as temporary barriers and/or enclosures;
- e. Construction noise limits for specific areas;
- f. Development of alternative strategies where full compliance with NZS6803:1999 cannot be achieved, including consultation with residents and other occupiers to achieve the BPO. This may include consideration of temporary relocation of building occupants where applicable at the cost of the Requiring Authority;
- g. Methods for monitoring and reporting on construction noise; and
- h. Methods for receiving and responding to complaints about construction noise.

33. The CNVMP is also to refer to vibration management measures set out in the German vibration Standard DIN4150-3:1999 and address the following aspects:

- a. Vibration monitoring measures;
- b. Vibration criteria;
- c. Possible mitigation measures;
- d. Complaint response;
- e. Reporting procedures;

- f. Notification and information for the community of the proposed work;
- g. Vibration testing of equipment to confirm vibration predictions;
- h. Location for vibration monitoring when construction activities are adjacent to buildings identified for building condition survey;
- i. Working hours;
- j. Preparation of building condition survey reports where it is assessed that there is potential for damage to buildings or structures arising from construction as determined by an independent appropriately qualified person appointed by the Requiring Authority.

Construction noise

34. Noise arising from construction activities must be measured and assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise and, unless otherwise provided for below, is to comply with the noise limits set out in the following table:

Day	Time	L _{Aeq}	L _{Amax}
Residential Receivers (irrespective of zoning)			
0630h Monday to 0630h Saturday	0630h – 0730h	55 dB	75 dB
	0730h – 1800h	70 dB	85 dB
	1800h – 2000h	65 dB	80 dB
	2000h – 0630h	45 dB	75 dB
0630h Saturday to 0630h Sunday	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	70 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
0630h Sunday and Public Holidays to 0630 the following morning	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and Industrial receivers			
All	0730h – 1800h	70 dB	
	1800h – 0730h	75 dB	

35. The hours of work will be from 0730 to 1800 on weekdays and Saturdays unless activities that are planned to be undertaken outside these hours at night or on Sundays or Public Holidays are specified in terms of their location, duration, timing and predicted noise and vibration levels in the certified CNVMP. (Particular consideration to working hours is required to be given to the owners and occupiers of the buildings located respectively at 13-17 and 19-23A Queens Road as the proximity of the works to these buildings is expected to require work to be conducted outside normal business hours.)

36. A Site Specific Construction Noise Management Plan (“SSCNMP”) must be prepared for any receiver or activity for which the construction noise is either predicted or measured to exceed the limits in the table above except where the exceedance of the standards is no greater than 5 decibels and will not exceed:

- a. 0700-2200: 1 period of up to 2 consecutive weeks in any 2 months; or
- b. 2200-0700: 1 period of up to 2 consecutive nights in any 10 days.

The objective of a SSCNMP is to set out the best practicable option for minimisation of noise from the construction activities. The SSCNMP is to set out:

- i. The predicted noise level for the activity;
- ii. Noise limits to be applied for the duration of the activity;
- iii. The mitigation options that have been selected and the options that have been discounted as being impracticable and why;
- iv. The proposed noise monitoring regime.

Works subject to a SSCNMP may not commence without prior certification by the Council of the relevant SSCNMP.

Construction vibration

37. Unless otherwise provided for below, vibration arising from the construction activities must comply with the vibration limits in the following table:

Receiver	Location	Detail	Category A	Category B
Occupied PPFs*	Inside the building	Night-time 2000h - 0630h	0.3mm/s PPV	1mm/s PPV
		Daytime 0630h - 2000h	1mm/s PPV	5mm/s PPV
		Blasting – vibration	5mm/s PPV	10mm/s PPV
Other occupied buildings	Inside the building	Daytime 0630h - 2000h	2mm/s PPV	5mm/s PPV
All other buildings	Building Foundation	Vibration - transient (including blasting)	5mm/s PPV	BS 5228-2 Table B.2
		Vibration - continuous		BS 5228-2 50% of Table B.2 values

Advice notes:

Measurements of construction vibration are to be undertaken in accordance with German Standard DIN 4150-3:1999 “Structural Vibration Part 3: Effects of vibration on structures”. PPV = peak particle velocity

* For vibration, protected premises and facilities are dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).

38. If measured or predicted vibration levels exceed the Category A criteria then an appropriately qualified expert must be engaged to assess and to provide practical options for managing construction vibration at the affected location in an effort to reduce the level of annoyance being, and/or to be, experienced. (Particular consideration to working hours is required to be given to the owners and occupiers of the buildings located respectively at 13-17 and 19-23A Queens Road as the

proximity of the works to these buildings is expected to require work to be conducted outside normal business hours.)

39. A Site Specific Construction Vibration Management Plan (“SSCVMP”) must be prepared when construction vibration is either predicted or measured to exceed the Category B standards. The objective of a SSCVMP is to set out the best practicable option for the minimisation of vibration effects of the construction activity. As a minimum the SSCVMP must set out:

- a. The relevant construction activity location, start and finish dates, and the proposed working hours in relation to the site(s) concerned. ;
- b. The predicted vibration level for the construction activity;
- c. Construction vibration limits specific to the receiver to avoid unreasonable disruption of businesses;
- d. The building condition surveys of buildings and pipework which documents their current condition and any existing damage;
- e. An assessment of each building and any pipework to determine susceptibility to damage from vibration and to define appropriate vibration limits that the works must comply with to avoid damage;
- f. The mitigation options that have been selected and the options that have been discounted as being impracticable and why;
- g. The proposed vibration monitoring regime;
- h. The methods to be adopted to minimise amenity effects on buildings which will remain occupied during the works;
- i. The consultation undertaken with owners and occupiers of sites subject to the SSCVMP, and how consultation outcomes have been addressed. The SSCVMP must also record any disagreements between owners and occupiers of sites and the Requiring Authority, and the procedures and actions agreed on to try to resolve these disagreements;
- j. The receiving building(s) which are capable of withstanding higher levels of vibration and what the new vibration limit is. The investigation required to demonstrate this must include an assessment of the building(s) by a chartered professional engineer or otherwise appropriately qualified person and a building condition survey.

Building condition surveys

40. Prior to construction, a building condition survey must be undertaken of any building or structure that has been identified and assessed as potentially affected by vibration damage arising from construction. The identification and assessment requirement must be determined by an independent and appropriately qualified person appointed by the Requiring Authority based on the criteria below, unless the relevant industry criteria applied at the time or heightened building sensitivity or other inherent building vulnerability requires it. Factors which may be considered in determining whether a building condition survey must be undertaken include:

- a. Age of the building;
- b. Construction types;
- c. Foundation types;
- d. General building condition;
- e. Proximity to any excavation;
- f. Whether the building is earthquake prone or where there is pre-existing damage;
- g. Whether any basements are present in the building; and

h. Where a property is located within the medium or high risk distances identified for any activity, as contained in the Construction Noise and Vibration Management Plan.

41. Where it is determined by an independent and appropriately qualified person appointed by the Requiring Authority prior to construction that a building condition survey is required:

a. The Requiring Authority must employ an appropriately qualified person to undertake the building condition surveys and that person is required to be identified in the CEMP;

b. The Requiring Authority must contact owners of those buildings and structures where a building condition survey is to be undertaken to confirm the timing and methodology for undertaking a pre-construction condition assessment;

c. Should written agreement from owners and occupiers to enter property and undertake a condition assessment not be obtained within three months from first contact, then the Requiring Authority is not required to undertake these assessments;

d. During the building condition survey, the Requiring Authority must determine whether the building is classified as Commercial / Industrial / School (Category A) or a Historic or sensitive structure (Category B);

e. The Requiring Authority must provide the building condition survey report to the relevant property owner within 15 working days of the survey being undertaken, and additionally it must notify and provide the Council's Team Leader Southern Monitoring with a copy of the completed survey report within 15 working days;

f. The Requiring Authority must record all contact, correspondence and communication with owners and occupiers and this record is to be available on request for the Council's Team Leader Southern Monitoring;

g. The Requiring Authority must undertake a visual inspection when undertaking construction activities likely to generate high levels of vibration if requested by the building owner where a pre-construction condition assessment has been undertaken; and

h. The Requiring Authority must develop a system of monitoring the condition of existing buildings which is commensurate with the type of the existing building and the proximity of the AMETI Stage 2A project works. The purpose of this monitoring is to assess whether or not active construction is compromising the structural integrity of the building.

42. During construction:

a. The Requiring Authority must implement procedures that will appropriately respond to the information received from the vibration monitoring system. Where necessary this may include temporary cessation of works in close proximity to the relevant building until measures have been implemented to avoid further damage and/or compromising the structural integrity of the building; and

b. Any damage to buildings and structures resulting from the works must be recorded and repaired by the Requiring Authority and costs associated with the repair will be met by the Requiring Authority. Such repairs, and/or works to repair damage, are limited to what is reasonably required to restore the general condition of the building as described in the building condition survey. Such repairs must be undertaken as soon as reasonably practicable and in consultation with the owner and occupiers of the building.

43. Following construction:

a. Within three months of the commencement of operation of the AMETI Stage 2A project the Requiring Authority must contact owners of those buildings and structures where a building condition survey was undertaken to confirm the need to undertake a post-construction condition assessment;

b. Where a post-construction building condition survey confirms that the building has deteriorated as a direct result of construction works relating to the project, the Requiring Authority must rectify the damage at its own cost. Such repairs, and/or works to repair damage, are limited to what is

reasonably required to restore the general condition of the building as described in the building condition survey.

Historic heritage

44. The Requiring Authority must prepare and submit a Historic Heritage Management Plan to the Council's Team Manager–Heritage for certification. The objective of this plan is to avoid, remedy or mitigate adverse effects on the recorded and unrecorded historic heritage in the designated area as far as reasonably practicable. To achieve this objective, the HHMP must be consistent with requirements of the Conservation Plans required by these conditions.

45. As a minimum the following must be included in the HHMP:

- a. Particular provisions for management of works within or in direct proximity to the Mokoia headland Pā, the Sunset Reserve area, remains of the swivel span of the first Panmure Bridge, consistent with conditions of any statutory authority and the Conservation Plans required by these conditions;
- b. Methods for recording in-ground historic heritage material not covered by another statutory authority;
- c. Methods for documentation and potential reuse of items of moveable historic heritage, as part of the final UDLP;
- d. Methods for identification, interpretation and, where feasible, retention of the historic concrete road and commemorative plaques at the southern end of Kerswill Place;
- e. Mana whenua representative(s) are to monitor construction activities during the surficial earthworks and excavation into ground with potential for cultural material to be present;
- f. Roles and responsibilities of the historic heritage team, the Requiring Authority, Mana Whenua representative(s), contractors and subcontractors in relation to historic heritage material, consistent with any other statutory authorities;
- g. A protocol for determining timeframes for historic heritage excavation and recording work for all historic heritage material, and integration with the construction schedule;
- h. Mechanisms and procedures for dispute resolutions during works and the contact details for all relevant parties;
- i. How procedures for historic heritage investigations, monitoring and reporting during preliminary earthworks are to be implemented;
- j. How historic heritage material will be protected and/or preserved across the extent of the project area;
- k. Protocols for discovery of unrecorded historic heritage, discovery of taonga, kōiwi or material of Māori Cultural origin, consistent with conditions of any statutory authority and including the following as a minimum:
 - i. Procedures in the event of historic heritage discoveries, including kōiwi;
 - ii. Procedures in the event of discovery of cultural remains;
 - iii. Statutory requirements to be met prior to resuming works;
 - iv. Provision for 'post-excavation' archiving, assessment and analysis of the historic heritage records and materials, and publication of results of that work;
 - v. Methods to provide for cultural recognition of the site or location of the discovery or other form of recognition, as considered appropriate by mana whenua, taking into account the scale and significance of the discovery.

l. Training procedures for all contractors, to be undertaken in advance of construction, regarding the possible presence of historic heritage sites or material, what these sites or material may look like, and the relevant statutory requirements if any sites or material are discovered.

m. Cultural induction by Mana Whenua representative(s) in relation to the cultural significance of the project area, what cultural sites or material look like, and accidental discovery protocols that must be carried out by a Mana Whenua representative(s).

Conservation plans

46. A Conservation Plan must be prepared for the Mokoia Headland Pā by an appropriately qualified expert in consultation with Ngāti Paoa and the Council's Cultural Heritage Implementation Team. This Conservation Plan must be:

a. in accordance with the HNZPT's 'Guidelines for Preparing Conservation Plans' and prepared with the direct involvement of Ngāti Paoa, consistent with ICOMOS New Zealand principles regarding involvement of indigenous people;

b. the primary management document to ensure the protection, conservation maintenance and enhancement of those parts of Mokoia Headland Pā which can be retained; and

c. submitted to the Council's Team Leader, Southern Monitoring for certification and must:

i. comply with any conditions required by any other statutory authority;

ii. as a minimum include measures to conserve cultural and heritage values through all stages of the project, including but not limited to site clearance, temporary construction activities and through to implementation of plans to establish a commemorative park;

iii. include a risk assessment by an appropriately qualified engineer to determine whether the intended construction activities pose any risk of collapse during construction work to the area(s) of the Pā to be conserved;

iv. outline clear guidelines for all regular, seasonal and annual maintenance works that are consistent with conserving cultural and heritage values.

47. A Conservation Plan must be prepared for the remains of the swivel span of the first Panmure Bridge by a heritage specialist with experience in the conservation of engineered infrastructure remains, working with an appropriately qualified engineer, and in consultation with the Council's Built Heritage specialist. This Conservation Plan must:

a. be in accordance with the HNZPT's 'Guidelines for Preparing Conservation Plans' and ICOMOS New Zealand Charter item 14 - Conservation Plans;

b. be the primary management document to ensure the protection, conservation maintenance and enhancement of the remains of the first Panmure bridge; and:

i. is to be submitted to the Council's Team Leader, Southern Monitoring for certification;

ii. include measures to prevent deterioration or damage during changes to the structure;

iii. include design of any replacement supporting structure that is sufficient to prevent damage by vessel strike;

iv. include a plan for long term maintenance to prevent deterioration of the ironwork and timber elements as a result of exposure to weathering; and

v. development of the Conservation Plan must include ongoing consultation with HNZPT.

48. a. In the event that any unrecorded historic heritage sites are identified as a result of the works, then these sites must be recorded by the Requiring Authority for inclusion in the Council's Cultural Heritage Inventory. The Requiring Authority's historic heritage expert must prepare documentation suitable for inclusion in the Inventory and forward that information to the Team Leader: Southern

Monitoring (for the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within one calendar month of completion of work on the route;

b. Electronic copies of all historic heritage reports relating to historic heritage investigations of whatever form (i.e. evaluation, monitoring and excavation) in regard to the designation, are to be submitted by the Requiring Authority's project historic heritage expert to the Team Leader: Monitoring (for the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within 12 months of completion of the route works.

Urban Design and Landscape Plan

49. The Requiring Authority is to submit an Urban Design and Landscape Plan prepared by an appropriately qualified urban designer and landscape architect to the Team Leader, Southern Monitoring, in consultation with the Council's Parks Planning Team Leader (where appropriate), for certification for any stage of the project. The primary objective of the UDLP(s) is to implement the Urban and Landscape Design Framework and to mitigate the landscape and visual effects identified in the landscape and visual assessment prepared by Beca Ltd dated 9 December 2016 and as modified in section 9 of the evidence of Christopher Bentley dated 28 November 2017.

50. The UDLP(s) must be in accordance with the project's Urban and Landscape Design Framework (including the concept plans, corridor-wide and sector specific design principles), and in general accordance with the approved landscape plans, and consistent with both the Historic Heritage Management Plan and the certified Conservation Plans required by these conditions.

51. The UDLP is to demonstrate how the corridor-wide and sector-specific design principles are achieved in the AMETI Stage 2A design, and must address the following:

a. Wayfinding, directional signage and sense of place features throughout the project route, including links between the Mokoia Pā, Te Kai a Hiku / Panmure Basin, the Jubilee Bridge and the Rotary Walkway;

b. Landscape design details for the residual land at the Mokoia Pā headland in consultation with Ngāti Paoa, consistent with the relevant and certified Conservation Plan for the Mokoia Pā site ;

c. Landscape design details for the residual land at the southern Panmure Bridge abutment in consultation with the kaitiaki forum and the Council's lead heritage specialist, with a particular focus on the remnant swivel structure of the old Panmure Bridge, consistent with the certified Conservation Plan for that structure;

d. The location of property accessways required to service affected properties and where those properties are located in the project footprint;

e. Measures to achieve a safe level of transition for cycling and walking modes, including providing advanced warning and signage to cyclists and pedestrians, and safe and convenient cycling transitions at the ends of the project;

f. The location and design (including height) of noise walls must be designed to enable land to be integrated into the urban area, including minimising intrusion on adjoining residents and reserves, maintaining and contributing to the amenity of residents and road users, and visually integrating with the surrounding residential character. The noise walls are to be designed in accordance with the Urban and Landscape Design Framework;

g. Design features and methods for cultural expression and in order to reflect outcomes agreed through mana whenua engagement;

h. The location and design of any structure, pathway, parks infrastructure, green asset and any other infrastructure in any road reserve, the new reserves and reinstated reserve areas (and to consider the inclusion a pedestrian access between Lagoon Drive and Sunset View Road across the Sunset Road Reserve);

i. The location of landscaping, including any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting in such a way that enables land to be reintegrated

into the surrounding urban context. This is to include a schedule of species to be planted including the botanical names, locally eco-sourced native plants that reflect appropriate taonga species and/ or indigenous biodiversity (which are to be used unless there is a specific need for exotic species as determined by the landscape architect in her/his sole discretion), grade (bag size) of plants, minimum plant height at time of planting, and proposed plant spacings;

j. In respect of the Outstanding Natural Feature (“ONF”) on the north-eastern side of Lagoon Drive (including the Sunset Reserve) the measures to be implemented to enable natural rock exposures of volcanic tuff along the soil nail wall to remain permanently visible, subject to stability and safety requirements, and mitigating any significant adverse visual and landscape effects. Once the main cut for each soil nail wall is complete, the final design of the soil nail wall visual/planting/cultural treatment is to be developed in consultation with the Council’s Team Manager Biodiversity (in relation to ONF requirements), the Council’s Parks Planning Team Leader (in relation to planting mitigation and maintenance associated with the Sunset Reserve), the Ngāti Paoa Iwi Trust, and an NZILA registered landscape architect. For those areas where the natural rock is not proposed to be left exposed, methods are to be implemented to incorporate continuous vegetative screening of the soil nail wall structures with appropriate native plants and/or appropriate cultural design features;

k. Streetscape details for Williams Avenue and the Latham - Dillimore connection, including amenity tree planting and any associated footpath re-location;

l. Measures to be undertaken for topsoil and subsoil management to rehabilitate the soil profile in order to provide a viable growing medium for the areas to be planted and for use on the berms. Consideration is to be given to the use of engineered tree pits, utilising a combination of structural soils, soil vaults, or structural soil cells where necessary to provide sufficient rooting environment for large growing trees in restricted areas;

m. A landscape planting methodology and plant selection process must be developed with the Council’s arboricultural and horticultural specialists. The planting methodology is to include details of the maintenance programme to be implemented once the landscape planting works are completed;

n. A maintenance plan and establishment requirements over a three year period for landscaping and five years for specimen trees following planting and reinstatement of road verges, and including:

i. Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies;

ii. Details of watering, weeding, trimming, cultivation, pest and disease control, checking stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth;

iii. Details of a maintenance programme for any other green asset and/ or parks infrastructure including vandalism eradication policies; and

iv. An agreed reporting mechanism for annual inspections of all new plantings to ensure the plants are healthy and are being maintained to the Council’s standards.

o. Measures to minimise clearing work to preserve soil and any indigenous vegetation;

p. Measures to ensure the appropriate disposal of any clearance of invasive/noxious weeds;

q. Where feasible, design of tree planter pits in all new planting areas with a minimum soil volume of 10 cubic metres;

r. Local sourcing of ‘new’ tree stock (Auckland region), and consultation with the Council’s arborist regarding the size, form and quality of the tree stock prior to any planting commencing, with all tree stock ordered at least 12 months prior to use.

52. The Requiring Authority’s representative must arrange for annual inspections, accompanied by the Team Leader - Southern Monitoring, of all new plantings to ensure the plants are healthy and are being maintained to the Council’s standards.

53. At least 1 month prior to the final handover to the Council for future care and maintenance of the landscaping, the Requiring Authority’s representative is to arrange a site walkover with the Team

Leader Southern Monitoring to inspect the new planting areas, and to document any areas of plant health and maintenance that need to be rectified prior to handover.

54. The UDLP planting requirements must be implemented during the first planting season following the project being operational. If the weather in that planting season is unsuitable for planting, as determined by the Team Leader Southern Monitoring (in consultation with the Council's Parks Department), the landscaping must instead be implemented at the first practicable opportunity thereafter. The next practicable opportunity must be agreed to by the Council's Team Leader Southern Monitoring.

Tree protection

55. The Requiring Authority must work with the Council's arboricultural specialists in its Parks and Heritage division to develop a joint Tree Protection and Management Plan ("TPMP") for submission to the Team Leader, Southern Monitoring for certification. The objective of the TPMP is to avoid, remedy or mitigate any adverse construction effects on those trees to be retained as part of the project as far as reasonably practicable. As part of the TPMP, where required the Requiring Authority must develop specific work procedures that are to be outlined in the contract tender documentation for the civil works contracts for the project. The TPMP must also include the final construction methodology details for works close to or around any notable trees in the project area, based on the final detailed design.

56. To achieve its objective, the TPMP is to include:

a. Specific vegetation protection measures to be implemented, including:

i. Tree protection measures for notable trees at the Domain Reserve and 1 Kerswill Place, based on the items in Schedule 1A of these conditions;

ii. Tree protection measures for trees to be retained based on the items in Schedule 1B of these conditions;

iii. Tree pruning measures based on the recommendations in Schedule 1C of these conditions (including pruning any trees outside the designated area by the Council's tree maintenance contractors under the direction of the Council's arborist advisor). These measures must also demonstrate that the extent of works will be undertaken in accordance with the following permitted activity standards in the Auckland Unitary Plan (Operative in Part): E26.4.5.1 (which applies to tree trimming or alteration of trees in streets and open space zones), and E26.3.5.2(8) (which relates to the alteration or removal of vegetation required to maintain the visibility of road safety signage, vehicle sightlines, carriageway clearance heights and widths);

iv. Demarcation of temporary construction access and storage areas, outside the permeable dripline and / or rootzone areas of retained trees;

v. Use of protective barrier fencing;

vi. Procedures for working within the dripline/rootzone of any retained tree, including appointment of a qualified Council approved arborist ("appointed arborist") to oversee directly all works within the dripline and rootzone of the trees located in the designated areas of work for the duration of the site works, until the route is considered completed, and including any reinstatement works that fall outside the area of the designation;

vii. Specific bio-security removal restrictions that will apply to all protected elms, to avoid the risk of Dutch Elm Disease (refer Appendix 6 of the arboricultural assessment prepared by Peers Brown Miller dated 21 December 2016), including vetting and approving the methodology and treatment of the Elm material by the Council's arboricultural specialist responsible for handling and treatment of all Elm material controlled under the Biosecurity Act, prior to any works taking place;

viii. Measures to provide for clear marking of all tree removals prior to implementation of each stage of the works, with verification of the removals by the Requiring Authority's arborist in consultation with the Council's arboricultural specialist;

ix. The methodology required to relocate the Pohutukawa trees from Queens Road, Panmure, including measures to enable, where practical, the uplifting and temporary storage of the existing Pohutukawa trees where they fall in the designated area of works, as well as their appropriate maintenance and repositioning in a suitable alternative location in consultation with the Council's arboricultural specialist Parks;

x. Determination of the practicality of uplifting trees for transplanting by a qualified and experienced arborist (in consultation with the Council's arborist advisor), having particular regard to below ground infrastructure and its planned renewal and relocation;

xi. For those trees that can be practicably uplifted (transplanted), retaining the services of an appropriately qualified arboriculturalist experienced with best practice tree relocation procedures to extract the Pohutukawa trees to be retained and thereafter maintain and irrigate the trees until such time as they are relocated.

Advice note:

All works that involve cutting or removal of any Elm species are required to be undertaken in accordance with the requirements of the Biosecurity Act.

57. Prior to finalising detailed designs for works close to or around any notable trees in the project area the Requiring Authority is to arrange a meeting between the appointed arborist, the Council's parks arboricultural specialist, the Council's Heritage arborist, and any other relevant employees/contractors who will be working on the project. The purpose of this meeting is to review the detailed designs for works planned in the rootzone area of the notable trees adjacent to the area of works (which comprise the Pohutukawa trees in Domain Reserve, the willow trees on Pakuranga Road, and the Swamp Cypress in Kerswill Place).

58. Prior to any construction works commencing, a pre-commencement site meeting must be arranged by the Requiring Authority. The purpose of the meeting is for the appointed works arborist to explain all vegetation protection measures to a representative of all contractors, sub-contractors and work site supervisory staff who will carry out project works within the dripline of any retained tree on the designated route. The following Council officers must also be invited to attend the meeting:

- a. Team Leader Southern Monitoring (or representative);
- b. In the case of trees on private land – the Resource Consents Specialist Advisor – Arborist;
- c. In the case of trees on Parks owned land – the Senior Arboriculture and Eco Specialist (or equivalent), Operational Management and Maintenance, Auckland Council Community Services.
- d. In the case of street trees located in the road reserve – the Senior Advisor – Urban Forest (or equivalent), Parks Services, Auckland Council Parks, Sport and Recreation.

59. Compliance with the recommended tree protection measures and construction methodology must be monitored by the appointed works arborist and logged in accordance with the vegetation log sheet contained in the TPMP. The log sheet must be provided to Council officers at agreed intervals or, where required, on request.

60. If the design of the project is modified so that it becomes apparent that trees identified to be retained on the approved/certified landscape plans are required to be removed, then removal of these trees is appropriate if:

- a. The tree to be removed is not one of the scheduled Pohutukawa trees at the Domain Reserve, a Pohutukawa tree(s) along the southern side of Lagoon Drive, or the Swamp Cypress and Kauri tree at 1 Kerswill Place; and
- b. The design modification results in retention of a tree that was identified to be removed (i.e. no net loss of generally protected trees); or
- c. If the design modification will result in a net loss of generally protected trees, a suitable replacement specimen tree is provided in the project alignment (in addition to the proposed planting shown on the approved/certified landscape plans).

Lizard Management Plan

61. The Requiring Authority must prepare and submit a Lizard Management Plan to the Council's Biodiversity Team Manager Biodiversity Central/South for certification. The objective of the LMP is to avoid, remedy or mitigate adverse construction effects on native skinks as far as is reasonably practicable. The LMP must be prepared by a qualified herpetologist with Department of Conservation authority and is to cover the following locations:

- a. The vegetated cliff face on the northern side of Lagoon Drive between Basin View Lane and Church Crescent; and
- b. The rank grass on the northern side of Pakuranga Road at Kerswill Corner and Bus Stop Reserve.

62. The LMP is to include (but not necessarily be limited to):

- a. Details of search methods to be implemented for capturing arboreal and ground-dwelling lizards prior to any construction activities in any of the above areas within the project footprint;
- b. Mechanisms for re-establishing affected lizard habitat;
- c. Locations for the potential release of lizards, including whether a pest control programme for before and after the release of lizards is necessary and, if so, the details of such a control programme;
- d. The methodology for any post-capture release of lizards; and
- e. The methodology for captive management of lizards if they are required to be held in captivity.

Advice note:

A permit under the Wildlife Act 1953 will be required from the Department of Conservation to enable reptile translocation to occur.

OPERATIONAL CONDITIONS

Operational traffic noise

63. The alignment must be designed and constructed in accordance with the provisions of New Zealand Standard NZS 6806:2010 "Acoustics – Road traffic noise - New and altered roads" (NZS 6806:2010). For the purposes of the following noise conditions the following terms have the following meanings:

- a. "Acceptable Noise Environment" – means that in accordance with NZS 6806:2010 buildings/properties are determined as Category A or experience an up to 2 decibel increased change in noise environment compared with the "do nothing" measured noise levels in Appendix G of the "Assessment of Noise and Vibration Effects" prepared by Marshall Day Acoustics and submitted with the NoR for this designation; and
- b. "Affected Buildings" – means any PPF that following implementation of all the proposed structural noise mitigation are Category B or C and do not have an Acceptable Noise Environment maintained.

64. These noise conditions consider only those PPF's existing on 29 March 2016, being the date the Notice of Requirement for this designation was served on the Auckland Council. The Requiring Authority must implement the proposed structural noise mitigation measures shown on the landscape plans submitted with the NoR for the designation (Volume 3: AMETI Stage 2A – Plans Appendix B) and described in section 9.13.5.2 of the AMETI Stage 2A Project – Assessment of Environmental Effects (prepared by Beca Ltd, dated 22 December 2016) to provide an Acceptable Noise Environment to all PPFs. These measures must be implemented as soon as practicable in the construction programme.

65. Prior to construction, the Requiring Authority must engage an appropriately qualified acoustic specialist to undertake an assessment to determine whether or not there are any Affected Buildings. Where Affected Buildings are identified or where the detailed design identifies the need for structural noise mitigation measures different from those identified in the previous condition, the Requiring Authority must submit a Traffic Noise Mitigation Plan ("TNMP") for certification by the Team Leader, Southern Monitoring. The TNMP is to:

- a. Include an assessment of how the revised proposed structural noise mitigation results in no Affected Buildings; or
- b. If the revised proposed structural mitigation would still result in an Affected Building(s), include an assessment in accordance with NZS 6806:2010 that demonstrates the design is consistent with adopting the best practicable option.

66. If, following implementation of all the structural noise mitigation, Affected Buildings remain the Requiring Authority must offer building-modification mitigation to the owners and occupiers of all such Affected Buildings in accordance with NZS 6806:2010. If the offer is accepted within two months of it being given, the Requiring Authority must implement the mitigation, and the cost associated with the mitigation will be met by the Requiring Authority.

67. To the extent practicable the Requiring Authority must manage and maintain the structural noise mitigation so that those mitigation works retain their noise reduction performance for at least 10 years after the final stage of the project becomes operational.

68. Within two years of the project being operational the Requiring Authority must undertake ambient noise monitoring along the length of the designated route at a minimum of six sites. The purpose of these measurements is to confirm whether there are any additional Affected Buildings as a result of implementation of the project. If any additional Affected Buildings are identified, then those Affected Buildings must be subject to the building modification mitigation required by these conditions.

Operational monitoring

69. As part of detailed design, the Requiring Authority must consider measures (such as minor design layout changes and directional signage) to improve the ease of use and readability of alternative vehicle routes for the prohibited turns at the new intersection replacing the Panmure roundabout, in particular for non-local users, and to confirm its suitability for appropriate heavy commercial vehicles ("HCVs") that might reasonably need to service local properties. The identified measures must be implemented by the Requiring Authority, prior to opening of the project to the public.

70. The Requiring Authority must undertake a baseline monitoring survey of at least a week in duration prior to construction works commencing, including AADT, intersection performance and delays, and HCV flows. The Requiring Authority must undertake six monthly monitoring of vehicle flows on Church Crescent for a period of two years after completion of the project. Copies of the report and underlying survey data are to be provided to the Council's Team Leader, Southern Monitoring, within two weeks of the surveys being completed. In addition, the Requiring Authority must investigate:

- a. The safety and performance of the intersection of Church Crescent, Queens Road and Tripoli Road, including the nearest pedestrian crossings on all six approach arms of that intersection, and to report to the Council's Team Leader, Southern Monitoring whether changes to the road network or its management are warranted to improve safety or to align traffic patterns with the regional road hierarchy better. In the event that this monitoring indicates that a significant reduction in performance (>20% increase in average delay) is occurring at these locations, changes to the road network or its management will be implemented by the Requiring Authority to improve safety and/or better align traffic patterns with the regional road hierarchy;
- b. The desirability and feasibility (including impacts on the network and the Panmure Town Centre) of providing a right turn option from Queens Road into Basin View Lane to allow added flexibility for vehicle traffic coming from Jellicoe Road which has to turn left into Queens Road; and

c. Whether HCV flows on Church Crescent and Tripoli Road have increased significantly in comparison with the baseline surveys undertaken prior to commencement of the project preparation and construction activities. In the event that this monitoring indicates a significant (>20%) increase in HCV flows is occurring on these roads, changes to the road network or its management are to be investigated to better align traffic patterns with the regional road hierarchy.

71. During detailed design the Requiring Authority must assess the ability to provide further u-turn possibilities (whether in the median zone or as part of traffic signals) in the project area east of the Panmure Bridge, and is to report to the Council on the outcome of that assessment and any subsequential changes to the design in respect of the u-turn at the time that the UDLP is submitted to Council for certification.

72. The Requiring Authority must undertake monitoring of parking in the residential area around the Williams Avenue bus station every six months for two years after completion of the project, to investigate if this area is being used as an informal park and ride. The Requiring Authority is to report to the Council on the outcome of that investigation and any subsequential changes to the design in respect of the kerbside parking areas around Williams Avenue. If this is confirmed and it is affecting safety and/or the availability of residential parking, the Requiring Authority is to investigate whether parking controls are required, and must implement appropriate controls if required by the Council.

73. The Requiring Authority must monitor the traffic flows on Mountain Road, between the Ellerslie-Panmure Highway and Forge Way, before commencement of construction, and quarterly for one year after construction of the project. If there is a significant (>20%) increase in traffic flow within one year after completion of the project, the Requiring Authority must engage with the residents of Mountain Road West no later than one month following the completion of the one year monitoring surveys regarding an appropriate course of action to address any resultant issues, and then shall implement appropriate controls as soon as practicable.

Advice note:

Prior to construction, the Requiring Authority will engage with the New Zealand Heavy Haulage Association and the National Road Carriers (Inc) to discourage Association members from using Queens Road and other Panmure town centre routes for transporting dangerous goods during and following construction of the project.

74. The Requiring Authority must investigate whether cars parked on Millen Ave close to the Pakuranga Road intersection cause any safety and/or capacity issues and, if so, install an appropriate length of no stopping restrictions as part of the Stage 2A project.

75. The gradient and access to the Panmure Squash Club site is to be designed to enable 8m rigid trucks to manoeuvre (as a minimum). During emergency situations, emergency vehicles are to be permitted to park on the busway.

76. The 'Keep Clear' road markings on Pakuranga Road (shown on Pakuranga Road plan 3311120-CE-4006) are to be provided for the benefit of the residential properties on the slip road by the Panmure bridge. This clearway must be of a sufficient length and width to enable trucks that service the boat yard accessed by the slip road to enter and to exit onto Pakuranga Road safely.

Advice note:

1. The Requiring Authority is advised that archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014 apply to archaeological sites whether previously recorded or discovered during the works.

2. Auckland Transport will work with the Auckland Council and Ngāti Paoa to explore opportunities for the co-management of land, facilitating on-going access to traditional resources and activities, and physical connections between Ngāti Paoa and land, to address effects on the Mokoia Pā headland.

3. In respect of contaminated land, all works are to be carried out in accordance with the final Site Management Plan to be prepared for the AMETI Stage 2A project under an associated resource

consent, and in accordance with any material changes made to the SMP through an outline plan or management plan review process.

Schedule 1 – Additional Tree Protection Measures (adopted from the Arboricultural Assessment lodged with the Notice of Requirement)

Schedule 1A - Tree Protection Measures for Notable trees at Domain Reserve and 1 Kerswill Place

Note: Tree numbers listed below refer to Appendix 1 – Schedule of Affected Trees attached to the Arboricultural Assessment notified with the Notice of Requirement.

- 1) Tree removals in the vicinity of any scheduled/notable tree should be undertaken by a qualified arborist with the skills required to avoid accidental damage occurring to the adjacent retained trees.
- 2) A protective barricade should be erected to enclose as much of the dripline area as practicably possible of all notable/scheduled Trees – tree numbers 21, 23-30, 34-36, 46-48, 50-54, 135 and 166-167.
- 3) The project arborist should be present to supervise the following particular activities: any excavation activity in the vicinity of scheduled Trees 21, 23-30, 34-36, 46-48, 50-54, 135 – most particularly the formation of new accessway surfacing and retaining wall construction in the root zones of Trees 21, 23-30, and 34-36; the traversal of an excavation machine through Domain Reserve for earthworks within the driplines of scheduled trees; the positioning and digging of post holes for the retaining wall at 54 Lagoon Drive; and any resurfacing of the driveway at 54 Lagoon Drive.
- 4) During the excavation and construction phases, and on completion of the project, the root zones of the scheduled Pohutukawa trees in the Domain Reserve should be irrigated and monitored by the worksite arborist. Mulching around the bases of Trees 21, 23-30, 34-36 and 135 (Swamp cypress) is also recommended for the duration of the works.
- 5) Any tree roots that may be encountered during the course of excavation work should be pruned back cleanly to the excavation face, using a sharp saw or secateurs past any point of fracture or damage. Any exposed root ends are to be protected from drying out by a covering of hessian or similar material that is to be kept damp until the excavated area is backfilled.
- 6) No storage of materials or equipment, or passage of vehicles or machinery, should take place on open ground within areas of ground enclosed by protective fences.
- 7) Any excavation for the retaining wall below the scheduled trees 21, 23-30 and 34-36 should be attended by the project arborist. Any roots that may be encountered within the required excavation depth should be severed cleanly by the arborist.
- 8) Prior to construction of the retaining wall at 54 Lagoon Drive, the location of major tree roots of Tree 54 should be determined. A hand dig should occur around the base of this tree to determine this. Post holes should be positioned as to minimise damage to major tree roots encountered. With respect to excavation of post holes for the retaining wall construction within the dripline of protected tree 54, the first 500mm should be excavated by hand to ascertain for the presence of roots prior to any use of an auger. Any root encountered that has a diameter greater than 35mm should be retained intact and the pile hole moved to avoid the root. Roots of smaller diameters can be severed cleanly. All works should be directly supervised by the worksite arborist.
- 9) Washings from the production of concrete should not be flushed on to open ground within the dripline of any retained tree on the route.

Schedule 1B - Tree Protection Measures for Retained Trees

Note: Tree numbers listed below refer to Appendix 1 – Schedule of Affected Trees attached to the Arboricultural Assessment notified with the Notice of Requirement.

- 10) All vehicle movements to access the work sites should be excluded from the permeable dripline and/or root zone areas of retained trees.
- 11) When working within the dripline of any retained tree all care should be taken when removing the existing hard surface to not disturb tree roots that may be beneath the surface. Hand held tools or appropriate machinery should be used (under direct arborist supervision) to remove the existing hard surface working backwards, situated on the existing hard seal at all times. At no time should the machine operate or traverse over the exposed unsealed root zone.
- 12) Once the hard seal surface is removed, all existing base course should be left in-situ. Augmenting with extra base course material where required should not disturb any potential roots that may have established in the substratum base.
- 13) Any fresh incursion into unsealed ground within the dripline of any retained tree should be carried out by hand (spade) with all care taken not to damage any roots.
- 14) Any roots of retained trees, measuring 35mm or greater in diameter, that are exposed during the course of development work, should be retained, carefully worked around and protected. All roots less than 35mm diameter exposed in the course of excavation works should be pruned back cleanly past any point of fracture or damage, using a sharp saw or secateurs. All retained and/or cut roots should be protected from drying out with a covering of hessian or similar material that is to be kept damp until the excavated area is backfilled.
- 15) In any instance where the above measure cannot be met, approval for the removal of tree roots measuring 35mm or greater in diameter located within the rootzone, as defined by the existing dripline of a particular tree, should be obtained from the works arborist prior to works commencing or continuing. The arborist may carry out the removal of such roots only when s/he is satisfied that the health and stability of the tree concerned will not be compromised.
- 16) The placement of any new services should in the first instance be positioned outside the driplines of the affected street trees and scheduled trees. Where site circumstances, such as the location of existing service connections, dictate works in closer proximity to the affected trees, the works should be as far away as practicable from the trees. Any new services should be installed by directional drilling or similar where practicable. No open trench excavation should occur within the dripline area of the trees. When works in close proximity to the dripline of any retained tree or protected tree is necessitated due to existing site conditions (e.g. location of existing services) "pot hole" excavations should be utilised for service location and new connections. These works should be supervised by a qualified arborist and should only be undertaken using hand held tools.
- 17) Where there is a need to decommission any existing services, excavation work in the dripline area of any retained tree should be supervised by a qualified arborist.
- 18) Any pile holes or excavations, associated with the construction works, with exposed root matter or severed root ends, should be lined with polythene sheeting or a similar material prior to the placement of any concrete, in order to prevent leaching of any liquid into the soil.
- 19) When backfilling excavated areas, a 50mm layer of sand or soil should surround all tree roots. The 50mm layer of sand or soil around the tree roots is to be compacted by hand tamping methods only.
- 20) All construction equipment should be manoeuvred in the work sites in a manner that avoids any damage to the crown structure of any retained tree located adjacent to the works area.

21) Where practicable, conflict between the existing canopies of retained trees/scheduled trees and the construction works on the route should be managed in the first instance by tying back or stopping the existing tree canopies.

22) The non-protected Kauri tree at 1 Kerswill Place that is proposed for retention within the proposed site office compound should be offered the same level of protection as all other retained trees in accordance with the tree protection measures outlined above. Particular regard should also be given to ensuring adherence to the measures outlined in the Earthworks and Soil Removal section of Appendix 7 of the arboricultural assessment notified with the Notice of Requirement.

23) If changes to the identified line of works are required within close proximity to any retained tree, the works arborist should update the site and monitoring log sheet and, where appropriate, include a digital photograph. Details will include, but not be limited to, changes to previously agreed works in relation to retained trees, alteration of tree protection methodologies and an assessment of effects of changes.

Schedule 1C – Tree pruning measures

24) The exact extent of any pruning should be discussed prior to commencement at a meeting held between the project arborist and the arboricultural contractor engaged to carry out the pruning.

Attachments

No attachments.

New/Alterations & Withdrawals to Designations
(Go Live 29th November 2018)

Amendments to Auckland Unitary Plan GIS Viewer (maps)

Affected map layers : Designations

Designation: 1716

Name: NoR 1 : Ameti Stage 2A

Requiring Authority: Auckland Transport

Notice of Requirement to become Designation



UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan, Manager Planning North West and Islands

FROM Jo Hart, Principal Planner, Planning North West and Islands

DATE 29 August 2018

SUBJECT **Designation in accordance with s181(3) of the Resource Management Act of the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)**



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Confirmed notice of requirement for a new designation for the SH1 Northern Busway extension (as part of the Northern Corridor Improvements Project)	
Chapter	Chapter K
Section	New Zealand Transport Agency
Designation only	
Designation # 6775	Northern Busway Extension
Locations:	Adjacent to the east of State Highway 1 from Constellation Bus Station and connection across State Highway 1 to the Albany Bus Station
Lapse Date	7 years
Purpose	State Highway 1 Busway extension – for the construction, operation and maintenance of the busway and ancillary works including approaches, ramp connections, ancillary safety and operational services (including communications), vegetation removal, stormwater treatment, temporary construction works including storage areas and office facilities, maintenance and access areas, mitigation and restoration, ancillary structures and activities associated with these works.
Changes to text (shown in underline and strikethrough)	<p>This update incorporates amendments to conditions arising from the following alterations to the designations associated with the Northern Corridor Improvements Project (NCI):</p> <ul style="list-style-type: none"> • Northern Corridor Improvements Project (as confirmed by the Board of Inquiry (BOI) 16 November 2016) • Section 181(3) notice of requirement for an alteration to a designation associated with the NCI – Conditions DC.1a, DC2.A, ON.3b(iii), UDL.4(iii) and UDL.15 (confirmed 8 May 2018) <p>Refer to the link below for the NCI Board of Inquiry Final Report and Decision and to the attachments for details of the two Section 181(3) notice of requirements for an alteration to a designation:</p> <ul style="list-style-type: none"> • NCI Board of Inquiry Final Report

	<p>and Decision</p> <p>https://www.epa.govt.nz/public-consultations/decided/northern-corridor-improvements/final-report-and-decision/</p>
Changes to diagrams	N/A
Changes to spatial data	Multiple amendments to spatial data associated with the Northern Corridor Improvements Project (as confirmed by the Board of Inquiry 16 November 2016).
Attachments	<ul style="list-style-type: none"> • Section 181(3) Report and decision (confirmed 8 May 2018) including track changes to the BOI confirmed conditions. • 6775 Northern Busway Extension designation text • 6775 Northern Business Extension designation map

Prepared by:

Jo Hart
Principal Planner
Planning North West and Islands

Signature:

Maps prepared by:

Mitesh Bhula –
Senior Geospatial Analyst
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Signature

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Reviewed by:

Jo Hart
Principal Planner
Planning North West and Islands

Signature:

8 May 2018

Northern Corridor Improvements
Level 1 Jacobs House
12 Nicholls Lane
Parnell
Auckland 1052

Attention: Maree Drury

Dear Maree

Re: Notice of for a minor alteration to Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road in the Auckland Unitary Plan.

Auckland Council has considered your request to alter the existing designations associated with the Northern Corridor Improvements Project as listed above.

The proposed alteration to the designations has been processed and confirmed in accordance with the statutory tests of Section 181(3) of the Resource Management Act 1991. The Section 181(3) confirmation report for the minor alteration is attached.

The Auckland Unitary Plan will be amended in due course.

If you have any questions please contact Jo Hart on 09 8908291

Yours sincerely



David Sanders
Team Leader – Planning North West and Islands
Plans and Places

Notice of requirement for a minor alteration to a designation under section 181(3) of the Resource Management Act 1991



Notice of requirement description

Designation number:	Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road.
Requiring authority:	New Zealand Transport Agency
Site address:	Various – between Oteha Valley Road and SH1/SH18 intersection and along SH18 to Albany Highway.

Summary

Auckland Council has received a request from the New Zealand Transport Agency under section 181(3) of the Resource Management Act 1991 (RMA), dated 15 February 2018, to alter designations associated with the Northern Corridor Improvements Project (Attachment A).

It is considered after undertaking an assessment of the notice, that the proposed alteration meets the statutory tests of section 181(3) of the RMA and can therefore be processed and confirmed as a minor alteration.

Recommendation

1. That the proposed alteration of Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road in the Auckland Unitary Plan be **confirmed**, subject to the amended conditions (Attachment B) for the following reasons:
 - the alteration involves no more than minor changes to the effects on the environment associated with the use of the land;
 - there are no adjustments to the boundaries of the existing designation;
 - both the requiring authority and Auckland Council agree with the alteration; and

- the land is either owned and occupied by the New Zealand Transport Authority or alternative processes are under way e.g. acquisitions through the Public Works Act, temporary occupation agreements, easements etc.
2. That the text for the Designations, as listed above, is altered in Chapter K Designations in the Auckland Unitary Plan.

1. Background

1.1. Minor alteration to a designation

Auckland Council has received a notice of requirement (NoR) for an alteration to designations associated with the Northern Corridor Improvements Project (NCI), as listed above, from the New Zealand Transport Agency under section 181(3) of the RMA.

The alteration is required to modify conditions confirmed in the Board of Inquiry (BOI) decision, dated 16 November 2017, to reflect minor changes made during the detailed design process. These changes are as follows:

- a minor reconfiguration of the Paul Matthews Road and Caribbean Drive connection
- the replacement of the State Highway 1 to State Highway 18 flyover with an underpass.

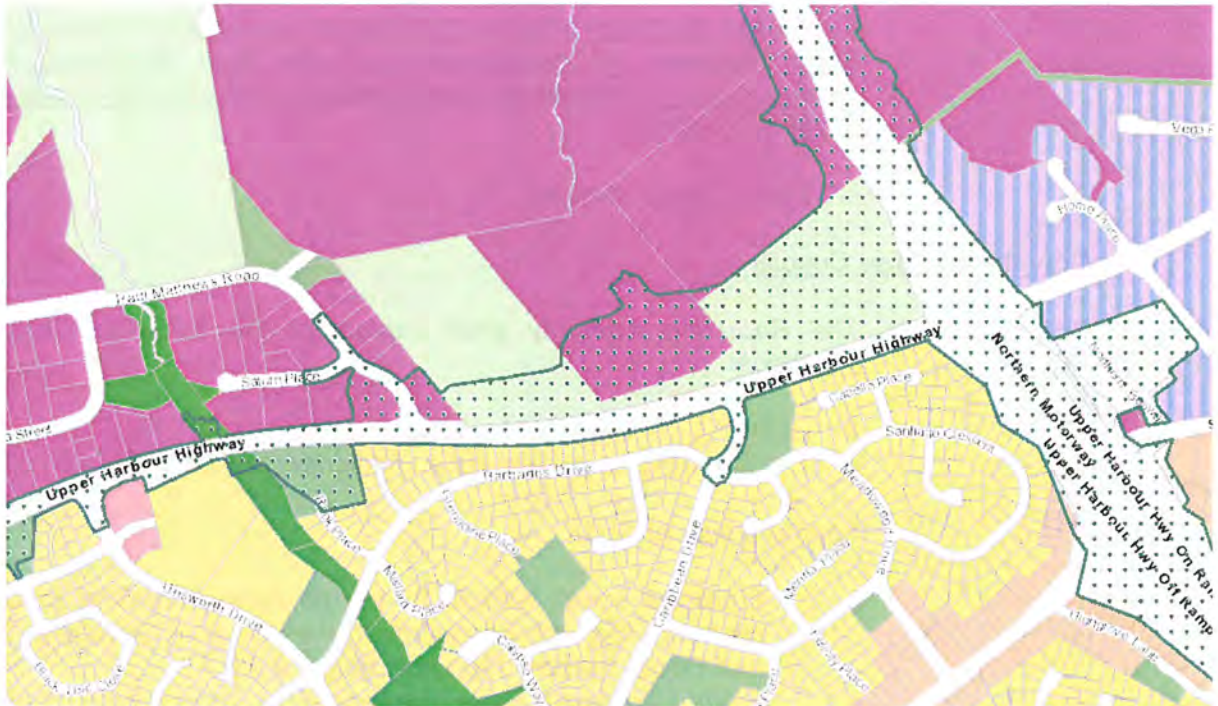
The alteration involves an amendment to General Condition DC.1 to change the reference of two of the drawings presented to the BOI to the NCI Alliance updated detailed design drawings. Minor consequential amendments and additions are also proposed in relation to:

- the operational noise conditions (ON.3 (a)(iii)) to allow for the construction of a slightly higher noise wall
- the urban design conditions (UDL.4 (e)(iii) and UDL.15) to ensure mitigation of the higher noise wall proposed in relation to visual effects on adjacent properties.

There are no alterations proposed to the boundaries of the designations.

1.2. Land affected by the alteration

The land affected by the alteration to the designation is located around the SH18 interchange with SH1 and at Paul Matthews Road, near the Watercare Rosedale Treatment Plant and Constellation Reserve, as shown in the Auckland Unitary Plan map below:



Map 1: AUP map showing vicinity of proposed alterations.

1.3. Description of the site and existing environment

This section of the Northern Corridor contains the SH1 and SH18 highway corridors. The intersection of SH1 and Constellation Road is to the east and SH18 to the west. Residential housing is located to the south of the SH18 alignment. Constellation Reserve, which forms part of Watercare’s odour buffer designation, and the Rosedale Wastewater Treatment Plant (RWTP) and ponds are located to the north. An area of General Business zoned land lies to the north-east of the SH1/SH18 intersection. The Constellation Bus Station is located to the south-east of the intersection and is currently accessed via the Constellation off-ramp and crossing Constellation Drive to get to the beginning of the Northern Busway.

1.4. Proposed alterations to conditions

The requiring authority has requested the alteration of four of the confirmed EPA conditions. These are as follows:

General Conditions:

Condition DC.1 Except as modified by the conditions below, and subject to final design, the Northern Corridor Improvements Project shall be carried out in general accordance with:

a. General arrangements drawings

Sheet 1 and 2, DRG 0201-0202, Rev J

Sheets 3 - 8, DRG 0203-0208, Rev H

Sheets 9 – 10, DRG 0209-0210, Rev I (Revised Alteration to Designation Boundary – Bluebird Reserve)

Subject to the minor changes in relation to the State Highway 1 to State Highway 18 underpass and the Paul Matthews Road configuration as shown in Sheets NCI-R-1002-DG-108-A and NCI-R-1002-DG-106-A.

b. Typical cross sections...

Operational Noise Conditions

Condition ON.3 The Requiring Authority shall implement the following Structural Mitigation:

- a. [...]
- b. The following noise barriers and heights shall be provided:

Southern side of SH18

- i. From the corner formed by the off ramp from SH1 to Upper Harbour Highway, westwards to the corner of Caribbean Drive and Upper Harbour Highway, height 2.4m.
- ii. From Caribbean Drive westwards to approximate chainage 1280, height 2.4m
- iii. From chainage 1280 to 1410 approximately, height ~~3m~~ **4m**.
- iv. From chainage 1555 to 1765 approximately, height 2.4m...

Urban Design and Landscape Conditions

Condition UDL.4 The Outcomes set out in Chapters 5 and 6 of the UDLF (Revision 3) shall be given effect to through the UDLP in relation to the following matters:

- [...]
- e. Design and treatment options on or adjacent the following properties:
[...]
- iii. 33, 35, 37, 39, 41B, 43,45, and 4 ~~79, 51, 57, 59~~ Barbados Drive, **and 9, 11, 13 and 14 Wren Place** directly adjacent to the proposed Paul Matthews Road overbridge; and...

Condition UDL.15 During the detailed design phase of the Paul Matthews Road **Connection** Bridge, the Requiring Authority shall consult Bike Auckland on the layout and detailed design of the shared use path. ~~on the Bridge.~~

It is common for requiring authorities to lodge NoRs with preliminary design drawings with the final design to be processed through the Outline Plan of Works (OPW). This allows flexibility in the final design of a project from when the designation is confirmed without having to alter the conditions every time the design changes. In this case the drawing numbers have been included in Condition DC.1. The requiring authority has decided to take a precautionous approach to update the condition so that the correct drawing numbers are included. Consequential amendments to Condition ON.3, UDL.4 and UDL.15 are also required because of the change to the design.

After an assessment of the environmental effects, I consider that the alterations to the above conditions involve no more than a minor effect on the environment above that permitted by the confirmed BOI designations. The conditions as confirmed by the BOI, as amended by the minor alteration, and the inclusion of a new condition (DC.1A – refer to Section 2.1 Traffic and Transport Effects), will ensure that any potential adverse effects on the environment will be avoided, remedied or mitigated. The environmental effects are discussed further below in Section 2.1.

1.5. Delegated authority

The Team Leader - Planning North West and Islands has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2017), to exercise the council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3).

The NoR can therefore be considered by the Team Leader – Planning North West and Islands and confirmed or declined under section 181(3)(c).

1.6. Relevant statutory provisions

Section 181 "Alteration of designation" of the Resource Management Act 1991 states:

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) The alteration-*
 - (i) Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) Both the territorial authority and the requiring authority agree with the alteration –*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.
- (4) This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

2. Analysis of the proposed alteration

The relevant matters to consider are contained in section 181(3) of the RMA as outlined above.

2.1. Assessment of Environmental effects (s181(3)(a)(i))

An assessment is required to determine whether the alteration to the conditions involves no more than a minor change to the effects on the environment above those permitted (and mitigated for) by the designations confirmed through the BOI process.

The requiring authority has provided an assessment of environmental effects (AEE) with the NoR. The following effects have been considered:

- Social
- Traffic and transport
- Archaeology and built heritage
- Cultural heritage
- Urban design and landscape
- Noise including increasing the height of the noise wall.

The requiring authority considers that the proposed alterations to the designation conditions involves no more than minor changes to the effects on the environment. The requiring authority also considers that they can still comply with the rest of the conditions with the amended design from a flyover to an underpass and the Paul Matthews Road and Caribbean Drive connection.

Social Effects

The requiring authority, in its AEE, considers that the realignment and revised design of the Paul Matthews Road allows for some improvements in relation to any potential social effects. These include the following:

- SUP will be enhanced through greater separation and provides a direct connection from the area south of Caribbean Drive to Paul Matthews Road
- the visual impacts of the revised design are reduced in bulk and dominance providing improved urban amenity for the surrounding community
- viaduct design over Caribbean Drive allows for a potential additional open space area and stormwater attenuation through provision of open space amenity and potential reduction in flood risk
- off-line construction of parts of the connections allows greater construction flexibility with reduced impact on traffic, transport and earthwork requirements. This will contribute to a more efficient and expedited construction period with reduced adverse effects on the surrounding communities and businesses.

NZTA also recognises that the proposed realignment creates some potential adverse social effects due to the raised final height of the connection to SH18 compared to the BOI concept design. Potential operational noise effects were identified for up to six residential properties to the south. The mitigation proposed by the requiring authority is a slightly higher noise wall section at this location.

The requiring authority considers that there aren't any adverse social effects associated with the replacement of the SH1 southbound to SH18 overpass with an underpass and that the design provides for the following positive benefits:

- improved transport safety for users over the BOI concept design through a compliant exit ramp from SH1 in terms of sight distance and vertical grade while maintaining the weave length of the BOI concept design
- reduced height and bulk of the underpass option results in significant reduction of visual impacts
- reduced height of connection results in improved privacy for residential properties to the south with less opportunity for overlooking from traffic using the road
- consequential reduction in operational noise effects

Comment

I agree with the requiring authority that the overall social effects of the alteration are no more than minor. I consider that the conditions as confirmed in the BOI decision will ensure that any potential adverse social effects can be mitigated, remedied or avoided.

It should be noted that Auckland Council's Urban Design Panel had reservations, within their review to the requiring authority in December 2017, about the use of the area under the viaducts as a formal area of open space. This is discussed further below in the section on urban design, visual and landscape effects.

Traffic and Transport

The requiring authority has stated in its AEE that alteration will have positive effects in regards the construction traffic and transport effects in that:

- the NCI Alliance design significantly reduces disruption to traffic during construction on SH 18 and around Paul Matthews Road by avoiding the diversion of 70,000 vehicles per day.
- construction of an underpass instead of an overpass removes the need for a significant number of overnight motorway closures for the placement of bridge beams, deck pours and barriers.
- Evacuation of the underpass void will take place with live traffic travelling above and motorists will be unaware of the intensive excavation activity happening below them therefore reducing drive distraction.

The requiring authority also considers that the proposed changes will have positive effects in terms of operational traffic and transport for the following reasons:

- The underpass for the westbound link from SH1 to SH18 has improved safety aspects due to the underpass alignment providing compliant sight distances and maintaining the existing weave length between the Greville Road interchange and the SH18 off-ramp.
- the underpass for the westbound link from SH1 to SH18 has reduced grades and therefore benefits freight vehicles.

NZTA has been in consultation with Bike Auckland on the NCI Alliance design (as required by Condition UDL.15 in relation to the layout and design of the shared used path on the Paul Matthews Road overbridge). NZTA/NCI Alliance has advised that the design to date has been based on these discussions

Comment

Duncan Tindall, consultant traffic and transport specialist for Auckland Council, has undertaken an assessment of the minor alteration (Attachment C). Mr Tindall is supportive, in principal, of the proposed amendments resulting from the changes to the design. The review has been considered in the context of the discussions that occurred during the BOI processes including Joint Witness Statements and the hearing. The issues at that time related to construction effects, pedestrian and cycle amenity, legibility of road layout and the potential affects on the Caribbean Drive arm.

As a result of further information, the following matters have had a satisfactory response:

- drawings that accompanied the application did not specifically show the Cabello Place pedestrian link as confirmed to be retained in the future through the BOI process. NZTA confirmed that this would be retained.
- the drawings did not identify where the pedestrian and cycle crossings of the Upper Harbour Highway and realigned Paul Matthews Drive were located, and how they integrated with the signal phasing. This was viewed as particularly important as a result of the discussions related to accessibility, potential severance effects during construction and post opening and the new Paul Matthew link to Caribbean Drive. Modelling provided by NZTA/NCI Alliance confirmed that the intention is to provide signalised crossings which would provide an amenity that is broadly equivalent to the confirmed BOI designation.

However, Mr Tindall still had the following concerns:

- the length of the crossing of the Upper Harbour Highway which would potentially be a barrier for some users, particularly pedestrians. However, he did not consider the proposed alteration fundamentally created a significant adverse effect although this outcome is heavily dependent on the detailed design.
- The tension with providing the level of service (LOS) for the Caribbean Drive traffic. A queue length on Caribbean Drive of 118m or less 95%ile was agreed in the Joint Witness Statement with additional modelling showing that this could be achieved (although this did not include the closely linked eastbound off ramp that had been in the initial modelling). While modelling received from the NCI Alliance individually shows that the performance of the intersection is equivalent, or better, than the confirmed designation, he has not received reassurance that it is possible to simultaneously meet the level of service for pedestrians and traffic with the proposed alteration layout.

Mr Tindall considered that there were two options available:

- That NZTA/NCI Alliance provide full modelling of the intersection, including all arms, a common cycle time and explicit representation of pedestrians which meets or exceeds to the degree that it shows that the alteration involves no more than a minor change to the effects on the environment above that of the confirmed designation.
- That an agreed condition between the council and NZTA/NCI Alliance be included that contains specific criteria for the queue length on Caribbean Drive and the cycle time (relevant to pedestrian amenity). The addition of a condition would allow the NCI Alliance to proceed with the design of the modified scheme but provide certainty

to council that the alteration to the designation 'involves no more than a minor change on the effects on the environment' above that of the confirmed designation in relation to traffic and transport.

After discussion with NZTA/NCI Alliance, it was agreed that a way forward could be the inclusion of a condition. This would also help to satisfy the requirement that the alteration involves no more than minor environmental effects in relation to this aspect of the traffic and transport effects (pedestrian and cyclist amenity). The proposed condition (or similar wording) is as below:

'The final design shall ensure that:

- *the forecast delays on the Paul Matthews Drive and Caribbean Drive are no worse than a Level of Service D for any individual movement during the AM or PM peaks. In addition, the 95%ile queue on Caribbean Drive should not exceed 118m.*
- *The layout provides a safe and efficient passage through the intersection for users of the SUP. This connection should be grade separated or if at-grade be signal controlled., and in the latter case require no more than two separate phases to connect between the SUP.*

Further information via emails, dated 18 April 2018 and 30 April 2018, was provided by NZTA/NCI Alliance (refer to Attachment D). Mr Tindall still considers that the effects on pedestrians and cyclists is more than minor and that it is important that the queue length of 118m is retained. However, if the assessment of the overall transport effects is considered then potentially the effects are minor taking into account the large number of motorists that benefit against the smaller number of pedestrians and cyclists disadvantaged.

NZTA/NCI Alliance consider that the additional modelling shows that the level of service can be met (but that the condition needs to align with NZTA's Minimum Requirements (MRs) of LOS E) and that the increase in travel and wait times for pedestrians and cyclists are no more than minor and therefore a condition is not required. They also consider that the queue length can be achieved through the design but would not accept this to be part of a condition as there may be times where queuing is longer than 118m and would not comply with the condition. However, NZTA/NCI Alliance has agreed that if Auckland Council considers a condition is required then the following condition is acceptable:

'DC.2A

Where there are changes to layout and crossings the final design shall ensure that:

- *the forecast delays on the Paul Matthews Drive and Caribbean Drive are no worse than a Level of Service E for any individual movement during the AM or PM peaks.*
- *The layout provides a safe and efficient passage through the intersection for users of the SUP. This connection should be grade separated or if at-grade be signal controlled'.*

I recommend that the condition as above be included to provide certainty to Auckland Council that the alteration involves no more than minor environmental effects above that permitted by the BOI confirmed designations in relation to traffic and transport.

Archaeology, Built and Cultural Heritage

The requiring authority provided an archaeological assessment with the original NoR applications. The assessment concluded that there were no heritage sites recorded within the Project corridor, and there was no indication through subsequent field surveys and assessment of any areas with archaeological or heritage potential. Therefore, the requiring authority considers that the design changes will not alter the effect on archaeology and built heritage.

In relation to cultural heritage, the requiring authority has engaged throughout the Project with mana whenua groups and with the Central-North Area Iwi Integration Group (IIG). Mana Whenua feedback has been incorporated into the Project and includes the following:

- detailed design of structures to develop a cultural narrative (designation)
- stormwater management and treatment (resource consent)
- avoidance of adverse effects on indigenous bird species and lizards (resource consent)
- flocculation treatment (resource consent)
- management of contaminated land associated with earthworks (resource consent)
- input into management plans (both designations and resource consents)

The requiring authority considers that the proposed alterations to the conditions do not impact the cultural values of mana whenua as expressed and considered through consultation and the BOI process. The relationship with mana whenua through IIG and adherence to the conditions and management plans will continue through the lifetime of the project. Therefore, the requiring authority considers that the proposed changes will have no effect on cultural heritage values.

Comment

The council's submission on the original NCI applications to the Environmental Protection Agency (EPA) was limited to specific matters that were of concern to the council, such as traffic, stormwater, noise and vibration, urban design, landscape and visual, and effects on public reserves. A full assessment of archaeology or cultural and built heritage was not undertaken. However, the AUP objectives, policies and overlays were assessed, in relation to earthworks, as part of the planning evidence for the BOI hearing which stated as follows:

'While there are no sites and places of significance to Mana Whenua identified in the AUP and the area within the Proposal is highly modified, there is still the possibility of accidental discovery of kōiwi, archaeology or artefacts of Māori origin. NZTA has addressed archaeology and historic heritage effects, in Section 9.12 of the AEE, and provided mitigation through proposed conditions (ARC.1 to ARC.5). Condition ARC.1 requires NZTA to appoint a suitably qualified archaeologist to oversee the earthworks required for the Proposal. Condition ARC.2 requires a contractor's briefing by the Project Archaeologist which needs to include the appropriate procedures to follow if archaeological or historic heritage materials are uncovered when the Project Archaeologist is not on site to safeguard the materials. I consider that the Proposal is generally consistent with Policy 11.3(3).'

My view remains the same as above and I agree that the minor alteration does not involve a change to the effects on archaeology or built and cultural heritage above that permitted by

the confirmed designations. It should be noted that the archaeological conditions are attached to the resource consents. In relation to cultural heritage, conditions attached to the designations, as confirmed by the BOI, require that the IIG, as a key stakeholder, are consulted with during the project. In addition, Condition UDL.11 requires that the Urban Design Landscape Plans are prepared in partnership with the IIG.

Urban Design, Landscape and Visual

Visual impact assessment

The requiring authority states the following in its AEE:

'The underpass has little or no visual impact on the surrounding environment as it has been designed as a gradual decline from the existing SH1 road alignment to pass under SH1 as SH1 is rising in a southbound direction. As the underpass replaces the need for elevated viaduct structures the overall effect of the underpass on visual impact is positive.

Like the BOI concept design, the westbound on-ramp originates from the Caribbean Drive intersection and the eastbound off-ramp joins Paul Matthews Road at a newly formed signalised intersection'.

The BOI concept design overbridge at Paul Matthews Road required the lowering of SH18 by four metres below existing ground level. The alternative NCI Alliance detailed design, now only lowers the existing ground level by 0.7 metres. The westbound road alignment is lower by approximately 14 metres nearer SH18/SH1 because of the proposed underpass rather than the BOI design viaduct structure.

The Requiring Authority has assessed the difference in visual and landscape effects between the BOI design and the NCI Alliance detailed design. This included using Autodesk Infracore which was used to create models of the BOI and NCI Alliance designs to understand the differences in visibility. The visibility assessment concludes that the extent of visibility of the two models can be seen to be similar in area but there are some differences in locations that gain views to the proposed motorway. These differences are predominantly that the BOI concept design is more visible from Barbados Drive and the eastern higher ground of Santiago Crescent, while the NCI detailed design is more visible from the central SH18 area.

A visual impact assessment was also undertaken by a landscape and visual impact assessment specialist. The findings of the visibility assessment were used to assess the scale of the landscape and visual effects associated with the NCI Alliance detailed design. The AEE concludes the following:

- the NCI Alliance design will result in less residential properties being visually affected than the BOI design and there is no increase in the scale of impact
- there are some properties in the lower Barbados Drive and Caribbean Drive area that now may be able to view the NCI alignment.
- The overall assessment of the properties above remains low and the scale of the change in effects for these properties is no more than minor, given the NCI detailed design is lower, the distance from the road (approximately 150 metres), and intervening buildings and trees
- there will still be a number of properties directly adjacent to SH18 that will experience effects. These effects will be reduced once the planting mitigation is established and the noise and landscape walls installed.

The requiring authority considers that based on the visual impact assessment and mitigation required by conditions, and proposed in the UDLP, the change in the scale of visual effects for properties that have visibility of the Project is no more than minor.

SH18 Noise Wall

A higher noise wall of four metres, compared to 3 metres required by Condition ON.3, is required adjacent to SH18 between 13 Wren Place and 49 Barbados Drive. Due to the road alignment and ground levels in this area, because of the changes in design of the Paul Matthews Road/Caribbean Drive connection, a portion of the noise wall will be retaining wall. This effectively replaces the existing embankment and the maximum height above ground level which will be visible to adjoining properties is up to 2 metres.

The height in the wall has been assessed in terms of visual and shading impacts on the adjacent properties. The visual impact assessment concludes that whilst up to 2 metres of the wall will be visible, any potential visual effects can be effectively mitigated through the retention of existing planting and new planting. There is a potential increase in shading on some properties during June. However, existing shading currently occurs due to other shading sources along the affected properties such as neighbouring buildings or existing trees. These have been excluded from the assessment but do contribute to overall shading on the properties.

The requiring authority considers that the effects of the noise wall due to shading and amenity values are no more than minor. When existing sources of shading are considered, the effects of the increased height of the noise wall on shading is not likely to be discernible to residents.

Comment

Stephen Brown, consultant urban design and visual landscape specialist for Auckland Council, has undertaken an assessment of the minor alteration (Attachment E). He generally concurs with the findings of the Isthmus Group's appraisal of the revised proposal's effects. However, he has one area of concern in relation to the new elevated overpass over Caribbean Drive. His report states the following:

'The increase in 'blue houses' in Isthmus Group's Figure 1 and 'blue areas' in their Figure 3 appears to reflect the increasing visual presence of the overpass, especially around Cabello Place and Santiago Crescent. Whereas the original embankments were to be both planted and (around their lower margins) grassed, the new 'overbridge' would retain a more structural profile, with its ramparts, piers, side walls, lighting and other elements facing housing to the immediate south of SH18. It would clearly be a "bridge" and traffic movements across it would also be clearly apparent.

In this regard, it is also noteworthy that the Council's UDP review of the modified NCI (14th December 2017) commented as follows on the new interchange:

Possible 'Open Space Frame'

The Panel considers that from an urban design perspective there is very little benefit to be gained from the 'open space frame' concept for the area under the proposed Viaduct due to its restricted access and visibility from surrounding land-uses.

The Panel would support a realignment of the SUP along the northern side of Caribbean Drive and designed to provide a physical separation between vehicles and the SUP.

The Panel suggests that the use of the space adjacent to the Viaduct be utilised for native bush planting, inclusive of larger-growing trees, to help screen and visually absorb the flyover and support the future ecology of the area.

I agree with, and support, these findings. In my opinion, every effort should be made to screen and buffer the new overpass, with tree and shrub planting across its embankments as well as within the suggested 'open space / recreation space' under, and around, the viaduct. In my assessment, this would help to reduce the effects of the revised proposal in the vicinity of both Caribbean Drive and Paul Matthews Road – to the point where the resulting level of effect more closely approximates that anticipated in relation to the original NCI proposal.

Without such planting, the overpass, and vehicle movements on it, would generate a level of visual effect not fully anticipated in the course of the BOI process and hearing. As such, it is considered important that mitigation in line with these comments is provided. In all other respects, the revised NCI proposal is considered to be appropriate and acceptable'.

He considers that with the mitigation proposed above the alterations will 'involve no more than a minor change to the effects on the environment'.

An email, dated 7 March 2018, was forwarded to the requiring authority requesting a response. A response from the requiring authority was received by email on 12 March 2018 and states:

'Thanks for your email. In response to Stephen Browns review I can now confirm that the NCI design will no longer feature an open space around the viaduct. Instead the area is to be planted for various reasons including visual mitigation.

Planting plans are still being finalised, but they will include:

- *Rows of specimen tree planting of Kauri and Nikau to the outside edges of the overpass and between the northbound and southbound structures.*
- *A planting mix for the area that consists of planting that is 9% tree, 57% shrub and 34% groundcover.*
- *Planting will cover the embankments and extend underneath the structures where applicable'.*

In response to the above, Stephen Brown has provided the following comment:

'In my assessment, this would help to reduce the effects of the revised proposal in the vicinity of both Caribbean Drive and Paul Matthews Road – to the point where the resulting level of effect is aligned with that anticipated in relation to the original NCI proposal. Accordingly, any increase in amenity effects generated by the revised proposal would be 'less than minor' to 'minor' and are considered acceptable in relation to my assessment of the NCI project'.

I agree with Mr Brown's statement. The council will also be able to provide comment on the landscape plan when this is submitted. Condition DC.6 (c) requires that UDLP(s) are prepared in accordance with UDL.1 to UDL.12 as part of the OPW process. Any amendments are to be discussed with and submitted to the council for information. A further OPW is required if the amendments result in materially different effects to the described in the original UDLP.

Noise

Operational Noise

The requiring authority considers that the effects of the NCI design change on operational noise levels are no more than minor. Modelling of the noise walls shows that an increased barrier of four metres between 14 Wren Place and 49 Barbados Drive will be effective in reducing predicted noise levels to the same as those predicted for the BOI design.

Construction Noise

The requiring authority concludes that there will no more than minor changes in effects due to the changes in design. A summary has been provided of the difference in the effects generated by the NCI Alliance construction activities and alignment compared to the BOI anticipated construction noise and vibration effects. These are as follows:

- properties identified as receiving construction noise and vibration which exceed the designation conditions are very similar due to mitigation employed to reduce the impacts
- more Protected Premises and Facilities (PPFs) are identified as being affected due to night time works in the Construction Noise and Vibration Plan (CNVP) than in the BOI noise assessment because of the increase in the night time construction noise sources modelled
- areas requiring specific noise and vibration plans have been identified allowing for consultation with these parties
- noise and vibration contour mapping has been produced and mitigation measures at source and through early construction of noise walls identified
- mitigation mechanisms and pre-construction building inspections to manage risk associated with construction vibration have been identified.

A process has been developed to ensure any complaints received by community engagement personnel are relayed to the environmental manager where compliance is at risk.

Comment

Rhys Hegley, consultant noise and vibration specialist for Auckland Council, has undertaken an assessment of the proposed alterations (Attachment F). His report states:

'The BOI Alignment, via ON. 3, included a 3.0m high barrier between chainage 1280 to 1410 to screen PPFs on Barbados Drive and Wren Place. To remain compliant with ON. 2, it was found that this barrier needed to increase in height by 1.0m so that there would be no change in noise level to the six PPFs on Barbados Drive and Wren Place. There appears to be some differences between the way that the Operational Noise Assessment and the Proposed Alteration report describe this proposed change to the barrier height, which relates to the fact that the ground level beneath the barrier will also change. After talking to the author of the Operational Noise Report, it is my understanding that:

- a) The BOI Alignment had a 3.0m barrier from chainage 1280 to 1410;*
- b) The NCI alignment proposes to increase the height of this barrier by 1.0m to 4.0m;*
- c) As the topography slopes up from the road to the PPFs, an option being considered by the NCI team is to construct a 2.5m high retaining to lift the ground behind the*

retailing wall and then add a 1.5m high barrier on top. This gives an effective screening of 4.0m as described in the Proposed Alteration report.

This effective increase in barrier height requires an alteration to ON. 3iii), which is the subject of the application'.

He concludes:

'The Proposed Alteration to Designation report concluded that the noise effects of the proposed NCI carriageway realignment with the barrier extended to 4m will be no more than minor. Given that the reported levels will increase by not more than 2dB at up to seven PPFs and the changes in level remain compliant with the requirements of ON. 2, I agree with this conclusion'.

2.2. Assessment of minor changes or adjustments to the boundary (s181(3)(a)(ii))

The alteration to the designation does not involve any changes to the boundary of the existing designation.

2.3. Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

The requiring authority considers that Auckland Council is the only owner or occupier of land directly affected by the alteration to the designation.

The location of the new SH1/SH18 underpass and reconfiguration of the Paul Matthews Road and Caribbean Drive connection sits entirely within the designation boundaries confirmed through the BOI process. A large proportion of the land is owned by NZTA within its existing highway corridors. The areas of land currently not owned by NZTA, such as Watercare's land on the south-eastern side of SH1 and Auckland Council reserve land at Constellation Reserve and Rook Reserve, are currently going through other processes e.g. acquisitions under the Public Works Act, temporary occupation agreements, or easements etc. There are also other separate agreements outside of the designation conditions with various parties including Auckland Transport. The proposed alterations do not have any effect on these separate processes.

2.4. Agreement of both the territorial authority and the requiring authority (181(3)(c))

The alteration to the designation has been requested by the requiring authority, and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects
- The alteration does not involve any changes to the boundary
- the land is either owned and occupied by the New Zealand Transport Authority or alternative processes are under way e.g. acquisitions through the Public Works Act, temporary occupation agreements, easements etc.
- Adherence with recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1. Conclusions

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

- The alteration involves no more than minor changes to the environmental effects.
- Existing conditions as amended will ensure any potential adverse effects are avoided, remedied or mitigated.
- There are no changes or adjustments to the boundaries of the existing designation.
- the land is either owned and occupied by the New Zealand Transport Authority or alternative processes are under way e.g. acquisitions through the Public Works Act, temporary occupation agreements, easements etc.
- The council and the requiring authority agree with the alteration.

3.2 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, the New Zealand Transport Agency's notice of requirement for an alteration to Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road is **confirmed**.
2. That the designations as listed above are amended in Chapter K Designations in the Auckland Unitary Plan Operative in part as recommended in Section 4 and Attachment B of this report.

4. Agreed alterations

The agreed text alterations are as set out in Section 1.4. The recommendation of the inclusion of a new condition (Condition DC.2A – refer to Section 2.1 Traffic and Transport effects) has also been agreed to by NZTA. A full set of the designation conditions is attached (Attachment B). Amendments are shown as either strikethrough or bold and underlined.

Date: 7/05/2018

Report Prepared by:

Jo Hart

Principal Planner

Planning North West and Islands



5. SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

Accordingly, the notice of requirement for an alteration to Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road is **confirmed** under section 181(3) of the RMA.

Name: David Sanders

Title: Team Leader – Planning North West and Islands

Signed:



Date:

8/5/18

SCHEDULE OF ATTACHMENTS

- Attachment A:** Section 181(3) Notice of Requirement
- Attachment B:** Amended Designation Conditions
- Attachment C:** Traffic and Transport Assessment
- Attachment D:** Further information – traffic and transport
- Attachment E:** Visual and Landscape Assessment
- Attachment F:** Noise Assessment

6775 State Highway 1 - Northern Busway Extension

Designation Number	6775
Requiring Authority	New Zealand Transport Agency
Location	Adjacent to the east of State Highway 1 from Constellation Bus Station and connection across State Highway 1 to the Albany Bus Station
Lapse Date	22 November 2025

Purpose

State Highway 1 Busway extension – for the construction, operation and maintenance of the busway and ancillary works including approaches, ramp connections, ancillary safety and operational services (including communications), vegetation removal, stormwater treatment, temporary construction works including storage areas and office facilities, maintenance and access areas, mitigation and restoration, ancillary structures and activities associated with these works.

Conditions

Acronym/Abbreviation	Full Term or Definition
AUP	Auckland Unitary Plan
BPO	Best Practicable Option, and in relation to the Traffic Noise conditions BPO is in accordance with s16 of the Resource Management Act 1991
Building-Modification Mitigation	Has the same meaning as in NZS 6806
CNV	Construction Noise and Vibration Conditions
CNVMP	Construction Noise and Vibration Management Plan
Council	Auckland Council
Commencement of construction or construction works	In all conditions which refer to ‘commencement of construction’, construction includes work such as earthmoving and earthworks excavation; and the construction, erection, installation, carrying out, alteration, repair, restoration, renewal, maintenance, extension, demolition, removal, or dismantling of any building or structure.
CTMP	Construction Traffic Management Conditions and Construction Traffic Management Plan
DC	General Designation Conditions
Design Year	Means 2031 in relation to the Traffic Noise conditions
FIH	International Hockey Federation
Habitable Space	Has the same meaning as in NZS 6806
HHCT	Harbour Hockey Charitable Trust
IHF	North Harbour Hockey Stadium Conditions
IIG	Iwi Integration Group

Key Stakeholders	Includes community groups, business groups, residents organisations, childcare groups, Council, Watercare Services Limited, Auckland Transport, Ministry of Education, Waste Management NZ Limited, the IIG, and local boards.
Landfill	Rosedale Closed Landfill
Major Construction Activity	For the purposes of the Noise and Vibration Conditions, means any construction activity that would result in an exceedance of the standards in CNV.3 and CNV.4
Noise Assessment	Means the <i>Traffic Noise and Vibration Assessment Report</i> submitted with the NoR
NZ 8606	Means New Zealand Standard NZS 6806:2010 <i>Acoustics – Road-traffic noise – New and altered roads</i>
ON	Operational Noise and Vibration Conditions
OP	Outline Plan as required under section 176A of the RMA
PPF	Protected Premises and Facilities and has the same meaning as in NZS 6806. For the purpose of these conditions they also include all dwellings in Stage 1 of the Colliston Rise subdivision where Building Consent or Resource Consent which authorises the construction of a dwelling has been granted
PPV	Peak Particle Velocity
Practical completion	Means completion of all construction works.
Project	The Northern Corridor Improvements Project.
Proposed Design	The design of the project as indicated on General Arrangements Sheets 1 – 2 (Revised Albany Busway Bridge – Rev J), 3 – 8 (Consent Issue – Rev H), 9 – 10 (Revised Alteration to Designation Boundary – Bluebird Reserve)
PTTMP	Public Transport Traffic Management Plan
RAMM	Road Assessment and Maintenance Management
RMA	Resource Management Act 1991
RWWTP	Rosedale Wastewater Treatment Plant
SCP	Stakeholder and Communications Plan and Stakeholder and Communications Plan Conditions
SSCNMP	Site Specific Construction Noise Management Plan
SSCVMP	Site Specific Construction Vibration Management Plan
Structural Mitigation	Has the same meaning as in NZS 6806. For the purpose of these conditions the structural mitigation measures are low noise road surface materials and noise barriers
SUP	Shared Use Path
Suitably qualified and experienced person	Means a person with a tertiary qualification in the field to which a particular condition relates; or having sufficient technical expertise that is at least equivalent; and having at least 5 years working experience, unless otherwise specified in the conditions.

Transport Agency	New Zealand Transport Agency
UDL	Urban Design and Landscape Conditions
UDLF	Urban Design and Landscape Framework
UDLP	Urban Design and Landscape Plan
Watercare	Watercare Services Limited
Work Area	For the purposes of the Noise and Vibration conditions, means any area where construction works associated with the Project are undertaken (e.g. all active works areas and construction support areas)

These conditions relate to the following designations:

EPA reference	Lapse period	Duration
Designations OR NOR		
<p>NSP39/001</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6750) for the construction, operation and maintenance of a State highway, being the Auckland-Waiwera Motorway between Greville Road Interchange and the Sunset Road overbridge.</p>	7 years	N/A
<p>NSP39/002</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6751) for the construction, operation and maintenance of a State highway, being the Auckland Waiwera Motorway between Greville Road Interchange and Oteha Valley Road.</p>	7 years	N/A
<p>NSP39/003</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6756) for the construction, operation and maintenance of a State highway, being State Highway 18 between Albany Highway and State Highway 1.</p>	7 years	N/A
<p>NSP39/004</p> <p>A designation for the construction, operation and maintenance of the Northern Busway adjacent to State Highway 1 from Albany Bus Station to Constellation Bus Station.</p>	7 years	N/A
<p>NSP39/005</p> <p>A designation for the construction, operation and maintenance of a shared use path adjacent to State Highway 1 from Constellation Bus Station to Oteha Valley Road.</p>	7 years	N/A
<p>NAP39/006</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6758) for the upgrade of the Constellation Bus Station.</p>	7 years	N/A

General Conditions

DC.1 Except as modified by the conditions below, and subject to final design, the Northern Corridor Improvements Project ('Project') shall be carried out in general accordance with:

- a. General arrangements drawings

Sheets 1 and 2, DRG 0201 – 0202, Rev J

Sheets 3 – 8, DRG 0203 – 0208, Rev H

Sheets 9 – 10, DRG 0209 – 0210, Rev I (Revised Alteration to Designation Boundary – Bluebird Reserve)

Subject to the minor changes in relation to the State Highway 1 to State Highway 18 underpass and the Paul Matthews Road configuration as shown in Sheets NCI-R-1002-DG-108-A and NCI-R-1002-DG-0106A.

b. Typical cross sections

Sheets 1 to 9, DRG 0301 - 0309, Rev F

Sheet 10, DRG 0310, Rev C

c. *Plan and long section SH1 Mainline*

Sheets 1 – 7, DRG 0401 – 0407, Rev. A

Plan and long section SH18 Westbound

Sheets 1 – 4, DRG 0415 – 0418, Rev. A

d. *Civil structures*

DRG 1310 (Rev. C), and 1315, 1320, 1325, 1330, 1335, 1340, 1345, 1350, 1355, 1365, 1370, 1375 (all Rev. B).

e. Stormwater layout plans

Sheets 1 – 10, DRG 1401 – 140, Rev B

f. Stormwater catchment plan

Sheets 1 – 10, DRG 1451 – 1460, Rev B

g. Conceptual construction water management plan

Sheets 1 – 10, DRG 1601 – 1610, Rev B

h. Erosion and sediment control standard details

Sheets 1 – 2, DRG 1620 - 1621, Rev A

i. The notice of requirement plans DRG 2001 Rev C, 2002 Rev C, DRG 2003-2008 Rev B, DRG 2009 Rev C, DRG 2010 Rev C and DRG 2011 Rev C.

DC.2 Where there is inconsistency between the General Arrangements referred to in Condition DC.1 above and these conditions, these conditions shall prevail.

DC.2A Where there are changes to layout and crossings the final design shall ensure that:

- the forecast delays on the Paul Matthews Drive and Caribbean Drive are no worse than a Level of Service E for any individual movement during the AM or PM peaks.
- The layout provides a safe and efficient passage through the intersection for users of the SUP. This connection should be grade separated or if at-grade be signal controlled.

DC.3 Conditions DC.8, ON.1-ON.11, OV.1, UDL.5A, UDL.13, UDL.14 and SCP.10 on this designation apply to the operational matters that are intended to address ongoing effects of the activities authorised by the designation or impose obligations that are required to be satisfied following practical completion of the Project. The other conditions on this designation are intended only to apply to construction related activities. As soon as practicable after practical completion of the Project construction works, the Requiring Authority shall provide written notice of practical completion. Upon confirmation of receipt by the Council of the notice of practical completion, all conditions other than conditions relating to operational matters (i.e. DC.8, ON.1-ON.11, OV.1, UDL.5A, UDL.13, UDL.14 and SCP.10) shall cease to have effect.

DC.4 The Requiring Authority shall provide written notice to the Council on completion of the monitoring required by conditions UDL.5A. This condition shall cease to have effect from the date of this notice being received.

DC.5 The designation shall lapse if not given effect to within seven years from the date on which it is included in the Auckland Unitary Plan ('AUP').

DC.6 The outline plans ('OP') shall include the following plans for the relevant stage(s) of the Project:

- a. Construction Noise and Vibration Management Plan ('CNVMP') prepared in accordance with conditions CNV.1 to CNV.9;
- b. Construction Traffic Management Plan ('CTMP') prepared in accordance with conditions CTMP.1 to CTMP.5D; and
- c. Urban Design and Landscape Plan(s) ('UDLP') prepared in accordance with conditions UDL.1 to UDL.12.

The CNVMP, CTMP and UDLPs may be amended following the submission of the OP(s) if necessary to reflect any changes in design, construction methods, or management of effects.

Any amendments are to be discussed with and submitted to the Council for information without the need for a further OP process, unless those amendments once implemented would result in materially different effects to that described in the original CNVMP, CTMP, and UDLPs.

DC.7 Any OP(s) or plans may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the Project.

DC.8 As soon as practicable following completion of the construction of the Project, the Requiring Authority shall give notice in accordance with Section 182 of the Resource Management Act 1991 ('RMA') to the Council, for the removal of those parts of the designation that are not required for the long term operation, maintenance and mitigation of effects of the Project including from land within the Watercare Services Ltd ('Watercare') Designations 9310 and 9311, the Rosedale Closed Landfill ('Landfill') Designation 417 and other areas where infrastructure owned and operated by other organisations are located.

For the purpose of this condition as it relates to land within the Watercare Designations 9310 and 9311, the Requiring Authority shall remove the parts of its designation in general accordance with areas of land identified as 'Occupation During Construction' in the Aurecon Design Drawings:

- Auckland Northern Corridor Improvements SH1 and SH18 Land Requirement Plan #36, Drawing No. 250310-5DOC-1PRP-DRG-1855-A.

Any changes to the operational boundaries of the 'Land Required' and the 'Occupation during Construction' identified in Drawing No. 250310-5DOC-1PRP-DRG-1855-A shall be made following consultation with Watercare prior to any such change being implemented.

Construction Noise and Vibration (CNV)

For the purpose of the CNV conditions:

BPO – means the Best Practicable Option in accordance with s16 of the RMA

Major Construction Activity – means any construction activity that would result in an exceedance of the standards in CNV.3 and CNV.4

Work Area – means any area where construction works associated with the Project are undertaken (all active works areas and construction support areas)

CNV.1 A CNVMP shall be prepared by a suitably qualified and experienced person, and shall be submitted as part of the relevant OP. The purpose of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option ('BPO') for the management of all construction noise and vibration effects, and additionally to define the procedures to be followed when the noise and vibration standards in the CNV conditions are not met following the adoption of the BPO.

The CNVMP shall be prepared in accordance with the requirements of Annex E2 of *New Zealand Standard NZS 6803:1999 'Acoustics – Construction Noise'* (NZS 6803:1999) and shall address the following matters as a minimum:

- (a) Description of the works, anticipated equipment/processes and their scheduled durations;
- (b) Hours of operation and duration for the Major Construction Activities;
- (c) The construction noise and vibration standards for the Project as set out in Tables CNV.A to CNV.B below;
- (d) Identification of affected occupied buildings and any other sensitive receivers (including unoccupied buildings) at each Work Area;
- (e) Management and mitigation options to be adopted for all works during the Project, including prohibition of tonal reverse alarms;
- (f) Minimum separation distances from receivers for plant and machinery where compliance with the construction noise and vibration standards are met;
- (g) A procedure for developing and implementing the Site Specific Construction Noise Management Plans ('SSCNMPs') and Site Specific Construction Vibration Management Plans ('SSCVMPs') (as required by conditions CNV.6, CNV.7 and CNV.8 below) forming part of this CNVMP;
- (h) Methods and frequency for monitoring and reporting on construction noise and vibration;
- (i) Procedures for engaging with stakeholders, notification of proposed construction activities and responding to noise and vibration complaints consistent with conditions SCP.1-SCP.16;
- (j) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration and procedures for the management of behaviours for all construction workers;
- (k) Contact details for the Project Manager (or nominee) and the Requiring Authority's Project Liaison Person (phone and email addresses); and
- (l) The process for identifying businesses which operate processes, machinery or equipment that may be unreasonably disrupted by construction vibration even where the project vibration standards are met. For any such businesses identified, a SSCVMP shall be prepared in accordance with CNV.8 and complied with.

CNV.2 Where construction noise is predicted to exceed the standards in CNV.3, at any location, and a traffic noise barrier will ultimately be required for the operational phase, the Requiring Authority shall implement the required traffic noise barrier at that location in accordance with the SSCNMP. In the event that it is not practicable to install the traffic noise barrier at the location for construction-related reasons, prior to the commencement of work, the Requiring Authority shall install the traffic noise barrier as soon as it is practicable to do so.

CNV.3 Noise arising from construction activities shall be measured and assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise and (subject to CNV.6) shall comply with the noise standards set out Table CNV.A:

Table CNV.A: Construction noise standards

Day	Time	LAeq	LAFmax
Residential Receivers			

0630h Monday to 0630h Saturday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturdays 0630h Saturday to 0630h Sunday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sundays 0630h Sunday and Public Holidays to 0630h the following morning	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Industrial and commercial receivers			
All days	0730h – 1800h	70dB	--
	1800h – 0730h	75dB	--

CNV.4 Vibration arising from construction activities which may affect people and buildings 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 Category A vibration standards

Table CNV.B: Construction vibration standards for people and buildings

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

* For vibration, protected premises and facilities (PPFs) are defined as dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).

If measured or predicted vibration from construction activities exceeds the Category A standards, the Requiring Authority shall consult with the affected receivers to:

- (a) Discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur; and
- (b) Determine whether the exceedances could be timed or managed to reduce the effects on the receiver.

The Requiring Authority shall maintain a record of these discussions and make them available to the Council on its request.

If measured or predicted vibration from construction activities exceeds the Category B standards, those activities may only proceed subject to condition CNV.7

CNV.5 Vibration arising from construction activities which may affect underground pipe work shall be measured in accordance with DIN4150-3:1999 *Structural vibration – Part 3: Effects of vibration on structures*, and (subject to condition CNV.7) shall comply with the vibration standards in Table CNV.C.

Table CNV.C: Construction vibration standards for underground pipe work

Pipe material	PPV (measured on the pipe)
Steel (including welded pipes)	100 mm/s
Clay, concrete, reinforced concrete, pre-stressed concrete, metal (with or without flange)	80 mm/s
Masonry, plastic	50 mm/s

CNV.6 A SSCNMP shall be prepared when construction noise is either predicted or measured to exceed the standards in Table CNV.A, except where the exceedance of the standards in Table CNV.A is no greater than 5 decibels and:

- a. For day time between 0700 and 2200 - the exceedance of the standards in Table CNV.A does not occur on more than 14 consecutive days in any rolling 8 week period; or
- b. For night time between 2200 and 0700 - the exceedance of the standards in Table CNV.A does not occur on more than 2 consecutive nights in any rolling 10 day period.

The objective of the SSCNMP is to set out the BPO for the minimisation of noise effects of the construction activity. The SSCNMP shall as a minimum set out:

- i. Construction activity location, start and finish dates;
- ii. The predicted noise level for the construction activity;
- iii. Noise limits to be complied with for the duration of the activity;
- iv. The mitigation options that have been selected and the options that have been discounted as being impracticable;
- v. The proposed noise monitoring regime; and
- vi. The consultation undertaken with owners and occupiers of sites subject to the SSCNMP, and how consultation outcomes have and have not been taken into account.

The SSCNMP shall be submitted to the Council for certification at least 7 working days in advance of Construction Works which are covered by the scope of the SSCNMP. If the Council does not respond within 5 working days (excluding time associated with requesting and receiving further information) then certification is deemed to have been given.

CNV.7 A SSCVMP shall be prepared when construction vibration is either predicted or measured to exceed the Category B standards in Table CNV.B and the standards in Table CNV.C. The objective of the SSCVMP is to set out the BPO for the minimisation of vibration effects of the construction activity. The SSCVMP shall as a minimum set out:

- a. The relevant construction activity location, start and finish dates;
- b. The predicted vibration level for the construction activity;
- c. The pre-condition surveys of buildings and pipe work which document their current condition and any existing damage;
- d. An assessment of each building and any pipe work to determine susceptibility to damage from

vibration and define acceptable vibration limits that the works must comply with to avoid damage;

- e. The mitigation options that have been selected and the options that have been discounted as being impracticable;
- f. The proposed vibration monitoring regime;
- g. The methods adopted to minimise amenity effects on buildings which remain occupied during the works;
- h. The consultation undertaken with owners and occupiers of sites subject to the SSCVMP, and how consultation outcomes have and have not been taken into account.

The SSCVMP shall be submitted to the Council for certification at least 7 working days in advance of Construction Works which are covered by the scope of the SSCVMP. If the Council does not respond within 5 working days (excluding time associated with requesting and receiving further information) then certification is deemed to have been given.

CNV.8 For any buildings identified in condition CNV.1(l), the Requiring Authority shall prepare an SSCVMP which shall include:

- a. Consultation with the owners and/or occupiers of sites identified to ascertain the sensitivity of processes, machinery or equipment to construction vibration;
- b. Construction vibration limits specific to the sensitive activities which must be complied with that will avoid unreasonable disruption of the businesses;
- c. Procedures and methods for monitoring compliance with the vibration limits established;
- d. A process for dealing with any disagreement which may arise, particularly in relation to the determination of specific vibration limits;
- e. The relevant construction activity location, start and finish dates;
- f. The mitigation options that have been selected and the options that have been discounted as being impracticable; and
- g. The consultation undertaken with owners and occupiers of sites subject to the SSCVMP, and how consultation outcomes have and have not been taken into account.

CNV.9 If any damage to buildings or pipe work is shown to have occurred, by reference to pre-condition survey findings from CNV.7(c), as a result of vibration from the construction of the Project, any such damage shall be remedied by the Requiring Authority as soon as reasonably practicable subject to any associated asset and/or owner agreement.

Construction Traffic Management Plan

CTMP.1 A CTMP shall be prepared by a suitably qualified and experienced person and shall be submitted as part of the relevant OP.

CTMP.2 The purpose of the CTMP is to avoid or mitigate adverse effects on traffic safety and efficiency resulting from the construction works, in order to:

- a. Protect public safety, including the safe passage of pedestrians and cyclists;
- b. Minimise delays to road users, pedestrians and cyclists, and particularly public transport at all times, especially bus travel times at peak traffic periods during weekdays (06:30 to 09:30 and 16:00 to 19:00); and
- c. Inform the public about any potential impacts on the road network.

CTMP.3 The CTMP shall be prepared using best practice (to better understand the effects of

construction of the works subject of the OP on the affected road network), which may include the use of traffic modelling tools. Any such assessment shall be undertaken in consultation with Auckland Transport (including Auckland Transport Metro) and have the ability to simulate lane restrictions and road closures (unless otherwise agreed with Auckland Transport). The outcome of consultation undertaken between the Requiring Authority and Auckland Transport shall be documented and any Auckland Transport comments not acted on provided with the final CTMP when submitted to the Council.

CTMP.4 The CTMP shall describe the methods for avoiding, remedying or mitigating the local and network wide transportation effects resulting from the Project works subject of the relevant OP, and shall address the following matters:

- a. Methods to avoid, remedy or mitigate the local and network wide effects of the construction of individual elements of the Project (e.g. intersections/overbridges) and the use of staging to allow sections of the Project to be opened to traffic while other sections are still under construction;
- b. Methods to manage the effects of the delivery of construction material, plant and machinery (including oversized trucks);
- c. The numbers, frequencies, routes and timing of construction traffic movements;
- d. Traffic management measures to address and maintain traffic capacity and minimise adverse effects including, where applicable to the relevant OP:
 - i. Retaining the existing number of traffic lanes along SH1 (between Tristram Avenue and Oteha Valley Road);
 - ii. Retaining the extent of existing bus priority measures along SH1 (between the Albany Station and the Constellation Station), noting that the bus only on ramp from McClymonts Road and the bus only access to the Constellation Station may need to be temporarily closed. Any temporary closure will minimise adverse effects on buses and general traffic. The duration of any temporary closure shall be minimised as far as reasonably practicable;
 - iii. Retaining the existing number of through traffic lanes along SH18 between the Upper Harbour interchange and the Albany Highway interchange, noting that right turning movements to and from Paul Matthews Road may need to be temporarily closed. Any temporary closure will minimise adverse effects on buses and general traffic. The duration of any temporary closure shall be minimised as far as reasonably practicable;
 - iv. Retaining two traffic lanes on McClymonts Road, over SH1, noting that temporary restrictions to one lane or temporary full closures may be required; and
 - v. Retaining at least one traffic lane and one footpath on Rosedale Road, under SH1, except where night time or weekend closures may be required for heavy civil works such as bridge or deck lifting. This single traffic lane is to allow signalised one way traffic in alternate directions; and
 - vi. Maintaining pedestrian connectivity across SH18 via a controlled pedestrian and cycle crossing should the Alexandra Stream underpass be closed during construction.
- e. Measures to maintain existing vehicle access to private properties, or where the existing property access is to be removed or becomes unsafe as a result of the construction works, measures to provide alternative access arrangements in consultation with Auckland Transport and the affected landowner; and
- f. Measures to maintain pedestrian and cycle access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, (e.g. unless provision of such access is severed by the works or such access will become unsafe as a result of the construction works). Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours.
- g. Where applicable to the relevant OP, measures to ensure no more than 20 car parking spaces are removed from the Albany Park and Ride during the construction period unless otherwise provided for at an alternative nearby site agreed between Auckland Transport and the Requiring Authority during the construction of the Project.

- h. Include measures to avoid road closures, and the restriction of vehicle, cycle and pedestrian movements. Where there may be:
 - i. A restriction of cycle and pedestrian connectivity to schools, consultation with the Ministry of Education shall be undertaken; and
 - ii. A restriction on access to Waste Management NZ Limited ('WMNZ') from Rosedale Road, consultation with WMNZ shall be undertaken.
- i. Identify alternative routes for over-dimension and over-weight vehicles where these routes are affected during construction and consult with Auckland Transport and the freight industry (including affected local businesses) on the alternative routes or closures.

Public Transport Traffic Management Plan

CTMP.5 The CTMP shall include a specific Public Transport Traffic Management Plan ('PTTMP'). The PTTMP (and any amendments) shall be prepared in consultation with Auckland Transport. The purpose of the PTTMP is to define the process for identifying and managing the potential adverse effects of the Project on bus services. More specifically, the PTTMP shall address those road network/bus routes/bus services which interface with SH1, SH18, and the Busway, and which may be affected by the construction of the Project, in such areas as:

- a. Delays to services and reliability;
- b. Increased journey distances and/or duration;
- c. Frequency of services;
- d. Loss of service/replacement services; and
- e. The procedures and timeframes needed for planning and communicating any road network/bus routes/bus services changes with Auckland Transport (and its bus operators) and customers.

CTMP.5A For each of the above matters, the Requiring Authority shall develop and agree with Auckland Transport acceptable performance thresholds that shall be met to agreed key destinations, having regard to:

- a. Staging of the Project works;
- b. Duration of the Project works;
- c. Time of day/night that the works are conducted;
- d. Convenience to public transport patrons;
- e. Safety;
- f. Public transport patronage.

CTMP.5B The performance thresholds shall be developed with specific acknowledgement of the necessary temporary closure of: the bus only on ramp at McClymonts Road; the bus only access to the Constellation Station; and the right turn movements to and from Paul Matthews Road.

CTMP.5C The performance thresholds for the specified road network/bus routes/bus services shall be monitored by the Requiring Authority, using, where appropriate, data provided by Auckland Transport. The methods and frequency for the monitoring of the performance thresholds (and the reporting of the outcome of the monitoring) shall be agreed between the Requiring Authority and Auckland Transport.

CTMP.5D Where the monitoring undertaken demonstrates that the performance thresholds are not being met, then traffic management measures shall be reviewed by the Requiring Authority (in

consultation with Auckland Transport). In order to achieve the thresholds, such a review shall include, amongst other things:

- a. The staging of the construction activity;
- b. Methods to provide further prioritisation of bus services on certain routes;
- c. Methods to provide bus priority beyond the site(s) of the construction activity;
- d. The provision of additional or revised bus services to respond to delays/frequency of service;
- e. The measures to communicate changes to the road network/bus routes/bus services to the community.

Local roads used for heavy vehicle access to construction areas

CTMP.6 Prior to the commencement of construction of the works subject of the relevant OP, the Requiring Authority shall:

- a. Identify all access points from the Project construction areas accessing onto the local road network;
- b. Confirm existing levels of traffic using the road to which the proposed site access points relate;
- c. Estimate proposed construction vehicle volumes;
- d. Identify, in consultation with Auckland Transport, a monitoring programme to be implemented for the duration of construction of the Project (or relevant Project stage) to validate the construction vehicle volumes identified in (c)

CTMP.6A At least four weeks prior to the commencement of construction works identified in CTMP.6, the Requiring Authority shall submit to Auckland Transport, a RAMM visual condition assessment including a high-definition video and Pavement Strength Testing of the following:

- a. Where the construction site access point is onto an arterial road, the expected tracking curves of construction vehicles entering/ exiting via the relevant construction site access points; and
- b. Where the construction site access point is onto a local road between the access point(s), along the local road(s) to arterial road(s) and including the expected tracking curves of construction vehicles entering/ exiting the arterial road(s)

CTMP.6B At least two weeks prior to the Project construction works identified in condition CTMP.6 commencing, the Requiring Authority shall arrange a meeting with Auckland Transport to discuss and agree the findings of the RAMM visual condition assessment and the results of Pavement Strength Testing. The purpose of the meeting is to agree on any measures needed (if any) to manage the effects of construction traffic on the physical condition of the road(s), including limiting the volume of heavy vehicles, physical works to strengthen the road pavement before use or repairing/maintaining the road(s) in the event of damage attributable to the Project.

CTMP.6C Subject to condition CTMP.6B, the Requiring Authority shall undertake a weekly inspection of the matters identified in condition CTMP.6A or upon any complaints received, and a final inspection within one week of ceasing using each access point for construction. The inspections shall record photographic or video evidence of any damage on the road(s) and provide this to Auckland Transport upon request.

CTMP.6D Any damage identified as attributable to the Project by an appropriately qualified and experienced person in the areas identified by the inspections required in condition CTMP.6C shall be repaired within one week or within an alternative timeframe to be agreed with Auckland Transport. All repairs shall be undertaken by the Requiring Authority and shall be to the satisfaction of Auckland Transport.

Traffic noise (operation)

ON.1 For the purposes of conditions ON.2 to ON.11:

- a. BPO – means the Best Practicable Option in accordance with s16 of the RMA;
- b. NZ 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads (“NZS 6806”);
- c. Building-Modification Mitigation – has the same meaning as in NZS 6806
- d. Habitable Space – has the same meaning as in NZS 6806;
- e. Noise Assessment – means the Assessment of Operational Noise and Vibration submitted with the NoR;
- f. Major Construction Activity - means any construction activity that would result in an exceedance of the standards in CNV.3 and CNV.4
- g. PPFs – means Protected Premises and Facilities and has the same meaning as in NZS 6806. For the purpose of these conditions they also include all dwellings in Stage 1 of the Colliston Rise subdivision where Building Consent or Resource Consent which authorises the construction of a dwelling has been granted;
- h. Structural Mitigation – has the same meaning as in NZS 6806. For the purpose of these conditions the structural mitigation measures are low noise road surface materials and noise barriers;
- i. Work Area - means any area where construction works associated with the Project are undertaken (e.g. all active works areas and construction support areas); and
- j. The Design Year means 2031.

Structural mitigation

ON.2 Subject to conditions ON.7 and ON.7A, the Requiring Authority shall design and construct the Project to ensure that the predicted noise levels for the Proposed Design (contained in Appendix A to these conditions) are not exceeded by more than 2dB at any PPF.

Advice Note:

The predicted noise levels for the Proposed Design (including the full noise barrier along Upper Harbour Highway as recommended in the JWS) are contained in Appendix A.

ON.3 The Requiring Authority shall implement the following Structural Mitigation:

- a. Open Graded Porous Asphalt (or other low-noise road surfaces with equal or better noise reduction performance) on all sections of the Project except where a higher friction (for safety) or stronger surface is required; and
- b. The following noise barriers and heights shall be provided:

Southern side of SH18

- i. From the corner formed by the off ramp from SH1 to Upper Harbour Highway, westwards to the corner of Caribbean Drive and Upper Harbour Highway, height 2.4m.
- ii. From Caribbean Drive westwards to approximate chainage 1280, height 2.4m.
- iii. From chainage 1280 to 1410 approximately, height 4m.
- iv. From chainage 1555 to 1765 approximately, height 2.4m.
- v. From chainage 1880 to 1950 approximately, height 2.4m.

Northern side of SH18

- vi. 40m long in front of the childcare centre in Saturn Place, height 2.4m.
- vii. 50m long in front of the childcare centre in Omega Street, height 2.4m.

In the event that the Requiring Authority proposes to change any of the requirements of (a) and (b) above, it shall provide documentation from a suitably qualified and experienced acoustics specialist to the Council demonstrating that condition ON.2 will continue to be complied with.

ON.4 Within twelve months of completion of construction of the Project, the Requiring Authority shall prepare and submit a report to the Council which demonstrates compliance with conditions ON.2 and ON.3. The report shall be prepared by a suitably qualified and experienced acoustics specialist and shall contain a description of, and the results from, a computer noise model of the Project as constructed.

The report shall include the results of field measurements at a minimum of six representative PPFs within the Project. The results of the noise level monitoring shall be used to verify the computer noise model.

Field measurements shall be in accordance with NZS 6806.

ON.5 The noise barriers shall be maintained so that they retain their designed noise reduction performance.

ON.6 The low noise road surfaces shall be maintained so that they retain their noise reduction performance as far as practicable.

Building-Modification Mitigation

ON.7 Prior to construction of each stage of the Project, a suitably qualified acoustics specialist approved by the Council shall identify those PPFs where, following implementation of the Structural Mitigation measures, either:

- a. Both of the following occur:

- i. A noise level increase of more than 2dB will occur due to road-traffic noise from the Project (determined by comparing the predicted noise levels for the final design with the predicted noise levels for the Do-nothing option as contained in Appendix A to these conditions); and
- ii. Habitable spaces are expected to receive in excess of 45dB LAeq(24hr) from motorway operational noise with windows closed, in the Design Year;

or

- b. Noise levels are greater than 67dB LAeq(24hr) (assessed in accordance with NZS6806).

For those PPFs that (a) or (b) apply to, the Requiring Authority shall set out options as to what Building Modification Mitigation are available to achieve 40 dB LAeq(24hr) for habitable spaces using the process set out in Conditions ON.8 to ON.11.

Where sites contain PPFs that are subject to resource consents requiring noise attenuation, this condition shall only apply to the extent that Project noise exceeds the noise level predicted when the resource consent was granted.

ON.7A Prior to Major Construction Activity in the relevant Work Area, the Requiring Authority shall write to the owner of that PPF requesting entry to assess the noise reduction performance of the existing building envelope. If the owner agrees to entry within 3 months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building and assess the noise reduction performance of the existing building envelope and determine what Building-Modification measures are required to achieve an operational noise level of 40 dB L Aeq(24h) for habitable spaces.

ON.8 For each PPF identified under condition ON.7, the Requiring Authority is deemed to have complied with condition ON.7A if:

- a. The Requiring Authority's acoustics specialist has visited and assessed the PPF; or
- b. The 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 owner did not agree to entry within three months of the date of a Requiring Authority letter seeking entry for assessment purposes (including where the owner did not respond within that period); or
- d. The owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project or after reasonable time has not responded.

If any of (b) to (d) above applies to a PPF identified under condition ON.7, the Requiring Authority is not required to implement Building-Modification Mitigation to that PPF.

ON.9 Subject to condition ON.8, within three months of the assessment required by condition ON.7A, the Requiring Authority shall write to the owner of each PPF identified under condition ON.7 advising:

- a. If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and
- b. The options for Building-Modification Mitigation to the building, if required; and
- c. That the owner has twelve 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.

ON.10 Once an owner has confirmed which Building-Modification Mitigation option is preferred, the mitigation shall be implemented by the Requiring Authority, including obtaining any Council consents, within a mutually agreeable and reasonable timeframe, and where practicable, prior to a Major Construction Activity commencing in the relevant Work Area.

ON.11 Where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with condition ON.10 if:

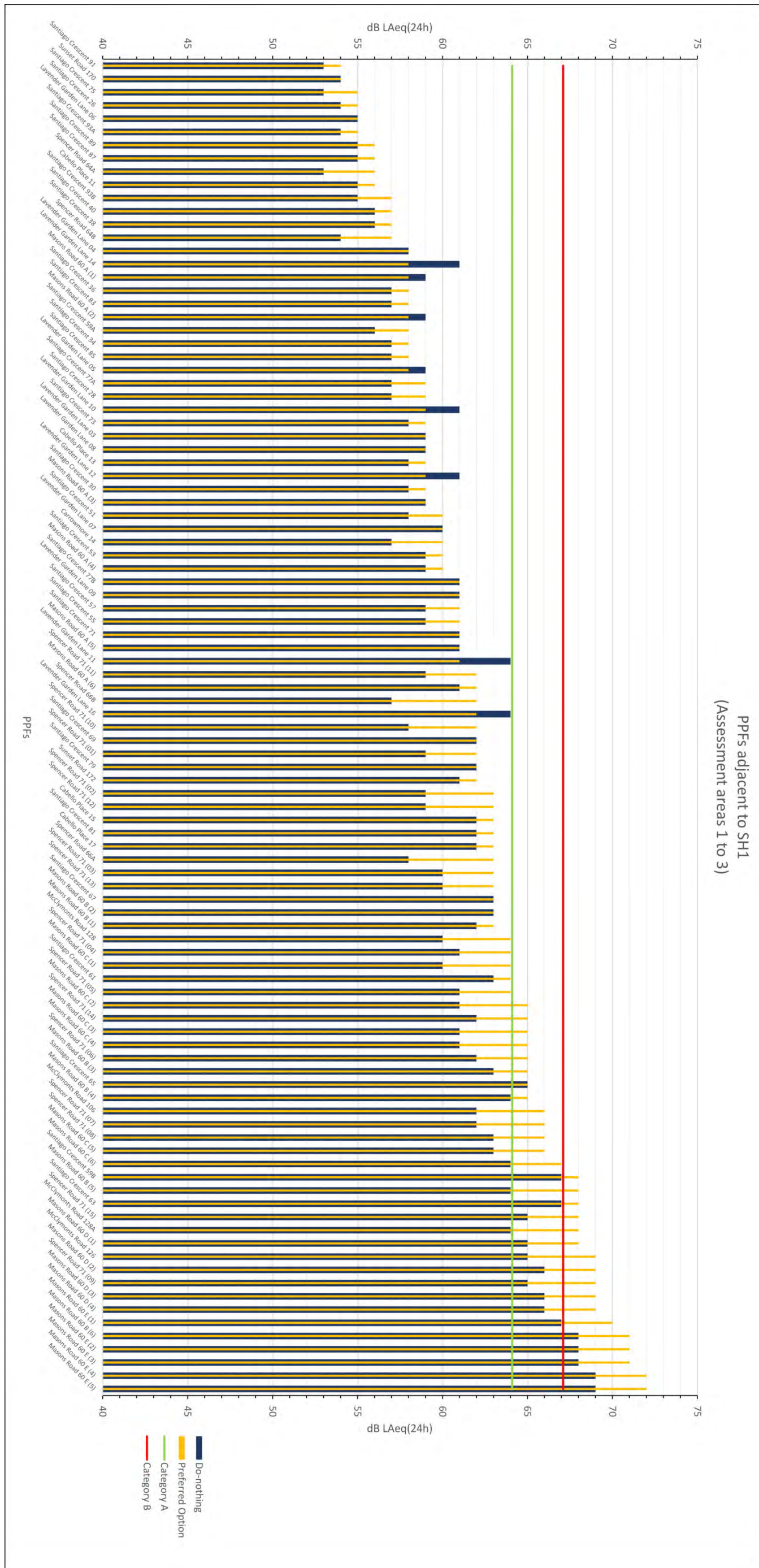
- a) The Requiring Authority has completed Building-Modification Mitigation to the PPF; or
- b) An alternative agreement for mitigation is reached between the Requiring Authority and the owner, and that mitigation option has been completed; or
- c) The owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with condition ON.9 (including where the owner did not respond within that period).

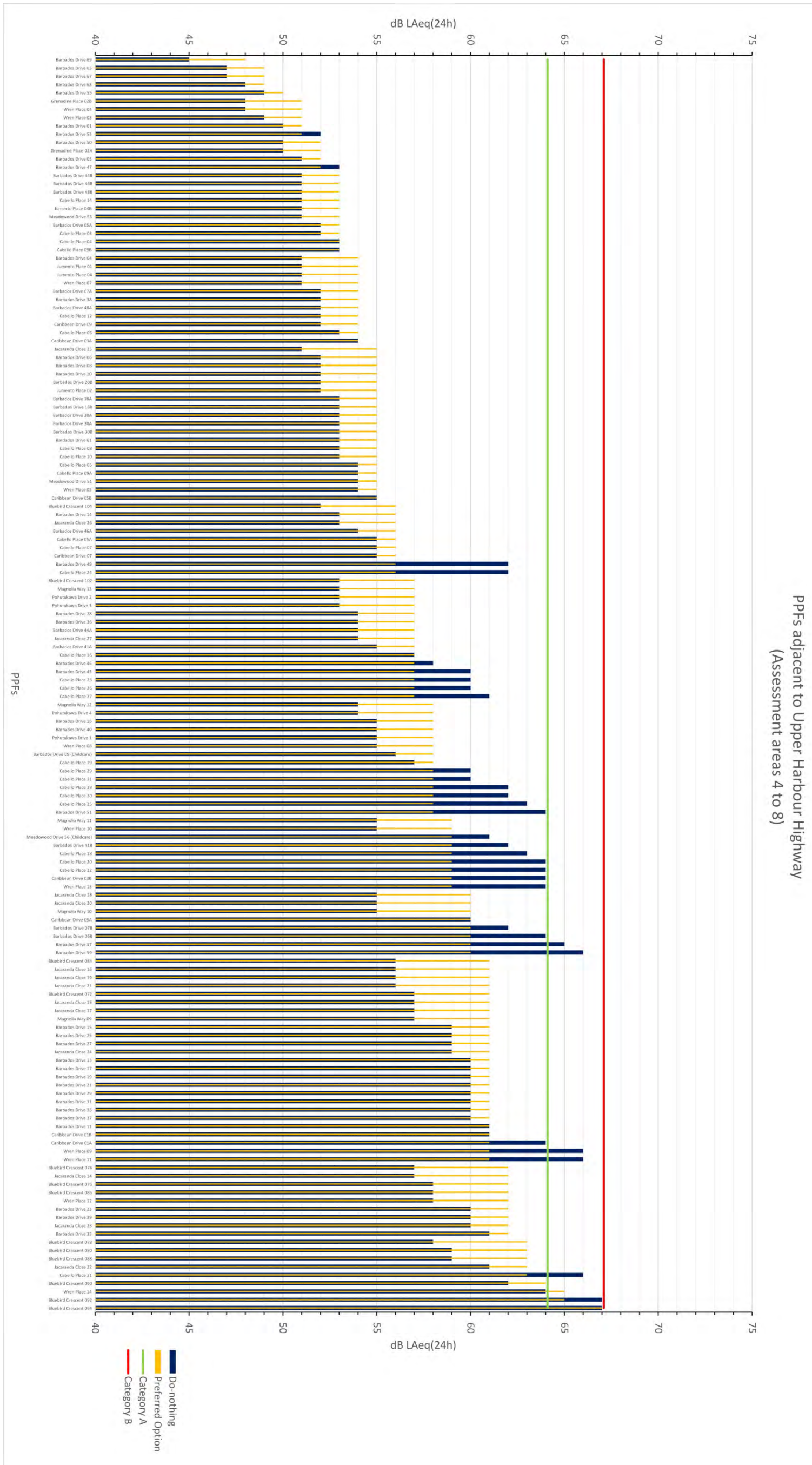
Operational Noise Conditions

Appendix A

The following graphs show predicted noise levels for all PPFs identified in accordance with ON.2, and are based on the following factors:

- a) All noise levels are predicted for the design year (2031), with all structural mitigation (noise barriers and low noise road surface) implemented.
- b) All predictions are for the highest floor of each building.
- c) For Colliston Rise Stage 1, the predictions are for a nominal location 3 metres from the western boundary of each Lot, at a height of 4.5 metres above ground level, representing the second floor level.
- d) Predictions are sorted from lowest to highest for the Proposed Design.







Operational Vibration

OV.1 Vibration generated by traffic shall comply with Class C of Norwegian Standard NS8176.E:2005 *Vibration and Shock* – Measurement of vibration in buildings from land-based transport and guidance to evaluation of its effects on human beings in any lawfully established occupied building.

In the event that there is a complaint about vibration in any lawfully established occupied building, the Requiring Authority shall, subject to land owner approval, investigate whether:

- a. The vibration complies with the Standard; and
- b. It is caused by defects in the motorway.

If the vibration does not comply with the Standard and is caused by defects in the motorway, the Requiring Authority shall rectify the defects so that the Standard is complied with in the building that is the subject of the complaint.

Urban Design and Landscape

UDL.1 The Requiring Authority shall submit an Urban Design and Landscape Plan ('UDLP') to the Council as part of the OP required under section 176A of the RMA.

UDL.2 The purpose of the UDLP is to outline:

- c. The methods and measures to avoid, remedy and mitigate adverse effects on landscape amenity during the construction phase of the Project;
- d. The requirements for the Project's permanent landscape mitigation works; and
- e. The landscape mitigation maintenance and monitoring requirements.

UDL.3 The UDLP shall be prepared by a suitably qualified and experienced person in accordance with:

- a. The NZ Transport Agency's *Urban Design Guidelines: Bridging the Gap* (2013) or any subsequent updated version
- b. The NZ Transport Agency's P39 Standard Specification for Highway Landscape Treatments (2013).

UDL.4 The Outcomes Sought set out in Chapters 5 and 6 of the UDLF (Revision 3) shall be given effect to through the UDLP in relation to the following matters:

- a. Urban design and landscape treatment of all major structures, including bridges, underpasses, retaining walls and noise walls and barriers;
- b. Urban design and landscape treatment of the new structures at Constellation and Albany Bus Stations;
- c. Integrated landscape treatment of permanent stormwater management ponds, wetlands and swales;
- d. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/cycle bridges or underpasses; and
- e. Design and treatment options on or adjacent the following properties:
 - i. The western most residences at 60B Masons Road that overlook the proposed Albany Busway overbridge;

- ii. Lots 25, 26, 27 and 28 in Colliston Rise, directly adjacent to the proposed retaining walls;
- iii. 33, 35, 37, 39, 41B, 43, 45, 51, 57, 59 Barbados Drive, and 9, 11, 13 and 14 Wren Place and
- iv. The solid 2m high wall on the edge of the SUP adjacent to the Waste Management Ltd facility at 117 and 123 Rosedale Road.
- f. Design and maintenance of lighting, including on the carriageways, bridges and other structures, busway, and shared use paths
- g. Detailed design of the shared use path, busway and flyover adjacent to the Kiwi Storage Ltd site, with the object of minimising any adverse visual effect on that site, as far as practicable

UDL.5 The Requiring Authority shall undertake mitigation and enhancement planting in general accordance with the requirements of Sections 5 and 6 of the UDLF (Rev. 3). The UDLP shall include details of proposed mitigation planting including as follows:

- a. Identification of vegetation to be retained, protection measures, and planting to be established along cleared edges;
- b. Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods;
- c. The proposed staging of planting in relation to the construction programme, including provision for planting within each planting season following completion of works in each stage of the Project and detailed specifications relating to (but not limited to) the following:
 - i. Weed control and clearance;
 - ii. Pest animal management;
 - iii. Ground preparation (topsoiling and decompaction);
 - iv. Mulching;
 - ix. Plant sourcing and planting, including hydroseeding and grassing; and
- d. Details of a proposed maintenance and monitoring programme.

UDL.5A The Requiring Authority shall maintain and monitor the mitigation and enhancement planting for a minimum of 4 years following the planting being undertaken. The Requiring Authority shall monitor the planting in accordance with the programme required by condition UDL.5(d), including monitoring for any patches in planted areas greater than 4m² where there is multiple plant failure (either stunted growth or death) and replant these areas as necessary.

UDL.6 The UDLP shall include a Reserve Reinstatement Plan for the following reserves (or parts thereof) directly affected by the construction works:

- a. Rook Reserve;
- b. Arrenway Reserve; and
- c. Meadowood Reserve.

Advice Note

Appendix A to the Board of Inquiry Decision illustrates the location of affected reserves.

UDL.6A The Reserve Reinstatement Plans shall be prepared in consultation with Council Parks and shall include the following details (as appropriate to the subject reserve):

- a. Removal of structures, plant and materials associated with construction;
- b. Replacement of boundary fences to the same or similar type to that removed;
- c. Reinstatement of grassed areas to a similar condition as existed prior to construction;
- d. Replacement of trees and other planting removed for construction on a one-for-one basis (or as otherwise agreed with Council Parks); and
- e. Details of way finding interpretation signage within and adjacent to the reserve.

UDL.6B The Rook Reserve Reinstatement Plan shall be prepared in consultation with Council Parks and shall include the following details:

- a. A level grassed area minimum dimensions of 30m by 30m suitable for informal ball games;
- b. A 10m by 10m level surface located adjacent to the stormwater pond, with the dual function of providing for occasional use by stormwater pond maintenance machinery and a single basketball hoop and half court, located at the eastern end of the pond;
- c. Amenity and screen planting along the boundary of the reserve with State highway 18;
- d. Details of the proposed access around the stormwater pond for maintenance, including any additional necessary hard stand areas;
- e. Grassed slopes (where possible) at the upper levels of the reserve to allow passive surveillance from neighbouring residential properties (with scattered amenity trees);
- f. All grassed areas are to have a slope of no more than 1:5 to allow for mowing, with steeper gradients to be landscaped;
- g. Re-contouring and landscaping of the remainder of the reserve, including features such as walkways and seating; and
- h. Prior to commencement of construction on the reserve, the existing fitness equipment in Rook Reserve is to be removed and replaced with three new equivalent pieces of equipment in Barbados Reserve.

UDL.6C In addition to the Reserve Reinstatement Plans above, the UDLP shall in relation to the Landfill provide boundary fencing, replace any trees and landscaping equivalent to those removed or affected by the construction of the retaining wall, provided that any landscaping does not compromise sightlines required for the new motorway and / or busway and/or the shared use path.

UDL.7 A draft of the UDLP shall be submitted to the Council Urban Design Advisory Panel for comment before finalisation and submission with any OP in accordance with Condition UDL.1.

UDL.8 All work shall be carried out in accordance with the UDLP.

UDL.9 For the purpose of staging works, the Requiring Authority may prepare staged or site specific UDLPs. The Requiring Authority shall consult with the Council about the need and timing for any site-specific or staged UDLPs.

UDL.10 The Requiring Authority may submit amendments to the UDLP to the Council. Any works in accordance with the amended UDLP shall not commence until the process under section 176A of the RMA has been completed in relation to those aspects of the UDLP that are being amended.

UDL.11 The UDLPs shall be prepared in partnership with the Transport Agency Central Northern Iwi Integration Group ('IIG'). This consultation shall commence at least 30 working days prior to submission of each UDLP to the Council. Any comments and inputs received from the IIG shall be clearly documented within the UDLP, along with a clear explanation of where any comments or suggestions have not been incorporated and the reasons why.

UDL.12 Any UDLP that includes land within the Watercare Designations 9310 and 9311 shall be prepared in consultation with Watercare Services Limited.

Alexandra Stream Underpass

UDL.13 The Requiring Authority shall implement the following measures to address public safety concerns associated with the Alexandra Stream Underpass:

- a. Path realignment of the southern entrance to the underpass to suit a minimum cyclist design speed of 15km/h, provided realignment works do not impact the Alexandra Stream;
- b. Improved lighting within the underpass; and
- c. Inclusion of CCTV within the underpass.

UDL.14 The measures outlined in UDL.13 shall be designed and implemented in consultation with Council Parks, Bike Auckland and Auckland Transport.

Paul Matthews Road Bridge

UDL.15 During the detailed design phase of the Paul Matthews Road Connection, the Requiring Authority shall consult Bike Auckland on the layout and detailed design of the shared use path.

Stakeholder and Communications Plan ('SCP')

SCP.1 The Requiring Authority shall appoint a community liaison person for the duration of the construction phase of the Project to be the main point of contact for persons affected by the Project.

SCP.2 The Requiring Authority shall ensure that the contact details (phone, postal address, and email address) of the community liaison person and the details of the complaints process set out in Condition SCP.12 are:

- a. Included in the SCP required under Condition SCP.3;
- b. Advertised in the relevant local newspapers and community noticeboards prior to the commencement of the Project;
- c. For each Project stage, included in a leaflet to be issued to all properties within that Project stage contained within the 45 dB LAeq Contour (Residential Night) as shown on the Construction Noise Mark Up drawings contained at Appendix E of the Assessment of Construction Noise and Vibration (9 December 2016) prior to the commencement of the relevant Project stage;
- d. Provided at the community events required under Condition SCP.6 and
- e. Included within the Requiring Authority's website pages for the Project.

SCP.3 At least two months prior to the commencement of construction works for the relevant OP, the Requiring Authority shall submit a SCP to the Council.

SCP.4 The Requiring Authority shall provide a draft SCP to the Council for comment at least three months prior to the commencement of construction. In finalising the SCP, the Requiring Authority shall detail how comments received from the Council have been addressed.

SCP.5 The purpose of the SCP is to set out the procedures for communicating with the affected communities and key stakeholders throughout the construction period including types and regularity of engagement events and the methods proposed to avoid, remedy or mitigate, as far as practicable, disruption to residents, businesses and schools as a result of construction activities.

SCP.6 The SCP shall contain the following:

- a. Communication methods for informing the affected community of construction progress, including the expected duration of the works and proposed hours of operation outside normal working hours and Project contact details;
- b. Identification of key stakeholders including community groups, business groups, residents' organisations, childcare groups, the Council, Auckland Transport, Watercare, Ministry of Education, Waste Management NZ Limited, the Melanesian Mission and St Johns Trust Board, the IIG and the Local Boards;
- c. Consultation processes to reach the affected communities and key stakeholders in order to foster good relationships and to provide opportunities for learning about the Project and detail on when each of these processes will be used; and
- d. Business and education disruption management processes.

SCP.7 The consultation processes required under SCP.6(c) shall provide for, as a minimum, the following:

- a. At least two months prior to construction commencing for the relevant Project stage, provision of an inaugural community information event or events, to explain the Project and outline the process to review and comment on Project mitigation and UDLPs;
- b. Briefings for key stakeholders (including emergency services, business associations, local boards and road user groups) at least quarterly, and ahead of all major milestones or road closures;
- c. Regular consultation events or information days, held as appropriate, but at least once per month when construction works are taking place, to provide the opportunity for the affected communities to have input into the Project.
- d. Targeted community events at least one month prior to construction commencing in each of the following Work Areas:
 - SH1/SH18 interchange;
 - SH18 realignment;
 - Rook Reserve;
 - Rosedale Road;
 - Constellation and Albany Bus Stations; and
 - McClymonts Road (including Albany Busway Bridge).
- e. Notification of consultation events and information days to the public and community groups.
- f. Publication and circulation of records from consultation events and information days.
- g. A requirement for the Requiring Authority to ensure that appropriate personnel attend both the stakeholder and community events to explain the Project programme and staging, how the effects are proposed to be managed and to respond to any questions.

h. A requirement to produce a draft report summarising the main points arising from each consultation event, reporting on any social impacts unforeseen effects of the Project, along with recommendations on the measures to mitigate those effects. The Requiring Authority shall ensure that a copy of the draft report is provided to the Council and to meeting attendees within 10 working days of the event to provide an opportunity for feedback. Feedback will be provided within 5 working days of receiving the draft report.

i. A requirement to finalise and circulate the consultation summary report within 5 working days of receiving feedback.

SCP.8 The events required under condition SCP.7(b), shall:

a. Provide regular updates on Project progress, in particular advanced notice of upcoming works including closures and traffic management plans.

b. Enable the effects of Project construction on the community (including businesses) to be monitored by providing regular forums through which information about the Project can be provided.

c. Enable opportunities for feedback on proposed construction impact measures.

d. Enable the affected communities and key stakeholders the opportunity to provide feedback on the development of, and any material changes to the UDLPs.

e. Enable opportunities for concerns and issues to be reported to and responded to by the Requiring Authority, including opportunities for updates to the SCP.

SCP.9 The business and education disruption management processes required under condition SCP.6(d) shall include details of the measures to be implemented to avoid, remedy or mitigate, as far as reasonably practicable, disruption to businesses and education facilities as a result of construction activities including:

a. Measures to maximise opportunities for customer and service access to businesses that will be maintained during construction;

b. Measures to mitigate potential severance and loss of business visibility issues by way-finding and supporting signage for pedestrian detours required during construction; and

c. Other measures to assist businesses to maintain client/customer accessibility, including but not limited to client/customer information on temporary parking or parking options for access and delivery.

d. Measures to enable ongoing pedestrian and cycle connectivity to education facilities during the Project.

SCP.10 The Requiring Authority shall implement the SCP for the duration of the construction works and for six months following practical completion of the Project.

SCP.11 The SCP shall be reviewed six monthly for the duration of the construction works and updated as required. Any updates to the SCP shall be provided to the key stakeholders and reported at the events required under condition SCP.7(c)

Complaints process

SCP.12 Prior to the commencement of construction, the Requiring Authority shall establish a 24 hour toll free telephone number and an email address for receipt of complaints from the community. The 24 hour toll free telephone number shall be answered at all times and shall be maintained for the duration of the Project.

SCP.13 At all times during construction work, the Requiring Authority shall maintain a permanent register of any complaints received relating to the construction works, including the full details of the complainant and the nature of the complaint.

SCP.14 The Requiring Authority shall respond to any complaint within 24 hours of receipt of the complaint, except where an immediate hazard is present or where the complaint relates to construction noise or vibration, in which case the Requiring Authority shall use its best endeavours to respond immediately. A formal written response shall be provided to the complainant and the Council within 10 days of complaint receipt.

SCP.15 For the period of the construction of the Project, the Requiring Authority shall maintain a written complaints register containing the following information:

- a. The details of the complainant;
- b. The nature of the complaint;
- c. The investigations undertaken into the complaint; and
- d. Any remedial actions undertaken to address the complaint.

SCP.16 The Requiring Authority shall keep a copy of the complaints register required under SCP.15 on site and shall provide a copy to the Council once a month and more frequently upon request

Greenwich Way Shops

SCP.17 At least two weeks prior to the closure of the off-ramp from SH18 onto Unsworth Drive, the Requiring Authority shall, in consultation with the Greenwich Way shop owners and operators and if requested by those owners and operators:

- a. Provided that all necessary approvals can be obtained from the road controlling authority, install wayfinding signage at the junction of Barbados Drive and Unsworth Drive; and
- b. Advertise the range of services, location and trading hours of the Greenwich Way shops by:
 - i. Undertaking a leaflet drop to all properties contained between SH18, Caribbean Drive, Sunset Road and Albany Highway; and
 - ii. Placing advertisements in the relevant local newspapers.

SCP.18 The Requiring Authority shall carry out the actions required by Condition SCP.17 (a) and (b) at least two weeks prior to closure of the off ramp from SH18 onto Unsworth Drive and repeat the advertising required by Condition SCP.17 (b) once a month for three months following the first leaflet drop and newspaper advertisements.

SCP.19 At least two months prior to the closing of the off ramp from SH18 onto Unsworth Drive the Requiring Authority shall, in consultation with the Greenwich Way shop owners and operators, and if requested by those owners and operators, provide advice and assistance to those owners and operators to prepare a business/marketing plan for their premises,

International Hockey Facility

IHF.1 Unless otherwise agreed between the Requiring Authority and the Harbour Hockey Charitable Trust, prior to any works commencing within any part of the North Harbour Hockey Facility lease area, the Requiring Authority shall, in consultation with Harbour Hockey Charitable Trust, relocate the North Harbour Hockey facility on an equivalent basis. This shall include the following elements:

- a. Three water-based artificial hockey pitches with all fields to meet equivalent current

International Hockey Federation ('**FIH**') design standards as existing fields;

- b. One grass pitch (or land prepared for installation of a fourth artificial hockey pitch);
- c. A pavilion building of similar size, quality and finish that provides clubrooms, function rooms, changing rooms, and other amenities consistent with those at the existing North Harbour Hockey Facility but shall be designed to meet current FIH and building code standards; and
- d. Lighting, car parking, public address system, storage sheds, dug-outs, and associated other facilities consistent with those at the existing North Harbour Hockey Facility.

If the replacement facility is located proximate to the existing satellite sand based pitch within Rosedale Park, suitable access from the replacement facility to the existing sand based pitch will be provided. In the event that the new hockey facility is not located sufficiently close to the existing satellite sand pitch (which is in Rosedale Park to the north of the existing North Harbour Hockey Facility) to enable convenient access, an equivalent sand based pitch shall be provided as part of the replacement facility.

If agreed with HHCT, relocation to the new North Harbour Hockey Facility may be undertaken in stages.

Attachments

No attachments.

New/Alterations & Withdrawals to Designations
(Go Live 29th November 2018)

Amendments to Auckland Unitary Plan GIS Viewer (maps)

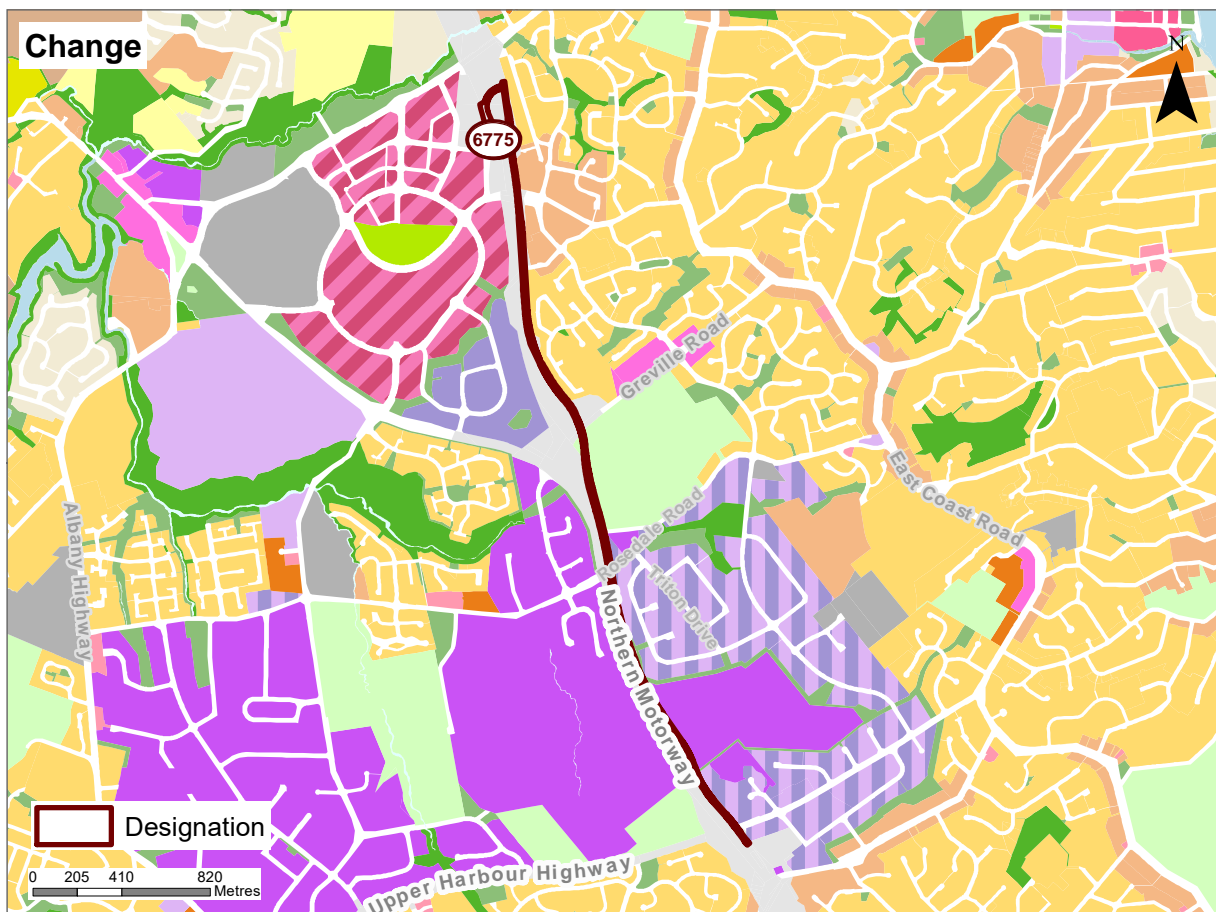
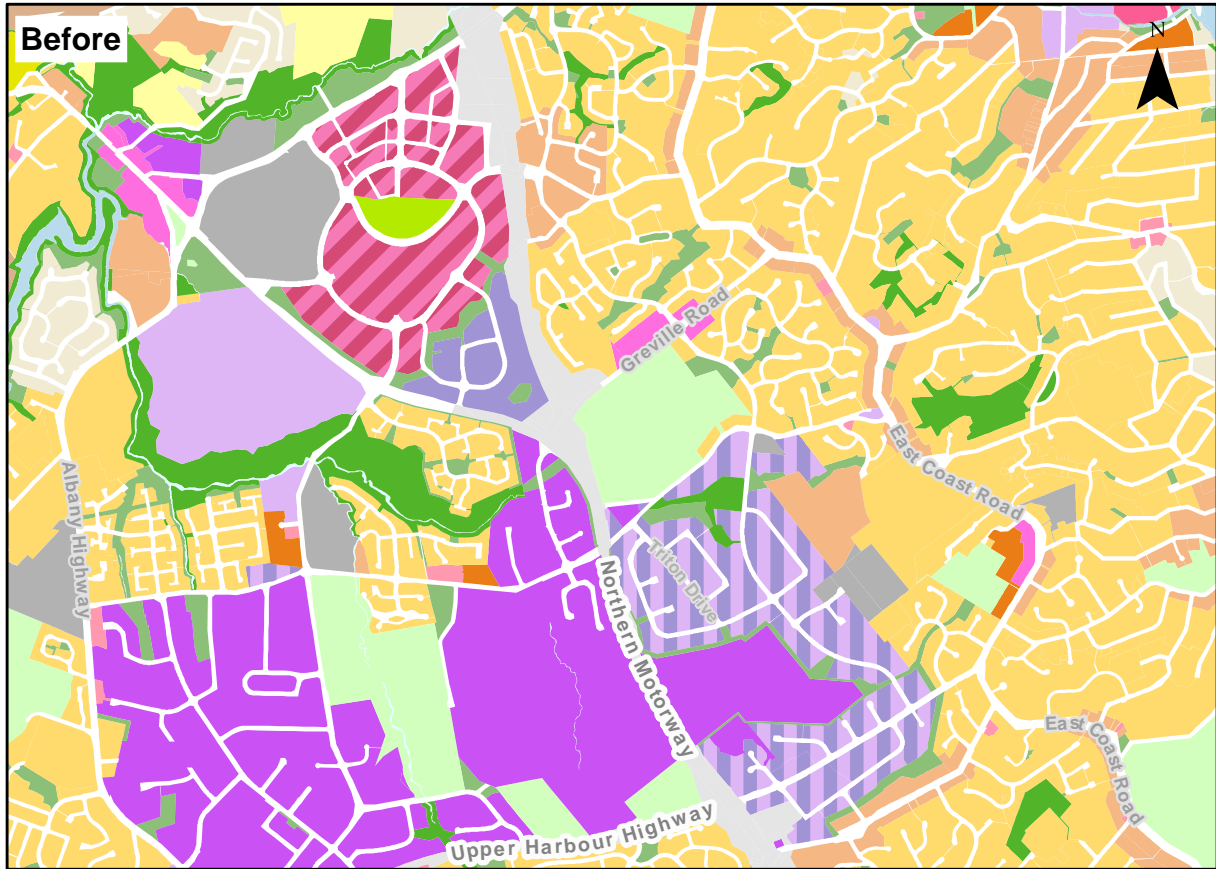
Affected map layers : Designations

Designation: 6775

Name: State Highway 1 – Northern Busway Extension

Requiring Authority: New Zealand Transport Agency

New Designation



UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren Maclellan, Manager Planning North West and Islands

FROM Jo Hart, Principal Planner, Planning North West and Islands

DATE 29 August 2018

SUBJECT **Designation in accordance with s181(3) of the Resource Management Act of the Auckland Unitary Plan (AUP) Operative in part (15 November 2016)**



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Confirmed notice of requirement for a new designation for the State Highway 1 and State Highway 18 Shared Use Path (as part of the Northern Corridor Improvements Project)	
Chapter	Chapter K Designations
Section	New Zealand Transport Agency
Designation only	
Designation # 6776	State Highway 1 and State Highway 18 Shared Use Path
Locations:	Adjacent to the east of State Highway 1 from Constellation Bus Station to Oteha Road, adjacent to the north of State Highway 18 from Constellation Drive to Albany Highway, and intermediate linkages to the local network
Lapse Date	7 years
Purpose	Shared Use Path – for the construction, operation and maintenance of the Shared Use Path and ancillary works including approaches, ramp connections, ancillary safety and operational services (including communications), vegetation removal, stormwater treatment, temporary construction works including storage areas and office facilities, maintenance and access areas, mitigation and restoration, ancillary structures and activities associated with these works.
Changes to text (shown in underline and strikethrough)	<p>This update incorporates amendments to conditions arising from the following alterations to the designations associated with the Northern Corridor Improvements Project (NCI):</p> <ul style="list-style-type: none"> Northern Corridor Improvements Project (as confirmed by the Board of Inquiry (BOI) 16 November 2016) Section 181(3) notice of requirement for an alteration to a designation associated with the NCI – Conditions DC.1a, DC2.A, ON.3b(iii), UDL.4(iii) and UDL.15 (confirmed 8 May 2018) <p>Refer to the link below for the NCI Board of Inquiry Final Report and Decision and to the attachments for details of the two Section 181(3) notice of requirements for an alteration to a designation:</p>

	<ul style="list-style-type: none"> • NCI Board of Inquiry Final Report and Decision https://www.epa.govt.nz/public-consultations/decided/northern-corridor-improvements/final-report-and-decision/
Changes to diagrams	N/A
Changes to spatial data	Multiple amendments to spatial data associated with the Northern Corridor Improvements Project (as confirmed by the Board of Inquiry 16 November 2016).
Attachments	<ul style="list-style-type: none"> • Section 181(3) Report and decision (confirmed 8 May 2016) including track changes to the BOI confirmed conditions. • 6776 State Highway 1 and State Highway 18 Shared Use Path designation text • 6776 State Highway 1 and State Highway 18 Shared Use Path Map

Prepared by:

Jo Hart
Principal Planner
Planning North West and Islands



Signature:

Maps prepared by:

Mitesh Bhula –
Senior Geospatial Analyst
Aucklandwide



Signature

**Warren MacLennan
Manager**



Signature

Text entered by:

Bronnie Styles
Planning Technician
Planning Auckland-wide



Signature:

Reviewed by:

Jo Hart
Principal Planner
Planning North West and Islands



Signature:

8 May 2018

Northern Corridor Improvements
Level 1 Jacobs House
12 Nicholls Lane
Parnell
Auckland 1052

Attention: Maree Drury

Dear Maree

Re: Notice of for a minor alteration to Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road in the Auckland Unitary Plan.

Auckland Council has considered your request to alter the existing designations associated with the Northern Corridor Improvements Project as listed above.

The proposed alteration to the designations has been processed and confirmed in accordance with the statutory tests of Section 181(3) of the Resource Management Act 1991. The Section 181(3) confirmation report for the minor alteration is attached.

The Auckland Unitary Plan will be amended in due course.

If you have any questions please contact Jo Hart on 09 8908291

Yours sincerely



David Sanders
Team Leader – Planning North West and Islands
Plans and Places

Notice of requirement for a minor alteration to a designation under section 181(3) of the Resource Management Act 1991



Notice of requirement description

Designation number:	Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road.
Requiring authority:	New Zealand Transport Agency
Site address:	Various – between Oteha Valley Road and SH1/SH18 intersection and along SH18 to Albany Highway.

Summary

Auckland Council has received a request from the New Zealand Transport Agency under section 181(3) of the Resource Management Act 1991 (RMA), dated 15 February 2018, to alter designations associated with the Northern Corridor Improvements Project (Attachment A).

It is considered after undertaking an assessment of the notice, that the proposed alteration meets the statutory tests of section 181(3) of the RMA and can therefore be processed and confirmed as a minor alteration.

Recommendation

1. That the proposed alteration of Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road in the Auckland Unitary Plan be **confirmed**, subject to the amended conditions (Attachment B) for the following reasons:
 - the alteration involves no more than minor changes to the effects on the environment associated with the use of the land;
 - there are no adjustments to the boundaries of the existing designation;
 - both the requiring authority and Auckland Council agree with the alteration; and

- the land is either owned and occupied by the New Zealand Transport Authority or alternative processes are under way e.g. acquisitions through the Public Works Act, temporary occupation agreements, easements etc.
2. That the text for the Designations, as listed above, is altered in Chapter K Designations in the Auckland Unitary Plan.

1. Background

1.1. Minor alteration to a designation

Auckland Council has received a notice of requirement (NoR) for an alteration to designations associated with the Northern Corridor Improvements Project (NCI), as listed above, from the New Zealand Transport Agency under section 181(3) of the RMA.

The alteration is required to modify conditions confirmed in the Board of Inquiry (BOI) decision, dated 16 November 2017, to reflect minor changes made during the detailed design process. These changes are as follows:

- a minor reconfiguration of the Paul Matthews Road and Caribbean Drive connection
- the replacement of the State Highway 1 to State Highway 18 flyover with an underpass.

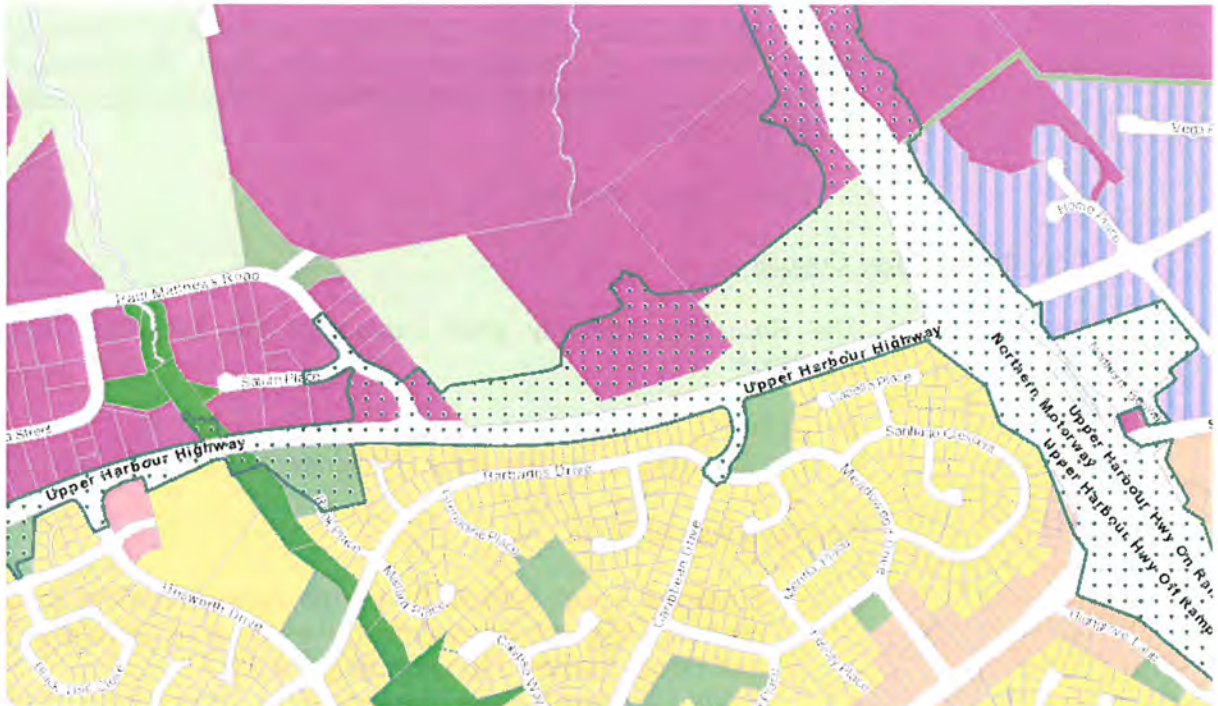
The alteration involves an amendment to General Condition DC.1 to change the reference of two of the drawings presented to the BOI to the NCI Alliance updated detailed design drawings. Minor consequential amendments and additions are also proposed in relation to:

- the operational noise conditions (ON.3 (a)(iii)) to allow for the construction of a slightly higher noise wall
- the urban design conditions (UDL.4 (e)(iii) and UDL.15) to ensure mitigation of the higher noise wall proposed in relation to visual effects on adjacent properties.

There are no alterations proposed to the boundaries of the designations.

1.2. Land affected by the alteration

The land affected by the alteration to the designation is located around the SH18 interchange with SH1 and at Paul Matthews Road, near the Watercare Rosedale Treatment Plant and Constellation Reserve, as shown in the Auckland Unitary Plan map below:



Map 1: AUP map showing vicinity of proposed alterations.

1.3. Description of the site and existing environment

This section of the Northern Corridor contains the SH1 and SH18 highway corridors. The intersection of SH1 and Constellation Road is to the east and SH18 to the west. Residential housing is located to the south of the SH18 alignment. Constellation Reserve, which forms part of Watercare’s odour buffer designation, and the Rosedale Wastewater Treatment Plant (RWTP) and ponds are located to the north. An area of General Business zoned land lies to the north-east of the SH1/SH18 intersection. The Constellation Bus Station is located to the south-east of the intersection and is currently accessed via the Constellation off-ramp and crossing Constellation Drive to get to the beginning of the Northern Busway.

1.4. Proposed alterations to conditions

The requiring authority has requested the alteration of four of the confirmed EPA conditions. These are as follows:

General Conditions:

Condition DC.1 Except as modified by the conditions below, and subject to final design, the Northern Corridor Improvements Project shall be carried out in general accordance with:

a. General arrangements drawings

Sheet 1 and 2, DRG 0201-0202, Rev J

Sheets 3 - 8, DRG 0203-0208, Rev H

Sheets 9 – 10, DRG 0209-0210, Rev I (Revised Alteration to Designation Boundary – Bluebird Reserve)

Subject to the minor changes in relation to the State Highway 1 to State Highway 18 underpass and the Paul Matthews Road configuration as shown in Sheets NCI-R-1002-DG-108-A and NCI-R-1002-DG-106-A.

b. Typical cross sections...

Operational Noise Conditions

Condition ON.3 The Requiring Authority shall implement the following Structural Mitigation:

- a. [...]
- b. The following noise barriers and heights shall be provided:

Southern side of SH18

- i. From the corner formed by the off ramp from SH1 to Upper Harbour Highway, westwards to the corner of Caribbean Drive and Upper Harbour Highway, height 2.4m.
- ii. From Caribbean Drive westwards to approximate chainage 1280, height 2.4m
- iii. From chainage 1280 to 1410 approximately, height ~~3m~~ **4m**.
- iv. From chainage 1555 to 1765 approximately, height 2.4m...

Urban Design and Landscape Conditions

Condition UDL.4 The Outcomes set out in Chapters 5 and 6 of the UDLF (Revision 3) shall be given effect to through the UDLP in relation to the following matters:

- [...]
- e. Design and treatment options on or adjacent the following properties:
[...]
- iii. 33, 35, 37, 39, 41B, 43,45, and 4 ~~79, 51, 57, 59~~ Barbados Drive, **and 9, 11, 13 and 14 Wren Place** directly adjacent to the proposed Paul Matthews Road overbridge; and...

Condition UDL.15 During the detailed design phase of the Paul Matthews Road **Connection** Bridge, the Requiring Authority shall consult Bike Auckland on the layout and detailed design of the shared use path. ~~on the Bridge.~~

It is common for requiring authorities to lodge NoRs with preliminary design drawings with the final design to be processed through the Outline Plan of Works (OPW). This allows flexibility in the final design of a project from when the designation is confirmed without having to alter the conditions every time the design changes. In this case the drawing numbers have been included in Condition DC.1. The requiring authority has decided to take a precautionous approach to update the condition so that the correct drawing numbers are included. Consequential amendments to Condition ON.3, UDL.4 and UDL.15 are also required because of the change to the design.

After an assessment of the environmental effects, I consider that the alterations to the above conditions involve no more than a minor effect on the environment above that permitted by the confirmed BOI designations. The conditions as confirmed by the BOI, as amended by the minor alteration, and the inclusion of a new condition (DC.1A – refer to Section 2.1 Traffic and Transport Effects), will ensure that any potential adverse effects on the environment will be avoided, remedied or mitigated. The environmental effects are discussed further below in Section 2.1.

1.5. Delegated authority

The Team Leader - Planning North West and Islands has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2017), to exercise the council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3).

The NoR can therefore be considered by the Team Leader – Planning North West and Islands and confirmed or declined under section 181(3)(c).

1.6. Relevant statutory provisions

Section 181 "Alteration of designation" of the Resource Management Act 1991 states:

- (1) *A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) *Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) *The alteration-*
 - (i) *Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) *Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) *Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) *Both the territorial authority and the requiring authority agree with the alteration –*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.
- (4) *This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

2. Analysis of the proposed alteration

The relevant matters to consider are contained in section 181(3) of the RMA as outlined above.

2.1. Assessment of Environmental effects (s181(3)(a)(i))

An assessment is required to determine whether the alteration to the conditions involves no more than a minor change to the effects on the environment above those permitted (and mitigated for) by the designations confirmed through the BOI process.

The requiring authority has provided an assessment of environmental effects (AEE) with the NoR. The following effects have been considered:

- Social
- Traffic and transport
- Archaeology and built heritage
- Cultural heritage
- Urban design and landscape
- Noise including increasing the height of the noise wall.

The requiring authority considers that the proposed alterations to the designation conditions involves no more than minor changes to the effects on the environment. The requiring authority also considers that they can still comply with the rest of the conditions with the amended design from a flyover to an underpass and the Paul Matthews Road and Caribbean Drive connection.

Social Effects

The requiring authority, in its AEE, considers that the realignment and revised design of the Paul Matthews Road allows for some improvements in relation to any potential social effects. These include the following:

- SUP will be enhanced through greater separation and provides a direct connection from the area south of Caribbean Drive to Paul Matthews Road
- the visual impacts of the revised design are reduced in bulk and dominance providing improved urban amenity for the surrounding community
- viaduct design over Caribbean Drive allows for a potential additional open space area and stormwater attenuation through provision of open space amenity and potential reduction in flood risk
- off-line construction of parts of the connections allows greater construction flexibility with reduced impact on traffic, transport and earthwork requirements. This will contribute to a more efficient and expedited construction period with reduced adverse effects on the surrounding communities and businesses.

NZTA also recognises that the proposed realignment creates some potential adverse social effects due to the raised final height of the connection to SH18 compared to the BOI concept design. Potential operational noise effects were identified for up to six residential properties to the south. The mitigation proposed by the requiring authority is a slightly higher noise wall section at this location.

The requiring authority considers that there aren't any adverse social effects associated with the replacement of the SH1 southbound to SH18 overpass with an underpass and that the design provides for the following positive benefits:

- improved transport safety for users over the BOI concept design through a compliant exit ramp from SH1 in terms of sight distance and vertical grade while maintaining the weave length of the BOI concept design
- reduced height and bulk of the underpass option results in significant reduction of visual impacts
- reduced height of connection results in improved privacy for residential properties to the south with less opportunity for overlooking from traffic using the road
- consequential reduction in operational noise effects

Comment

I agree with the requiring authority that the overall social effects of the alteration are no more than minor. I consider that the conditions as confirmed in the BOI decision will ensure that any potential adverse social effects can be mitigated, remedied or avoided.

It should be noted that Auckland Council's Urban Design Panel had reservations, within their review to the requiring authority in December 2017, about the use of the area under the viaducts as a formal area of open space. This is discussed further below in the section on urban design, visual and landscape effects.

Traffic and Transport

The requiring authority has stated in its AEE that alteration will have positive effects in regards the construction traffic and transport effects in that:

- the NCI Alliance design significantly reduces disruption to traffic during construction on SH 18 and around Paul Matthews Road by avoiding the diversion of 70,000 vehicles per day.
- construction of an underpass instead of an overpass removes the need for a significant number of overnight motorway closures for the placement of bridge beams, deck pours and barriers.
- Evacuation of the underpass void will take place with live traffic travelling above and motorists will be unaware of the intensive excavation activity happening below them therefore reducing drive distraction.

The requiring authority also considers that the proposed changes will have positive effects in terms of operational traffic and transport for the following reasons:

- The underpass for the westbound link from SH1 to SH18 has improved safety aspects due to the underpass alignment providing compliant sight distances and maintaining the existing weave length between the Greville Road interchange and the SH18 off-ramp.
- the underpass for the westbound link from SH1 to SH18 has reduced grades and therefore benefits freight vehicles.

NZTA has been in consultation with Bike Auckland on the NCI Alliance design (as required by Condition UDL.15 in relation to the layout and design of the shared used path on the Paul Matthews Road overbridge). NZTA/NCI Alliance has advised that the design to date has been based on these discussions

Comment

Duncan Tindall, consultant traffic and transport specialist for Auckland Council, has undertaken an assessment of the minor alteration (Attachment C). Mr Tindall is supportive, in principal, of the proposed amendments resulting from the changes to the design. The review has been considered in the context of the discussions that occurred during the BOI processes including Joint Witness Statements and the hearing. The issues at that time related to construction effects, pedestrian and cycle amenity, legibility of road layout and the potential affects on the Caribbean Drive arm.

As a result of further information, the following matters have had a satisfactory response:

- drawings that accompanied the application did not specifically show the Cabello Place pedestrian link as confirmed to be retained in the future through the BOI process. NZTA confirmed that this would be retained.
- the drawings did not identify where the pedestrian and cycle crossings of the Upper Harbour Highway and realigned Paul Matthews Drive were located, and how they integrated with the signal phasing. This was viewed as particularly important as a result of the discussions related to accessibility, potential severance effects during construction and post opening and the new Paul Matthew link to Caribbean Drive. Modelling provided by NZTA/NCI Alliance confirmed that the intention is to provide signalised crossings which would provide an amenity that is broadly equivalent to the confirmed BOI designation.

However, Mr Tindall still had the following concerns:

- the length of the crossing of the Upper Harbour Highway which would potentially be a barrier for some users, particularly pedestrians. However, he did not consider the proposed alteration fundamentally created a significant adverse effect although this outcome is heavily dependent on the detailed design.
- The tension with providing the level of service (LOS) for the Caribbean Drive traffic. A queue length on Caribbean Drive of 118m or less 95%ile was agreed in the Joint Witness Statement with additional modelling showing that this could be achieved (although this did not include the closely linked eastbound off ramp that had been in the initial modelling). While modelling received from the NCI Alliance individually shows that the performance of the intersection is equivalent, or better, than the confirmed designation, he has not received reassurance that it is possible to simultaneously meet the level of service for pedestrians and traffic with the proposed alteration layout.

Mr Tindall considered that there were two options available:

- That NZTA/NCI Alliance provide full modelling of the intersection, including all arms, a common cycle time and explicit representation of pedestrians which meets or exceeds to the degree that it shows that the alteration involves no more than a minor change to the effects on the environment above that of the confirmed designation.
- That an agreed condition between the council and NZTA/NCI Alliance be included that contains specific criteria for the queue length on Caribbean Drive and the cycle time (relevant to pedestrian amenity). The addition of a condition would allow the NCI Alliance to proceed with the design of the modified scheme but provide certainty

to council that the alteration to the designation 'involves no more than a minor change on the effects on the environment' above that of the confirmed designation in relation to traffic and transport.

After discussion with NZTA/NCI Alliance, it was agreed that a way forward could be the inclusion of a condition. This would also help to satisfy the requirement that the alteration involves no more than minor environmental effects in relation to this aspect of the traffic and transport effects (pedestrian and cyclist amenity). The proposed condition (or similar wording) is as below:

'The final design shall ensure that:

- *the forecast delays on the Paul Matthews Drive and Caribbean Drive are no worse than a Level of Service D for any individual movement during the AM or PM peaks. In addition, the 95%ile queue on Caribbean Drive should not exceed 118m.*
- *The layout provides a safe and efficient passage through the intersection for users of the SUP. This connection should be grade separated or if at-grade be signal controlled., and in the latter case require no more than two separate phases to connect between the SUP.*

Further information via emails, dated 18 April 2018 and 30 April 2018, was provided by NZTA/NCI Alliance (refer to Attachment D). Mr Tindall still considers that the effects on pedestrians and cyclists is more than minor and that it is important that the queue length of 118m is retained. However, if the assessment of the overall transport effects is considered then potentially the effects are minor taking into account the large number of motorists that benefit against the smaller number of pedestrians and cyclists disadvantaged.

NZTA/NCI Alliance consider that the additional modelling shows that the level of service can be met (but that the condition needs to align with NZTA's Minimum Requirements (MRs) of LOS E) and that the increase in travel and wait times for pedestrians and cyclists are no more than minor and therefore a condition is not required. They also consider that the queue length can be achieved through the design but would not accept this to be part of a condition as there may be times where queuing is longer than 118m and would not comply with the condition. However, NZTA/NCI Alliance has agreed that if Auckland Council considers a condition is required then the following condition is acceptable:

'DC.2A

Where there are changes to layout and crossings the final design shall ensure that:

- *the forecast delays on the Paul Matthews Drive and Caribbean Drive are no worse than a Level of Service E for any individual movement during the AM or PM peaks.*
- *The layout provides a safe and efficient passage through the intersection for users of the SUP. This connection should be grade separated or if at-grade be signal controlled'.*

I recommend that the condition as above be included to provide certainty to Auckland Council that the alteration involves no more than minor environmental effects above that permitted by the BOI confirmed designations in relation to traffic and transport.

Archaeology, Built and Cultural Heritage

The requiring authority provided an archaeological assessment with the original NoR applications. The assessment concluded that there were no heritage sites recorded within the Project corridor, and there was no indication through subsequent field surveys and assessment of any areas with archaeological or heritage potential. Therefore, the requiring authority considers that the design changes will not alter the effect on archaeology and built heritage.

In relation to cultural heritage, the requiring authority has engaged throughout the Project with mana whenua groups and with the Central-North Area Iwi Integration Group (IIG). Mana Whenua feedback has been incorporated into the Project and includes the following:

- detailed design of structures to develop a cultural narrative (designation)
- stormwater management and treatment (resource consent)
- avoidance of adverse effects on indigenous bird species and lizards (resource consent)
- flocculation treatment (resource consent)
- management of contaminated land associated with earthworks (resource consent)
- input into management plans (both designations and resource consents)

The requiring authority considers that the proposed alterations to the conditions do not impact the cultural values of mana whenua as expressed and considered through consultation and the BOI process. The relationship with mana whenua through IIG and adherence to the conditions and management plans will continue through the lifetime of the project. Therefore, the requiring authority considers that the proposed changes will have no effect on cultural heritage values.

Comment

The council's submission on the original NCI applications to the Environmental Protection Agency (EPA) was limited to specific matters that were of concern to the council, such as traffic, stormwater, noise and vibration, urban design, landscape and visual, and effects on public reserves. A full assessment of archaeology or cultural and built heritage was not undertaken. However, the AUP objectives, policies and overlays were assessed, in relation to earthworks, as part of the planning evidence for the BOI hearing which stated as follows:

'While there are no sites and places of significance to Mana Whenua identified in the AUP and the area within the Proposal is highly modified, there is still the possibility of accidental discovery of kōiwi, archaeology or artefacts of Māori origin. NZTA has addressed archaeology and historic heritage effects, in Section 9.12 of the AEE, and provided mitigation through proposed conditions (ARC.1 to ARC.5). Condition ARC.1 requires NZTA to appoint a suitably qualified archaeologist to oversee the earthworks required for the Proposal. Condition ARC.2 requires a contractor's briefing by the Project Archaeologist which needs to include the appropriate procedures to follow if archaeological or historic heritage materials are uncovered when the Project Archaeologist is not on site to safeguard the materials. I consider that the Proposal is generally consistent with Policy 11.3(3).'

My view remains the same as above and I agree that the minor alteration does not involve a change to the effects on archaeology or built and cultural heritage above that permitted by

the confirmed designations. It should be noted that the archaeological conditions are attached to the resource consents. In relation to cultural heritage, conditions attached to the designations, as confirmed by the BOI, require that the IIG, as a key stakeholder, are consulted with during the project. In addition, Condition UDL.11 requires that the Urban Design Landscape Plans are prepared in partnership with the IIG.

Urban Design, Landscape and Visual

Visual impact assessment

The requiring authority states the following in its AEE:

'The underpass has little or no visual impact on the surrounding environment as it has been designed as a gradual decline from the existing SH1 road alignment to pass under SH1 as SH1 is rising in a southbound direction. As the underpass replaces the need for elevated viaduct structures the overall effect of the underpass on visual impact is positive.

Like the BOI concept design, the westbound on-ramp originates from the Caribbean Drive intersection and the eastbound off-ramp joins Paul Matthews Road at a newly formed signalised intersection'.

The BOI concept design overbridge at Paul Matthews Road required the lowering of SH18 by four metres below existing ground level. The alternative NCI Alliance detailed design, now only lowers the existing ground level by 0.7 metres. The westbound road alignment is lower by approximately 14 metres nearer SH18/SH1 because of the proposed underpass rather than the BOI design viaduct structure.

The Requiring Authority has assessed the difference in visual and landscape effects between the BOI design and the NCI Alliance detailed design. This included using Autodesk Infracore which was used to create models of the BOI and NCI Alliance designs to understand the differences in visibility. The visibility assessment concludes that the extent of visibility of the two models can be seen to be similar in area but there are some differences in locations that gain views to the proposed motorway. These differences are predominantly that the BOI concept design is more visible from Barbados Drive and the eastern higher ground of Santiago Crescent, while the NCI detailed design is more visible from the central SH18 area.

A visual impact assessment was also undertaken by a landscape and visual impact assessment specialist. The findings of the visibility assessment were used to assess the scale of the landscape and visual effects associated with the NCI Alliance detailed design. The AEE concludes the following:

- the NCI Alliance design will result in less residential properties being visually affected than the BOI design and there is no increase in the scale of impact
- there are some properties in the lower Barbados Drive and Caribbean Drive area that now may be able to view the NCI alignment.
- The overall assessment of the properties above remains low and the scale of the change in effects for these properties is no more than minor, given the NCI detailed design is lower, the distance from the road (approximately 150 metres), and intervening buildings and trees
- there will still be a number of properties directly adjacent to SH18 that will experience effects. These effects will be reduced once the planting mitigation is established and the noise and landscape walls installed.

The requiring authority considers that based on the visual impact assessment and mitigation required by conditions, and proposed in the UDLP, the change in the scale of visual effects for properties that have visibility of the Project is no more than minor.

SH18 Noise Wall

A higher noise wall of four metres, compared to 3 metres required by Condition ON.3, is required adjacent to SH18 between 13 Wren Place and 49 Barbados Drive. Due to the road alignment and ground levels in this area, because of the changes in design of the Paul Matthews Road/Caribbean Drive connection, a portion of the noise wall will be retaining wall. This effectively replaces the existing embankment and the maximum height above ground level which will be visible to adjoining properties is up to 2 metres.

The height in the wall has been assessed in terms of visual and shading impacts on the adjacent properties. The visual impact assessment concludes that whilst up to 2 metres of the wall will be visible, any potential visual effects can be effectively mitigated through the retention of existing planting and new planting. There is a potential increase in shading on some properties during June. However, existing shading currently occurs due to other shading sources along the affected properties such as neighbouring buildings or existing trees. These have been excluded from the assessment but do contribute to overall shading on the properties.

The requiring authority considers that the effects of the noise wall due to shading and amenity values are no more than minor. When existing sources of shading are considered, the effects of the increased height of the noise wall on shading is not likely to be discernible to residents.

Comment

Stephen Brown, consultant urban design and visual landscape specialist for Auckland Council, has undertaken an assessment of the minor alteration (Attachment E). He generally concurs with the findings of the Isthmus Group's appraisal of the revised proposal's effects. However, he has one area of concern in relation to the new elevated overpass over Caribbean Drive. His report states the following:

'The increase in 'blue houses' in Isthmus Group's Figure 1 and 'blue areas' in their Figure 3 appears to reflect the increasing visual presence of the overpass, especially around Cabello Place and Santiago Crescent. Whereas the original embankments were to be both planted and (around their lower margins) grassed, the new 'overbridge' would retain a more structural profile, with its ramparts, piers, side walls, lighting and other elements facing housing to the immediate south of SH18. It would clearly be a "bridge" and traffic movements across it would also be clearly apparent.

In this regard, it is also noteworthy that the Council's UDP review of the modified NCI (14th December 2017) commented as follows on the new interchange:

Possible 'Open Space Frame'

The Panel considers that from an urban design perspective there is very little benefit to be gained from the 'open space frame' concept for the area under the proposed Viaduct due to its restricted access and visibility from surrounding land-uses.

The Panel would support a realignment of the SUP along the northern side of Caribbean Drive and designed to provide a physical separation between vehicles and the SUP.

The Panel suggests that the use of the space adjacent to the Viaduct be utilised for native bush planting, inclusive of larger-growing trees, to help screen and visually absorb the flyover and support the future ecology of the area.

I agree with, and support, these findings. In my opinion, every effort should be made to screen and buffer the new overpass, with tree and shrub planting across its embankments as well as within the suggested 'open space / recreation space' under, and around, the viaduct. In my assessment, this would help to reduce the effects of the revised proposal in the vicinity of both Caribbean Drive and Paul Matthews Road – to the point where the resulting level of effect more closely approximates that anticipated in relation to the original NCI proposal.

Without such planting, the overpass, and vehicle movements on it, would generate a level of visual effect not fully anticipated in the course of the BOI process and hearing. As such, it is considered important that mitigation in line with these comments is provided. In all other respects, the revised NCI proposal is considered to be appropriate and acceptable'.

He considers that with the mitigation proposed above the alterations will 'involve no more than a minor change to the effects on the environment'.

An email, dated 7 March 2018, was forwarded to the requiring authority requesting a response. A response from the requiring authority was received by email on 12 March 2018 and states:

'Thanks for your email. In response to Stephen Browns review I can now confirm that the NCI design will no longer feature an open space around the viaduct. Instead the area is to be planted for various reasons including visual mitigation.

Planting plans are still being finalised, but they will include:

- *Rows of specimen tree planting of Kauri and Nikau to the outside edges of the overpass and between the northbound and southbound structures.*
- *A planting mix for the area that consists of planting that is 9% tree, 57% shrub and 34% groundcover.*
- *Planting will cover the embankments and extend underneath the structures where applicable'.*

In response to the above, Stephen Brown has provided the following comment:

'In my assessment, this would help to reduce the effects of the revised proposal in the vicinity of both Caribbean Drive and Paul Matthews Road – to the point where the resulting level of effect is aligned with that anticipated in relation to the original NCI proposal. Accordingly, any increase in amenity effects generated by the revised proposal would be 'less than minor' to 'minor' and are considered acceptable in relation to my assessment of the NCI project'.

I agree with Mr Brown's statement. The council will also be able to provide comment on the landscape plan when this is submitted. Condition DC.6 (c) requires that UDLP(s) are prepared in accordance with UDL.1 to UDL.12 as part of the OPW process. Any amendments are to be discussed with and submitted to the council for information. A further OPW is required if the amendments result in materially different effects to the described in the original UDLP.

Noise

Operational Noise

The requiring authority considers that the effects of the NCI design change on operational noise levels are no more than minor. Modelling of the noise walls shows that an increased barrier of four metres between 14 Wren Place and 49 Barbados Drive will be effective in reducing predicted noise levels to the same as those predicted for the BOI design.

Construction Noise

The requiring authority concludes that there will no more than minor changes in effects due to the changes in design. A summary has been provided of the difference in the effects generated by the NCI Alliance construction activities and alignment compared to the BOI anticipated construction noise and vibration effects. These are as follows:

- properties identified as receiving construction noise and vibration which exceed the designation conditions are very similar due to mitigation employed to reduce the impacts
- more Protected Premises and Facilities (PPFs) are identified as being affected due to night time works in the Construction Noise and Vibration Plan (CNVP) than in the BOI noise assessment because of the increase in the night time construction noise sources modelled
- areas requiring specific noise and vibration plans have been identified allowing for consultation with these parties
- noise and vibration contour mapping has been produced and mitigation measures at source and through early construction of noise walls identified
- mitigation mechanisms and pre-construction building inspections to manage risk associated with construction vibration have been identified.

A process has been developed to ensure any complaints received by community engagement personnel are relayed to the environmental manager where compliance is at risk.

Comment

Rhys Hegley, consultant noise and vibration specialist for Auckland Council, has undertaken an assessment of the proposed alterations (Attachment F). His report states:

'The BOI Alignment, via ON. 3, included a 3.0m high barrier between chainage 1280 to 1410 to screen PPFs on Barbados Drive and Wren Place. To remain compliant with ON. 2, it was found that this barrier needed to increase in height by 1.0m so that there would be no change in noise level to the six PPFs on Barbados Drive and Wren Place. There appears to be some differences between the way that the Operational Noise Assessment and the Proposed Alteration report describe this proposed change to the barrier height, which relates to the fact that the ground level beneath the barrier will also change. After talking to the author of the Operational Noise Report, it is my understanding that:

- a) The BOI Alignment had a 3.0m barrier from chainage 1280 to 1410;*
- b) The NCI alignment proposes to increase the height of this barrier by 1.0m to 4.0m;*
- c) As the topography slopes up from the road to the PPFs, an option being considered by the NCI team is to construct a 2.5m high retaining to lift the ground behind the*

retailing wall and then add a 1.5m high barrier on top. This gives an effective screening of 4.0m as described in the Proposed Alteration report.

This effective increase in barrier height requires an alteration to ON. 3iii), which is the subject of the application'.

He concludes:

'The Proposed Alteration to Designation report concluded that the noise effects of the proposed NCI carriageway realignment with the barrier extended to 4m will be no more than minor. Given that the reported levels will increase by not more than 2dB at up to seven PPFs and the changes in level remain compliant with the requirements of ON. 2, I agree with this conclusion'.

2.2. Assessment of minor changes or adjustments to the boundary (s181(3)(a)(ii))

The alteration to the designation does not involve any changes to the boundary of the existing designation.

2.3. Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

The requiring authority considers that Auckland Council is the only owner or occupier of land directly affected by the alteration to the designation.

The location of the new SH1/SH18 underpass and reconfiguration of the Paul Matthews Road and Caribbean Drive connection sits entirely within the designation boundaries confirmed through the BOI process. A large proportion of the land is owned by NZTA within its existing highway corridors. The areas of land currently not owned by NZTA, such as Watercare's land on the south-eastern side of SH1 and Auckland Council reserve land at Constellation Reserve and Rook Reserve, are currently going through other processes e.g. acquisitions under the Public Works Act, temporary occupation agreements, or easements etc. There are also other separate agreements outside of the designation conditions with various parties including Auckland Transport. The proposed alterations do not have any effect on these separate processes.

2.4. Agreement of both the territorial authority and the requiring authority (181(3)(c))

The alteration to the designation has been requested by the requiring authority, and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects
- The alteration does not involve any changes to the boundary
- the land is either owned and occupied by the New Zealand Transport Authority or alternative processes are under way e.g. acquisitions through the Public Works Act, temporary occupation agreements, easements etc.
- Adherence with recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1. Conclusions

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

- The alteration involves no more than minor changes to the environmental effects.
- Existing conditions as amended will ensure any potential adverse effects are avoided, remedied or mitigated.
- There are no changes or adjustments to the boundaries of the existing designation.
- the land is either owned and occupied by the New Zealand Transport Authority or alternative processes are under way e.g. acquisitions through the Public Works Act, temporary occupation agreements, easements etc.
- The council and the requiring authority agree with the alteration.

3.2 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, the New Zealand Transport Agency's notice of requirement for an alteration to Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road is **confirmed**.
2. That the designations as listed above are amended in Chapter K Designations in the Auckland Unitary Plan Operative in part as recommended in Section 4 and Attachment B of this report.

4. Agreed alterations

The agreed text alterations are as set out in Section 1.4. The recommendation of the inclusion of a new condition (Condition DC.2A – refer to Section 2.1 Traffic and Transport effects) has also been agreed to by NZTA. A full set of the designation conditions is attached (Attachment B). Amendments are shown as either strikethrough or bold and underlined.

Date: 7/05/2018

Report Prepared by:

Jo Hart

Principal Planner

Planning North West and Islands



5. SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

Accordingly, the notice of requirement for an alteration to Designation 6750: State Highway 1 (SH1) from Greville Road in the north to the Sunset Road overbridge in the south; Designation 6751: State Highway 1 (SH1) from Greville Road in the south to Oteha Valley Interchange in the north; Designation 6756: State Highway 18 (SH18) from the Albany Highway in the west to SH1 in the east; The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and the Shared Use Path (SUP) Designation adjacent to SH1 from Constellation Bus Station to Oteha Valley Road is **confirmed** under section 181(3) of the RMA.

Name: David Sanders

Title: Team Leader – Planning North West and Islands

Signed: 

Date: 8/5/18

SCHEDULE OF ATTACHMENTS

- Attachment A:** Section 181(3) Notice of Requirement
- Attachment B:** Amended Designation Conditions
- Attachment C:** Traffic and Transport Assessment
- Attachment D:** Further information – traffic and transport
- Attachment E:** Visual and Landscape Assessment
- Attachment F:** Noise Assessment

6776 State Highway 1 and State Highway 18 Shared Use Path

Designation Number	6776
Requiring Authority	New Zealand Transport Agency
Location	Adjacent to the east of State Highway 1 from Constellation Bus Station to Oteha Road, adjacent to the north of State Highway 18 from Constellation Drive to Albany Highway, and intermediate linkages to the local network
Lapse Date	22 November 2025

Purpose

Shared Use Path – for the construction, operation and maintenance of the Shared Use Path and ancillary works including approaches, ramp connections, ancillary safety and operational services (including communications), vegetation removal, stormwater treatment, temporary construction works including storage areas and office facilities, maintenance and access areas, mitigation and restoration, ancillary structures and activities associated with these works.

Conditions

The following conditions apply to the area subject to the section 181 alteration to the designation for the Northern Corridor Improvements Project on State Highway 1 between the Greville Road Interchange to the vicinity of the Oteha Valley Road Interchange.

Acronym/Abbreviation	Full Term or Definition
AUP	Auckland Unitary Plan
BPO	Best Practicable Option, and in relation to the Traffic Noise conditions BPO is in accordance with s16 of the Resource Management Act 1991
Building-Modification Mitigation	Has the same meaning as in NZS 6806
CNV	Construction Noise and Vibration Conditions
CNVMP	Construction Noise and Vibration Management Plan
Council	Auckland Council
Commencement of construction or construction works	In all conditions which refer to 'commencement of construction', construction includes work such as earthmoving and earthworks excavation; and the construction, erection, installation, carrying out, alteration, repair, restoration, renewal, maintenance, extension, demolition, removal, or dismantling of any building or structure.
CTMP	Construction Traffic Management Conditions and Construction Traffic Management Plan
DC	General Designation Conditions
Design Year	Means 2031 in relation to the Traffic Noise conditions
FIH	International Hockey Federation
Habitable Space	Has the same meaning as in NZS 6806
HHCT	Harbour Hockey Charitable Trust

IHF	North Harbour Hockey Stadium Conditions
IIG	Iwi Integration Group
Key Stakeholders	Includes community groups, business groups, residents organisations, childcare groups, Council, Watercare Services Limited, Auckland Transport, Ministry of Education, Waste Management NZ Limited, the IIG, and local boards.
Landfill	Rosedale Closed Landfill
Major Construction Activity	For the purposes of the Noise and Vibration Conditions, means any construction activity that would result in an exceedance of the standards in CNV.3 and CNV.4
Noise Assessment	Means the <i>Traffic Noise and Vibration Assessment Report</i> submitted with the NoR
NZ 8606	Means New Zealand Standard NZS 6806:2010 <i>Acoustics – Road-traffic noise – New and altered roads</i>
ON	Operational Noise and Vibration Conditions
OP	Outline Plan as required under section 176A of the RMA
PPF	Protected Premises and Facilities and has the same meaning as in NZS 6806. For the purpose of these conditions they also include all dwellings in Stage 1 of the Colliston Rise subdivision where Building Consent or Resource Consent which authorises the construction of a dwelling has been granted
PPV	Peak Particle Velocity
Practical completion	Means completion of all construction works.
Project	The Northern Corridor Improvements Project.
Proposed Design	The design of the project as indicated on General Arrangements Sheets 1 – 2 (Revised Albany Busway Bridge – Rev J), 3 – 8 (Consent Issue – Rev H), 9 – 10 (Revised Alteration to Designation Boundary – Bluebird Reserve)
PTTMP	Public Transport Traffic Management Plan
RAMM	Road Assessment and Maintenance Management
RMA	Resource Management Act 1991
RWWTP	Rosedale Wastewater Treatment Plant
SCP	Stakeholder and Communications Plan and Stakeholder and Communications Plan Conditions
SSCNMP	Site Specific Construction Noise Management Plan
SSCVMP	Site Specific Construction Vibration Management Plan
Structural Mitigation	Has the same meaning as in NZS 6806. For the purpose of these conditions the structural mitigation measures are low noise road surface materials and noise barriers
SUP	Shared Use Path

Suitably qualified and experienced person	Means a person with a tertiary qualification in the field to which a particular condition relates; or having sufficient technical expertise that is at least equivalent; and having at least 5 years working experience, unless otherwise specified in the conditions.
Transport Agency	New Zealand Transport Agency
UDL	Urban Design and Landscape Conditions
UDLF	Urban Design and Landscape Framework
UDLP	Urban Design and Landscape Plan
Watercare	Watercare Services Limited
Work Area	For the purposes of the Noise and Vibration conditions, means any area where construction works associated with the Project are undertaken (e.g. all active works areas and construction support areas)

These conditions relate to the following designations:

EPA reference	Lapse period	Duration
Designations OR NOR		
<p>NSP39/001</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6750) for the construction, operation and maintenance of a State highway, being the Auckland-Waiwera Motorway between Greville Road Interchange and the Sunset Road overbridge.</p>	7 years	N/A
<p>NSP39/002</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6751) for the construction, operation and maintenance of a State highway, being the Auckland Waiwera Motorway between Greville Road Interchange and Oteha Valley Road.</p>	7 years	N/A
<p>NSP39/003</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6756) for the construction, operation and maintenance of a State highway, being State Highway 18 between Albany Highway and State Highway 1.</p>	7 years	N/A
<p>NSP39/004</p> <p>A designation for the construction, operation and maintenance of the Northern Busway adjacent to State Highway 1 from Albany Bus Station to Constellation Bus Station.</p>	7 years	N/A
<p>NSP39/005</p> <p>A designation for the construction, operation and maintenance of a shared use path adjacent to State Highway 1 from Constellation Bus Station to Oteha Valley Road.</p>	7 years	N/A
<p>NAP39/006</p> <p>An alteration to a designation (Auckland Unitary Plan – Operative in Part 2016, Designation 6758) for the upgrade of the Constellation Bus Station.</p>	7 years	N/A

General Conditions

DC.1 Except as modified by the conditions below, and subject to final design, the Northern Corridor Improvements Project ('Project') shall be carried out in general accordance with:

- a. General arrangements drawings

Sheets 1 and 2, DRG 0201 – 0202, Rev J

Sheets 3 – 8, DRG 0203 – 0208, Rev H

Sheets 9 – 10, DRG 0209 – 0210, Rev I (Revised Alteration to Designation Boundary – Bluebird Reserve)

Subject to the minor changes in relation to the State Highway 1 to State Highway 18 underpass and the Paul Matthews Road configuration as shown in Sheets NCI-R-1002-DG-108-A and NCI-R-1002-DG-0106A.

b. Typical cross sections

Sheets 1 to 9, DRG 0301 - 0309, Rev F

Sheet 10, DRG 0310, Rev C

c. *Plan and long section SH1 Mainline*

Sheets 1 – 7, DRG 0401 – 0407, Rev. A

Plan and long section SH18 Westbound

Sheets 1 – 4, DRG 0415 – 0418, Rev. A

d. *Civil structures*

DRG 1310 (Rev. C), and 1315, 1320, 1325, 1330, 1335, 1340, 1345, 1350, 1355, 1365, 1370, 1375 (all Rev. B).

e. Stormwater layout plans

Sheets 1 – 10, DRG 1401 – 140, Rev B

f. Stormwater catchment plan

Sheets 1 – 10, DRG 1451 – 1460, Rev B

g. Conceptual construction water management plan

Sheets 1 – 10, DRG 1601 – 1610, Rev B

h. Erosion and sediment control standard details

Sheets 1 – 2, DRG 1620 - 1621, Rev A

i. The notice of requirement plans DRG 2001 Rev C, 2002 Rev C, DRG 2003-2008 Rev B, DRG 2009 Rev C, DRG 2010 Rev C and DRG 2011 Rev C.

DC.2 Where there is inconsistency between the General Arrangements referred to in Condition DC.1 above and these conditions, these conditions shall prevail.

DC.2A Where there are changes to layout and crossings the final design shall ensure that:

- the forecast delays on the Paul Matthews Drive and Caribbean Drive are no worse than a Level of Service E for any individual movement during the AM or PM peaks.
- The layout provides a safe and efficient passage through the intersection for users of the SUP. This connection should be grade separated or if at-grade be signal controlled.

DC.3 Conditions DC.8, ON.1-ON.11, OV.1, UDL.5A, UDL.13, UDL.14 and SCP.10 on this designation apply to the operational matters that are intended to address ongoing effects of the activities authorised by the designation or impose obligations that are required to be satisfied

following practical completion of the Project. The other conditions on this designation are intended only to apply to construction related activities. As soon as practicable after practical completion of the Project construction works, the Requiring Authority shall provide written notice of practical completion. Upon confirmation of receipt by the Council of the notice of practical completion, all conditions other than conditions relating to operational matters (i.e. DC.8, ON.1-ON.11, OV.1, UDL.5A, UDL.13, UDL.14 and SCP.10) shall cease to have effect.

DC.4 The Requiring Authority shall provide written notice to the Council on completion of the monitoring required by conditions UDL.5A. This condition shall cease to have effect from the date of this notice being received.

DC.5 The designation shall lapse if not given effect to within seven years from the date on which it is included in the Auckland Unitary Plan ('AUP').

DC.6 The outline plans ('OP') shall include the following plans for the relevant stage(s) of the Project:

- a. Construction Noise and Vibration Management Plan ('CNVMP') prepared in accordance with conditions CNV.1 to CNV.9;
- b. Construction Traffic Management Plan ('CTMP') prepared in accordance with conditions CTMP.1 to CTMP.5D; and
- c. Urban Design and Landscape Plan(s) ('UDLP') prepared in accordance with conditions UDL.1 to UDL.12.

The CNVMP, CTMP and UDLPs may be amended following the submission of the OP(s) if necessary to reflect any changes in design, construction methods, or management of effects.

Any amendments are to be discussed with and submitted to the Council for information without the need for a further OP process, unless those amendments once implemented would result in materially different effects to that described in the original CNVMP, CTMP, and UDLPs.

DC.7 Any OP(s) or plans may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the Project.

DC.8 As soon as practicable following completion of the construction of the Project, the Requiring Authority shall give notice in accordance with Section 182 of the Resource Management Act 1991 ('RMA') to the Council, for the removal of those parts of the designation that are not required for the long term operation, maintenance and mitigation of effects of the Project including from land within the Watercare Services Ltd ('Watercare') Designations 9310 and 9311, the Rosedale Closed Landfill ('Landfill') Designation 417 and other areas where infrastructure owned and operated by other organisations are located.

For the purpose of this condition as it relates to land within the Watercare Designations 9310 and 9311, the Requiring Authority shall remove the parts of its designation in general accordance with areas of land identified as 'Occupation During Construction' in the Aurecon Design Drawings:

- Auckland Northern Corridor Improvements SH1 and SH18 Land Requirement Plan #36, Drawing No. 250310-5DOC-1PRP-DRG-1855-A.

Any changes to the operational boundaries of the 'Land Required' and the 'Occupation during Construction' identified in Drawing No. 250310-5DOC-1PRP-DRG-1855-A shall be made following consultation with Watercare prior to any such change being implemented.

Construction Noise and Vibration (CNV)

For the purpose of the CNV conditions:

BPO – means the Best Practicable Option in accordance with s16 of the RMA

Major Construction Activity – means any construction activity that would result in an exceedance of the standards in CNV.3 and CNV.4

Work Area – means any area where construction works associated with the Project are undertaken (all active works areas and construction support areas)

CNV.1 A CNVMP shall be prepared by a suitably qualified and experienced person, and shall be submitted as part of the relevant OP. The purpose of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option ('BPO') for the management of all construction noise and vibration effects, and additionally to define the procedures to be followed when the noise and vibration standards in the CNV conditions are not met following the adoption of the BPO.

The CNVMP shall be prepared in accordance with the requirements of Annex E2 of *New Zealand Standard NZS 6803:1999 'Acoustics – Construction Noise'* (NZS 6803:1999) and shall address the following matters as a minimum:

- (a) Description of the works, anticipated equipment/processes and their scheduled durations;
- (b) Hours of operation and duration for the Major Construction Activities;
- (c) The construction noise and vibration standards for the Project as set out in Tables CNV.A to CNV.B below;
- (d) Identification of affected occupied buildings and any other sensitive receivers (including unoccupied buildings) at each Work Area;
- (e) Management and mitigation options to be adopted for all works during the Project, including prohibition of tonal reverse alarms;
- (f) Minimum separation distances from receivers for plant and machinery where compliance with the construction noise and vibration standards are met;
- (g) A procedure for developing and implementing the Site Specific Construction Noise Management Plans ('SSCNMPs') and Site Specific Construction Vibration Management Plans ('SSCVMPs') (as required by conditions CNV.6, CNV.7 and CNV.8 below) forming part of this CNVMP;
- (h) Methods and frequency for monitoring and reporting on construction noise and vibration;
- (i) Procedures for engaging with stakeholders, notification of proposed construction activities and responding to noise and vibration complaints consistent with conditions SCP.1-SCP.16;
- (j) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration and procedures for the management of behaviours for all construction workers;
- (k) Contact details for the Project Manager (or nominee) and the Requiring Authority's Project Liaison Person (phone and email addresses); and
- (l) The process for identifying businesses which operate processes, machinery or equipment that may be unreasonably disrupted by construction vibration even where the project vibration standards are met. For any such businesses identified, a SSCVMP shall be prepared in accordance with CNV.8 and complied with.

CNV.2 Where construction noise is predicted to exceed the standards in CNV.3, at any location, and a traffic noise barrier will ultimately be required for the operational phase, the Requiring Authority shall implement the required traffic noise barrier at that location in accordance with the SSCNMP. In the event that it is not practicable to install the traffic noise barrier at the location for construction-related reasons, prior to the commencement of work, the Requiring Authority shall install the traffic noise barrier as soon as it is practicable to do so.

CNV.3 Noise arising from construction activities shall be measured and assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise and (subject to CNV.6) shall comply with the noise standards set out Table CNV.A:

Table CNV.A: Construction noise standards

Day	Time	LAeq	LAFmax
Residential Receivers			
0630h Monday to 0630h Saturday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturdays 0630h Saturday to 0630h Sunday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sundays 0630h Sunday and Public Holidays to 0630h the following morning	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Industrial and commercial receivers			
All days	0730h – 1800h	70dB	--
	1800h – 0730h	75dB	--

CNV.4 Vibration arising from construction activities which may affect people and buildings 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 Category A vibration standards

Table CNV.B: Construction vibration standards for people and buildings

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

* For vibration, protected premises and facilities (PPFs) are defined as dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).

If measured or predicted vibration from construction activities exceeds the Category A standards, the Requiring Authority shall consult with the affected receivers to:

- (a) Discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur; and
- (b) Determine whether the exceedances could be timed or managed to reduce the effects on the receiver.

The Requiring Authority shall maintain a record of these discussions and make them available to the Council on its request.

If measured or predicted vibration from construction activities exceeds the Category B standards, those activities may only proceed subject to condition CNV.7

CNV.5 Vibration arising from construction activities which may affect underground pipe work shall be measured in accordance with DIN4150-3:1999 *Structural vibration – Part 3: Effects of vibration on structures*, and (subject to condition CNV.7) shall comply with the vibration standards in Table CNV.C.

Table CNV.C: Construction vibration standards for underground pipe work

Pipe material	PPV (measured on the pipe)
Steel (including welded pipes)	100 mm/s
Clay, concrete, reinforced concrete, pre-stressed concrete, metal (with or without flange)	80 mm/s
Masonry, plastic	50 mm/s

CNV.6 A SSCNMP shall be prepared when construction noise is either predicted or measured to exceed the standards in Table CNV.A, except where the exceedance of the standards in Table CNV.A is no greater than 5 decibels and:

- a. For day time between 0700 and 2200 - the exceedance of the standards in Table CNV.A does not occur on more than 14 consecutive days in any rolling 8 week period; or
- b. For night time between 2200 and 0700 - the exceedance of the standards in Table CNV.A does not occur on more than 2 consecutive nights in any rolling 10 day period.

The objective of the SSCNMP is to set out the BPO for the minimisation of noise effects of the construction activity. The SSCNMP shall as a minimum set out:

- i. Construction activity location, start and finish dates;
- ii. The predicted noise level for the construction activity;
- iii. Noise limits to be complied with for the duration of the activity;
- iv. The mitigation options that have been selected and the options that have been discounted as being impracticable;
- v. The proposed noise monitoring regime; and
- vi. The consultation undertaken with owners and occupiers of sites subject to the SSCNMP, and how consultation outcomes have and have not been taken into account.

The SSCNMP shall be submitted to the Council for certification at least 7 working days in advance of Construction Works which are covered by the scope of the SSCNMP. If the Council does not respond within 5 working days (excluding time associated with requesting and receiving further information) then certification is deemed to have been given.

CNV.7 A SSCVMP shall be prepared when construction vibration is either predicted or measured to exceed the Category B standards in Table CNV.B and the standards in Table CNV.C. The objective of the SSCVMP is to set out the BPO for the minimisation of vibration effects of the construction activity. The SSCVMP shall as a minimum set out:

- a. The relevant construction activity location, start and finish dates;
- b. The predicted vibration level for the construction activity;
- c. The pre-condition surveys of buildings and pipe work which document their current condition and any existing damage;
- d. An assessment of each building and any pipe work to determine susceptibility to damage from vibration and define acceptable vibration limits that the works must comply with to avoid damage;
- e. The mitigation options that have been selected and the options that have been discounted as being impracticable;
- f. The proposed vibration monitoring regime;
- g. The methods adopted to minimise amenity effects on buildings which remain occupied during the works;
- h. The consultation undertaken with owners and occupiers of sites subject to the SSCVMP, and

how consultation outcomes have and have not been taken into account.

The SSCVMP shall be submitted to the Council for certification at least 7 working days in advance of Construction Works which are covered by the scope of the SSCVMP. If the Council does not respond within 5 working days (excluding time associated with requesting and receiving further information) then certification is deemed to have been given.

CNV.8 For any buildings identified in condition CNV.1(I), the Requiring Authority shall prepare an SSCVMP which shall include:

- a. Consultation with the owners and/or occupiers of sites identified to ascertain the sensitivity of processes, machinery or equipment to construction vibration;
- b. Construction vibration limits specific to the sensitive activities which must be complied with that will avoid unreasonable disruption of the businesses;
- c. Procedures and methods for monitoring compliance with the vibration limits established;
- d. A process for dealing with any disagreement which may arise, particularly in relation to the determination of specific vibration limits;
- e. The relevant construction activity location, start and finish dates;
- f. The mitigation options that have been selected and the options that have been discounted as being impracticable; and
- g. The consultation undertaken with owners and occupiers of sites subject to the SSCVMP, and how consultation outcomes have and have not been taken into account.

CNV.9 If any damage to buildings or pipe work is shown to have occurred, by reference to pre-condition survey findings from CNV.7(c), as a result of vibration from the construction of the Project, any such damage shall be remedied by the Requiring Authority as soon as reasonably practicable subject to any associated asset and/or owner agreement.

Construction Traffic Management Plan

CTMP.1 A CTMP shall be prepared by a suitably qualified and experienced person and shall be submitted as part of the relevant OP.

CTMP.2 The purpose of the CTMP is to avoid or mitigate adverse effects on-traffic safety and efficiency resulting from the construction works, in order to:

- a. Protect public safety, including the safe passage of pedestrians and cyclists;
- b. Minimise delays to road users, pedestrians and cyclists, and particularly public transport at all times, especially bus travel times at peak traffic periods during weekdays (06:30 to 09:30 and 16:00 to 19:00); and
- c. Inform the public about any potential impacts on the road network.

CTMP.3 The CTMP shall be prepared using best practice (to better understand the effects of construction of the works subject of the OP on the affected road network), which may include the use of traffic modelling tools. Any such assessment shall be undertaken in consultation with Auckland Transport (including Auckland Transport Metro) and have the ability to simulate lane restrictions and road closures (unless otherwise agreed with Auckland Transport). The outcome of consultation

undertaken between the Requiring Authority and Auckland Transport shall be documented and any Auckland Transport comments not acted on provided with the final CTMP when submitted to the Council.

CTMP.4 The CTMP shall describe the methods for avoiding, remedying or mitigating the local and network wide transportation effects resulting from the Project works subject of the relevant OP, and shall address the following matters:

- a. Methods to avoid, remedy or mitigate the local and network wide effects of the construction of individual elements of the Project (e.g. intersections/overbridges) and the use of staging to allow sections of the Project to be opened to traffic while other sections are still under construction;
- b. Methods to manage the effects of the delivery of construction material, plant and machinery (including oversized trucks);
- c. The numbers, frequencies, routes and timing of construction traffic movements;
- d. Traffic management measures to address and maintain traffic capacity and minimise adverse effects including, where applicable to the relevant OP:

 - i. Retaining the existing number of traffic lanes along SH1 (between Tristram Avenue and Oteha Valley Road);
 - ii. Retaining the extent of existing bus priority measures along SH1 (between the Albany Station and the Constellation Station), noting that the bus only on ramp from McClymonts Road and the bus only access to the Constellation Station may need to be temporarily closed. Any temporary closure will minimise adverse effects on buses and general traffic. The duration of any temporary closure shall be minimised as far as reasonably practicable;
 - iii. Retaining the existing number of through traffic lanes along SH18 between the Upper Harbour interchange and the Albany Highway interchange, noting that right turning movements to and from Paul Matthews Road may need to be temporarily closed. Any temporary closure will minimise adverse effects on buses and general traffic. The duration of any temporary closure shall be minimised as far as reasonably practicable;
 - iv. Retaining two traffic lanes on McClymonts Road, over SH1, noting that temporary restrictions to one lane or temporary full closures may be required; and
 - v. Retaining at least one traffic lane and one footpath on Rosedale Road, under SH1, except where night time or weekend closures may be required for heavy civil works such as bridge or deck lifting. This single traffic lane is to allow signalised one way traffic in alternate directions; and
 - vi. Maintaining pedestrian connectivity across SH18 via a controlled pedestrian and cycle crossing should the Alexandra Stream underpass be closed during construction.

- e. Measures to maintain existing vehicle access to private properties, or where the existing property access is to be removed or becomes unsafe as a result of the construction works, measures to provide alternative access arrangements in consultation with Auckland Transport and the affected landowner; and
- f. Measures to maintain pedestrian and cycle access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, (e.g. unless provision of such access is severed by the works or such access will become unsafe as a result of the construction works). Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant

detours.

g. Where applicable to the relevant OP, measures to ensure no more than 20 car parking spaces are removed from the Albany Park and Ride during the construction period unless otherwise provided for at an alternative nearby site agreed between Auckland Transport and the Requiring Authority during the construction of the Project.

h. Include measures to avoid road closures, and the restriction of vehicle, cycle and pedestrian movements. Where there may be:

i. A restriction of cycle and pedestrian connectivity to schools, consultation with the Ministry of Education shall be undertaken; and

ii. A restriction on access to Waste Management NZ Limited ('WMNZ') from Rosedale Road, consultation with WMNZ shall be undertaken.

i. Identify alternative routes for over-dimension and over-weight vehicles where these routes are affected during construction and consult with Auckland Transport and the freight industry (including affected local businesses) on the alternative routes or closures.

Public Transport Traffic Management Plan

CTMP.5 The CTMP shall include a specific Public Transport Traffic Management Plan ('PTTMP'). The PTTMP (and any amendments) shall be prepared in consultation with Auckland Transport. The purpose of the PTTMP is to define the process for identifying and managing the potential adverse effects of the Project on bus services. More specifically, the PTTMP shall address those road network/bus routes/bus services which interface with SH1, SH18, and the Busway, and which may be affected by the construction of the Project, in such areas as:

a. Delays to services and reliability;

b. Increased journey distances and/or duration;

c. Frequency of services;

d. Loss of service/replacement services; and

e. The procedures and timeframes needed for planning and communicating any road network/bus routes/bus services changes with Auckland Transport (and its bus operators) and customers.

CTMP.5A For each of the above matters, the Requiring Authority shall develop and agree with Auckland Transport acceptable performance thresholds that shall be met to agreed key destinations, having regard to:

a. Staging of the Project works;

b. Duration of the Project works;

c. Time of day/night that the works are conducted;

d. Convenience to public transport patrons;

e. Safety;

f. Public transport patronage.

CTMP.5B The performance thresholds shall be developed with specific acknowledgement of the necessary temporary closure of: the bus only on ramp at McClymonts Road; the bus only access to the Constellation Station; and the right turn movements to and from Paul Matthews Road.

CTMP.5C The performance thresholds for the specified road network/bus routes/bus services shall be monitored by the Requiring Authority, using, where appropriate, data provided by Auckland Transport. The methods and frequency for the monitoring of the performance thresholds (and the reporting of the outcome of the monitoring) shall be agreed between the Requiring Authority and Auckland Transport.

CTMP.5D Where the monitoring undertaken demonstrates that the performance thresholds are not being met, then traffic management measures shall be reviewed by the Requiring Authority (in consultation with Auckland Transport). In order to achieve the thresholds, such a review shall include, amongst other things:

- a. The staging of the construction activity;
- b. Methods to provide further prioritisation of bus services on certain routes;
- c. Methods to provide bus priority beyond the site(s) of the construction activity;
- d. The provision of additional or revised bus services to respond to delays/frequency of service;
- e. The measures to communicate changes to the road network/bus routes/bus services to the community.

Local roads used for heavy vehicle access to construction areas

CTMP.6 Prior to the commencement of construction of the works subject of the relevant OP, the Requiring Authority shall:

- a. Identify all access points from the Project construction areas accessing onto the local road network;
- b. Confirm existing levels of traffic using the road to which the proposed site access points relate;
- c. Estimate proposed construction vehicle volumes;
- d. Identify, in consultation with Auckland Transport, a monitoring programme to be implemented for the duration of construction of the Project (or relevant Project stage) to validate the construction vehicle volumes identified in (c)

CTMP.6A At least four weeks prior to the commencement of construction works identified in CTMP.6, the Requiring Authority shall submit to Auckland Transport, a RAMM visual condition assessment including a high-definition video and Pavement Strength Testing of the following:

- a. Where the construction site access point is onto an arterial road, the expected tracking curves of construction vehicles entering/ exiting via the relevant construction site access points; and
- b. Where the construction site access point is onto a local road between the access point(s), along the local road(s) to arterial road(s) and including the expected tracking curves of construction vehicles entering/ exiting the arterial road(s)

CTMP.6B At least two weeks prior to the Project construction works identified in condition CTMP.6 commencing, the Requiring Authority shall arrange a meeting with Auckland Transport to discuss and agree the findings of the RAMM visual condition assessment and the results of Pavement Strength

Testing. The purpose of the meeting is to agree on any measures needed (if any) to manage the effects of construction traffic on the physical condition of the road(s), including limiting the volume of heavy vehicles, physical works to strengthen the road pavement before use or repairing/maintaining the road(s) in the event of damage attributable to the Project.

CTMP.6C Subject to condition CTMP.6B, the Requiring Authority shall undertake a weekly inspection of the matters identified in condition CTMP.6A or upon any complaints received, and a final inspection within one week of ceasing using each access point for construction. The inspections shall record photographic or video evidence of any damage on the road(s) and provide this to Auckland Transport upon request.

CTMP.6D Any damage identified as attributable to the Project by an appropriately qualified and experienced person in the areas identified by the inspections required in condition CTMP.6C shall be repaired within one week or within an alternative timeframe to be agreed with Auckland Transport. All repairs shall be undertaken by the Requiring Authority and shall be to the satisfaction of Auckland Transport.

Traffic noise (operation)

ON.1 For the purposes of conditions ON.2 to ON.11:

- a. BPO – means the Best Practicable Option in accordance with s16 of the RMA;
- b. NZ 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads (“NZS 6806”);
- c. Building-Modification Mitigation – has the same meaning as in NZS 6806
- d. Habitable Space – has the same meaning as in NZS 6806;
- e. Noise Assessment – means the Assessment of Operational Noise and Vibration submitted with the NoR;
- f. Major Construction Activity - means any construction activity that would result in an exceedance of the standards in CNV.3 and CNV.4
- g. PPFs – means Protected Premises and Facilities and has the same meaning as in NZS 6806. For the purpose of these conditions they also include all dwellings in Stage 1 of the Colliston Rise subdivision where Building Consent or Resource Consent which authorises the construction of a dwelling has been granted;
- h. Structural Mitigation – has the same meaning as in NZS 6806. For the purpose of these conditions the structural mitigation measures are low noise road surface materials and noise barriers;
- i. Work Area - means any area where construction works associated with the Project are undertaken (e.g. all active works areas and construction support areas); and
- j. The Design Year means 2031.

Structural mitigation

ON.2 Subject to conditions ON.7 and ON.7A, the Requiring Authority shall design and construct the Project to ensure that the predicted noise levels for the Proposed Design (contained in Appendix A to these conditions) are not exceeded by more than 2dB at any PPF.

Advice Note:

The predicted noise levels for the Proposed Design (including the full noise barrier along Upper Harbour Highway as recommended in the JWS) are contained in Appendix A.

ON.3 The Requiring Authority shall implement the following Structural Mitigation:

a. Open Graded Porous Asphalt (or other low-noise road surfaces with equal or better noise reduction performance) on all sections of the Project except where a higher friction (for safety) or stronger surface is required; and

b. The following noise barriers and heights shall be provided:

Southern side of SH18

i. From the corner formed by the off ramp from SH1 to Upper Harbour Highway, westwards to the corner of Caribbean Drive and Upper Harbour Highway, height 2.4m.

ii. From Caribbean Drive westwards to approximate chainage 1280, height 2.4m.

iii. From chainage 1280 to 1410 approximately, height 4m.

iv. From chainage 1555 to 1765 approximately, height 2.4m.

v. From chainage 1880 to 1950 approximately, height 2.4m.

Northern side of SH18

vi. 40m long in front of the childcare centre in Saturn Place, height 2.4m.

vii. 50m long in front of the childcare centre in Omega Street, height 2.4m.

In the event that the Requiring Authority proposes to change any of the requirements of (a) and (b) above, it shall provide documentation from a suitably qualified and experienced acoustics specialist to the Council demonstrating that condition ON.2 will continue to be complied with.

ON.4 Within twelve months of completion of construction of the Project, the Requiring Authority shall prepare and submit a report to the Council which demonstrates compliance with conditions ON.2 and ON.3. The report shall be prepared by a suitably qualified and experienced acoustics specialist and shall contain a description of, and the results from, a computer noise model of the Project as constructed.

The report shall include the results of field measurements at a minimum of six representative PPFs within the Project. The results of the noise level monitoring shall be used to verify the computer noise model.

Field measurements shall be in accordance with NZS 6806.

ON.5 The noise barriers shall be maintained so that they retain their designed noise reduction performance.

ON.6 The low noise road surfaces shall be maintained so that they retain their noise reduction performance as far as practicable.

Building-Modification Mitigation

ON.7 Prior to construction of each stage of the Project, a suitably qualified acoustics specialist approved by the Council shall identify those PPFs where, following implementation of the Structural

Mitigation measures, either:

- a. Both of the following occur:
 - i. A noise level increase of more than 2dB will occur due to road-traffic noise from the Project (determined by comparing the predicted noise levels for the final design with the predicted noise levels for the Do-nothing option as contained in Appendix A to these conditions); and
 - ii. Habitable spaces are expected to receive in excess of 45dB LAeq(24hr) from motorway operational noise with windows closed, in the Design Year;

or

- b. Noise levels are greater than 67dB LAeq(24hr) (assessed in accordance with NZS6806).

For those PPFs that (a) or (b) apply to, the Requiring Authority shall set out options as to what Building Modification Mitigation are available to achieve 40 dB LAeq(24hr) for habitable spaces using the process set out in Conditions ON.8 to ON.11.

Where sites contain PPFs that are subject to resource consents requiring noise attenuation, this condition shall only apply to the extent that Project noise exceeds the noise level predicted when the resource consent was granted.

ON.7A Prior to Major Construction Activity in the relevant Work Area, the Requiring Authority shall write to the owner of that PPF requesting entry to assess the noise reduction performance of the existing building envelope. If the owner agrees to entry within 3 months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building and assess the noise reduction performance of the existing building envelope and determine what Building-Modification measures are required to achieve an operational noise level of 40 dB LAeq(24h) for habitable spaces.

ON.8 For each PPF identified under condition ON.7, the Requiring Authority is deemed to have complied with condition ON.7A if:

- a. The Requiring Authority's acoustics specialist has visited and assessed the PPF; or
- b. The 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 owner did not agree to entry within three months of the date of a Requiring Authority letter seeking entry for assessment purposes (including where the owner did not respond within that period); or
- d. The owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project or after reasonable time has not responded.

If any of (b) to (d) above applies to a PPF identified under condition ON.7, the Requiring Authority is not required to implement Building-Modification Mitigation to that PPF.

ON.9 Subject to condition ON.8, within three months of the assessment required by condition ON.7A, the Requiring Authority shall write to the owner of each PPF identified under condition ON.7 advising:

- a. If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and
- b. The options for Building-Modification Mitigation to the building, if required; and

c. That the owner has twelve 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.

ON.10 Once an owner has confirmed which Building-Modification Mitigation option is preferred, the mitigation shall be implemented by the Requiring Authority, including obtaining any Council consents, within a mutually agreeable and reasonable timeframe, and where practicable, prior to a Major Construction Activity commencing in the relevant Work Area.

ON.11 Where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with condition ON.10 if:

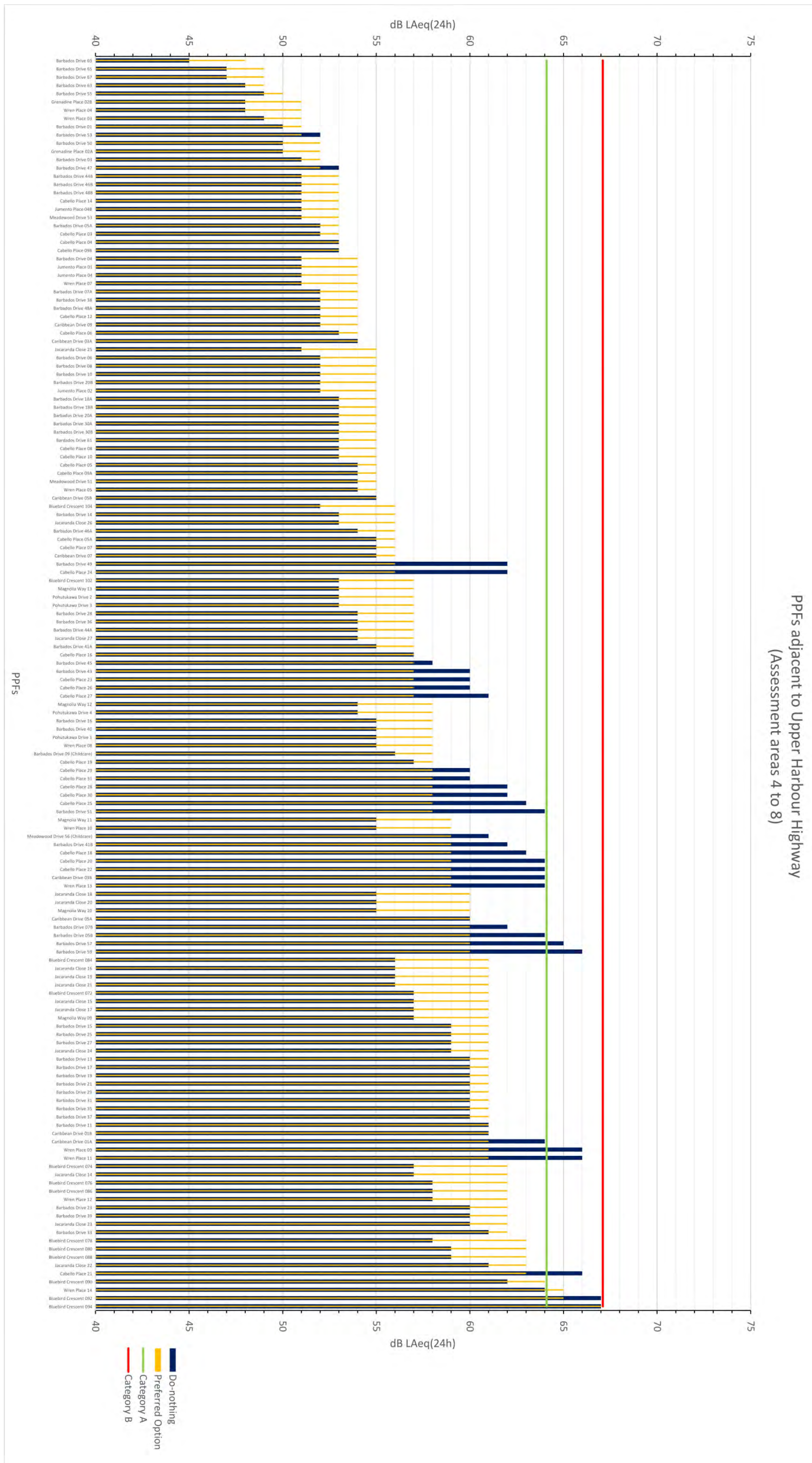
- a) The Requiring Authority has completed Building-Modification Mitigation to the PPF; or
- b) An alternative agreement for mitigation is reached between the Requiring Authority and the owner, and that mitigation option has been completed; or
- c) The owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with condition ON.9 (including where the owner did not respond within that period).

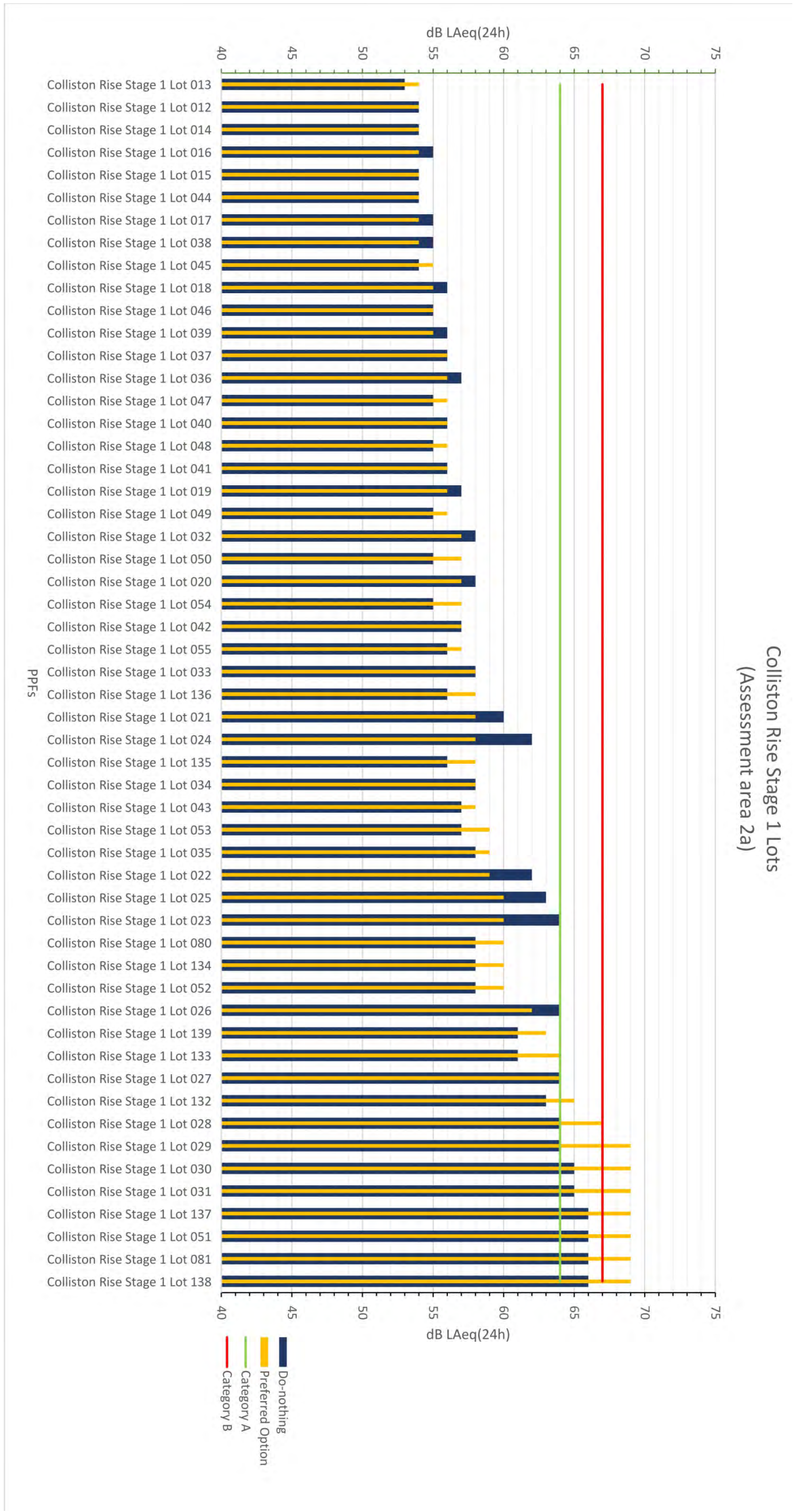
Operational Noise Conditions

Appendix A

The following graphs show predicted noise levels for all PPFs identified in accordance with ON.2, and are based on the following factors:

- a) All noise levels are predicted for the design year (2031), with all structural mitigation (noise barriers and low noise road surface) implemented.
- b) All predictions are for the highest floor of each building.
- c) For Colliston Rise Stage 1, the predictions are for a nominal location 3 metres from the western boundary of each Lot, at a height of 4.5 metres above ground level, representing the second floor level.
- d) Predictions are sorted from lowest to highest for the Proposed Design.





Operational Vibration

OV.1 Vibration generated by traffic shall comply with Class C of Norwegian Standard NS8176.E:2005 *Vibration and Shock* – Measurement of vibration in buildings from land-based transport and guidance to evaluation of its effects on human beings in any lawfully established occupied building.

In the event that there is a complaint about vibration in any lawfully established occupied building, the Requiring Authority shall, subject to land owner approval, investigate whether:

- a. The vibration complies with the Standard; and
- b. It is caused by defects in the motorway.

If the vibration does not comply with the Standard and is caused by defects in the motorway, the Requiring Authority shall rectify the defects so that the Standard is complied with in the building that is the subject of the complaint.

Urban Design and Landscape

UDL.1 The Requiring Authority shall submit an Urban Design and Landscape Plan ('**UDLP**') to the Council as part of the OP required under section 176A of the RMA.

UDL.2 The purpose of the UDLP is to outline:

- c. The methods and measures to avoid, remedy and mitigate adverse effects on landscape amenity during the construction phase of the Project;
- d. The requirements for the Project's permanent landscape mitigation works; and
- e. The landscape mitigation maintenance and monitoring requirements.

UDL.3 The UDLP shall be prepared by a suitably qualified and experienced person in accordance with:

- a. The NZ Transport Agency's *Urban Design Guidelines: Bridging the Gap* (2013) or any subsequent updated version
- b. The NZ Transport Agency's P39 Standard Specification for Highway Landscape Treatments (2013).

UDL.4 The Outcomes Sought set out in Chapters 5 and 6 of the UDLF (Revision 3) shall be given effect to through the UDLP in relation to the following matters:

- a. Urban design and landscape treatment of all major structures, including bridges, underpasses, retaining walls and noise walls and barriers;
- b. Urban design and landscape treatment of the new structures at Constellation and Albany Bus Stations;
- c. Integrated landscape treatment of permanent stormwater management ponds, wetlands and swales;
- d. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/

cycle bridges or underpasses; and

- e. Design and treatment options on or adjacent the following properties:
 - i. The western most residences at 60B Masons Road that overlook the proposed Albany Busway overbridge;
 - ii. Lots 25, 26, 27 and 28 in Colliston Rise, directly adjacent to the proposed retaining walls;
 - iii. 33, 35, 37, 39, 41B, 43, 45, 51, 57, 59 Barbados Drive, and 9, 11, 13 and 14 Wren Place and
 - iv. The solid 2m high wall on the edge of the SUP adjacent to the Waste Management Ltd facility at 117 and 123 Rosedale Road.
- f. Design and maintenance of lighting, including on the carriageways, bridges and other structures, busway, and shared use paths
- g. Detailed design of the shared use path, busway and flyover adjacent to the Kiwi Storage Ltd site, with the object of minimising any adverse visual effect on that site, as far as practicable

UDL.5 The Requiring Authority shall undertake mitigation and enhancement planting in general accordance with the requirements of Sections 5 and 6 of the UDLF (Rev. 3). The UDLP shall include details of proposed mitigation planting including as follows:

- a. Identification of vegetation to be retained, protection measures, and planting to be established along cleared edges;
- b. Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods;
- c. The proposed staging of planting in relation to the construction programme, including provision for planting within each planting season following completion of works in each stage of the Project and detailed specifications relating to (but not limited to) the following:
 - i. Weed control and clearance;
 - ii. Pest animal management;
 - iii. Ground preparation (topsoiling and decompaction);
 - iv. Mulching;
 - ix. Plant sourcing and planting, including hydroseeding and grassing; and
- d. Details of a proposed maintenance and monitoring programme.

UDL.5A The Requiring Authority shall maintain and monitor the mitigation and enhancement planting for a minimum of 4 years following the planting being undertaken. The Requiring Authority shall monitor the planting in accordance with the programme required by condition UDL.5(d), including monitoring for any patches in planted areas greater than 4m² where there is multiple plant failure (either stunted growth or death) and replant these areas as necessary.

UDL.6 The UDLP shall include a Reserve Reinstatement Plan for the following reserves (or parts thereof) directly affected by the construction works:

- a. Rook Reserve;
- b. Arrenway Reserve; and
- c. Meadowood Reserve.

Advice Note

Appendix A to the Board of Inquiry Decision illustrates the location of affected reserves.

UDL.6A The Reserve Reinstatement Plans shall be prepared in consultation with Council Parks and shall include the following details (as appropriate to the subject reserve):

- a. Removal of structures, plant and materials associated with construction;
- b. Replacement of boundary fences to the same or similar type to that removed;
- c. Reinstatement of grassed areas to a similar condition as existed prior to construction;
- d. Replacement of trees and other planting removed for construction on a one-for-one basis (or as otherwise agreed with Council Parks); and
- e. Details of way finding interpretation signage within and adjacent to the reserve.

UDL.6B The Rook Reserve Reinstatement Plan shall be prepared in consultation with Council Parks and shall include the following details:

- a. A level grassed area minimum dimensions of 30m by 30m suitable for informal ball games;
- b. A 10m by 10m level surface located adjacent to the stormwater pond, with the dual function of providing for occasional use by stormwater pond maintenance machinery and a single basketball hoop and half court, located at the eastern end of the pond;
- c. Amenity and screen planting along the boundary of the reserve with State highway 18;
- d. Details of the proposed access around the stormwater pond for maintenance, including any additional necessary hard stand areas;
- e. Grassed slopes (where possible) at the upper levels of the reserve to allow passive surveillance from neighbouring residential properties (with scattered amenity trees);
- f. All grassed areas are to have a slope of no more than 1:5 to allow for mowing, with steeper gradients to be landscaped;
- g. Re-contouring and landscaping of the remainder of the reserve, including features such as walkways and seating; and
- h. Prior to commencement of construction on the reserve, the existing fitness equipment in Rook Reserve is to be removed and replaced with three new equivalent pieces of equipment in Barbados Reserve.

UDL.6C In addition to the Reserve Reinstatement Plans above, the UDLP shall in relation to

the Landfill provide boundary fencing, replace any trees and landscaping equivalent to those removed or affected by the construction of the retaining wall, provided that any landscaping does not compromise sightlines required for the new motorway and / or busway and/or the shared use path.

UDL.7 A draft of the UDLP shall be submitted to the Council Urban Design Advisory Panel for comment before finalisation and submission with any OP in accordance with Condition UDL.1.

UDL.8 All work shall be carried out in accordance with the UDLP.

UDL.9 For the purpose of staging works, the Requiring Authority may prepare staged or site specific UDLPs. The Requiring Authority shall consult with the Council about the need and timing for any site-specific or staged UDLPs.

UDL.10 The Requiring Authority may submit amendments to the UDLP to the Council. Any works in accordance with the amended UDLP shall not commence until the process under section 176A of the RMA has been completed in relation to those aspects of the UDLP that are being amended.

UDL.11 The UDLPs shall be prepared in partnership with the Transport Agency Central Northern Iwi Integration Group ('IIG'). This consultation shall commence at least 30 working days prior to submission of each UDLP to the Council. Any comments and inputs received from the IIG shall be clearly documented within the UDLP, along with a clear explanation of where any comments or suggestions have not been incorporated and the reasons why.

UDL.12 Any UDLP that includes land within the Watercare Designations 9310 and 9311 shall be prepared in consultation with Watercare Services Limited.

Alexandra Stream Underpass

UDL.13 The Requiring Authority shall implement the following measures to address public safety concerns associated with the Alexandra Stream Underpass:

- a. Path realignment of the southern entrance to the underpass to suit a minimum cyclist design speed of 15km/h, provided realignment works do not impact the Alexandra Stream;
- b. Improved lighting within the underpass; and
- c. Inclusion of CCTV within the underpass.

UDL.14 The measures outlined in UDL.13 shall be designed and implemented in consultation with Council Parks, Bike Auckland and Auckland Transport.

Paul Matthews Road Bridge

UDL.15 During the detailed design phase of the Paul Matthews Road Connection, the Requiring Authority shall consult Bike Auckland on the layout and detailed design of the shared use path.

Stakeholder and Communications Plan ('SCP')

SCP.1 The Requiring Authority shall appoint a community liaison person for the duration of the construction phase of the Project to be the main point of contact for persons affected by the Project.

SCP.2 The Requiring Authority shall ensure that the contact details (phone, postal address, and

email address) of the community liaison person and the details of the complaints process set out in Condition SCP.12 are:

- a. Included in the SCP required under Condition SCP.3;
- b. Advertised in the relevant local newspapers and community noticeboards prior to the commencement of the Project;
- c. For each Project stage, included in a leaflet to be issued to all properties within that Project stage contained within the 45 dB LAeq Contour (Residential Night) as shown on the Construction Noise Mark Up drawings contained at Appendix E of the Assessment of Construction Noise and Vibration (9 December 2016) prior to the commencement of the relevant Project stage;
- d. Provided at the community events required under Condition SCP.6 and
- e. Included within the Requiring Authority's website pages for the Project.

SCP.3 At least two months prior to the commencement of construction works for the relevant OP, the Requiring Authority shall submit a SCP to the Council.

SCP.4 The Requiring Authority shall provide a draft SCP to the Council for comment at least three months prior to the commencement of construction. In finalising the SCP, the Requiring Authority shall detail how comments received from the Council have been addressed.

SCP.5 The purpose of the SCP is to set out the procedures for communicating with the affected communities and key stakeholders throughout the construction period including types and regularity of engagement events and the methods proposed to avoid, remedy or mitigate, as far as practicable, disruption to residents, businesses and schools as a result of construction activities.

SCP.6 The SCP shall contain the following:

- a. Communication methods for informing the affected community of construction progress, including the expected duration of the works and proposed hours of operation outside normal working hours and Project contact details;
- b. Identification of key stakeholders including community groups, business groups, residents' organisations, childcare groups, the Council, Auckland Transport, Watercare, Ministry of Education, Waste Management NZ Limited, the Melanesian Mission and St Johns Trust Board, the IIG and the Local Boards;
- c. Consultation processes to reach the affected communities and key stakeholders in order to foster good relationships and to provide opportunities for learning about the Project and detail on when each of these processes will be used; and
- d. Business and education disruption management processes.

SCP.7 The consultation processes required under SCP.6(c) shall provide for, as a minimum, the following:

- a. At least two months prior to construction commencing for the relevant Project stage, provision of an inaugural community information event or events, to explain the Project and outline the process to review and comment on Project mitigation and UDLPs;

- b. Briefings for key stakeholders (including emergency services, business associations, local boards and road user groups) at least quarterly, and ahead of all major milestones or road closures;
- c. Regular consultation events or information days, held as appropriate, but at least once per month when construction works are taking place, to provide the opportunity for the affected communities to have input into the Project.
- d. Targeted community events at least one month prior to construction commencing in each of the following Work Areas:
- SH1/SH18 interchange;
 - SH18 realignment;
 - Rook Reserve;
 - Rosedale Road;
 - Constellation and Albany Bus Stations; and
 - McClymonts Road (including Albany Busway Bridge).
- e. Notification of consultation events and information days to the public and community groups.
- f. Publication and circulation of records from consultation events and information days.
- g. A requirement for the Requiring Authority to ensure that appropriate personnel attend both the stakeholder and community events to explain the Project programme and staging, how the effects are proposed to be managed and to respond to any questions.
- h. A requirement to produce a draft report summarising the main points arising from each consultation event, reporting on any social impacts unforeseen effects of the Project, along with recommendations on the measures to mitigate those effects. The Requiring Authority shall ensure that a copy of the draft report is provided to the Council and to meeting attendees within 10 working days of the event to provide an opportunity for feedback. Feedback will be provided within 5 working days of receiving the draft report.
- i. A requirement to finalise and circulate the consultation summary report within 5 working days of receiving feedback.

SCP.8 The events required under condition SCP.7(b), shall:

- a. Provide regular updates on Project progress, in particular advanced notice of upcoming works including closures and traffic management plans.
- b. Enable the effects of Project construction on the community (including businesses) to be monitored by providing regular forums through which information about the Project can be provided.
- c. Enable opportunities for feedback on proposed construction impact measures.
- d. Enable the affected communities and key stakeholders the opportunity to provide feedback on the development of, and any material changes to the UDLPs.
- e. Enable opportunities for concerns and issues to be reported to and responded to by the

Requiring Authority, including opportunities for updates to the SCP.

SCP.9 The business and education disruption management processes required under condition SCP.6(d) shall include details of the measures to be implemented to avoid, remedy or mitigate, as far as reasonably practicable, disruption to businesses and education facilities as a result of construction activities including:

- a. Measures to maximise opportunities for customer and service access to businesses that will be maintained during construction;
- b. Measures to mitigate potential severance and loss of business visibility issues by way-finding and supporting signage for pedestrian detours required during construction; and
- c. Other measures to assist businesses to maintain client/customer accessibility, including but not limited to client/customer information on temporary parking or parking options for access and delivery.
- d. Measures to enable ongoing pedestrian and cycle connectivity to education facilities during the Project.

SCP.10 The Requiring Authority shall implement the SCP for the duration of the construction works and for six months following practical completion of the Project.

SCP.11 The SCP shall be reviewed six monthly for the duration of the construction works and updated as required. Any updates to the SCP shall be provided to the key stakeholders and reported at the events required under condition SCP.7(c)

Complaints process

SCP.12 Prior to the commencement of construction, the Requiring Authority shall establish a 24 hour toll free telephone number and an email address for receipt of complaints from the community. The 24 hour toll free telephone number shall be answered at all times and shall be maintained for the duration of the Project.

SCP.13 At all times during construction work, the Requiring Authority shall maintain a permanent register of any complaints received relating to the construction works, including the full details of the complainant and the nature of the complaint.

SCP.14 The Requiring Authority shall respond to any complaint within 24 hours of receipt of the complaint, except where an immediate hazard is present or where the complaint relates to construction noise or vibration, in which case the Requiring Authority shall use its best endeavours to respond immediately. A formal written response shall be provided to the complainant and the Council within 10 days of complaint receipt.

SCP.15 For the period of the construction of the Project, the Requiring Authority shall maintain a written complaints register containing the following information:

- a. The details of the complainant;
- b. The nature of the complaint;
- c. The investigations undertaken into the complaint; and
- d. Any remedial actions undertaken to address the complaint.

SCP.16 The Requiring Authority shall keep a copy of the complaints register required under SCP.15 on site and shall provide a copy to the Council once a month and more frequently upon request

Greenwich Way Shops

SCP.17 At least two weeks prior to the closure of the off-ramp from SH18 onto Unsworth Drive, the Requiring Authority shall, in consultation with the Greenwich Way shop owners and operators and if requested by those owners and operators:

- a. Provided that all necessary approvals can be obtained from the road controlling authority, install wayfinding signage at the junction of Barbados Drive and Unsworth Drive; and
- b. Advertise the range of services, location and trading hours of the Greenwich Way shops by:
 - i. Undertaking a leaflet drop to all properties contained between SH18, Caribbean Drive, Sunset Road and Albany Highway; and
 - ii. Placing advertisements in the relevant local newspapers.

SCP.18 The Requiring Authority shall carry out the actions required by Condition SCP.17 (a) and (b) at least two weeks prior to closure of the off ramp from SH18 onto Unsworth Drive and repeat the advertising required by Condition SCP.17 (b) once a month for three months following the first leaflet drop and newspaper advertisements.

SCP.19 At least two months prior to the closing of the off ramp from SH18 onto Unsworth Drive the Requiring Authority shall, in consultation with the Greenwich Way shop owners and operators, and if requested by those owners and operators, provide advice and assistance to those owners and operators to prepare a business/marketing plan for their premises,

International Hockey Facility

IHF.1 Unless otherwise agreed between the Requiring Authority and the Harbour Hockey Charitable Trust, prior to any works commencing within any part of the North Harbour Hockey Facility lease area, the Requiring Authority shall, in consultation with Harbour Hockey Charitable Trust, relocate the North Harbour Hockey facility on an equivalent basis. This shall include the following elements:

- a. Three water-based artificial hockey pitches with all fields to meet equivalent current International Hockey Federation ('FIH') design standards as existing fields;
- b. One grass pitch (or land prepared for installation of a fourth artificial hockey pitch);
- c. A pavilion building of similar size, quality and finish that provides clubrooms, function rooms, changing rooms, and other amenities consistent with those at the existing North Harbour Hockey Facility but shall be designed to meet current FIH and building code standards; and
- d. Lighting, car parking, public address system, storage sheds, dug-outs, and associated other facilities consistent with those at the existing North Harbour Hockey Facility.

If the replacement facility is located proximate to the existing satellite sand based pitch within Rosedale Park, suitable access from the replacement facility to the existing sand based pitch will be provided. In the event that the new hockey facility is not located sufficiently close to the existing

satellite sand pitch (which is in Rosedale Park to the north of the existing North Harbour Hockey Facility) to enable convenient access, an equivalent sand based pitch shall be provided as part of the replacement facility.

If agreed with HHCT, relocation to the new North Harbour Hockey Facility may be undertaken in stages.

Attachments

No attachments.

New/Alterations & Withdrawals to Designations (Go Live 29th November 2018)

Amendments to Auckland Unitary Plan GIS Viewer (maps)

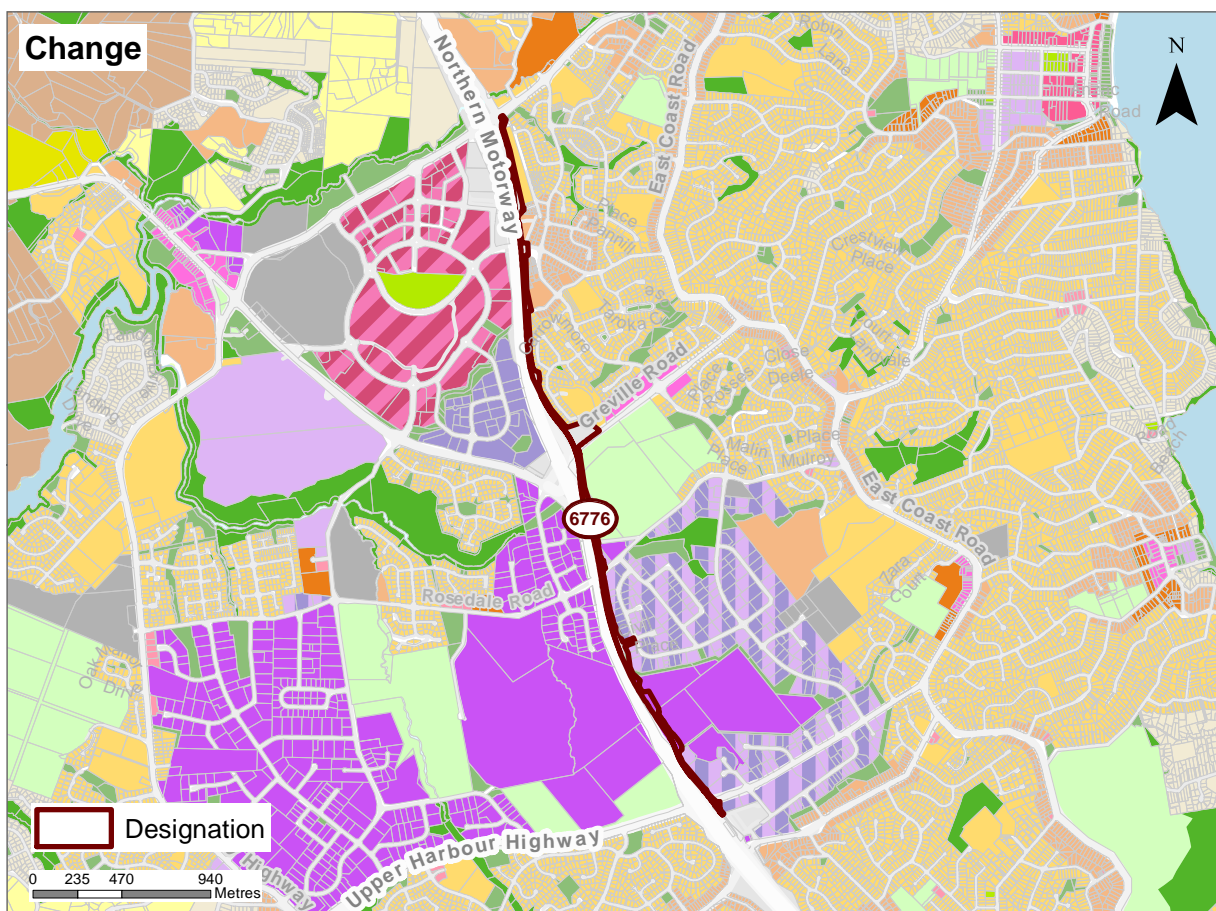
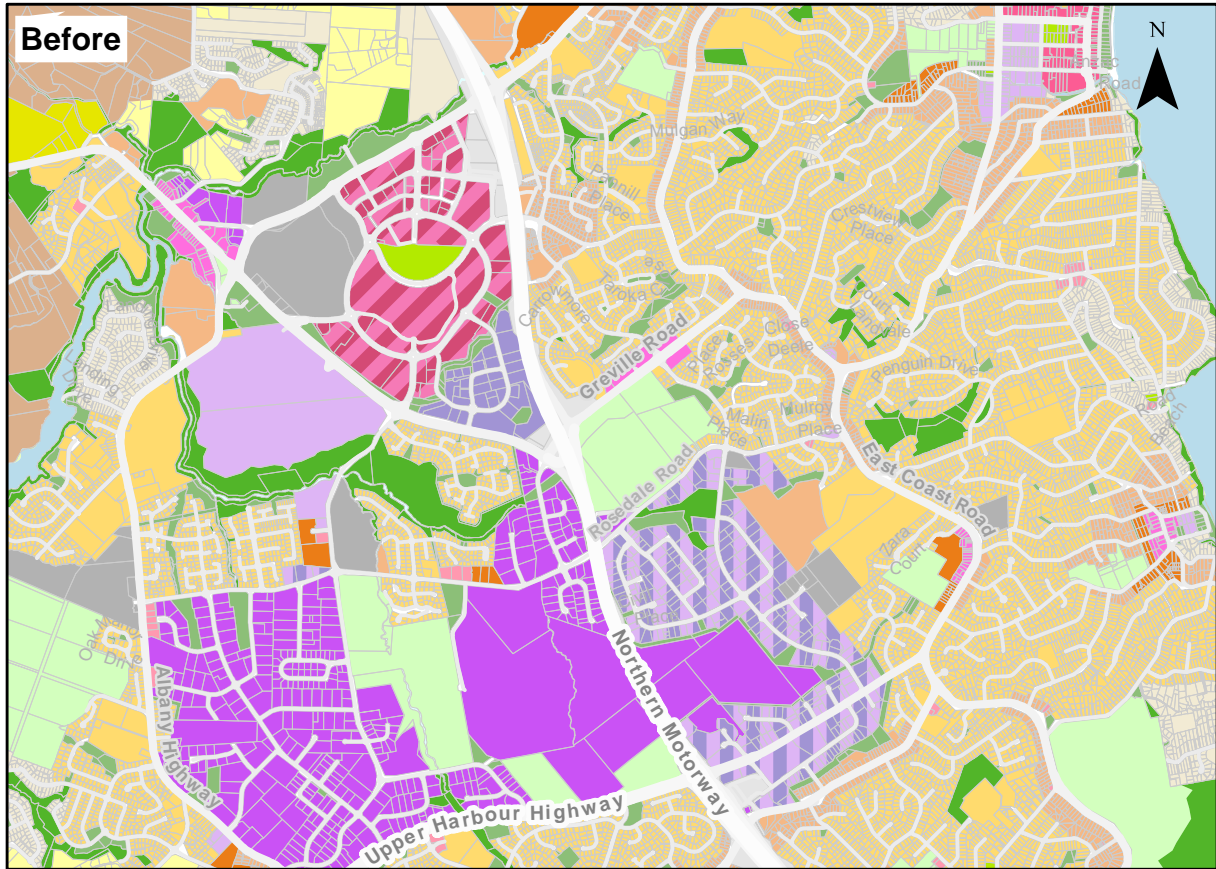
Affected map layers : Designations

Designation: 6776

Name: State Highway 1 and State Highway 18 Shared Use Path

Requiring Authority: New Zealand Transport Agency

New Designation



UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison

FROM Sanjay Bangs

DATE 5 October 2018

SUBJECT **A new designation to be updated into the Auckland Unitary Plan Operative in part in accordance with s172(1) of the Resource Management Act**

This memorandum requests an update to the Auckland Unitary Plan Operative in part

Reason for update: A decision has been made to confirm a requirement for a minor alteration to a designation under Section 172(1) of the RMA	
Chapter	Chapter K Designations
Section	Watercare Services Ltd
Designation only	
New Designation # 9570	Waiuku Water Treatment Plant
Location:	11 Cornwall Road, Waiuku
Lapse Date	10 years from the date on which it is included in the AUP.
Type of Designation	New
Purpose	Water supply purposes, including abstraction, treatment and storage
Changes to text (shown in underline and strikethrough)	Update Chapter K Designations - Schedules and Designations - Watercare Services Ltd to introduce a new designation and associated conditions. Refer to designation and conditions in Attachment 2 .
Changes to diagrams	No changes.
Changes to spatial data	Update the AUP GIS Viewer – Unitary Plan Management Layers - Designations to apply a new designation to 11 Cornwall Road Waiuku, as per the proposed designation extent shown in Attachment 3 . The designation description is: <i><u>Designations – 9570 Water supply purposes – water treatment plant (Waiuku Water Treatment Plant), Designations, Watercare Services Ltd</u></i>
Attachments	Attachment 1: Requiring Authority acceptance letter Attachment 2: Text changes Attachment 3: Designation extent

Prepared by:

Sanjay Bangs
Planner, Planning Central and South

Signature:



Maps prepared by:

Mitesh Bhula
Senior Geospatial Analyst
Aucklandwide

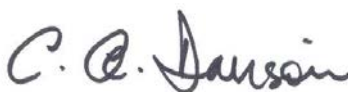
Signature:



Manager:

Celia Davison
Manager Planning - Central and South

Signature:



Text entered by:

Teuila Young
Planning Technician

Signature:



Reviewed by:

Sanjay Bangs
Planner, Planning Central and South

Signature:



Team Leader:

Trevor Watson
Team Leader Planning Central and South

Signature: 21/11/18



Attachment 1: Requiring Authority Letter of Acceptance



Watercare Services Limited

73 Remuera Road, Remuera
Auckland 1050, New Zealand
Private Bag 92521 Wellesley Street,
Auckland 1141, New Zealand

Telephone +64 9 539 7300

Facsimile +64 9 539 7334

www.watercare.co.nz

4 October 2018

Sanjay Bangs
Auckland Council
Private Bag 92 300
Symonds Street
Auckland 1142

Dear Sanjay,

11 Cornwall Road, Waiuku – Notice of Requirement for Water Supply Purposes

This letter is to advise Auckland Council of Watercare's decision under s172 (1) of the RMA that it accepts in whole the recommendation of the Council relating to the above notice of requirement for a designation.

Please contact me if you wish to discuss any matter relating to this letter.

Yours sincerely,

pp 

Mark Bourne
Head of Servicing & Consents
Watercare Services Limited

Attachment 2: Text Changes

Designation Schedule - Watercare Services Ltd (3/3)

South

Number	Purpose	Location
<u>TBD</u>	<u>Water supply purposes, including abstraction, treatment and storage</u>	<u>11 Cornwall Road, Waiuku</u>

...

[TBA] Waiuku Water Treatment Plant

<u>Designation Number</u>	<u>[TBA]</u>
<u>Requiring Authority</u>	<u>Watercare Services Ltd</u>
<u>Location</u>	<u>11 Cornwall Road, Waiuku</u>
<u>Rollover Designation</u>	<u>No</u>
<u>Lapse Date</u>	<u>The designation shall lapse on the expiry of 10 years from the date on which it is included in the district plan if it has not been given effect to before the end of that period</u>

Purpose

Water supply purposes, including abstraction, treatment and storage

Conditions

General conditions

Designation lapse

1. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the "RMA"), this designation will lapse if not given effect to within 10 years from the date on which it is included in the Auckland Unitary Plan.

Outline Plan of Works

2. The requiring authority must submit an outline plan or plans prior to construction of any water abstraction infrastructure, water treatment plant, reservoirs or associated infrastructure in accordance with section 176A of the RMA.
3. The outline plan or plans may be submitted in stages to reflect the staged development of the site.
4. The outline plan or plans are also to include the following management plans for the relevant stage(s) of development:
 - a) Construction Environmental Management Plan ("CEMP");
 - b) Construction Noise and Vibration Management Plan ("CVNMP")
 - c) Construction Traffic Management Plan ("CTMP"); and
 - d) Erosion and Sediment Control Management Plan ("ESCP").

5. Where a management plan is required as listed in Condition 4 above, the management plan shall be implemented, complied with, and maintained throughout the duration of the construction period.

Construction conditions

Construction Environmental Management Plan (CEMP)

6. The purpose of the CEMP is to avoid, remedy or mitigate adverse effects associated with the construction works associated with the Project. The CEMP shall contain the following:
- a) Where access points are to be located and procedures for managing construction vehicle ingress and egress to construction support and storage areas;
 - b) Methods for managing and monitoring dust as a nuisance, including methods for minimising dust emissions, monitoring procedures and contingency procedures in the event of a dust nuisance event;
 - c) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place within the boundaries of the designation;
 - d) How the construction yards are to be fenced and kept secure;
 - e) The location and specifications of any temporary acoustic fences where necessary;
 - f) The location of any temporary buildings (including workers' offices and portaloos) and vehicle parking (which should be located in the construction area and not on adjacent streets);
 - g) Methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances;
 - h) Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
 - i) The document management system for administering the CEMP, including review and Requiring Authority / constructor / Council requirements;
 - j) Environmental incident and emergency management procedures (including spills);
 - k) Environmental complaint management procedures;
 - l) An outline of the construction programme of the work, including construction hours of operation, indicating linkages to the other management plans which address the management of adverse effects during construction; and
 - m) Methods to provide for the safety of the general public.

Construction Traffic Management Plan

7. A CTMP shall be employed by the Requiring Authority to manage the traffic management, safety and efficiency effects of the Project. The CTMP is to be prepared in consultation with Auckland Transport, with the outcome of consultation with Auckland Transport to be documented and any comments from Auckland Transport that are not acted upon to be provided with the final CTMP that is submitted to the Council.

The purpose of the CTMP is to:

- a) Manage the road transport network for the duration of construction to manage congestion and minimise delays to road users;
- b) Inform the public about traffic management on the road transport network for the duration of construction;
- c) Protect public safety including the safe passage of pedestrians and cyclists;
- d) Maintain pedestrian access to private property at all times;
- e) Provide vehicle access to private property to the greatest extent possible; and
- f) Manage traffic effects from construction yards on adjacent properties.

The CTMP must contain the following:

- a) The road routes to be used by construction related vehicles, particularly trucks, to transport construction related materials, equipment, spoil, including how the use of these routes by these vehicles will be managed to mitigate congestion;
- b) Information on designated staff parking areas for construction workers; and
- c) How disruption to use of the road network will be minimised for emergency services, freight and other related vehicles, pedestrians and cyclists.

Construction Noise and Vibration Management Plan

- 8. The purpose of the CNVMP is to provide for a framework for the development and implementation of measures to avoid, remedy or mitigate adverse construction effects. The CNVMP shall be set out as in NZS6803:1999 Section 8 and Annex E and is to contain the following information:
 - a) A summary of the project noise criteria
 - b) A summary of construction noise assessments/predictions
 - c) General construction practices, management and mitigation
 - d) Noise management and mitigation measures specific to activities and/or receiving environments
 - e) The requirement for pre and post-construction building condition surveys, as/if identified during preparation of the CNVMP
 - f) Monitoring and reporting requirements
 - g) Procedures for handling complaints
 - h) Procedures for review of the CNVMP throughout the project.
- 9. Construction activities are to occur between 7.30am and 6.00pm Monday to Saturday, with no construction to occur on Sundays or public holidays unless otherwise authorised through the Construction Noise and Vibration Management Plan.

Earthworks Management

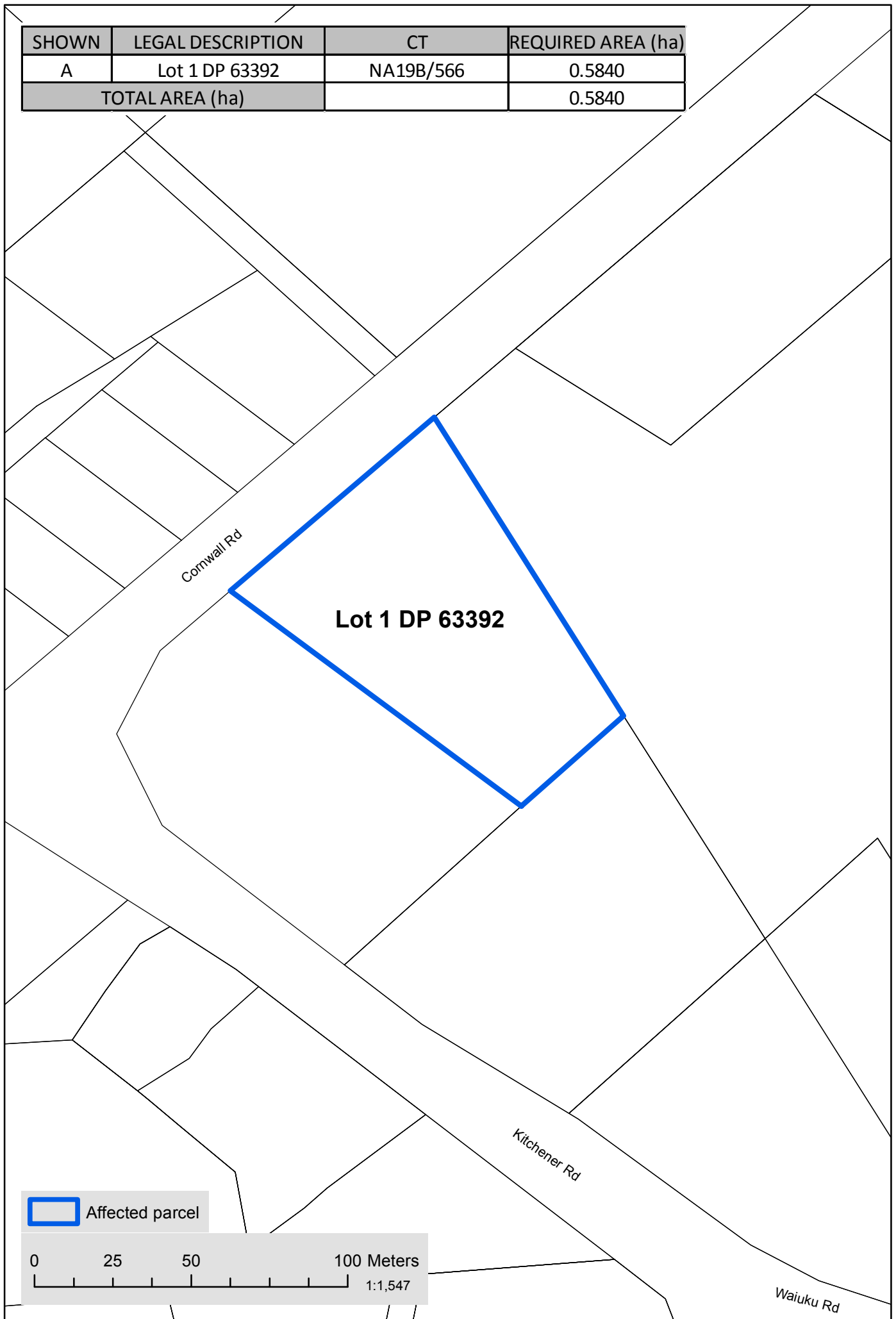
- 10. The consent holder shall undertake construction in accordance with the certified ESCP. The ESCP shall be prepared in accordance with the Council's *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Guideline Document 2016/005 (GD05)*

and any subsequent updates and shall include:

- a) specific erosion and sediment control works for each stage (location, dimensions, capacity) in accordance with industry best practice as well as GD05:
 - b) supporting calculations and design drawings;
 - c) details of construction methods;
 - d) monitoring and maintenance requirements;
 - e) catchment boundaries and contour information; and
 - f) details relating to the management of exposed areas (e.g. grassing, mulch).
11. Prior to earthworks commencing, a certificate signed by a suitably qualified, experienced person is to be submitted to the Council to certify that the erosion and sediment controls have been constructed in accordance with the certified ESCP.
 12. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of this Notice of Requirement or by a certified ESCP are to be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
 13. There must be no deposition of earth, mud, dirt or other debris on any public road or footpath outside the construction site resulting from earthworks activity on the project route.
 14. In the event that such deposition does occur, it is to be removed immediately. In no instance are roads and/or footpaths to be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the public stormwater drainage system, watercourses and/or receiving waters.
 15. On completion or abandonment of earthworks on the site all areas of bare earth must be permanently stabilised against erosion to the satisfaction of Council.
 16. The sediment and erosion controls at the site of the works are to be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record is to be maintained of the date, time and any maintenance undertaken in association with this condition which is to be forwarded to the Council on request.

Attachment 3: Designation Extent

SHOWN	LEGAL DESCRIPTION	CT	REQUIRED AREA (ha)
A	Lot 1 DP 63392	NA19B/566	0.5840
TOTAL AREA (ha)			0.5840



9570 Waiuku Water Treatment Plant

Designation Number	9570
Requiring Authority	Watercare Services Limited
Location	11 Cornwall Road, Waiuku
Lapse Date	29 November 2028

Purpose

Water supply purposes, including abstraction, treatment and storage

Conditions

General conditions

Designation lapse

1. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the "RMA"), this designation will lapse if not given effect to within 10 years from the date on which it is included in the Auckland Unitary Plan.

Outline Plan of Works

2. The requiring authority must submit an outline plan or plans prior to construction of any water abstraction infrastructure, water treatment plant, reservoirs or associated infrastructure in accordance with section 176A of the RMA.

3. The outline plan or plans may be submitted in stages to reflect the staged development of the site.

4. The outline plan or plans are also to include the following management plans for the relevant stage(s) of development:

- a) Construction Environmental Management Plan ("CEMP");
- b) Construction Noise and Vibration Management Plan ("CVNMP")
- c) Construction Traffic Management Plan ("CTMP"); and
- d) Erosion and Sediment Control Management Plan ("ESCP").

5. Where a management plan is required as listed in Condition 4 above, the management plan shall be implemented, complied with, and maintained throughout the duration of the construction period.

Construction conditions

Construction Environmental Management Plan (CEMP)

6. The purpose of the CEMP is to avoid, remedy or mitigate adverse effects associated with the construction works associated with the Project. The CEMP shall contain the following:

- a) Where access points are to be located and procedures for managing construction vehicle ingress and egress to construction support and storage areas;
- b) Methods for managing and monitoring dust as a nuisance, including methods for minimising dust emissions, monitoring procedures and contingency procedures in the event of a dust nuisance event;
- c) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal /

storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place within the boundaries of the designation;

- d) How the construction yards are to be fenced and kept secure;
- e) The location and specifications of any temporary acoustic fences where necessary;
- f) The location of any temporary buildings (including workers' offices and portaloos) and vehicle parking (which should be located in the construction area and not on adjacent streets);
- g) Methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances;
- h) Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
- i) The document management system for administering the CEMP, including review and Requiring Authority / constructor / Council requirements;
- j) Environmental incident and emergency management procedures (including spills);
- k) Environmental complaint management procedures;
- l) An outline of the construction programme of the work, including construction hours of operation, indicating linkages to the other management plans which address the management of adverse effects during construction; and
- m) Methods to provide for the safety of the general public.

Construction Traffic Management Plan

7. A CTMP shall be employed by the Requiring Authority to manage the traffic management, safety and efficiency effects of the Project. The CTMP is to be prepared in consultation with Auckland Transport, with the outcome of consultation with Auckland Transport to be documented and any comments from Auckland Transport that are not acted upon to be provided with the final CTMP that is submitted to the Council.

The purpose of the CTMP is to:

- a) Manage the road transport network for the duration of construction to manage congestion and minimise delays to road users;
- b) Inform the public about traffic management on the road transport network for the duration of construction;
- c) Protect public safety including the safe passage of pedestrians and cyclists;
- d) Maintain pedestrian access to private property at all times;
- e) Provide vehicle access to private property to the greatest extent possible; and
- f) Manage traffic effects from construction yards on adjacent properties.

The CTMP must contain the following:

- a) The road routes to be used by construction related vehicles, particularly trucks, to transport construction related materials, equipment, spoil, including how the use of these routes by these vehicles will be managed to mitigate congestion;

- b) Information on designated staff parking areas for construction workers; and
- c) How disruption to use of the road network will be minimised for emergency services, freight and other related vehicles, pedestrians and cyclists.

Construction Noise and Vibration Management Plan

8. The purpose of the CNVMP is to provide for a framework for the development and implementation of measures to avoid, remedy or mitigate adverse construction effects. The CNVMP shall be set out as in NZS6803:1999 Section 8 and Annex E and is to contain the following information:

- a) A summary of the project noise criteria
- b) A summary of construction noise assessments/predictions
- c) General construction practices, management and mitigation
- d) Noise management and mitigation measures specific to activities and/or receiving environments
- e) The requirement for pre and post-construction building condition surveys, as/if identified during preparation of the CNVMP
- f) Monitoring and reporting requirements
- g) Procedures for handling complaints
- h) Procedures for review of the CNVMP throughout the project.

9. Construction activities are to occur between 7.30am and 6.00pm Monday to Saturday, with no construction to occur on Sundays or public holidays unless otherwise authorised through the Construction Noise and Vibration Management Plan.

Earthworks Management

10. The consent holder shall undertake construction in accordance with the certified ESCP. The ESCP shall be prepared in accordance with the Council's *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Guideline Document 2016/005 (GD05)* and any subsequent updates and shall include:

- a) specific erosion and sediment control works for each stage (location, dimensions, capacity) in accordance with industry best practice as well as GD05;
- b) supporting calculations and design drawings;
- c) details of construction methods;
- d) monitoring and maintenance requirements;
- e) catchment boundaries and contour information; and
- f) details relating to the management of exposed areas (e.g. grassing, mulch).

11. Prior to earthworks commencing, a certificate signed by a suitably qualified, experienced person is to be submitted to the Council to certify that the erosion and sediment controls have been constructed in accordance with the certified ESCP.

12. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of this Notice of Requirement or by a certified ESCP are to be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.

13. There must be no deposition of earth, mud, dirt or other debris on any public road or footpath outside the construction site resulting from earthworks activity on the project route.

14. In the event that such deposition does occur, it is to be removed immediately. In no instance are roads and/or footpaths to be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the public stormwater drainage system, watercourses and/or receiving waters.

15. On completion or abandonment of earthworks on the site all areas of bare earth must be permanently stabilised against erosion to the satisfaction of Council.

16. The sediment and erosion controls at the site of the works are to be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record is to be maintained of the date, time and any maintenance undertaken in association with this condition which is to be forwarded to the Council on request.

Attachments

No Attachments

New/Alterations & Withdrawals to Designations
(Go Live 29th November 2018)

Amendments to Auckland Unitary Plan GIS Viewer (maps)

Affected map layers : Designations

Designation: 9570

Name: Waiuku Water Treatment Plant - 11 Cornwall Road

Requiring Authority: Watercare

Notice of Requirement
to become Designation

