

## 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** 14 January 2019

**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

<b>Reason for update – Section 181(3) Notice of Requirement for a minor alteration to amend Condition CTMP.4(d)(v)</b>	
<b>Chapter</b>	Chapter K Designations
<b>Section</b>	New Zealand Transport Agency
<b>Designation only</b>	
<b>Designation #</b>	Designation 6776
<b>Locations:</b>	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
<b>Lapse Date</b>	7 years
<b>Purpose</b>	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.
<b>Changes to text (shown in underline and strikethrough)</b>	This update incorporates an amendment to the conditions arising from the following alteration to the designation associated with the Northern Corridor Improvements Project (NCI): <ul style="list-style-type: none"> <li>Section 181(3) notice of requirement for an alteration to Designation 6776 (dated 19 December 2018) to amend Condition CTMP.4(d)(v).</li> </ul>
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	N/A
<b>Attachments</b>	<ul style="list-style-type: none"> <li>Section 181(3) Report and decision (confirmed 21 December 2018)</li> <li>Designation 6776 - tracked changes to conditions</li> </ul>

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**Prepared by:**

Jo Hart  
Principal Planner  
Planning North West and Islands



**Signature:**

**Text entered by:**

Teuila Young  
Planning Technician  
Planning Auckland-wide



**Signature:**

**Maps prepared by:**

N/A

**Reviewed by:**

Jo Hart  
Principal Planner  
Planning North West and Islands



**Signature:**

**Warren MacLennan**  
**Manager – Planning North West and Islands**



**Signature:**

# 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 6775: The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and Designation 6776: 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.

## Summary

Auckland Council has received a request from the New Zealand Transport Agency under section 181(3) of the Resource Management Act 1991 (RMA), received 19 December 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 6775: The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and Designation 6776: 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 condition (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 subject to the designations is either owned and occupied by the New Zealand Transport Authority or there are 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**

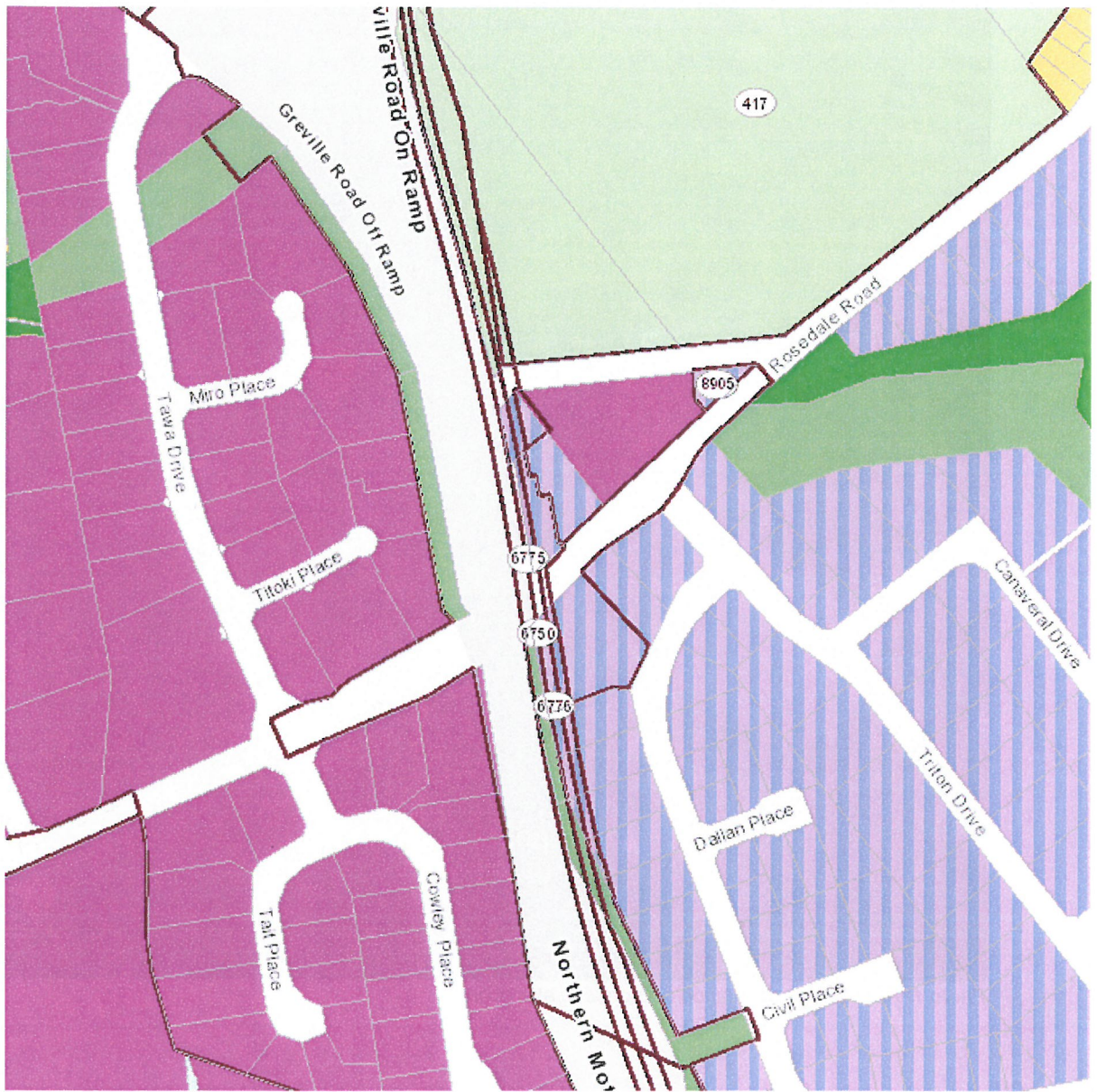
Auckland Council has received a notice of requirement (NoR) for an alteration to designations associated with the Northern Corridor Improvements Project (NCI), as listed above, from the New Zealand Transport Agency under section 181(3) of the RMA.

The alteration is required to modify a condition attached to the existing designations associated with State Highway 1, the Northern Busway from Albany Bus Station and Constellation Bus Station and the shared use path adjacent to SH1 from Albany to Constellation. These designations were included in the Board of Inquiry (BOI) process as part of the NCI. It should be noted that there have also been two earlier section 181(3) notices of requirement for a minor alteration, dated 15 February 2018 and 28 June 2018, which amended the BOI decision conditions.

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 in the vicinity of Rosedale Road and the State Highway 1 overbridge as shown in the Auckland Unitary Plan and aerial maps below:



Map 1: AUP map showing vicinity of proposed alteration.

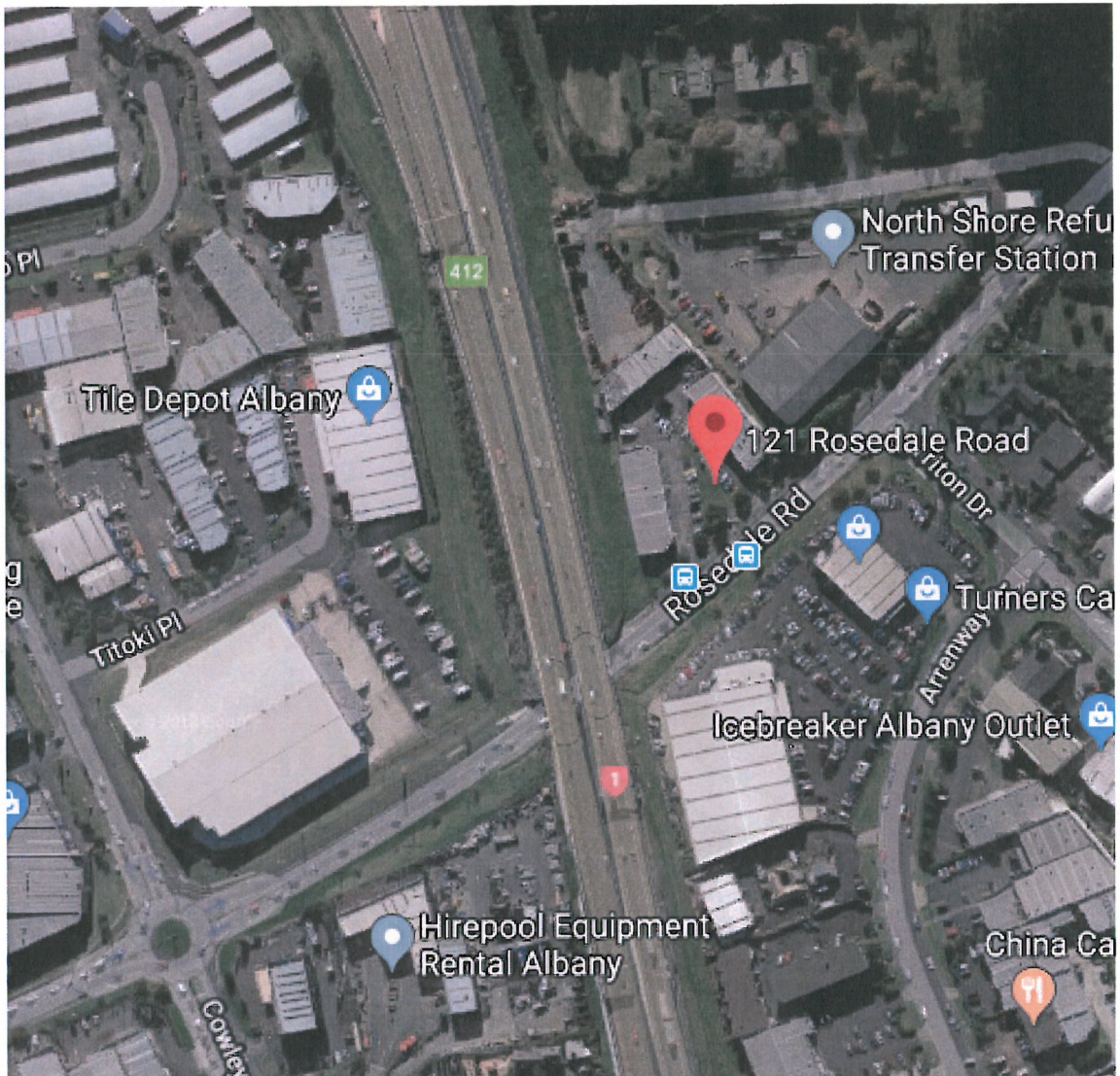


Photo 1: Aerial photo of location of proposed alteration

### 1.3. Description of the site and existing environment

The NCI conditions apply to State Highway 1 (from Oteha Valley Road to Constellation Drive), State Highway 18 (from the intersection of SH1 and Constellation Drive to Albany Highway), the extension to the Northern Busway (from Albany Bus Station to Constellation Bus Station) and the new shared use paths alongside SH1 and SH18. The area affected by this alteration, and to which the existing condition applies, is the Rosedale Road motorway underpass. The extent of the proposed road closure is from Triton Drive to the east of SH1 and Tawa Drive to the west of SH1.

The triangle of land bounded by Rosedale Road to the north and south is zoned Business – Light Industry and Business - General Business and consists of a Vector Substation, Waste Management NZ Limited and an area of business/retail. Turners Cars North Shore is located on the land directly to the south of Rosedale Road which is zoned Business – General Business. The former Rosedale landfill, zoned Open Space – Sport and Active Recreation is immediately to the north of the triangle area of land.

State Highway 1 is located to the west and dissects the extent of Rosedale Road affected by the proposed alteration. The land directly to the west of State Highway 1 is zoned Business – Light Industry and consists of large-lot retail including National Mini Storage (to the north) and Hirepool (to the south).

#### 1.4. Proposed alterations to conditions

The requiring authority has requested the alteration of condition CTMP.4(d)(v) on four of the existing designations subject to the NCI. This alteration is required to provide for minor changes to the construction methodology at Rosedale Road. There has been ongoing development, since the confirmed designations from the BOI process, of the design for the Rosedale motorway bridge, and the consequential lowering of Rosedale Road. NZTA now proposes to replace the Rosedale Road motorway bridge rather than just widening it. An Outline Plan of Works waiver was granted by Auckland Council (Premium Resource Consents) on 12 June 2018.

NZTA's assessment of environment effects states the following:

*The most efficient method for carrying out the work is to close the part of Rosedale Road in the vicinity of the Rosedale Road underpass as shown on the drawing in Appendix A for 12 days between 8pm on 2 January and 5am on 14 January 2019. As a result, an amendment is required to condition CTMP.4(d)(v) which requires one traffic lane and one footpath on Rosedale Road under State Highway 1 to be kept open at night time or weekends.*

Condition CTMP.4D(v) which currently has the following wording:

*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:*

...

*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*

...

NZTA's proposed amendment to condition CTMP.4(d)(v) is as follows:

*Retain at least one traffic lane and one footpath on Rosedale Road, under SH1, except where: (a) 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 (b) where the construction works are carried out in the period 2 January to 14 January when the full closure of Rosedale Road shall be permitted;*

I consider that an additional amendment to the proposed wording of the condition subject to this alteration is required. Further discussion on the reasons for this is below in Section 2.3. The additional amendment is as follows:

*Retain at least one traffic lane and one footpath on Rosedale Road, under SH1, except **where: (a) night time or no earlier than 31 May 2019** 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 (b) where the construction works are carried out in the period 2 January to 14 January when the full closure of Rosedale Road shall be permitted;***

After an assessment of the environmental effects, I consider that the alteration to the above condition, including the suggested further amendment above, involves no more than a minor effect on the environment above that permitted by the confirmed BOI designations, and as altered by the previous minor alterations. The environmental effects are discussed further below in Section 2.1.

### **1.5. Delegated authority**

The Manager - 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 Manager – 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 condition 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, and as amended by the previous alteration.

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

- traffic and transport during the construction period
- business disruption.

In regard to the effects, the requiring authority considers that the proposed alteration to condition CTMP.4(d)(v) involves no more than minor changes to the effects on the environment. Section 3 of the AEE states:

*'The effects of closing Rosedale Road for a short period of 12 days over the summer period when compared to retaining a single traffic lane and footpath will be beneficial in terms of potential traffic and business effects.*

*During the summer holiday period where transport network demand will be at least 30% less and containing the work to this period will mean that the adverse effects associated with a partial lane closure over a much longer period and during normal traffic conditions will be avoided. Additional measures that are proposed during the closure include:*

- *the provision of a complementary bus service to provide connections to pedestrians and cyclists;*
- *adoption of the preferred detour routes for bus services 884 and 885*
- *retention and existing access to 121 Rosedale Road with the assistance of traffic management personnel; and*
- *the erection of signage directing road users to 121 Rosedale Road.*

*In terms of the requirements of section 181(3) of the RMA:*

- *the assessment above shows that no more than a minor change to the effects will result from the minor amendments sought – in fact the change will be beneficial in terms of traffic effects; and*
- *no changes or adjustments are proposed to the boundary of the designations.'*

## Traffic effects

The requiring authority has provided a traffic assessment report, undertaken by Flow Transportation Specialists Limited (Flow), with the AEE. The report considers the predicted effects to all road users, including private vehicles as well as pedestrians, cyclists, and public transport services, associated with the proposed temporary closure of the Rosedale Road underpass. The predicted effects associated with the complete closure between 8.00pm Wednesday 2 January and 5.00am 14 January have been compared with the effects of a partial closure over a two month period where one lane and a footpath would be kept open as currently required by condition CTMP.4(d)(v).

### *Effects on public transport*

Section 2.1.1 of the AEE and Sections 5.2 and 5.3 of the Flow Transport Assessment considers the likely effects on public transport associated with the temporary closure of the Rosedale Road underpass. The report identifies a preferred detour route for the two bus services (884 and 885) that will be affected, as well as possible impacts to other public transport services.

The assessment concludes neither the effects on the Rosedale Road bus services nor the effects on wider public transport users are predicted to be more than minor since the work is being carried out during the quiet summer period. Flow considers that there would be a greater impact if the works were undertaken over a much longer period of two months which would also impact on school term times.

Section 5.3 of the Flow Transport Assessment discusses the public transport management plan for the Rosedale Road underpass closure. An assessment of the measures that need to be considered for these routes has been undertaken, including the new bus routes, location of temporary bus stops and predicted travel times. The following is stated on page 10 of the report:

*'With regard to the proposed detour route, conversations have been had with Auckland Transport's public transport operations team. Through these discussions, the preferred detour route for the 884 and 885 services is Hugh Green Drive, Greville Road and Tawa Drive.'*

Auckland Transport approved a temporary traffic management plan (TTMP) on 6 December 2018 (refer to Appendix F of the NoR) prior to the proposed amendment of Condition CTMP.4(d)(v) which currently requires one traffic lane and one footpath to remain open. In regard to bus stop relocation(s) or closure(s), page 6 of the TTMP states that 'notification to, and approval from, public transport operations received as part of the TMP approval'.

### *Effects on private vehicle users (general vehicles)*

Section 2.1.1 of the AEE and Section 5.4 of the Flow Transport Assessment considers the predicted effects on the wider road network associated with the temporary closure of the Rosedale Road underpass in terms of travel times. The assessment concludes that the impacts across the wider network for the full closure in summer are significantly lower (between 5 seconds to 35 seconds improvement in travel time) than those associated with a partial closure during a typical weekday. Flow concludes that any adverse effects on road users will be reduced as a result of a proposed temporary closure when compared to the option of partially closing the road for a longer two month period.

### *Effects on pedestrians/cyclists*

In terms of effects on pedestrians, the Flow Transport Assessment considers that, with the implementation of a communications strategy together with a complementary bus service for the detour route, the effect of the temporary closure of the Rosedale Road underpass will be no more than minor when compared to the status quo.

### *Effects on vehicle access to properties*

Section 2.1.1 of the AEE considers the effects on vehicle access to 121 Rosedale Road, which is the main property affected by the closure of the Rosedale Road underpass. The western accessway needs to be closed for the 12 days with the eastern accessway to be kept open during this period. Flow's report concludes that the eastern access way is sufficiently wide to accommodate entering and exiting traffic and that there is sufficient space onsite for vehicles to manoeuvre. Most of the 14 units are owned by the Crown and are currently empty with only four businesses currently operating from the complex.

The requiring authority is proposing the following measures (which are in accordance with the TTMP approved by Auckland Transport):

- traffic managers stationed at 121 Rosedale Road for the duration of the works to assist vehicles entering and exiting the site
- provision of a temporary roundabout at Triton Drive/Rosedale Road to assist with maintaining access to 121 Rosedale.

The western accessway of 121 Rosedale Road would still need to be closed for half of the period of the works of the two months (one month) if a traffic lane was kept open in accordance with condition CTMP.4(d)(v). The western access will be reopened after 14 January 2019 and will remain open until demolition of the units which is required to be able to construct the busway and shared use path. Demolition of the units will occur after the end date of the tenancy of the remaining occupiers.

The requiring authority considers that the effect of the entire closure is less than what would have occurred if the partial closure was implemented. Therefore, the effect of the change is beneficial. Although traffic diversions will need to be in place during the closure period, it is only traffic accessing 121 Rosedale Road from the west that will be affected.

### Comment:

The Flow Transport Assessment has been reviewed by Auckland Transport Network Operations (ATOC). An email, dated 19 December 2018, states the following:

*"This seems like a sensible approach. In terms of traffic signals, Tawa/Rosedale is a roundabout and therefore there is no immediate issue on the western side of the works. Rosedale/Apollo/Hugh Green is a roundabout with metering. I have made a minor and very simple change to the roundabout metering to prevent low use detector alarms triggering the signals.*

*Detours through local traffic signal should be able to be handled by SCATS especially considering the reduced traffic volumes.'*

## Business Disruption

Section 2.1.2 of the AEE considers the business disruption effects of the temporary closure of the Rosedale Road underpass. Section 2.1.2 states the following:

*'A full closure of Rosedale Road will result in less business disruption to the remaining four businesses at 121 Rosedale Road because:*

- *the duration of the closure of the western accessway will be shorter than if a partial closure of Rosedale Road was implemented; and*
- *while vehicles would be required to take a diversion route if travelling along Rosedale Road during the full closure, the diversion would occur during the quiet summer months when traffic flows are low and would only be for a short duration.*

*There have been several consultation meetings with the businesses at 121 Rosedale Road which included outlining how the existing access to the businesses at 121 Rosedale Road will be maintained during the closure period, as well as provision of an extensive communication strategy and signage to assist in business continuity. These mitigation methods, along with the short time frame for road closure will reduce potential effects on the businesses.*

*As a consequence of these mitigation measures, the short-term nature of the road closure, and the timing of the road closure, a full closure will be beneficial when compared to the effects of a full closure.'*

Minutes of a meeting with the owners/occupiers of 121 Rosedale Road were provided in a draft AEE as Appendix E. The draft AEE provided by NZTA also included a copy of the communications schedule and notification letter to residents (Appendix B).

### Comment:

The conditions of the existing designations, along with the Outline Plan of Works waiver for the replacement of the bridge, provide for the works to be undertaken. Currently, condition CTMP.4(d)(v) requires that one lane and one footpath is retained for the duration of the works in the vicinity of the Rosedale Road underpass. NZTA's AEE report concludes that full closure of this section of Rosedale Road will result in a no more than minor effect on the environment above that permitted by the existing condition.

I agree with NZTA's conclusion that the alteration involves no more than a minor effect on the environment above the permitted baseline. NZTA has proposed mitigation methods to address the traffic and transport effects, including public transport, private vehicles and effects on vehicle access to properties. The western access at 121 Rosedale Road would have been required to be closed for at least half of the approximate two months the works would take with a partial closure of Rosedale Road. As stated above, the western access will be reopened after 14 January 2019 and will remain open until demolition of the units which is required to be able to construct the busway and shared use path. Demolition of the units will occur after the end date of the tenancy of the remaining occupiers. The eastern access point at 121 Rosedale Road will remain open as both an entrance and an exit and there will be traffic managers stationed at the site to assist vehicles entering and exiting the site.

## **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 it is not necessary to give written notice of the alteration to any owner or occupier. This is because the Crown owns all of the land directly affected by the alteration and no change to the boundary is proposed.

After looking at the records held in the council's GIS system, it is confirmed that the Crown owns the portion of land affected by the designations at 121 and 123 Rosedale Road. NZTA are currently going through other processes which includes negotiations and agreements under the Public Works Act with the remaining occupiers of 121 Rosedale Road. There are also other separate agreements outside of the designation conditions with various parties including Auckland Transport. The proposed alteration does not have any effect on these separate processes.

A memo dated 18 December 2018 from NZTA's legal representative sets out NZTA's position on s181(3)(b). In summary, this is as follows:

*In terms of the requirements of this section, the Transport Agency's view is that:*

- a. The alteration involves no more than a minor change to the effects on the environment (and involves no change to the boundary of the designation);*
- b. Any change to the effects is positive;*
- c. The only land "directly affected" by the proposed alteration is the land currently within the existing road corridor.*

The memo goes on to state:

*The traffic management activities relating to this condition are to be carried out entirely within the existing road corridor. Therefore, the only "land" directly affected is that road corridor. Auckland Transport has signed off the Traffic Management Plan for the work and supports the approach of doing works during this period as opposed to a much longer period at a different time of year.*

Auckland Council's legal team has provided an opinion on NZTA's position in regard to the requirements of s181(3). An email, dated 19 December 2018, states:

*I have looked at the attached memorandum on behalf of NZTA and I do not agree with NZTA's position.*

*While there does not appear to be any case law directly on point (and the NZTA memo does not refer to any case law), I agree with the advice previously provided by Legal Services.*

*In particular, The Environment Court in Canterbury Regional Council v Department of Conservation EnvC C081/04, held that the term "affected" meant an "appreciable effect more than minimal, one that differentiates the person from a generality in order to define the direct effect" (as per the High Court in BP Oil Ltd v Taupo District Council HC Hamilton M300/85, 31 January 1989).*

*Given that the wording of section 181(3)(b) refers to “land directly affected”, rather than “land to which the designation applies”, in my view there is the potential for “directly affected” land to include land beyond the boundaries of the designation. Whether such land is considered to be “directly affected” is a matter requiring examination in every case. A narrow interpretation of directly affected land does not accord with the broad definition of effect or the sustainable management purpose of the Act. It is unlikely Parliament intended minor alterations to designations that affect nearby land could be achieved without the need for written approval from owners/occupiers of that land. There is a risk of judicial review by an affected land owner/occupier if a narrow interpretation is taken.*

*In addition, I do not agree with paragraph 10 of the NZTA memo. The construction of section 181(3) is that section 181(3)(b) is required to be complied with where either of sections 181(3)(a)(i) or (ii) apply. If the intention was that subsection (b) only applies to minor alterations to designation boundaries, then the text could simply have been added to the end of s181(a)(ii).’*

#### Comments:

The effects of the alteration have been considered and I conclude that these are no more than minor and therefore meets s181(3)(a)(i). The decision is then whether there are owners or occupiers that, despite the effects of the alteration being no more than minor, ‘may be affected in an appreciable or more than minimal way, more so than the general road users or owners/occupiers of land in the area who may be inconvenienced by road works.’

I have considered potential owners and occupiers of land directly affected by the alteration, including Waste Management NZ Limited, the remaining occupiers of 121 Rosedale Road, and Auckland Transport (as the road controlling authority responsible for Rosedale Road).

Condition 4(d)(v) was the result of the agreement of Waste Management New Zealand Limited during the BOI joint witness conferencing process. There was concern from WMNZ that access to and from their site at 117 Rosedale Road would be affected if there wasn’t a lane kept open during the proposed works.

In addition, condition CTMP.4(h) requires that measures are included to avoid road closures, and the restriction of vehicle, cycle and pedestrian movements where, amongst one other matter, a restriction on access to and from Rosedale Road requires NZTA to undertake consultation with WMNZ (CTMP.4(h)(ii)). An email, dated 18 December, from Waste Management New Zealand Limited to NZTA states:

*‘It is proposed to close Rosedale Road between the eastern access to 121 Rosedale Road and Tawa Intersection for the lowering works on the SH1 overpass. I confirm that Waste Management has no objection to this closure for the period between 2<sup>nd</sup> January 2019 and 14<sup>th</sup> January 2019.*

*While there may be some slight disruption to business I am confident that it will not be significant and that we will continue to service our customers without interruption’.*

In regard to 121 Rosedale Road, I consider that the occupiers are not affected in an appreciable way above that of the general road users or other owners/occupiers of land in the area. The reason is that the existing conditions of the confirmed designations provide for the works to be undertaken. In addition, NZTA has been in consultation with the occupiers as required by conditions SCP.6(c) and (d), SCP.7(b) and SCP.9. NZTA has also proposed mitigation measures to maintain existing vehicle access, or alternative access arrangements where required, during construction works as required under CTMP.4(e).

I have considered NZTA's proposed wording of the amendment to condition CTMP.4(d)(v). While NZTA has advised that the period from 2 January 2019 to 14 January 2019 is sufficient to undertake all the works required, the reworded condition still allows for further full closures during night time or weekends. This is not subject to a timeframe and therefore could be used at any time outside of the period of the January road closure. A further amendment is recommended as follows:

*Retain at least one traffic lane and one footpath on Rosedale Road, under SH1, except **where: (a) night time or no earlier than 31 May 2019** 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 (b) where the construction works are carried out in the period 2 January to 14 January when the full closure of Rosedale Road shall be permitted***

We have received advice that NZTA agree with the further wording amendment.

In regard to Auckland Transport, the road closure has already been approved. As stated above in Section 2.1 a review of the Flow traffic report has now been undertaken by Auckland Transport Operations who agree with the approach to be taken to close the road, and the associated mitigation, for the period between 2 January 2019 and 14 January 2019. Consultation has also been undertaken with Auckland Transport in regard to public transport with the rerouting of several bus routes required.

Therefore, I agree with NZTA, albeit for different reasons, that there are no owners and occupiers of directly affected land which require written notice, and who need to agree with the alteration.

#### **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 subject to the designations is either owned and occupied by the New Zealand Transport Authority (SH1 and SH18) or there are 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 subject to the designations is either owned and occupied by the New Zealand Transport Authority or there are 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 6775: The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and Designation 6776: 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.
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. A full set of the designation conditions is attached (Attachment B). Amendments are shown as either strikethrough or bold and underlined.

Date:

**Report Prepared by:**

David Sanders

Team Leader

Planning North West and Islands

21/12/18.





## 5. SECTION 181(3) DETERMINATION

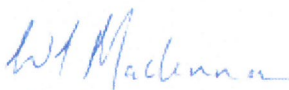
Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

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 6775: The Northern Busway Designation adjacent to SH1 from Constellation Bus Station to Albany Bus Station; and Designation 6776: 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: Warren MacLennan

Title: Manager – Planning North West and Islands

Signed:



21/12/2018

Date:

### SCHEDULE OF ATTACHMENTS

**Attachment A:** Notice of Requirement  
**Attachment B:** Amended Conditions

## 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
<b>Designations OR NOR</b>		
<p><b>NSP39/001</b></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><b>NSP39/002</b></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><b>NSP39/003</b></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><b>NSP39/004</b></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><b>NSP39/005</b></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><b>NAP39/006</b></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
<b>Residential Receivers</b>			
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
<b>Industrial and commercial receivers</b>			
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: (a) night time or no earlier than 31 May 2019 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 (b) the construction works are carried out in the period 2 January to 14 January when the full closure of Rosedale Road shall be permitted; 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:

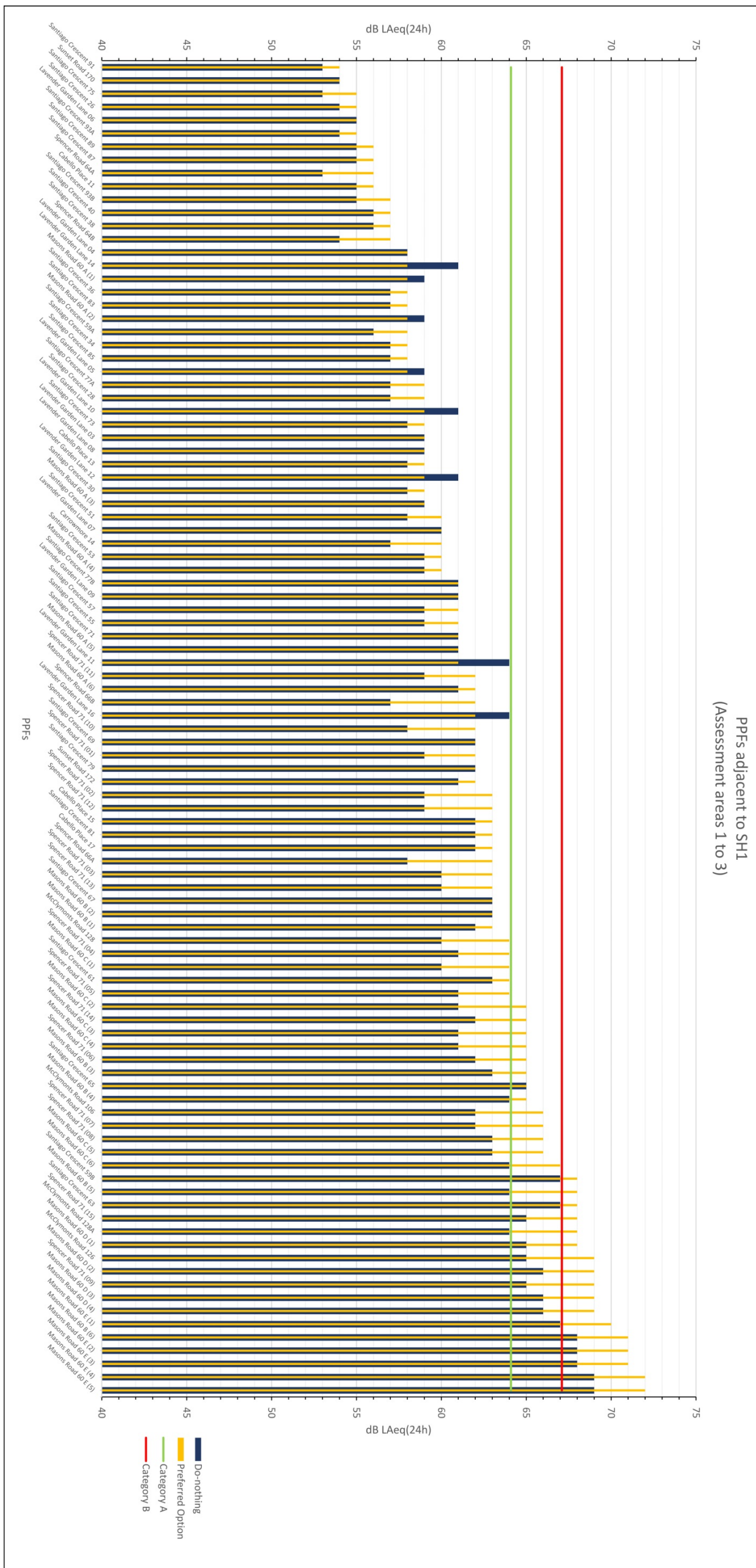
- a) The Requiring Authority has completed Building-Modification Mitigation to the PPF; or
- b) An alternative agreement for mitigation is reached between the Requiring Authority and the owner, and that mitigation option has been completed; or
- c) The owner did not accept the Requiring Authority's offer 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).

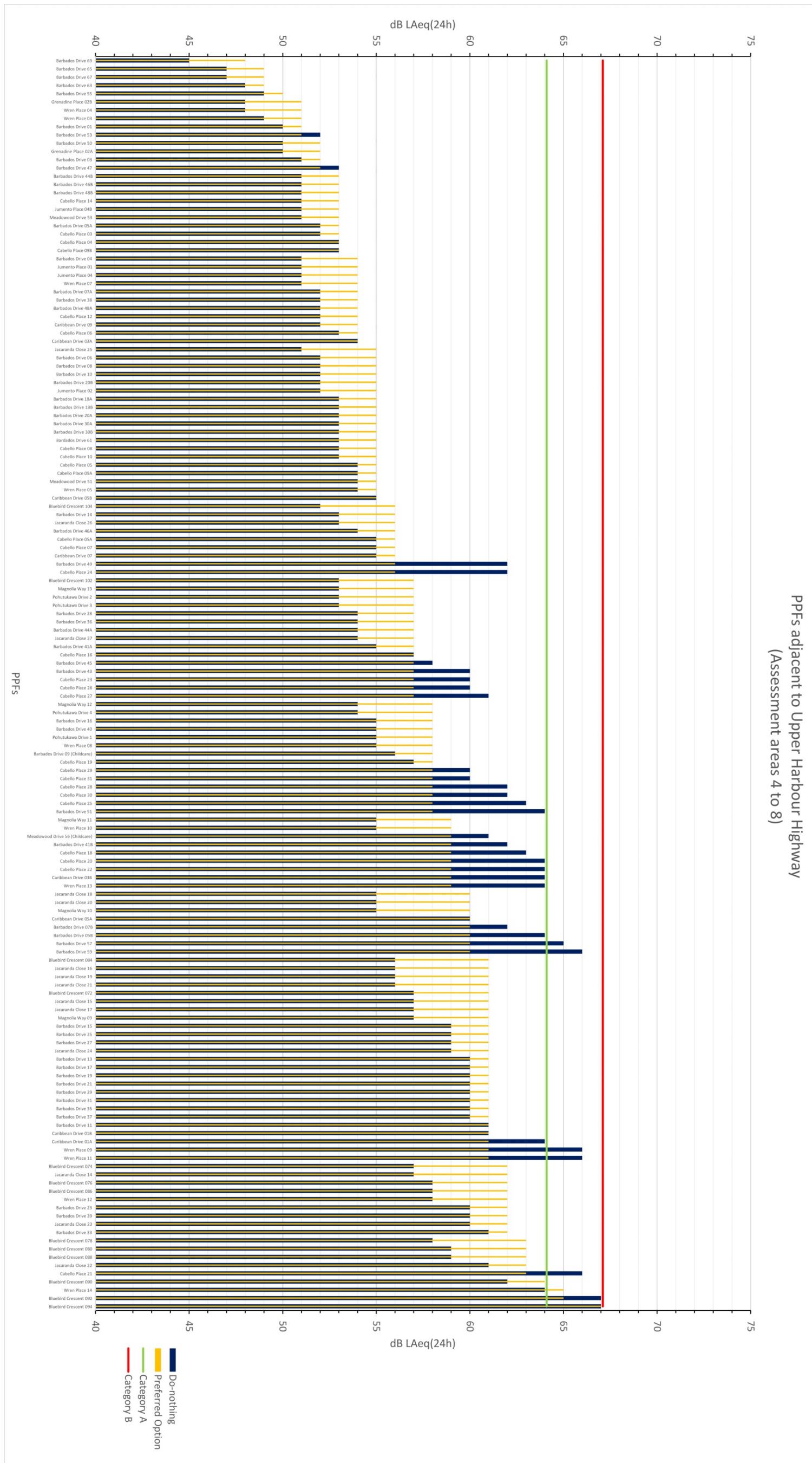
## **Operational Noise Conditions**

### **Appendix A**

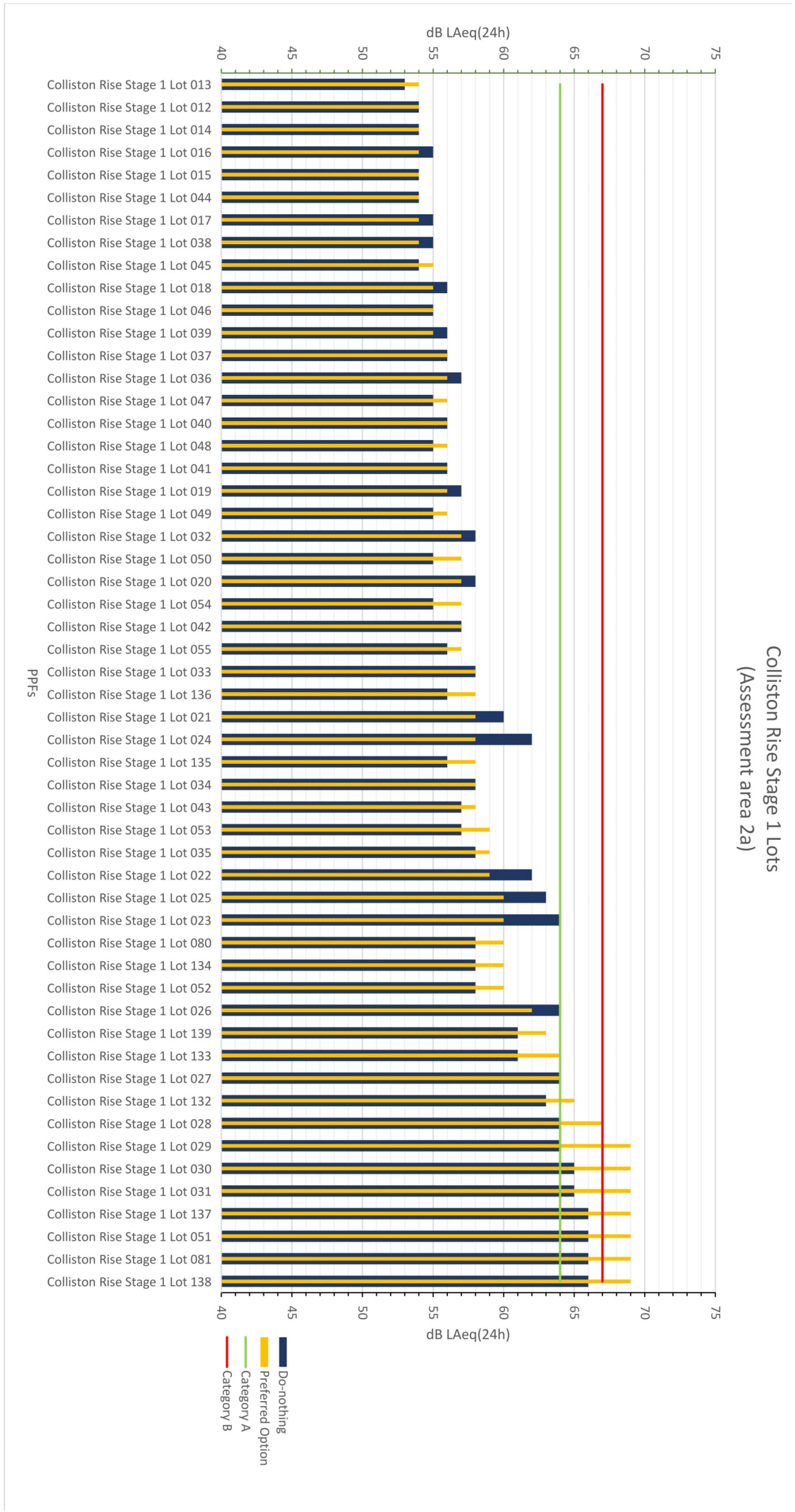
The following graphs show predicted noise levels for all PPFs identified in accordance with ON.2, and are based on the following factors:

- 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.





PPFs adjacent to Upper Harbour Highway  
(Assessment areas 4 to 8)



## 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;
  - v. 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 4m<sup>2</sup> 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.