

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison Manager Central South

FROM Lee-Ann Lucas - Principal Planner

DATE 21 January 2020







SUBJECT *Alteration to Designation 6773 Glenn Innes to Tamaki Road Shared Path in accordance with s 181(3) of the Resource Management Act*



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

Reason for update – An alteration to increase the spatial extent of the designation to enable the location and operation of temporary construction structures and equipment and for the realigned permanent shared path in this location. Also, to enable restoration works and replanting of the area.	
Chapter	Chapter K designations
Section	Schedules and designations
Designation only	
Designation	6773 - Glen Innes to Tamaki Drive Shared Path
Location:	Pourewa Valley within the area bounded by St Johns Road (St Johns) to the east, Orakei Basin to the west, Whytehead Crescent, Edison Place and John Rymer Place and the Pourewa Creek (Kohimarama) to the north and North Island Main Trunk Line, Purewa Cemetery, Tahapa Crescent and Purewa Road (Meadowbank) to the south.
Lapse Date	5 years after that date on which it is included in the Auckland Unitary Plan
Purpose	To construct, operate and maintain Section 2 (St Johns Road to Meadowbank Train Station) of the Glenn Innes to Tamaki Drive proposed shared pedestrian and cycle path.
Changes to text (shown in underline and strikethrough)	<p>1. Except as modified by the conditions below and subject to final detailed design, the Project shall be undertaken in accordance with the information provided by the Requiring Authority in the NoR dated April 2016 and supporting documents (as updated by information provided by the Requiring Authority up until the close of the Hearing) being:</p> <p>a) Notice of Requirement – Assessment of Environmental Effects prepared by MWH, April 2016;</p> <p>b) Supporting technical reports dated March 2016; and</p> <p>c) Plans sets:</p> <p>i. Land Requirement Plans (sheets 1-8) Drawing No 80504522-C4-0402_G851-G858);</p> <p>ii. Construction Extent and Access Location Plan Drawing; <u>and</u></p> <p>iii. AUCKLAND TRANSPORT AND NEW ZEALAND TRANSPORT AGENCY GLEN INNES TO TAMAKI DRIVE SHARED PATH SECTION – 2 – Phase 1 (CH00 to CH880) – Land Requirement Plan (Sheet 1 of 1) Drawing No 80504522-C4-0402 G879 Rev C produced by MWH now part of Stantec design</p>

	<p>review dated 09.02.18 by Nick Gluyas (Not approved); <u>and</u></p> <p>iv. <u>Proposed Alterations to Extents of Designation Drawing 80504522-C4-0402_SK085 Rev A</u></p> <p><u>24A Prior to works commencing a 1.8m high close boarded fence shall be installed along the designation boundary in Purewa Cemetery and the fence shall be retained during construction works</u></p> <p><u>46A Immediately following completion of construction works on LINZ land, the Requiring Authority shall implement the following:</u></p> <ul style="list-style-type: none"> a. <u>The planting of large grade native trees (45L) at a replacement ratio of 3:1 for every semi-mature tree removed.</u> b. <u>The replacement trees selected shall align with the requirements of the Ecological Restoration Plan (ERP) required by condition 45</u> c. <u>The planting shall be implemented in conjunction with the restoration planting undertaken in the section to the north of the rail corridor.</u> <p><u>46B Immediately following completion of construction works on Purewa Cemetery, the Requiring Authority shall implement the following:</u></p> <ul style="list-style-type: none"> a. <u>The planting as a minimum three (3x) 50L Pohutukawa, two (2x) 50L Puriri, two (2x) 25L Karaka, and a larger number of closely spaced Tarata and Kohuhu 10L shrubs</u> b. <u>The planting of the replacement trees shall be implemented in conjunction with the restoration planting undertaken on the adjacent area of Tahapa Reserve East.</u> <p><u>49A</u></p> <p><u>All tree works shall be in accordance with Table 1 of the Arborlab report, titled Glen Innes to Tamaki Drive Shared Path Bridge 86 Designation Boundary change - Arboriculture, dated 11 Feb 2019 (for trees 45-53) and implemented through the TPMP required under condition 49.</u></p>
<p>Changes to diagrams</p>	<p>The designation boundaries will be extended to enable the location and operation of temporary construction structures and equipment and for the realigned permanent shared path in this location. Also to enable the restoration works and replanting of the area.</p>
<p>Changes to spatial data</p>	<p>New outline for this section of the designation – as provided</p>
<p>Attachments</p>	<p>Attachment 1 – Auckland Council Section 181 (3) Determination Report</p> <p>Attachment 2 – Updated Text for Designation 6773</p> <p>Attachment 3 – Updated GIS Viewer for Designation 6773</p>

<p>Prepared by: Lee-Ann Lucas - Principal Planner Central South, Plans and Places</p>	<p>Text Entered by: Sophia Coulter Planning Technician</p>
<p>Signature: </p>	<p>Signature: </p>
<p>Maps prepared by: Aching Konyak Geospatial Lead Plans and Places</p>	<p>Reviewed by: Lee-Ann Lucas - Principal Planner Central South, Plans and Places</p>
<p>Signature: </p>	<p>Signature: </p>
<p>Reviewed by: Fiona Sprott Team Leader Planning, Central South Plans and Places</p>	<p>Signed off by: Celia Davison Manager Planning - Central/South Plans & Places</p>
<p>Signature: </p>	<p>Signature: </p>

Attachment 1 –
Auckland Council Section 181 (3) Determination
Report

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: Shared Pathway – Glenn Innes to Tamaki - 6773
Requiring authority: New Zealand Transport Agency
Site address: 337 Kohimarama Road, Meadowbank

Summary

Auckland Council has received a request from the New Zealand Transport Agency (NZTA) under section 181(3) of the Resource Management Act 1991 (RMA), dated 14 March 2019 to alter Designation 6773 – Shared Pathway from Glenn Innes to Tamaki.

After undertaking an assessment of the notice, I consider that the proposed alteration meets the statutory tests of section 181(3) of the RMA and therefore is confirmed as a minor alteration.

Recommendation

1. That the proposed alteration of Designation 6773 – Shared Pathway from Glenn Innes to Tamaki Drive, in the Auckland Unitary Plan **be confirmed under S181(3)**, for the following reasons:
 - The alteration involves no more than minor changes to the environmental effects associated with the use of the land;
 - The alteration involves only minor changes to the boundary of the designation;
 - Written notice has been given to every owner or occupier directly affected and those owners or occupiers agree with the alteration
 - Both the territorial authority and requiring authority agree with the alteration

1. Introduction

1.1. Notice of Requirement

On 19 March 2019 the New Zealand Transport Agency (NZTA) requested that Auckland Council exercise its powers under s181(3) to alter Designation 6773. NZTA Designation 6773 provides for the construction, operation and maintenance of Stage 2 (St Johns Road to Meadowbank Train Station) of the Glenn Innes to Tamaki Drive proposed shared pedestrian and cycle path.

As set out in the Form 18:

- a) The request seeks to alter the designation in the following four locations (refer Figure 1 below):
 - (Site 1) Two sites on the northern side of the North Island Main Trunk railway line (NIMT) between the tracks and the Coastal Marine Area which provide for

the realignment of the shared path and ramp approach to the bridge. The land affected is owned by Land Information New Zealand (LINZ) and contains Significant Ecological Areas.

- (Site 2) The NIMT rail corridor on the southern side of the existing designation. The change to the extent of the designation is necessary to provide for the temporary pedestrian bridge and related construction activity.
 - (Site 3) Purewa Cemetery - A crane and crane pad need to be located on the north-western corner of the Purewa Cemetery closest to the rail line and accessed from Tahapa Reserve East.
 - (Site 4) Tahapa Reserve East - Changes to the bridge mean that larger sections of the bridge need to be delivered by road and an additional area of the reserve is required to create the access for the oversized trucks bringing the bridge sections to the crane.
- b) An amendment to Condition 1 of the original consent is proposed to include additional plans associated with the proposed alteration.
- c) Additional condition 24A is proposed in relation to the safety and visual amenity of the temporary works on Site 3.
- d) Additional conditions 46A, 46B and 49A have been included to ensure replanting is undertaken at the completion of the construction works and in conjunction with proposed planting as required under condition 46 of the original designation.
- e) Consultation has been undertaken with the following parties:
- Auckland Transport (directly affected)
 - The Purewa Cemetery Trust Board (directly affected);
 - KiwiRail (directly affected);
 - LINZ (directly affected) through its property manager Colliers;
 - Auckland Council (directly affected in relation to Tahapa Reserve East);

NZTA consider that section 181(3) of the RMA should be applied to the NoR as it meets the tests under this section, namely:

- The proposed alteration represents no more than a minor change in effects to the environment
- The written approval of affected landowners or occupiers has been secured

For a territorial authority (Auckland Council) to be able to agree with the alteration, it must first be satisfied that the tests as set out under section 181(3) have been met. I discuss these below.

1.2. Adequacy of information

I have undertaken a review of the Assessment of Environmental Effects (AEE) and additional supporting documentation and am satisfied sufficient information has been provided to support the NoR.

1.3. Documents relied on

In preparing this report, the following documents provided by NZTA (and appended to this report) have been relied on:

- Form 18 – Notice of Requirement for Alteration to Designation 6773 to Auckland Council dated 14 March 2019 (refer **Attachment 1**)
- Assessment of Environmental Effects (AEE) for Alteration to Designation 6773 to Auckland Council dated 14 March 2019 (refer **Attachment 1**)

- Designation – 6773 – Shared Pathway from Glenn Innes to Tamaki (refer **Attachment 2**)
- Section 92 responses to specialists including affected landowners and S176 approvals (refer **Attachment 3**)
- The Historic Heritage Management Plan (refer **Attachment 4**)

1.4. Relevant statutory provisions

The New Zealand Transport Agency is a Requiring Authority in accordance with s167 of the RMA.

Section 181 “Alteration of designation” of the RMA 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.*

It is noted here that it is not necessary for both tests s181(3)(a)(i) and 181(3)(a)(ii) to be passed. However, the request must cumulatively pass all of s181(3)(a), (b) and (c).

2. Background

2.1. New Zealand Transport Agency overview

The NZTA project comprises the construction, operation and maintenance of Section 2 of the shared cycle and pedestrian path from Glenn Innes to Tamaki Drive. This section runs through the Pourewa Valley from St Johns Road, St Johns to Purewa Road, Meadowbank. The sites to which the alteration applies lie between the Meadowbank

Railway Station and Tahapa Reserve East entrance. The alterations encroach 4 Parsons Road, Meadowbank (Purewa Cemetery Lot 5 DP 67742, Lot 1 DP 158865, Lot 1 DP 138935, Lot 1 DP 202220), 43 Tahapa Crescent, Meadowbank (Tahapa Reserve East – Lot 170 DP 41498). The alteration also expands into additional areas of the parent site which is referred to as 337 Kohimarama Road (Lot 2 DP 23745, Pt Lot 3 DP 23745, Pt Lot 10 BLK IV DP 18321, Pt Lot 18 DP 18321, Lot 22 DP 18321, Pt Lot 1 DP 23745). The shared cycle and pedestrian path is a 'Cycle Metro' route in the Proposed Cycle Network (CAN) developed by Auckland Transport. It will connect cycle routes from Point England, the shared path along Tamaki Drive and the Tamaki Drive Cycle Route.

2.2. Reason for the proposed alteration

The plans approved as part of the original Notice of Requirement (2016) showing the alignment of the shared path, were indicative only and were approved subject to final detailed design of the path as it progressed (Condition 1). Following this approval, NZTA working in conjunction with Auckland Transport has been developing the detailed design of this path.

2.3. Following detailed engineering design, the request seeks to expand the designation boundaries in four separate locations as shown in green on **Figure 1** below, to accommodate:

- the redesigned pedestrian and cycling bridge (the eastern Site 1) and associated northern access ramp (both areas of Site 1) of the shared path over the NIMT rail corridor;
- construction of a temporary pedestrian bridge over the rail corridor for construction access (Sites 2 and 3);
- construction of a temporary concrete crane pad and location of a 280tonne crane in Purewa Cemetery (Site 3); and
- the clearing of an area to accommodate the related construction activities including provision of access for over size trucks (Site 4).

2.4. Due to KiwiRail's requirements to provide for a future third line and to provide for the potential derailment of trains, the span of the shared path overbridge in this location must be increased. This has resulted in a redesign of the path which translates to a change in the angle of approach and in the construction materials to ensure the bridge can support the increased span.

2.5. The bridge will now be formed of precast Stahlton Super Tee beams and reinforced pier structures. The Super Tee beams will need to be transported to the rail corridor through Tahapa Reserve East by an oversize load truck. Due to the steep gradient of the reserve it is necessary to undertake works outside the current designation to construct suitable access for the oversized truck. Site 4 is required for this access.

2.6. The original designation had anticipated the installation of a temporary level crossing over the rail tracks to enable personnel to access the various sites during the construction phase. Due to KiwiRail's requirements this access must now be an elevated bridge over the railway. Sites 1, 2 and 3 will include the footings and ramp access for this temporary bridge.

2.7. Due to the redesigned superstructure of the shared path bridge a crane is required to lift the components into place. To enable the appropriate operation of this crane the designation is proposed to be expanded to include Site 3 for the location and operation of the crane

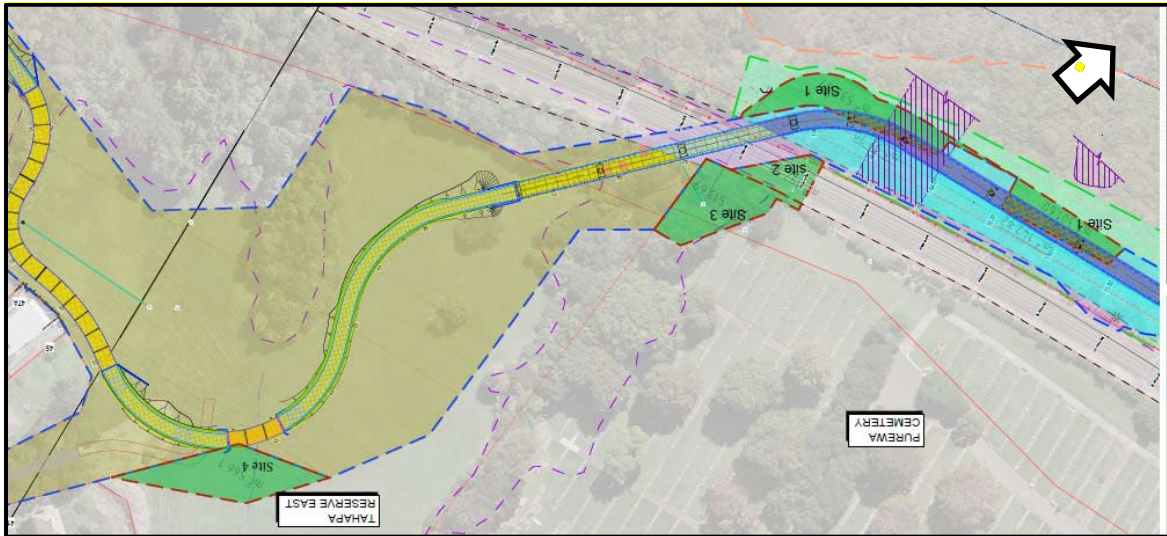


Figure 1 – Proposed extent of alteration to designation

3. Notice of Requirement summary

3.1. Existing environment

On 9 August 2016, NZTA Designation 6773 (to which this alteration relates) was confirmed through Independent Commissioners on behalf of Auckland Council. As such, NZTA Designation 6773 is now deemed to form part of what is considered as the existing environment and informs the baseline upon which the change in effects of the alteration will be assessed from a statutory perspective.

3.2. Land affected by the alteration

As described above the proposed alterations to the boundaries expand the shared path designation into and over four properties. These areas are discussed below:

3.2.1. LINZ land – Site 1

This site is comprised of two areas alongside designation 6773 on the northern side of the NIMT. It is managed by LINZ for the Crown. It is subject to SEA_T_5242 and is largely covered in privet. The site cannot be accessed by the public and can only be viewed from passing trains. It is proposed to be cleared to enable the construction of the realigned shared path and the temporary pedestrian overbridge. The sites are covered by existing designation 1620: Eastern Transport Corridor for which Auckland Transport is the designating authority. The purpose of this designation is to provide for the Eastern Transport Corridor. Auckland Transport have confirmed that the encroachment of the proposed alteration will have no effect on their designation. The land is adjacent to the Outstanding Natural Feature Purewa Estuary (Schedule 6: Outstanding Natural Features Overlay site 171)

3.2.2. KiwiRail land – Site 2

This site is owned by the Crown and managed by KiwiRail. It is subject to Designation 6302 – North Island Main Trunk Railway – KiwiRail. The purpose of this designation is to “develop, operate and maintain railways, railway lines, railway infrastructure and railway premises as defined in the Railways Act 2005.” KiwiRail has confirmed that the proposed alteration will not impact on its ability to carry out the

designations purposes. The site is largely devoid of vegetation and is occupied by two rail tracks located on an embankment area of metal ballast. There is a wire and post fence along the boundary with the cemetery. The land contains a mast and associated electric overhead lines. The site is proposed for the location of the temporary pedestrian overbridge for the construction period. KiwiRail require the requestor to obtain the necessary 'permit to enter' from KiwiRail to carry out the works over the NIMT and comply with any conditions associated with this permit. This is also covered by condition 24(j) of the original consent which requires the preparation of a Construction Environment Management Plan (CEMP) to include "Methods to manage equipment and construction activity within the railway corridor using agreed practices in consultation with KiwiRail." This is discussed later in Section 4.0.

3.2.3. Purewa Cemetery – Site 3

This site is part of the Purewa cemetery owned by the Purewa Cemetery Trust Board. This area of the cemetery is subject SEA_T_5242 and is occupied by a number of large trees. Ten of these trees are required to be removed to enable the location of a temporary crane and pad for the construction period. Some of these trees will be removed to allow for the swing of the crane jib (arm). A fence is proposed to be installed to ensure the remaining vegetation in this area (and within the SEA) is not damaged during the construction period.

3.2.4. Tahapa Reserve East – Site 4

This site is located at the entrance to Tahapa Reserve East on Tahapa Crescent. Due to the change in construction materials for the realigned shared path bridge, larger oversized trucks are required to deliver the materials to site. This requires an expansion of the designation into the reserve land behind 41 Tahapa Crescent. The area is grassed and will be reprofiled to enable the wider accessway but will be reinstated once the construction phase is completed.

3.2.5 Regionally Significant Volcanic Viewshaft W19 Mount Wellington

The regionally significant volcanic viewshaft W19 lies over Sites 1, 2, and 3. It ranges from approximately 55m to 47m in height over the sites and will not be affected by the proposed works, including construction works.

3.4 Project objectives

NZTA acknowledges the overall project objectives in Section 7 of Form 18. NZTA states that the alteration to the designation is *reasonably necessary for achieving these objectives because it will:*

- *Better provide for the cost-effective construction and operation of the section of the shared path;*
- *Better provide for an attractive path that will provide a safe route and that, through the management of grades, will support a range of user levels;*
- *Better provide for the construction of the rail bridge that will improve walking and cycling accessibility and connectivity for the Tamaki, Meadowbank and Orakei communities; and*
- *Better promote sustainability as it recognises and provides for the existing and future operational needs of KiwiRail (and the primary designation in this location).*

4. Analysis of the proposed alteration

4.1. Assessment of Environmental effects (s181(3)(a)(i) and (3)(a)(ii))

NZTA has provided an assessment of environmental effects (AEE) with the NoR. It considers that the proposed alteration to the designation involves no more than minor changes to the effects on the environment and therefore meets the test under s181(3)(a)(i).

In assessing the proposal, I consider the effects are as follows:

- Environmental – the alteration involves the removal of vegetation and earthworks to enable the modified path structure and temporary pedestrian overbridge within a Significant Ecological Area (SEA_T_5242).
- Visual and landscape – the request involves the removal of a number of mature trees and a modified bridge configuration. It also requires extensive temporary construction elements (temporary pedestrian bridge and a temporary crane) and activities (oversize truck movements).
- Archaeological – the proposed works encroach on a midden (R11/ 3051)

These are discussed in detail below.

4.2. Environmental

4.2.1. NZTA's assessment

Sites 1 and 3 are located within SEA_T_5242 (refer **Figure 2** below). Sites 1 and 3 are heavily vegetated. None of the sites extend into the Coastal Marine Area nor any marine based SEA in the area.

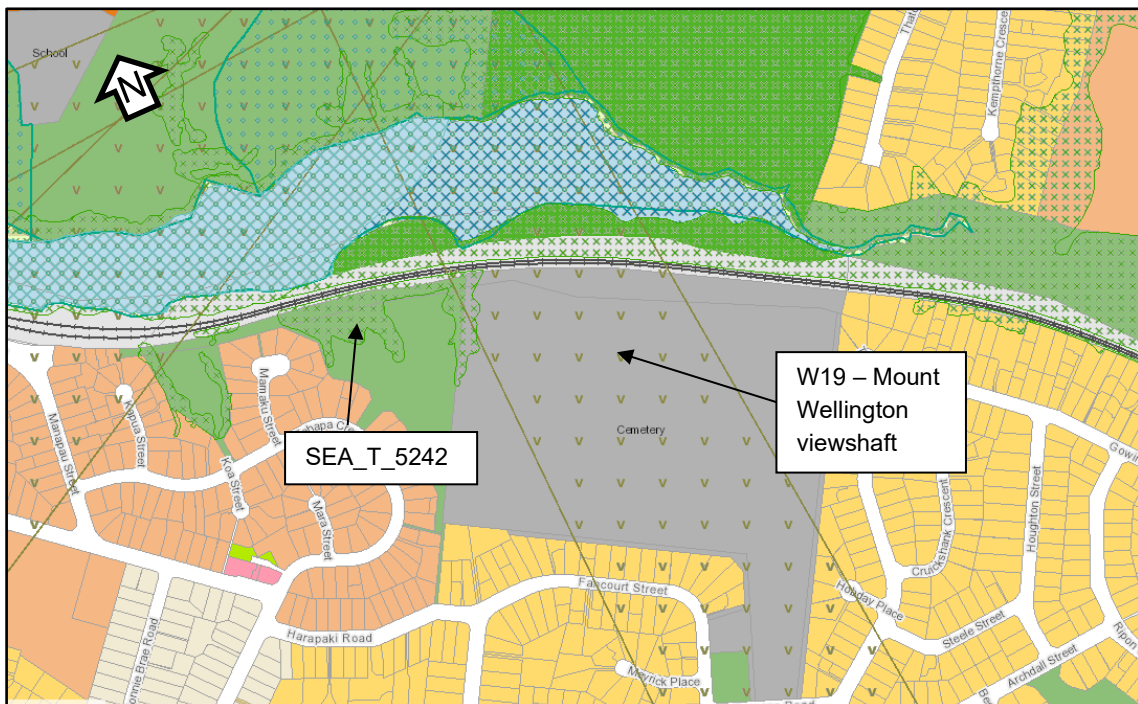


Figure 2 – Volcanic viewshaft and SEA

Section 3.0 of the NoR's AEE states that the earthworks and vegetation clearance works within the Significant Ecological Area (SEA_T_5242) are subject to the regional rules in Chapter E15: Vegetation management and biodiversity of the AUP(OP). Subsequently these works will be included in the required resource consent.

NZTA acknowledges that the removal of the planting on sites 1 and 3 in particular will have an adverse visual impact on the surrounding environment, when viewed from Purewa Cemetery and Tahapa Reserve East. This is compounded by the fact that the existing designation includes the removal of existing mature trees within the original designation boundaries adjacent to the areas where the additional trees are proposed to be removed.

NZTA propose additional conditions to mitigate the effects on both the environmental and visual effects of the removal of the trees on the LINZ land and the Purewa Cemetery site.

Condition 24A deals with the potential impact of the crane jib swing on the remaining vegetation within the SEA on the cemetery land. The fence is provided to protect the vegetation from possible damage.

24A. Prior to works commencing a 1.8m height close boarded fence shall be installed along the designation boundary in Purewa Cemetery and the fence shall be retained during construction works.

Conditions 46A and 46B propose to replant the areas where the vegetation is to be removed with large grade native trees and smaller shrubs.

46A. Immediately following completion of construction works on LINZ land the Requiring Authority shall implement the following:

- a. The planting of large grade native trees (45L) at a replacement ratio of 3:1 for every semi-mature tree removed.*
- b. The replacement trees selected shall align with the requirements of Ecological Restoration Plan (ERP) required by condition 45*
- c. The planting shall be implemented in conjunction with the restoration planting undertaken in the section of land to the north of the rail corridor.*

46B. Immediately following completion of construction works on Purewa Cemetery, the Requiring Authority shall implement the following:

- a. The planting as a minimum, three (3x) 50L Pohutukawa, two (2x) 50L Puriri, two (2x) 25L Karaka, and a larger number of closely spaced Tarata and Kohuhu 10L shrubs.*
- b. The planting of the replacement trees shall be implemented in conjunction with the restoration planting undertaken on the adjacent area of Tahapa Reserve East.*

Consequently, NZTA considers the proposed alterations to the designation boundary pose no more than a minor change in the effects on the environment associated with the use of the land already provided for by the designation.

4.2.2. Assessment

The existing designation envisages removal and alteration of vegetation within a SEA. The changes proposed by the alteration extend the area of the works to enable the construction of the reconfigured shared pathway bridge. The SEA is protected by regional rules in the AUP (OP) which are not superseded by a designation. Therefore, consent will be required as appropriate through activity table E15.4.2. Any assessment required by Chapter E15 should be fully undertaken as part of a resource consent.

Based on the information provided with this application, their knowledge of the existing environment and through site visits, other potential additional effects of the proposed alteration to the designation were able to be assessed by relevant specialists. These are discussed below.

4.2.2.1. Arborist

The potential additional effects on the vegetation at the site have been assessed by Gavin Donaldson – Senior Arborist, Earth, Streams and Trees Specialist Unit. Mr Donaldson sought the inclusion of the condition below to ensure that the proposed remedial works would be undertaken in accordance with the latest recommendations against the proposed alteration:

“All tree works shall be in accordance with Table 1 of the Arborlab report, titled Glen Innes to Tamaki Drive Shared Path Bridge 86 Designation Boundary change - Arboriculture, dated 11 Feb 2019 (for trees 45-53) and implemented through the TPMP required under condition 49.”

This condition is accepted by the requestor to be included with the amended designation. Otherwise, Mr Donaldson concurs with the Arborlab report that the additional adverse effects will be less than minor, provided that appropriate mitigation in the form of replanting is undertaken.

4.2.2.2. Ecology

The potential additional effects on the ecological values of the site have been assessed by Carl Tutt – Ecologist, Environmental Services. Mr Tutt raised concerns regarding the removal of trees during the bird breeding season, and the adequacy of the proposed replacement vegetation.

Condition 51 of the original designation states that *“the felling of trees ...shall be undertaken outside the main avifauna breeding season (01 September to 31 December).”* Mr Tutt states that the breeding season is now September to February but states for the purposes of maintaining consistency with the original designation that the period as stipulated remain. Notwithstanding this, he notes, birds are protected under the Wildlife Act 1953 and it is an offence to rob, disturb, or destroy the nest of any absolutely protected or partially protected wildlife.

With regard to the replacement planting, Mr Tutt does not agree with a blanket 3;1 replacement ratio of planting but acknowledges that the proposed maturity and species of the replacement trees is sufficient and appropriate to the location. He concludes that given the wider ecological restoration being undertaken through this area and the replacement trees being of a larger grade, the proposed alteration will adequately manage the ecological effects.

4.2.3. Conclusions

I consider that the proposed alteration to the designation in this location involves no more than minor changes to the effects on the arboriculture and ecology compared to the original designation – 6773 Glenn Innes to Tamaki Shared Path. The tree removal does present an ecological loss and will have visual impact during the construction phase which will be mitigated by the proposed replanting of mature and large trees at the completion of this phase. These effects are considered to be adequately managed subject to the suite of conditions under the original designation and including the additional conditions proposed above. The value of the terrestrial SEA as a buffer between the rail and the marine SEA area will be maintained at the competition of the works.

4.3. Visual and Landscape

4.3.1 NZTA's assessment

NZTA states that the change to the permanent shared path overbridge in this location is not expected to be visually discernible from that approved under the existing designation. Furthermore, the removal of the trees will only present a temporary loss of amenity as these are subject to a tree replacement plan which includes large sized specimens. The replacement of vegetation will be carried out at the completion of the constructions works.

The area is also subject to a Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay - W19 Mount Wellington (refer the 'v' shape area in **Figure 2** above). The lowest point of the viewshaft is 48m above the land subject to the alteration.

The temporary pedestrian bridge will be constructed to a maximum height of 12m above the ground (providing a clearance of at least 9m above the railway line). The altered shared path bridge will be built to a maximum height of 13m above ground level and will include a balustrade of approximately 1.4m in height.

The crane will reach a height of 46m when fully extended above the ground. The crane will only need to reach this height when transporting the sections of the bridge across the NIMT.

4.3.2 Assessment

The potential visual and landscape effects of the proposed alteration have been assessed by the following specialists.

4.3.2.1 The additional landscape and visual effects of the proposed alteration to the designation have been assessed by Peter Kensington of Kensington Planning and Landscape Consultants. Mr Kensington concurs with the Boffa Miskell memo (refer **Appendix E** of the request) which found that the revised design for the permanent shared path bridge will:

- be perceived in a similar form to that which was previously enabled;
- continue to be seen as a slim, horizontal structure in the landscape that will be integrated by existing and proposed vegetation; and
- have short term adverse visual effects when viewed by visitors to Purewa Cemetery which will be mitigated over time by the proposed planting

4.3.2.2 Mr Kensington also agreed that the proposed additional replacement planting conditions will assist to achieve an appropriate outcome

4.3.2.3 Mr Kensington also commented on the levels of amenity enjoyed by neighbouring site users such as cemetery users. These persons would normally expect to encounter peaceful and natural settings when visiting the cemetery.

4.3.2.4 Mr Kensington considers that the construction activities, including the construction and use of the temporary pedestrian bridge and the crane will be more visible to the visitors of the cemetery and the adjacent Tahapa Reserve East due to the removal of the vegetation. However, he concurs with the Boffa Miskell report in that the adverse effects will be short term as the existing vegetation will be replaced by mitigation planting at the conclusion of the construction period.

4.3.2.5 Todd Elder, Planner, Northwest considered the potential impact of the proposed alteration on the Volcanic viewshaft and Height sensitive areas overlay. He has

confirmed that the lowest height to intrude the viewshaft is 48m above the ground. Mr Elder confirms that both the temporary pedestrian bridge and the realigned permanent shared path bridge are unlikely to intrude into this viewshaft. Therefore, the activities in Table D14.4.1 and the standards under Chapter 14.6 of the Auckland Unitary Plan (OIP) do not apply.

4.3.2.6 The crane is a 280tonne crawler crane. According to the specifications for this model the jib (operating arm) is 42m long. The cab has a total height of 4m off the ground. Combined the maximum height of the crane will be 46m which does not intrude into either the volcanic viewshaft or height sensitive overlays.

4.3.3 Conclusions

Based on the above assessments, I consider the effects associated with the redesign of the permanent shared path bridge in two phases – the construction period and upon completion of the construction period.

The proposed realignment of the shared path involves the removal of additional trees to accommodate the realigned structure and the construction activities (including the temporary pedestrian overbridge and the crane) associated with this.

I agree with the Boffa Miskell report and with Mr Kensington in accepting that the removal of the additional trees does make the construction phase more visible to onlookers from the surrounding area. I also agree that the additional effects of this are considered no more than minor in comparison to those that will be incurred as a result of the original designation construction activities. I consider that the additional effects will be short term (both crane and temporary pedestrian overbridge are to be removed at the completion of construction) and are adequately managed by the existing suite of conditions.

Once the construction phase is completed the construction structures will be removed and the area will be replanted with large trees. I concur with Mr Kensington in that over time this will mitigate any adverse visual and landscape effects created by the realigned permanent shared path bridge.

Given the existing environment (which includes the approved shared path bridge, construction activities and tree removal within the SEA and on the adjacent reserve land) I consider that the eventual additional effects will be no more than minor changes to the visual, landscape and amenity effects on the environment.

4.4. Archaeological

4.4.1. NZTA's assessment

An Archaeological Assessment was undertaken by Russell Foster and Associates in 2015 for the original designation. This covers the length of the shared path (refer **Attachment 1**) and establishes the protocols and steps for management of archaeological matters through the project.

With regard to the area for the proposed alteration to the designation, the assessment identified several archaeological sites on the northern side of the rail corridor, along the fluvial margins of the Purewa Creek. These sites were subject to an exploratory archaeological investigation approved under Heritage New Zealand Pouhere Taonga authority 2017/400 in 2017. The resultant report determined the subsurface extent of the sites, level of actual and potential adverse effects and established the outcomes for the management of historic heritage/archaeological features in the vicinity of the proposed works.

With regard to the southern side of the rail corridor, Mr Foster found little evidence to support Maori or European occupation.

Further investigation has since been carried out on the proposed sites to be included in the designation. This 2019 report prepared by CFG Heritage is included as Appendix B to the requestors AEE.

Site 1 (on the northern side of the rail corridor) is located within the defined extent of shell midden site R11/3051 (CHI 20384), which is associated to pre-European Maori occupation. Site 3 (on the southern side) is located within a section of Purewa Cemetery, recorded within the Auckland Council Cultural Heritage Inventory (CHI) under CHI 20144. The site is not scheduled in the AUP(OP) as a heritage item and there is no extent of place. As the first burial is recorded as being in 1889 the portions of the cemetery with pre-1990's land use are automatically protected under the Heritage New Zealand Pouhere Taonga Act (2014).

NZTA investigations of Site 3 confirmed that the area is not located in the pre 1990s part of the cemetery and no further surface or subsurface archaeological evidence of was observed by CFG heritage during their assessment.

NZTA have submitted an application for a global Archaeological Authority to Heritage New Zealand Pouhere Taonga (HNZ) for the proposed additional works required that are not already approved under granted authority 2018/536. NZTA have been in discussion with HNZ through the preparation of this application and the approval is expected to be forthcoming.

4.4.2. Assessment

The potential effects of the additional works on the midden (CHI 20384, NZAA R11/3051) cemetery (CHI 20144) and the potential for currently unrecorded historic heritage/ archaeological remains have been reviewed by Rebecca Ramsay, Specialist Archaeologist of the Heritage Unit. Ms Ramsay has been involved in the development of the Historic Heritage Management Plan (HHMP) – a requirement of condition 43 of the original designation. The HHMP has been submitted with the Outline Plan of Works and provides a framework for avoidance, remediation or mitigation of adverse effects on historic heritage/ archaeological sites during the construction of the Project. This is attached as **Attachment 4**.

Ms Ramsay is satisfied that subject to the works being undertaken in accordance with the existing conditions the works will have less than a minor effect on the archaeological features in this location.

4.4.3 Conclusions

Based on the above assessments of the location and of their inclusion in the HHMP, I agree that there will be no more than minor effects on the historic heritage/ archaeological features in this location.

4.5 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 following parties are considered to be affected by the proposed alteration to the designation. Refer to **Attachment 3** for these written approvals.

4.5.1 Auckland Transport

NZTA has provided the written approval of Auckland Transport (AT) under s176 of the Resource Management Act 1991 as AT are the occupier of the land over which the proposed alteration will encroach. Although the land is owned by the Crown, Auckland Transport occupy the land under Designation 1620 – Eastern Transport Corridor.

AT have provided written confirmation that the approval for the alteration is covered by the original terms or agreement that provided the s176 and s178 approval when the designation was first approved.

4.5.2 LINZ

NZTA have provided the written approval of LINZ as the landowner of Site 1 over which the proposed alteration will encroach. NZTA explains that LINZ manage this portion of land as it is surplus to KiwiRail's requirements. The area is currently not used for any purpose which is compounded by the fact that it is severed by the rail corridor, steep topography and the tree privet forest.

4.5.3 KiwiRail

NZTA has provided the written approval of KiwiRail under s176 of the Resource Management Act 1991 as the occupier of the land over which Site 2 of the proposed alteration will encroach. Again, this is Crown land but KiwiRail occupy the land under designation 6302 – North Island Main Trunk Railway (NIMT). The railway line is designated under the Unitary Plan for "Railway Purposes". Kiwirail require that NZTA get a 'permit to enter' when doing any works over and around the tracks and comply with any conditions of that permit.

4.5.4 Purewa Cemetery Trust

NZTA have provided the written approval of the Purewa Cemetery Trust Board as Site 3 of the proposed alteration encroaches an area of their property.

4.5.5 Auckland Council

Site 4 of the proposed alteration encroaches the Tahapa Reserve owned by Auckland Council. NZTA has provided the written approval of Auckland Council.

4.5.6 Other parties

In my opinion, there are no other landowners or occupiers directly affected by the proposed alteration to the designation.

4.6 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 involves only minor changes to the boundary
- The owners and/or occupiers of all land directly affected by the proposed alteration have been given notice and agree with the proposed alteration

5. CONCLUSIONS AND RECOMMENDATIONS

5.1. Conclusions

The proposed alteration to the designation involves no more than minor changes to the effects on the environment associated with the use, involves only minor adjustments to

the boundaries and directly affected owners or occupiers of affected land have provided their written agreement.

5.2. Delegated authority

The Team Leader – Plans and Places (Central South) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated October 2019), to exercise the council’s functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3).

The alteration can therefore be considered by the Team Leader – Plans and Places (Central South) and confirmed or declined under section 181(3)(c).

5.3 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, the New Zealand Transport Authority’s notice of requirement for an alteration to Designation 6773 - Shared Pathway – Glenn Innes to Tamaki is **confirmed** subject to the amended condition 1 and the inclusion of conditions 24A, 46A and 46B and 49A recommended in Section 6 of this report.
2. That Designation 6773 - Shared Pathway – Glenn Innes to Tamaki is amended in the Designation overlay and/or Chapter K Designations in the Auckland Unitary Plan Operative in part as recommended in Section 6 of this report.

6. AGREED ALTERATIONS

The text alterations are shown below. As well as revising Condition 1 (to accommodate the revised plans), the requestor also seeks the addition of Conditions 24A, 46A and 46B. In addition, the requestor accepts the inclusion of the Council recommended condition 49A. The amendments (shown as either strike through or underlined) are as follows:

6773 Glenn Innes to Tamaki Drive Shared path – Section 2

Designation Number	6773
Requiring Authority	New Zealand Transport Agency
Location	Pourewa Valley within the area bounded by St Johns Road (St Johns) to the east, Orakei Basin to the west, Whytehead Crescent , Edison Place and John Rymer Place and the Pourewa Creek (Kohimarama)to the north and North Island Main Trunk Line, Purewa Cemetery, Tahapa Crescent and Purewa Road (Meadowbank) to the south.
Lapse Date	5 years after that date on which it is included in the Auckland Unitary Plan

Purpose

To construct, operate and maintain Section 2 (St Johns Road to Meadowbank Train Station) of the Glenn Innes to Tamaki Drive proposed shared pedestrian and cycle path.

Conditions

General

1. Except as modified by the conditions below and subject to final detailed design, the Project shall be undertaken in accordance with the information provided by the Requiring Authority in the NoR dated April 2016 and supporting documents (as updated by information provided by the Requiring Authority up until the close of the Hearing) being:
 - a) Notice of Requirement – Assessment of Environmental Effects prepared by MWH, April 2016;
 - b) Supporting technical reports dated March 2016; and
 - c) Plans sets:
 - i. Land Requirement Plans (sheets 1-8) Drawing No 80504522-C4-0402_G851-G858);
 - ii. Construction Extent and Access Location Plan Drawing; ~~and~~
 - iii. Notice of Requirement – Alteration to Designation 6773 – Phase 1 (CH00 to CH880) - Land Requirement Plan (Sheet 1 of 1) Drawing No 80504522-C4-0402_G879: ~~and~~
 - iv. Proposed Alterations to Extents of Designation Drawing 80504522-C4-0402_SK085 Rev A

24A Prior to works commencing a 1.8m high close boarded fence shall be installed along the designation boundary in Purewa Cemetery and the fence shall be retained during construction works.

46A Immediately following completion of construction works on LINZ land, the Requiring Authority shall implement the following:

- a. The planting of large grade native trees (45L) at a replacement ratio of 3:1 for every semi-mature tree removed.
- b. The replacement trees selected shall align with the requirements of the Ecological Restoration Plan (ERP) required by condition 45
- c. The planting shall be implemented in conjunction with the restoration planting undertaken in the section to the north of the rail corridor.

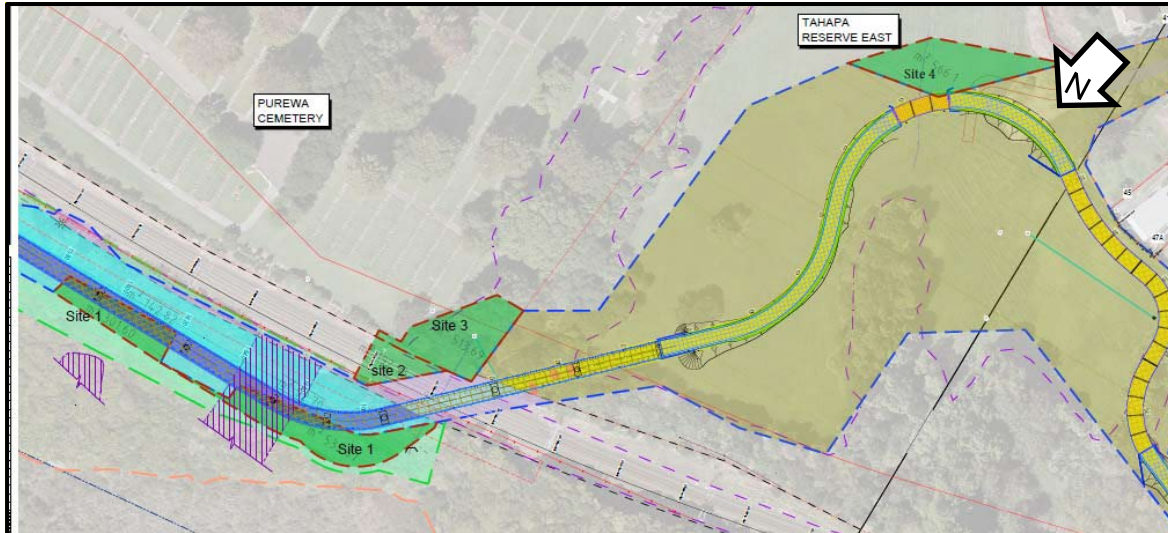
46B Immediately following completion of construction works on Purewa Cemetery, the Requiring Authority shall implement the following:

- a. The planting as a minimum three (3x) 50L Pohutukawa, two (2x) 50L Puriri, two (2x) 25L Karaka, and a larger number of closely spaced Tarata and Kohuhu 10L shrubs
- b. The planting of the replacement trees shall be implemented in conjunction with the restoration planting undertaken on the adjacent area of Tahapa Reserve East.

49A

All tree works shall be in accordance with Table 1 of the Arborlab report, titled Glen Innes to Tamaki Drive Shared Path Bridge 86 Designation Boundary change - Arboriculture, dated 11 Feb 2019 (for trees 45-53) and implemented through the TPMP required under condition 49.

The boundary alterations are shown in green below.



Date: 24 December 2019

Report Prepared by:

Lee-Ann Lucas
Principal Planner – Plans and Places

7. SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice of 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 6773 -Shared Pathway – Glenn Innes to Tamaki is **confirmed** under section 181(3)(c) of the RMA as agreed and set out in section 6 of this report.

Name: Fiona Sprott

Title: Team Leader – Central South, Plans and Places,
Chief Planning Office

Signed: 

24 December 2019

Date:

SCHEDULE OF ATTACHMENTS

Attachment 1: Form 18 and Assessment of Environmental Effects for Notice of Requirement for Alteration to Designation 6773 to Auckland Council (dated 14 March 2019)

Attachment 2: Designation 6773 – Shared Pathway from Glenn Innes to Tamaki

Attachment 3: S92 response including written approvals from affected parties

Attachment 4: Historic Heritage Management Plan (subject to Condition 34)

:

Attachment 2 –
Updated Text for Designation 6773

6773 Glen Innes to Tamaki Drive Shared Path – Section 2

Designation Number	6773
Requiring Authority	New Zealand Transport Agency
Location	Pourewa Valley within the area bounded by St Johns Road (St Johns) to the east, Orakei Basin to the west, Whytehead Crescent, Edison Place and John Rymer Place and the Pourewa Creek (Kohimarama) to the north and North Island Main Trunk Line, Purewa Cemetery, Tahapa Crescent and Purewa Road (Meadowbank) to the south.
Lapse Date	5 years after the date on which it is included in the Auckland Unitary Plan

Purpose

To construct, operate and maintain Section 2 (St Johns Road to Meadowbank Train Station) of the Glen Innes to Tamaki Drive proposed shared pedestrian and cycle path.

Conditions

General

1. Except as modified by the conditions below and subject to final detailed design, the Project shall be undertaken in accordance with the information provided by the Requiring Authority in the NoR dated April 2016 and supporting documents (as updated by information provided by the Requiring Authority up until the close of the Hearing) being:
 - a) Notice of Requirement - Assessment of Environmental Effects prepared by MWH, April 2016;
 - b) Supporting technical reports dated March 2016; and
 - c) Plans sets:
 - i. Land Requirement Plans (sheets 1-8) Drawing No 80504522-C4-0402_G851-G858);
 - ii. Construction Extent and Access Location Plan Drawing No 80504522-C4-0402_G801-G808);
 - iii. AUCKLAND TRANSPORT AND NEW ZEALAND TRANSPORT AGENCY GLEN INNES TO TAMAKI DRIVE SHARED PATH SECTION – 2 – Phase 1 (CH00 to CH880) – Land Requirement Plan (Sheet 1 of 1) Drawing No 80504522-C4-0402 G879 Rev C produced by MWH now part of Stantec design review dated 09.02.18 by Nick Gluyas (Not approved); and
 - iv. Proposed Alterations to Extents of Designation Drawing 80504522-C4-0402_SK085 Rev A

2. Where there is inconsistency between:
 - a) The documents provided by the Requiring Authority listed above and these conditions, these conditions shall prevail.
 - b) The information and plans lodged with the requirements and presented at the Council Hearing, the most recent information and plans shall prevail.
 - c) The evidence presented at the Council Hearing and the management plans required by the conditions of this designation and submitted through the Outline Plan the requirements of the management plans shall prevail.
3. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the RMA), this designation shall lapse if not given effect to within 5 years from the date on which it is included in the district plan under section 175 of the RMA.
4. No later than 12 months from the date of the Project becoming operational, the Requiring Authority shall:
 - a) Identify any areas of the designation that are no longer necessary for the on-going maintenance or operation of the Project or for on-going mitigation measures; and
 - b) Give notice to the Auckland Council in accordance with Section 182 of the RMA for the removal of those parts of the designation identified in (a) above.

Pre-construction

Pre-construction Communication and Consultation Management Plan (PCCMP)

5. Within 3 months of confirmation of the designation, the Requiring Authority shall appoint a Communication and Consultation Manager to implement a Pre-construction Communication and Consultation Management Plan (PCCMP). The objective of the PCCMP is to set out a framework to ensure appropriate communication and consultation prior to the commencement of construction of Section 2 of the Shared Path Project. The framework shall set out how the Requiring Authority will:
 - a) Inform the community of Project progress and likely commencement of construction works;
 - b) Engage with the community in order to foster good relationships and to provide learning opportunities about the Project;
 - c) Respond to queries and complaints.
 - d) Articulate how any feedback has informed the development of the CEMP and subsidiary management plans and set out any reasons where it has not informed that development.
6. The PCCMP shall be submitted to Auckland Council's Major Infrastructure Projects Team Manager for certification and shall be implemented and complied with for the duration of the Project. This PCCMP shall set out recommendations and requirements (as applicable) that should be adopted by and/or inform the CEMP and other Management Plans. The PCCMP shall be prepared in consultation with:
 - a) Auckland Council Parks Department;
 - b) New Zealand Rail Corporation (KiwiRail);
 - c) Watercare Limited;

- d) Meadowbank Pony Club;
- e) Purewa Cemetery;
- f) Auckland Transport ;
- g) Heritage New Zealand Pouhere Taonga (HNZPT); and
- h) Owners and occupiers of the adjacent residential properties.

Mana Whenua Engagement

7. The Requiring Authority shall utilise the existing forum for engagement with Mana Whenua that Auckland Transport has established and used for this Project to provide for an on-going role in the development of the mitigation plans for the Project. These include:
 - a) Urban Design and Landscape Management Plan;
 - b) Ecological Restoration Management Plan;
 - c) Herpetofauna Management Plan;
 - d) Construction Environmental Management Plan; and
 - e) Tree Protection and Management Plan

Archaeological Considerations

8. Prior to the preparation of the Outline Plan and lodging of resource consents the hand vegetation clearance of the area between Chainage 1400 and Chainage 1755 shall be undertaken to enable the recording and recovery of archaeological information.
9. Evidence of consultation with HNZPT, regarding the status of an exploratory authority for site 16669 (NZAA R11/2276) shall be provided to the Auckland Council's Heritage Unit.
10. A final archaeological investigation report shall be provided to the Auckland Council's Heritage Unit following the investigation of 16669 (NZAA R11/2276).
11. Where evidence of archaeological information is found in relation to the sites above, the route design should be adjusted if possible to avoid/minimise impact (s) on any archaeological site and enable the recording and recovery of archaeological information.
12. Prior to the preparation of the Outline Plan and lodging of resource consents, the route at site R11/1605 should be adjusted to avoid any impact on the archaeological site.

Arboricultural considerations

13. Prior to any site works commencing, a pre-commencement site meeting shall be held so that all vegetation protection measures are explained by the works arborist to a representative of all contractors or sub-contractors and work site supervisory staff who will be carrying out Project works within the dripline of all scheduled vegetation adjacent to the site. The pre-commencement site meeting shall also be attended by the relevant Auckland Council arborist (or representative) The Auckland Council arborist (or representative) and works arborist shall discuss (amongst other things) the locations and detail of the proposed protective fencing around retained trees.
14. Where pre-start tree protection measures are required (such as protective fencing, mulching etc.) a compliance report is required from the Appointed Works Arborist on the completion of the pre

commencement meeting to confirm the implementation of those measures. No further associated works are permitted until the Auckland Council's Resource Consents Arborist has received and approved this compliance report.

Construction

15. Prior to commencement of construction, the Requiring Authority shall submit an Outline Plan to Auckland Council for the construction of the Project in accordance with section 176A of the RMA. The Outline Plan may be submitted in stages to reflect any proposed staging of the physical works. The Outline Plan shall include:
 - a) Pre- Construction Communication and Consultation Management Plan (PCCMP);
 - b) Construction Environmental Management Plan (CEMP);
 - c) Construction Noise and Vibration Management Plan(CNVMP);
 - d) Construction Traffic Management Plan(CTMP);
 - e) Construction Communication and Consultation Management Plan(CCCMP);
 - f) Urban Design and Landscape Management Plan(UDLMP);
 - g) Tree Protection and Management Plan(TPMP);
 - h) Herpetofauna Management Plan(HMP);
 - i) Erosion and Sediment Control Plan(ESCP);
 - j) Ecological Restoration Plan(ERP);
 - k) Historic Heritage Management Plan(HHMP);
 - l) Any other information required by the conditions of this designation associated with the construction of the Project; and
 - m) A statement outlining how residents, businesses, community and facilities who are directly affected (Watercare, Auckland Council Park's department, Meadowbank Pony Club and KiwiRail) or affected by proximity (properties that are adjacent to the designation boundary and properties on roads providing immediate access to the Project during construction) have been communicated with regarding:
 - i. The nature and timing of Project works ;and
 - ii. Access and operational requirements.
16. The plans listed in Condition 15 above must clearly document the comments and inputs received by the Requiring Authority during its further discussion and consultation undertaken in accordance with the requirements of the relevant conditions for each management plan.
17. All works shall be carried out in accordance with the Outline Plan(s), CEMP and other Management Plans required by this condition.

Construction Communication and Consultation Management Plan (CCCMP)

18. A Construction Communication and Consultation Management Plan (CCCMP) shall be prepared and submitted by the Requiring Authority with the Outline Plan. The objective of the CCCMP is to set out a framework to ensure appropriate communication and consultation is undertaken with

the community, stakeholders, directly affected parties and affected parties (as described in Condition 15) in proximity to construction during construction. The framework of the CCCMP shall set out how the Requiring Authority will:

- a) Inform the community of Project progress and likely construction works and programme;
- b) Engage with the community in order to foster good relationships and to provide opportunities for learning about the Project;
- c) Engage with the Meadowbank Pony Club in order to foster good relationships and advise them about work that may affect the club or its members;
- d) Advise neighbours about work that may affect them or the need to access sites to undertake monitoring (such as of potential vibration from works being) or the need to undertake works at night or the need to install fences;
- e) Respond to queries and complaints.
- f) Articulate how any environmental monitoring and complaints received throughout construction are responded to and how management plans and construction activities are amended.

19. The CCCMP shall 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 Communication and Consultation Manager for the Project including their contact details (phone, email and postal address);
- c) The methods for identifying, communicating and consulting with people affected by the Project including but not limited to:
 - i. Meadowbank Pony club
 - ii. Purewa Crematorium and Cemetery
 - iii. Watercare Ltd
 - iv. All property owners and occupiers of properties adjacent to the designation boundary and properties on roads providing immediate access to the Project during construction
 - v. All community and education facilities directly affected or affected by proximity to the Project;
 - vi. Heritage New Zealand Pouhere Taonga (HNZPT);
 - vii. The wider community; and
 - viii. Network utility operators
- d) Methods for communication and consulting in advance of proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to directly affected and affected by proximity parties (including surrounding communities);

- e) How stakeholders and persons affected by the Project shall be consulted in the development and review of the CEMP and subsidiary Management Plans, including specifying reasonable timeframes for feedback.
 - f) Methods for communicating with directly affected and affected by proximity parties (including surrounding communities), and the general public in advance of temporary traffic management measures;
 - g) 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; and
 - h) The process for Concerns and Complaints Management (receiving, acknowledging, responding and reporting to the community on actions taken).
20. The CCCMP Plan shall also include (as relevant) linkages and cross-references to the CEMP and other Management Plans (including any subsidiary Management Plans). The CCCMP shall be submitted to Auckland Council's Major Infrastructure Projects Team Manager for certification.
21. The Requiring Authority shall implement and comply with the CCCMP for the duration of construction.
22. This CCCMP shall set out recommendations and requirements (as applicable) that should be adopted by and/or inform the CEMP and other Management Plans.
23. The CCCMP shall be prepared in consultation with:
- a) Auckland Council Parks Department;
 - b) Meadowbank Pony Club;
 - c) Purewa Cemetery;
 - d) Watercare Limited;
 - e) Auckland Transport; and
 - f) Heritage New Zealand Pouhere Taonga (HNZPT).

Construction Environmental Management Plan (CEMP)

24. A Construction Environmental Management Plan (CEMP) shall be prepared and submitted by the Requiring Authority with the Outline Plan. The CEMP must include details of:
- a) Information boards that clearly identify the Requiring Authority and the Project name, together with the name and telephone of the Site Manager;
 - b) Training requirements for employees, subcontractors and visitors on construction procedures, environment management and monitoring; and
 - c) The procedure for a cultural heritage induction for all parties involved in excavation works on the Project Site including training requirements for employees sub-contractors and visitors on the cultural history and significance of the area, construction procedures, environmental management and monitoring.

- d) The site or Project Manager and the Communication and Consultation Manager (who will implement and monitor the Communication and Consultation Plan), including their contact details (phone, email and physical address).
- e) The document management system for administering the CEMP, including review and Requiring Authority / Constructor / Auckland Council requirements;
- f) Environmental incident and emergency management procedures (including spills);
- g) Environmental complaint management procedures;
- h) 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;
- i) An outline of the location of the construction laydown area, including:
 - i. how it is to be managed and maintained during the Project; and
 - ii. the location of any temporary buildings (including workers offices and portaloos) and vehicle parking (which should be located within the construction area and not on adjacent streets);
- j) Methods to manage equipment and construction activity within the railway corridor using agreed practices in consultation with KiwiRail;
- k) Methods to ensure the safety of the general public;
- l) Specific details on the environmental monitoring to be undertaken throughout construction, as required by the designation conditions;
- m) Where access points are to be located and procedures for managing construction vehicle ingress and egress to construction support and storage areas, including provision of suitable wheel wash facilities which are to be provided for all vehicles exiting the construction site;
- n) Measures to ensure that all storage of materials and equipment associated with the construction works takes place within the boundaries of the designation;
- o) Methods to ensure the prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances and pest plants;
- p) Measures to ensure all temporary boundary / security fences associated with the construction of the Project are maintained in good order;
- q) The location and specification of any temporary fences or visual or acoustic barriers;
- r) Measures adopted to ensure that any vehicles associated with the construction of the Project do not park on any adjacent streets;
- s) Measures, such as bridges and culverts, to provide temporary access for construction machinery over waterbodies; and
- t) Measures to minimise any works within or within close proximity to waterbodies.

24A. Prior to works commencing a 1.8m high close boarded fence shall be installed along the designation boundary in Purewa Cemetery and the fence shall be retained during construction works.

Construction Traffic Management Plan (CTMP)

25. A Construction Traffic Management Plan (CTMP) shall be prepared by the Requiring Authority in accordance with the following conditions, and shall be implemented through the CEMP. The objective of the CTMP is to provide a framework to avoid, remedy or mitigate adverse traffic effects associated with the construction of the Project. The CTMP shall be submitted to Auckland Council at least 10 working days prior to site preparation or construction activity.
26. The CTMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide effects of construction of the Project. In particular, the CTMP shall include (but not be limited to) the following matters:
- a) Methods to manage the effects on the rail line and on the local road network of the delivery and departure of construction material, plant and machinery (including cranes and oversized trucks) during construction, including measures to maintain pedestrian and cycle access to the Meadowbank Train Station and to limit access to 64 John Rhymer Place to small vehicles only;
 - b) Measures to maintain thoroughfare on all roads and footpaths adjacent to the construction works 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;
 - c) Measures to minimise loss of parking through construction on the adjacent roads;
 - d) Measures to ensure that heavy vehicles to avoid residential local roads, especially roads adjacent to Schools and peak school times;
 - e) Measures to ensure heavy vehicles do not turn right in or out of the proposed access on Kohimarama Road (at existing Pony Club access).
 - f) Measures to limit access off Purewa Road and 63 Tahapa Crescent by vehicles longer than 8m (excluding vehicles longer than 8 m required to travel along Purewa Road to deliver the crane, barge and glulam beams required for Section 3 of the Shared Path);
 - g) Measures to limit access off John Rymer Place by vehicles longer than 12.6m; and
 - h) Measures to ensure pedestrian safety is not compromised at the temporary construction access points to Tahapa reserve.

Erosion and Sediment Control Plan(ESCP)

27. An Erosion and Sediment Control Plan (ESCP) shall be prepared by the Requiring Authority and submitted to Auckland Council in accordance with the following conditions, and implemented through the CEMP. The objective of the ESCP is to avoid, remedy or mitigate any adverse erosion and sediment effects of the Project's construction activities on the surrounding environment; in particular the Pourewa Creek environment. The measures outlined within the ESCP shall be implemented and maintained in accordance with Auckland Regional Council Technical Publication No. 90 - Guidelines for Land Disturbing Activities in the Auckland Region.

Project construction noise and vibration

28. All construction noise generated by the Project, including the use of stock piling areas, bridge construction and activities in lay-down areas, shall comply with the noise limits for 'long term' projects at any occupied building as set out in NZS6803:1999 Acoustics – Construction Noise, with the following exceptions:

- a) General Construction Works

- i. For a period of no greater than 14 days (in total over Project life) adjacent to any occupied dwelling, all noise from Project construction works that are transient in nature for the pathway construction including top soil stripping for the pathway area, importation and compaction of fill and concrete pours shall comply with noise limits of 80dB LAeq and 90dB LAmax, between 07:30 and 18:00, Monday to Saturday excluding public holidays, when measured in accordance with NZS6803:1999
- b) Works during a Block-of-line
 - i. Construction work on Christmas Day, New Year's Day, Easter Friday and Easter Sunday shall be restricted to works that can only be undertaken during a block of line.
 - ii. All works within the rail corridor between the hours of 07.30 and 18:30 undertaken during a block-of- line on the days specified in (i) above shall comply with the noise limit of 70 dB LAeq
 - iii. All works within the rail corridor between the hours of 18:30 to 07:30 undertaken during a block-of-line on the days specified in (i) above shall comply with the noise limit of 60 dB LAeq
- 29. The Requiring Authority shall notify the occupants of any occupied building where construction activities are anticipated to exceed the NZS6803:1999 long term noise limits (including nights and public holidays and works undertaken during a block-of-line) with a description of the works their anticipated duration(including start and end date) and a procedure for receiving, investigating and managing complaints (in accordance with the CNVMP required by condition 33) no less than 10 calendar days before works commence.
- 30. The hours of construction work shall be restricted to between 07:30 and 18:00, Monday to Saturday. No noisy work shall be undertaken at night or on Sundays or Public Holidays with the exception of works undertaken within the rail corridor during a block-of-line. These restrictions do not apply to quiet works such as painting, electrical work and planting provided they are undertaken in accordance with the noise limits in condition 28.
- 31. Work may only be undertaken at night where the Construction Noise and Vibration Management Plan (Condition 33) detailing the predicted noise levels and mitigation measures for those works has been certified by the Council and neighbours have been advised of the works.
- 32. Vibration from construction shall not at any time exceed the limits set out in Tables 1 and 3 of German Standard DIN 4150 Part 3: 1999 "Structural Vibration in Buildings – Effects on Structures" (the DIN standard) at any building.

Construction Noise and Vibration Management Plan (CNVMP)

- 33. No later than ten working days prior to the commencement of work on the Project, the Requiring Authority must submit a Construction Noise and Vibration Management Plan (CNVMP) to Auckland Council for certification. The certified CNVMP must be adhered to and maintained throughout the construction period. The CNVMP must describe the Best Practicable Option(s) that will be adopted to minimise construction noise and vibration effects. The CNVMP shall be considered a living document and shall be updated with certification from the Council when required.
- 34. The CNVMP must refer to the noise management measures set out in Annexure E of the NZS6803:1999 and as a minimum must address:

- a) Construction sequencing;

- b) Machinery and equipment to be used, including promotion of the use of low noise machinery or methods where practicable;
 - c) Hours of operation, including times and days and reasons for when it is necessary to undertake construction works outside of the hours in Condition 28 above.
 - d) The design of noise mitigation measures such as temporary barriers or enclosures;
 - e) Construction noise limits;
 - f) Development of alternative strategies where full compliance with NZS6803:1999 cannot be achieved, including consultation with residents
 - g) and other occupiers to achieve acceptance outcomes, predicted noise levels and a description of the Best Practicable Option to be adopted for those activities;
 - h) Methods for monitoring and reporting on construction noise; and
 - i) Methods for receiving and responding to complaints about construction noise; and
 - j) Noise level predictions and mitigation measures for night works when the specific details of night works are known.
 - k) Best practicable option for the reduction of noise from haul roads and access points, including prioritisation of the routes further from receivers where practicable
35. The CNVMP must refer to vibration management measures set out in the vibration standards of the German Standard D1N4150-3:1999 and must 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; and
 - h) Location for vibration monitoring when construction activities are adjacent to buildings

Urban Design and Landscape Management Plan (UDLMP)

36. An Urban Design and Landscape Management Plan (UDLMP) shall be prepared and submitted by the Requiring Authority with the Outline Plan. The objective of the UDLMP is to enable integration of the above ground works and structures in to the surrounding landscape in a manner using Te Aranga principles and adopting appropriate CPTED principles.
37. The UDLMP shall provide details of how the relevant design elements and landscaping detailed in (a)-(l) following have been incorporated into the detailed design of the Project to meet the objective. In particular, the UDLMP shall provide details of:

- a) Planting required to mitigation the visual impact of earthworks and structures including how all engineered cut and fill batters are to be designed and constructed to integrate with the surrounding adjacent natural landform (graded out and either grassed or vegetated to ensure that they integrate with the surrounding vegetated characteristics)
 - b) The design of the Rail over-bridge and how it minimises visual impacts and minimises indigenous vegetation removal within Tahapa Reserve
 - c) The design of permeable hand railings and fences to reduce the visual effect of a solid barrier
 - d) Planting in the 1m wide planted swale on either side of the path and provision of mechanisms to manage surface runoff
 - e) The design of temporary (construction) lighting and permanent (operational) lighting and measures to ensure that glare and light spill into the adjacent properties is avoided or minimised, such that lighting does not exceed 10 lux above background levels when measured at or within the boundary of any adjacent land containing a lawfully established dwelling.
 - f) Opportunities for additional connections
 - g) Signage
 - h) How the Project has adopted CPTED principles
 - i) How the pathway route and associated earthworks have been designed to minimise earthworks; integrate into the surrounding landform; avoid the removal of vegetation of value; and minimised the height and visual impact of retaining walls
 - j) Mitigation measures to minimise potential adverse effects on privacy and overlooking for the properties adjacent to the Shared Path (Whytehead Crescent / Eddison Place and Tahapa Reserve)
 - k) Details and content of consultation undertaken with the adjacent property owners and the outcomes of any consultation.
38. Immediately following completion of construction works on the site, the Requiring Authority shall implement all planting, as per the approved UDLMP. The planting shall be implemented and maintained, to the satisfaction of the Auckland Council Team Leader Compliance and Monitoring – Central.
39. The Requiring Authority shall maintain all new plantings for a period of no less than 5 years and all plantings shall be self-sustaining at the conclusion of this period.

Herpetofauna Management Plan (HMP)

40. The Requiring Authority shall prepare and submit with Outline Plan a Herpetofauna Management Plan (HMP) to Auckland Council prepared by a suitably experienced field herpetologist in advance of construction works. The objective of the HMP is to avoid, remedy or mitigate any adverse construction effects of the Project on Herpetofauna. The HMP should set out details of the lizard salvage operation to be undertaken prior to vegetation clearance-and include details of survey and salvage methodology, and relocation site selection and management.
41. The salvage operation shall be undertaken by herpetologists/ecologists who are legally permitted under the Department of Conservation's Wildlife Act to undertake lizard capture and relocation where required.

42. The HMP must be certified by Auckland Council prior to salvage being undertaken.

Historic Heritage Management Plan(HHMP)

43. The Requiring Authority shall prepare and submit to Auckland Council with the Outline Plan a Historic Heritage Management Plan (HHMP) prepared by a suitably experienced archaeologist. The final version of the HHMP shall be agreed to by the Requiring Authority and Cultural Heritage Implementation Team. The objective of the HHMP is to provide a framework for the avoidance, remediation or mitigation of adverse effects on archaeological sites during construction of the Project.

44. The HMP should set out details of how procedures for archaeological investigations and monitoring of preliminary earthworks are to be implemented in areas where there is potential for archaeological remains to be discovered. These include:

- a) Details of all the historic heritage sites within the Project area;
- b) Details of how construction, operation and maintenance of the Project will ensure that any effects on the historic heritage sites are avoided, remedied or mitigated and should include:
 - i. The identification of any direct and indirect effects on historic heritage within the development area.
 - ii. The identification of proposed management processes for each direct and indirect effect on historic heritage
 - iii. the requirement for hand clearance of vegetation within 30m of an archaeological site; and
 - iv. the requirement for the Project Archaeologist to demarcate a 30m buffer around each archaeological site within the vicinity of the proposed using coloured tape or sandbags (or similar) prior to the start of works;
- c) Constructor roles and responsibilities, stand down periods and reporting requirements are to be clearly identified;
- d) A description of the Project Team roles and responsibilities
- e) The procedure for a cultural heritage induction for all contractors prior to the onset of earthworks. This briefing should be conducted by the Project archaeologist and provide information to the contractors regarding:
 - i. What constitutes archaeological material;
 - ii. The legal requirements for unanticipated archaeological discoveries;
 - iii. The appropriate procedures to follow under Accidental Discovery Protocols to safeguard materials; and
 - iv. The contact information of the relevant agencies including the Project Archaeologist, Heritage New Zealand and the Auckland Council Implementation Team.
 - v. Details will include how and when training will occur, who will provide the training and identification of the members of the Project Team who will receive the training;
- f) The Accidental Discovery Protocols proposed so in the event of an accidental discovery of archaeological material, including a requirement that work must be cease immediately, and

the site manager must notify Auckland Council's Heritage Unit (Cultural Heritage Implementation) immediately;

- g) Procedures for recording any archaeological remains or evidence before it is modified or destroyed, including opportunities for the conservation and preservation of any artefacts and ecofacts (biological material) that are discovered.
- h) The details on the storage and curation of the site archive and dissemination of the results of any fieldwork investigations undertaken in relation to historic heritage.
- i) Procedures for ensuring that the New Zealand Archaeological Association (NZAA) and Council records of the sites are updated.

Ecological Restoration Plan (ERP)

45. The Requiring Authority shall prepare and submit with the Outline Plan an Ecological Restoration Plan (ERP) to Auckland Council prepared by a suitably experienced ecologist. The objective of the ERP is to, commensurate with the vegetation clearance undertaken and the ecological value of any stream or wetland loss as a result of the works; provide weed control, native planting and native fauna habitat enhancement. The area(s) of replanting and riparian restoration shall be approved by Auckland Council prior to vegetation clearance commencing within the SEA identified in the Auckland Unitary Plan.

46. The ERP shall provide details of:

- a) Restoration planting adjacent to the Shared Path (in areas where vegetation has been removed) to prevent edge effects and enhance the visual amenity including methodology and details for exotic weed removal and replacement with appropriate native species;
- b) Reinstatement of planting in Tahapa East and Tahapa Reserve removed due to construction related activity;
- c) Riparian restoration for the Pourewa Creek catchment to remedy or mitigate any works undertaken in or adjacent to any stream and based on the outcomes of a Stream Ecological Valuation Assessment undertaken in accordance with Auckland Council's guidelines
- d) How the restoration is to be undertaken;
- e) A species list with plant species of native ecosourced vegetation from the Auckland Ecological Region that will enhance the wider environment including the stream ecology;
- f) Planting plans for different areas including plant species, spacing, plant sizes at the time of planting, layout, grade, likely heights on maturity and how planting will be staged, and established;
- g) Methods of ground preparation, fertilising, mulching, spraying and ongoing maintenance; and
- h) A vegetation maintenance schedule for the proposed planting and landscaping, in particular details of maintenance methodology and dates / frequencies for the first 5 years following completion of construction works on the site.

46A. Immediately following completion of construction works on LINZ land, the Requiring Authority shall implement the following:

- a) The planting of large grade native trees (45L) at a replacement ratio of 3:1 for every semi-mature tree removed.

- b) The replacement trees selected shall align with the requirements of the Ecological Restoration Plan (ERP) required by condition 45
 - c) The planting shall be implemented in conjunction with the restoration planting undertaken in the section to the north of the rail corridor.
- 46B. Immediately following completion of construction works on Purewa Cemetery, the Requiring Authority shall implement the following:
- a) The planting as a minimum three (3x) 50L Pohutukawa, two (2x) 50L Puriri, two (2x) 25L Karaka, and a larger number of closely spaced Tarata and Kohuhu 10L shrubs
 - b) The planting of the replacement trees shall be implemented in conjunction with the restoration planting undertaken on the adjacent area of Tahapa Reserve East.
47. All restoration plantings shall be maintained by way of weed control, pest control and replacement planting (where required) for a minimum period of 5 years.
48. Weed hygiene methods shall be implemented including washing machinery prior and after construction, and ensuring species-appropriate weed control treatment and disposal.

Tree Protection and Management Plan(TPMP)

49. A Tree Protection and Management Plan (TPMP) shall be prepared and submitted by the Requiring Authority with the Outline Plan of Works for certification by Auckland Council's Consents Arborist. 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.
- 49A. All tree works shall be in accordance with Table 1 of the Arborlab report, titled Glen Innes to Tamaki Drive Shared Path Bridge 86 Designation Boundary change - Arboriculture, dated 11 Feb 2019 (for trees 45-53) and implemented through the TPMP required under condition 49.
50. The TPMP shall include sufficient detail in order to ensure that all tree work undertaken as part of the Project meets this objective and complies with the best practicable arboricultural option. In particular, the TPMP should include, but not be limited to the following:
- a) Details of which trees are to be retained and which trees will be removed or require pruning as part of the works. The TPMP should provide details on how the findings of the Arborlab Arboricultural Assessment, dated 26 March 2016 have been considered in the final route selection for the Project.
 - b) Details of the specific tree protection methods and pruning requirements for the identified oak tree (tree 30) at Chainage 2100 and for the other trees identified for retention as part of this plan.
 - c) The name of the suitably experienced arborist ('works arborist') to be employed by the Requiring Authority for the duration of the Project works to monitor, direct and supervise all tree removals and all works within the dripline of protected trees / street trees adjacent to the works site. The appointed works arborist must be experienced in tree protection systems and construction methodologies and be able to coordinate the site works to ensure that the approved tree protection methodology is correctly implemented.
 - d) Measures to ensure that all contractors, subcontractors, and workers engaged in all activities covered by this designation are advised of the tree protection measures required as conditions upon this designation, and operate in accordance with them.

- e) Measures to protect trees while providing for the passage of machinery, or emplacement of materials, equipment, fuels and oils, and spoil, within the dripline of any tree in the vicinity of the works.
51. The felling of trees identified for removal shall be undertaken outside of the main avifauna breeding season (01 September to 31 December).
 52. The pruning of trees should be carried out prior to works commencing on the Project. The pruning should be carried out by a qualified arborist in accordance with correct arboricultural practice and adopting natural target pruning techniques.
 53. The edges of hard surface that are to be established within the drip lines of any of the retained trees should be reviewed and agreed by the arborist, prior to any excavation by machine.
 54. Any tree roots encountered during any part of the works process shall be retained as far as possible. Where roots cannot be retained they should be severed cleanly by the arborist only where the works arborist has determined that removal will not be detrimental to the health and stability of the tree. Where roots are to be retained the works arborist shall take appropriate action to ensure the root is protected.
 55. All care should be taken to avoid striking any part of any tree with machinery during the course of the Project.
 56. Compliance with the tree protection measures required in the TPMP should be monitored by the appointed works arborist and logged. The log sheet shall be provided to the consent holder at the completion of the Project to serve as a compliance report.
 57. The Requiring Authority shall prepare and submit to Auckland Council's Consents Arborist and Monitoring Inspector compliance reports on a monthly basis throughout the course of the works. The compliance reports shall include:
 - a) A digital photographic record of the tree works undertaken from the Appointed Works Arborist.
 - b) Confirmation that the works to date have been in accordance with the conditions of this designation while under the direction of the Works Arborist.
 58. A completion report shall be provided by the Works Arborist to the Auckland Council's Resource Consents Arborist within one month of the finish of site works. The completion report shall confirm (or otherwise) that the works have been undertaken in accordance with the tree protection measures in the conditions and under the direction of the Works Arborist. The completion report shall also confirm (or otherwise) that the impact on the protected trees has been no greater than that afforded under the conditions.

Stormwater

59. Subject to the requirement of any resource consent, the construction and operation of the Project shall not increase flooding risk to surrounding land and/or property.

Contaminated land

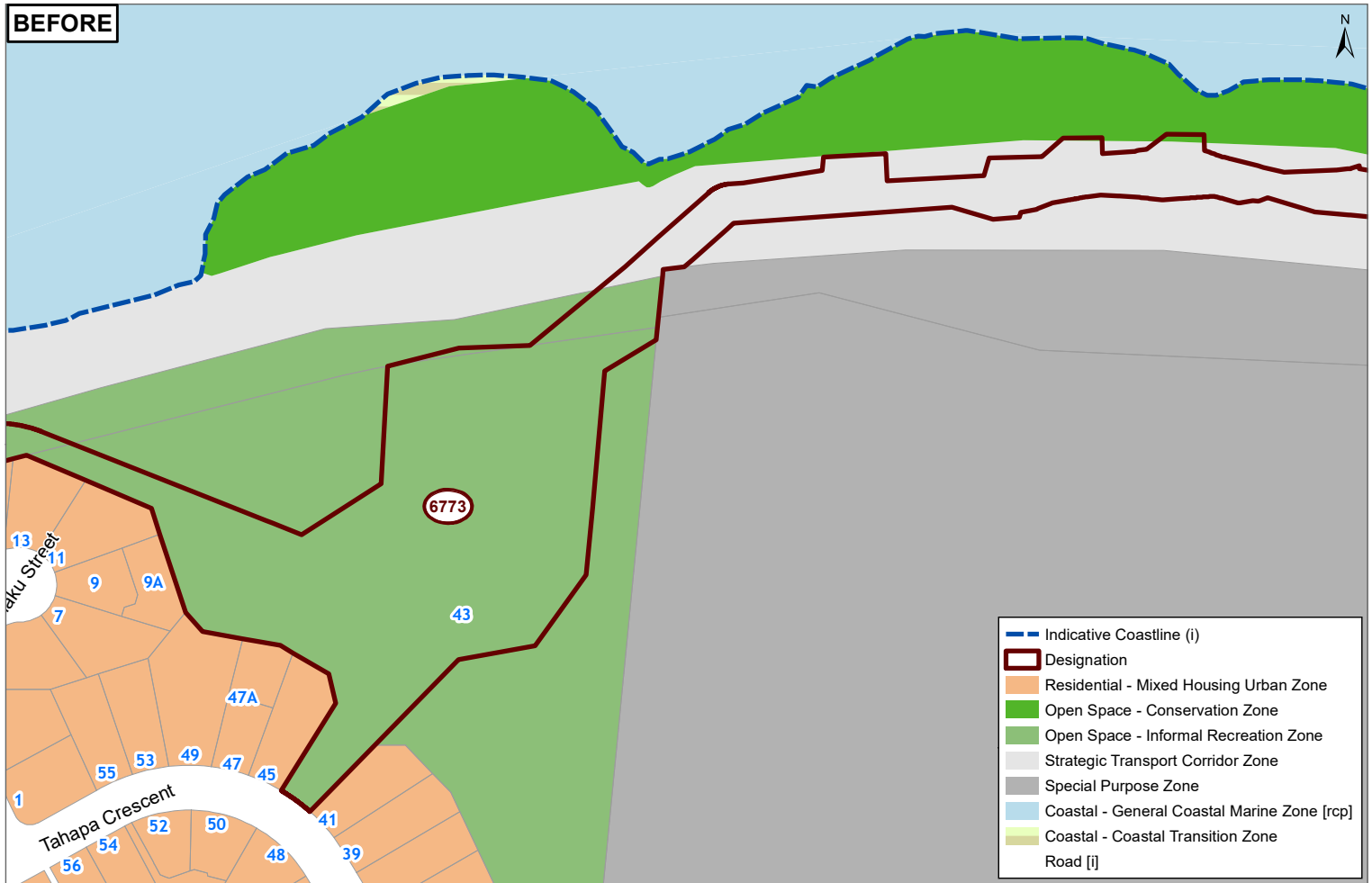
60. The Requiring Authority shall ensure the works are undertaken in accordance with the recommendations contained within the Site Management Plan (SMP) for the Project (reference: *Glen Innes to Tamaki Drive Shared Path – Section 2 Site Management Plan*, prepared by MWH, March 2016)) Any modifications to the SMP shall be submitted to AC for approval a minimum of one month in advance of commencement of excavation works.

Attachments

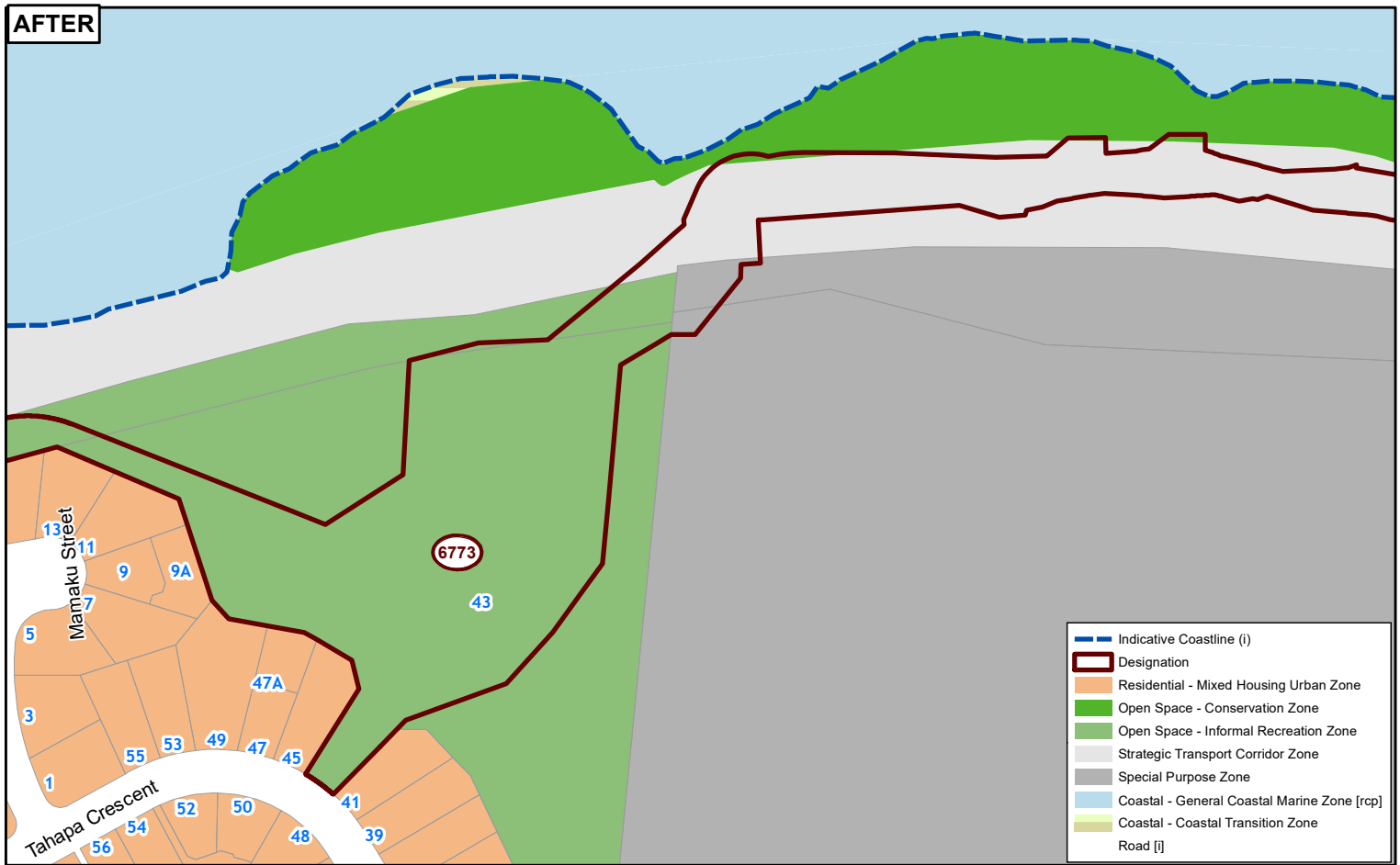
No attachments.

Attachment 3 –
Updated GIS Viewer for Designation 6773

BEFORE



AFTER



0 15 30 60 Metres

Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 11/02/2020

Designation ID 6773 updated (Glen Innes to Tamaki Drive Shared Path)



Plans and Places