

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Celia Davison

**FROM** Nicholas Lau



**DATE** 23 August 2022

**SUBJECT** **Designation in accordance with sections 172(1) and 181(2) of the Resource Management Act**



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

<b>Reason for update</b> – A decision has been made to confirm a requirement for an alteration to a designation under sections 172(1) and 181(2) of the RMA. Pursuant to section 175(2) of the RMA, Council as the territorial authority must, as soon as practicable and without using Schedule 1, include the designation in its district plan.	
<b>Chapter</b>	Chapter K Designations
<b>Section</b>	New Zealand Transport Agency
<b>Designation only</b>	
<b>Designation # 6707</b>	State Highway 22 - Karaka to Takanini
<b>Locations:</b>	State Highway 22 (Karaka Road and Great South Road) from east of Woodlyn Road, Karaka to State Highway 1, Drury
<b>Lapse Date</b>	Given effect to (i.e. no lapse date)
<b>Purpose</b>	State Highway 22
<b>Changes to text and diagrams (shown in underline and strikethrough)</b>	<p>Include conditions and diagrams as per those specified in Waka Kotahi New Zealand Transport Agency Decision, as per Attachment 1 to this memo</p> <p>Attachment 2 – updated AUP (OIP) designation text</p>
<b>Changes to spatial data</b>	Alter boundaries of designation 6707 in accordance with Waka Kotahi New Zealand Transport Agency Decision
<b>Attachments</b>	<p>Attachment 1: Waka Kotahi New Zealand Transport Agency Decision</p> <p>Attachment 2: 6707 State Highway 22 – Karaka to Takanin AUP (OIP) designation text</p> <p>Attachment 3: Updated AUP GIS viewer</p>

<b>Prepared by:</b> Nicholas Lau Senior Policy Planner	<b>Text Entered by:</b> Bronnie Styles Planning Technician
<b>Signature:</b> 	<b>Signature:</b> 

<b>Maps prepared by:</b> Natalia Liana Geospatial Specialist	<b>Reviewed by:</b> Craig Cairncross Team Leader
<b>Signature:</b> 	<b>Signature:</b> 
<b>Signed off by:</b> Celia Davision Manager Planning – Central/South	
<b>Signature:</b> 	

## **Decision**

10/06/2022

Nicholas Lau  
Senior Policy Planner  
Central/South Planning Unit - Plans and Places  
Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1142

Level 5, AON Centre  
29 Customs Street West  
Private Bag 106602  
Auckland 1143  
New Zealand  
T 64 9 969 9800  
F 64 9 969 9813  
[www.nzta.govt.nz](http://www.nzta.govt.nz)

Dear Nicholas

**NOTICE OF DECISION OF WAKA KOTAHI NZ TRANSPORT AGENCY UNDER SECTION 172 OF THE RESOURCE MANAGEMENT ACT 1991**

Thank you for your letter on 28 April 2022 advising of the recommendation of the Auckland Council Independent Hearing Commissioners in relation to the Notice of Requirement to alter designation 6707 to upgrade State Highway 22 (the Project) that comprises part of the Drury Arterial Network.

The Commissioners' recommendation was that the Notice of Requirement should be **confirmed** subject to conditions.

Pursuant to Section 172 of the Resource Management Act 1991, Waka Kotahi NZ Transport Agency (Waka Kotahi) accepts in part the Commissioners' recommendation in relation to the Notice of Requirement.

A complete set of the designation conditions, including modifications made as a result of the Waka Kotahi decision and correcting a number of minor typographical and formatting errors, is **attached** to this letter as **Appendix 1**.

Waka Kotahi accepts the majority of conditions as recommended by the Hearing Commissioners. Only those conditions that Waka Kotahi has modified or rejected are outlined below.

***Conditions rejected or accepted in part only***

There are some recommended conditions that are only partially accepted by Waka Kotahi. The amendments to these conditions and the reasons for the Waka Kotahi decision in respect of these conditions are set out below.

**Condition 4 – Designation Review**

In their recommendation, the Commissioners considered that the commitment made by Waka Kotahi to incorporate a six month timeframe (or as soon as otherwise practicable) for the designation review condition post implementation of the Project is acceptable. However, the Commissioners noted that a periodic review of the land requirement prior to implementation of the Project would also mitigate the cost of uncertainty for landowners and therefore recommended that a 12 month periodic review be set for the designation prior to commencement of construction.

The Waka Kotahi decision is to reject the addition of the pre-implementation periodic review to Condition 4 as shown below.

#### 4. Designation Review

- (a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable:
- (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and
  - (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
- (b) ~~Notwithstanding the above, on an on-going basis, and at least every six months until Completion of Construction, the Requiring Authority shall:~~
- ~~(i) assess whether any areas of the designation that have been identified for construction purposes are still required for that purpose;~~
  - ~~(ii) identify any areas of the designation that are no longer necessary for construction purposes or the on-going operation or maintenance of the project or for on-going mitigation measures; and~~
  - ~~(iii) give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.~~

Waka Kotahi does not consider a six or twelve<sup>1</sup> month timeframe for review of the necessity of the designated area for construction or operation of the Project is a feasible or efficient method for managing potential uncertainty or perceived planning blight on affected parties prior to the implementation of the Project. Until funding is secured for the Project, Waka Kotahi does not anticipate undertaking further design work which might otherwise enable refinement of the designation boundaries. To keep affected parties informed and manage the cost of potential uncertainty, the designation conditions (see Condition 3) provide for Project information to be shared through a project website or subscription service. This will include information and updates on project development timelines, the s176 approval process, engagement with landowners and Public Works Act processes.

#### Condition 5<sup>2</sup> – Lapse

The Commissioners recommended a 15 year lapse period for the Project even though it is for an alteration to an existing designation and suggested that it could in fact be considered as a new designation. The Commissioners considered that as a general principle, the specification of a lapse date is a matter of public interest and a demonstration of public commitment by Waka Kotahi. They also note that the legal definitional argument by Waka Kotahi differentiating an alteration of designation from a designation is artificial as both designations and alterations of designations have effects that are similar.

The Waka Kotahi decision is to reject the proposed lapse period. Waka Kotahi remains of the view that a lapse period is neither necessary nor possible for an alteration to an existing designation as the designation has already been given effect to. This position is consistent with the recent High Court decision *Poutama Kaitiaki Charitable Trust v Taranaki Regional Council*<sup>3</sup> which confirms that the imposition of a lapse date on a NoR to alter a designation is not permitted under the RMA 1991. In that case, the High Court confirmed the legal position outlined by Counsel for Waka Kotahi in submission at the hearing i.e. section 181(2) of the RMA sets out sections of the RMA that apply to an alteration to an existing designation, and the lapse provision requirement in s184 is explicitly excluded.

#### Condition 5 – Network Utility Operators (Section 176 Approval)

The Waka Kotahi decision is to reinstate Condition 5 and the corresponding definition of “Network Utility Operators”. Waka Kotahi respectfully suggests the deletion of this condition (Condition 5 below) was a drafting error in the Commissioners’ recommendation as there is no explanation on why the condition has been removed in the Hearing Commissioners’ Recommendation Report.

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<sup>1</sup> Independent Hearing Commissioners’ Recommendation Report refers to 12 months but the appended NoR D1 condition set refers to 6 months

<sup>2</sup> Condition 5 in the Independent Hearing Commissioners’ Recommendation Report

<sup>3</sup> NZHC 629, 30/03/2022

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

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

The condition provides a useful and efficient mechanism to reduce s176 approval administration as between network utility operators so should be reinstated.

**Conditions 9, 10 and 11 - Urban and Landscape Design Management Plan (ULDMP)**

The Commissioners recommended an addition to the ULDMP condition to reference the Drury Ōpāheke Structure Plan and specific paragraphs from Mr Bentley's landscape and visual evidence.

The Waka Kotahi decision is to reject this addition as follows:

**Condition 9**

...

- (c) The ULDMP shall be prepared in general accordance with:
- (iii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;
  - (iv) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and
  - (v) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and
  - (vi) ~~Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version~~
- (d) **The ULDMP shall have regard to the outcomes of the** Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.

**And shall have regard to the Drury Ōpāheke Structure Plan and the mitigation measures detailed in the evidence of Mr Chris Bentley paragraph 14.19.**

The reasons for this amendment are as follows:

Waka Kotahi accepts the inclusion of Auckland's Ngahere (Forest) Strategy. However, considers it is more appropriate to have regard to the outcomes of the strategy rather than be prepared in general accordance with the strategy. Waka Kotahi considers that the strategy sets out high level principles and these principles are generally included in the Waka Kotahi guidelines (as set out in condition 9 (c)) however have been developed further.

While Waka Kotahi acknowledges the role of the Drury Ōpāheke Structure Plan in the planning process for Drury's future growth areas, it also considers that the Structure Plan is only indicative of the future land use at a point in time. Waka Kotahi notes that there are already differences in the land use patterns from that proposed in the Drury-Ōpāheke Structure Plan and the land uses being progressed through the current private plan changes, some of which have been approved and may shortly be operative.

Notwithstanding this, the anticipated outcomes of the Drury Ōpāheke Structure Plan are generally provided for in the ULDMP condition (for example through condition 9(d)) and integration can be achieved with those outcomes

to the extent they are still relevant. The condition has been drafted in a manner that ensures the detailed design of the Project will respond to the land use existing or planned at the time the Project is implemented, which Waka Kotahi considers to be an appropriate response. If upon implementation of the Project, the planned future urban adjacent land use (including open space and riparian networks) reflects the outcomes of the Drury Ōpāheke Structure Plan, then the ULDMP will have regard to those and the same anticipated outcomes for integration will be achieved.

Mr Bentley confirms in evidence<sup>4</sup> that the landscape and visual measures are already covered in the ULDMP conditions. Contrary to the Commissioners' apparent understanding, Ms Skidmore for the Council also confirmed that the scope of the ULDMP condition is suitable and provides a sufficient framework to enable relevant matters and the detailed recommendations set out in both the Urban Design Framework and Landscape and Visual Assessment to be considered upon implementation<sup>5</sup>. Waka Kotahi therefore considers the reference to Mr Bentley's evidence to be unnecessary.

#### Condition 10

The Commissioners recommended the addition of "integration of open space linkages" in condition 10(a)(iii)(G) noting that one of the significant benefits of pedestrian and cycle facilities is the open space linkages they provide.

The Waka Kotahi decision is to reject this addition (see below) as the integration of open spaces is already inherently provided for in Condition 9(d)(i).

#### **Condition 10**

(a) The ULDMP(s) shall include:

...

(iii) landscape and urban design details that cover the following:

- A. road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses, benching, spoil disposal sites, median width and treatment, roadside width and treatment;
- B. roadside elements – such as lighting, sign gantries and signage, fences, and median barriers;
- C. architectural and landscape treatment of all major structures, including bridges and retaining walls;
- D. architectural and landscape treatment of noise barriers;
- E. landscape treatment of permanent stormwater control wetlands and swales;
- F. integration of passenger transport;
- G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses and **integration of open space linkages**;

...

#### Condition 11

The Commissioners recommended the addition of "including ecological linkages identified in the Drury Ōpāheke Structure Plan" in condition 11(a)(i)(C).

The Waka Kotahi decision is to reject this addition (see below). These linkages are already covered by the requirements for integration with "streams, riparian margins and open space zones" referred to in the preceding words of that subclause of the condition.

#### **Condition 11**

(a) The ULDMP(s) shall also include the following planting details and maintenance requirements:

(i) planting design details including:

- A. identification of existing trees and vegetation that will be retained with reference to the Tree

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<sup>4</sup> Mr Bentley primary evidence at paragraphs 9.24-9.25

<sup>5</sup> Auckland Council s42 Addendum (NoR D2 – D5), Appendix 1 Pages. 40-43, Paragraph 7

- Management Plan in Condition 25. Where practicable, mature trees and native vegetation should be retained;
- B. street trees, shrubs and ground cover suitable for berms;
- C. treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones, **including ecological linkages identified in the Drury – Ōpāheke Structure Plan;**
- D. planting of stormwater wetlands;

...

Condition 14 – Stakeholder Communication and Engagement Management Plan

The Commissioners consider that the preparation of the SCEMP will benefit from Council's broader regulatory view and have subsequently recommended amendments to the condition to reference the preparation of the SCEMP being undertaken in consultation with Council in clause (a) and include a six monthly review process with Council for the duration of construction in clause (d).

The Waka Kotahi decision is to reject these amendments as follows:

**14. Stakeholder Communication and Engagement Management Plan**

- (a) A SCEMP shall be prepared ~~in consultation with the Council at least 6 months~~ prior to the Start of Construction for a Stage of Work.

- ...
- ~~(d) The SCEMP shall be reviewed six monthly for the duration of construction and updated if required. Any updated SCEMP shall be provided to the persons referred to in (b) and Auckland Council for review and agreement on any further action to be undertaken. Any further action recommended as a result of this review shall be undertaken by the Project Liaison Person and confirmation of completion provided to Auckland Council. If, in the course of amendments undertaken as part of the review process, a material change to the SCEMP is made, those parties affected by the change shall be notified within 1 month of the material change occurring.~~

The reasons for the amendments are as follows:

Condition 14 (a): The Waka Kotahi decision is to reject the addition to clause (a) as it considers this to be unnecessary. The plan will be prepared by a suitably qualified and experienced person (as set out in condition 7(a)(ii)) and its project and engagement teams are sufficiently experienced in engagement processes for projects of this nature. Waka Kotahi will provide the plan to Council for information and will work with the Council's regulatory and monitoring teams during implementation of the Project works in the normal course.

Condition 14 (d): Waka Kotahi also rejects the addition of clause (d) to the SCEMP condition. The SCEMP will be submitted to Council for information only, which Waka Kotahi understands the Council officers agreed was appropriate. The proposed addition of clause (d) sets out a six monthly review and agreement process with Council for material changes to this plan. Given the original SCEMP will be provided to Council for its information only, this subsequent variation process is unnecessary.

Condition 15 – Complaints Register

The Commissioners have recommended including a reference to recording weather conditions in Condition 15 on the basis that details of weather conditions are useful for dealing with complaints with respect to air quality or noise matters.

The Waka Kotahi decision is to reject the addition of clause (a)(v) as follows:

**15. Complaints register**

- (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:
  - (i) the date, time and nature of the complaint;
  - (ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);



- (iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;
- (iv) the outcome of the investigation into the complaint; and
- (v) ~~the weather conditions at the time of the complaint (as far as reasonably practicable), including wind direction and approximate wind speed if the complaint relates to air quality or noise and where weather conditions are relevant to the nature of the complaint; and~~
- (vi) any other activities in the area, unrelated to the project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.

...

The reason for this amendment is because air quality matters will be dealt with under regional consents and construction noise is managed and monitored via alternative management plans and schedules for affected parties. It is also noted that the Construction Environmental Management Plan (Condition 13(b)(xi)) requires the CEMP to include procedures for responding to complaints about Construction Works and will be submitted with the Outline Plan.

#### Condition 18 – Construction Noise Standards

The Commissioners recommended deleting the reference to “as far as practicable” in the condition requiring compliance with the Construction Noise Standards as the initial objective of the construction noise management conditions prior to the development of the CNVMP or schedules.

The Waka Kotahi decision is to reinstate the wording of the condition as follows:

#### **18. Construction Noise Standards**

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

...

The reason for this amendment is that despite all reasonable measures being taken, there will be times when construction noise cannot meet the noise standards. This is not uncommon and is the reason why CNVMPs are typically developed. Therefore the condition requires compliance with the standards in the first instance, as far as practicable.

#### Condition 20 – Construction Noise and Vibration Management Plan

The Hearing Commissioners recommended a number of changes to Condition 20. The Waka Kotahi decision is to amend the condition as follows:

#### **20. Construction Noise and Vibration Management Plan**

- (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
- (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for **preventing or minimising the management of** construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 18 and 19 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 ‘Acoustics – Construction Noise’ (NZS6803:1999) and the Waka Kotahi State highway construction and maintenance noise and vibration guide (version 1.1, 2019), and shall as a minimum, address the following:
  - (i) description of the works and anticipated equipment/processes;
  - (ii) hours of operation, including times and days when construction activities would occur;
  - (iii) the construction noise and vibration standards for the Project;
  - (iv) identification of receivers where noise and vibration standards apply;
  - (v) a hierarchy of management and mitigation options including **any requirements to prioritising the management of construction activities to limit avoid**-night works and **works during** other sensitive times, including Sundays and public holidays **as far as practicable, unless it can be demonstrated that the work cannot practicably be undertaken during the daytime due to safety reasons, unreasonable traffic congestion or traffic delays or similar reasons**
  - (vi) methods and frequency for monitoring and reporting on construction noise and vibration;
  - (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification

- of proposed construction activities, the period of construction activities, and management of noise and vibration complaints;
- (viii) contact details of the Project Liaison Person;
  - (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;
  - (x) identification of areas where compliance with the noise [Condition 18] and/or vibration standards [Condition 19] Category A or Category B will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites;
  - (xi) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 18] and/or vibration standards [Condition 19] Category A or Category B will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls [Condition 20(c)(x) CNVMP];
  - (xii) **identification of trigger levels for undertaking building condition surveys, which shall be below Category B day time levels;**
  - (xiii) procedures for ~~how remedial works will be undertaken, should they be required as a result of~~ **undertaking** building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration;
  - (xiv) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented; and
  - (xv) requirements for review and update of the CNVMP.

The reasons for the amendments are as follows:

Condition 20(c): Waka Kotahi has reinstated the term 'management' in Condition 20 (c) as it reflects the wording of the related construction noise standard NZS6803 which specifically refers to the identification of methods to 'manage' construction noise. An objective of 'management of construction noise' is therefore more appropriate and consistent with the intention of the CNVMP as set out in NZS6803.

Condition 20 (c)(v): Waka Kotahi accepts in part the amendments made to Condition 20 (c)(v) regarding works at night and other sensitive times. The Commissioners based their proposed amendment on the understanding that construction of the Project is likely to take place in a developed urban environment<sup>6</sup>. However, the Project may occur either ahead of or in parallel with urbanisation of the area. The extent of noise sensitive receivers is therefore currently unknown and will depend on Project implementation timing. Waka Kotahi also notes that the construction noise standards (Condition 18) already preclude noisy or intensive construction activities on Sunday and public holidays to an appropriate extent through reduced noise levels criteria and working hours on these days. In any event, Waka Kotahi has accepted the majority of the Commissioners' recommendations with some modifications for simplicity.

Condition 20 (c)(xii): Waka Kotahi has reinstated clause (c)(xii) on the basis that it provides clarity and certainty as to how the criteria identified in Condition 19 should be applied and what measures should be implemented should the construction vibration criteria be exceeded.

Condition 20 (c)(xiii): Waka Kotahi reinstates the original wording of Condition 20 (c)(xiii) as the purpose of this clause is to set out the process for undertaking a building condition survey. The process for any subsequent remedial works is a separate private property matter that can be resolved directly with the landowners

#### **Condition 21 – Schedule to a CNVMP**

The Hearing Commissioners recommended a number of changes to Condition 21. The Waka Kotahi decision is to amend the condition as follows:

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

- (a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the

<sup>6</sup> Independent Hearing Commissioners' Recommendation Report, pg.45, paragraph 221

start of the construction activity to which it relates by a Suitably Qualified and Experienced Person, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:

- (i) construction noise is either predicted or measured to exceed the noise standards in Condition 18;
- (ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 19.

- (b) The objective of the Schedule is to set out the Best Practicable Option measures **for preventing or minimising to manage** noise and/or vibration effects for the duration of the construction activity to which it relates beyond those measures set out in the CNVMP. The Schedule shall as a minimum set out:
  - (i) construction activity location, start and finish times;
  - (ii) the nearest neighbours to the construction activity;
  - (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 18 and 19 and the predicted duration of the exceedance;
  - (iv) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;
  - (v) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and
  - (vi) location, times and types of monitoring.

~~(c) When construction vibration from a construction activity is either predicted or measured to exceed the Category A standard at the receivers in Condition 19, the construction activity shall not commence until a Suitably Qualified and Experienced Person has undertaken a building condition survey (provided the affected owners and/or occupiers have agreed to such survey). The building condition survey shall as a minimum include, but not limited to, the following:~~

- ~~(i) — Determination of building classification: commercial, industrial, residential or a historic or sensitive structure;~~
- ~~(ii) — determination of building specific vibration damage risk thresholds; and~~
- ~~(iii) — recording (including photographs) the major features of the buildings including location, type, construction (including foundation type), age and present condition, including existing levels of any aesthetic damage or structural damage.~~

~~(d) The building condition survey and specific Best Practicable Option measures to prevent and minimise vibration effects for the duration of the construction activity to which it relates beyond those measures set out in the CNVMP shall be added as a Schedule. The Schedule shall be prepared in consultation with the owners and occupiers of buildings subject to the Schedule, and as a minimum, contain the information set out in (b) above and the findings of the building pre-condition survey.~~

~~(e) Vibration monitoring shall be undertaken and continue throughout the construction activity covered by the Schedule. Following completion of the activity, a building condition survey shall be undertaken to determine if any damage has occurred as a result of construction vibration, and any such damage shall be repaired by the Requiring Authority.~~

- (f) ~~(c)~~ The Schedule shall be submitted to the Manager for **certification information** at least 5 working days (except in unforeseen circumstances), in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. **If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule.**
- (g) ~~(d)~~ Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for **certification information** in accordance with ~~(f)~~~~(c)~~ above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.

The reasons for the amendments are as follows:

Condition 21(b): Waka Kotahi rejects the recommended amendments and reinstates the original wording on the basis that NZS6803 refers to the identification of methods to 'manage' construction noise. Waka Kotahi considers that the reinstatement of the term 'management' in the condition is appropriate as this is consistent with the standards and with the intention of the CNVMP as set out in NZS6803.

Condition 21(c)-(e): Waka Kotahi rejects these amendments. Waka Kotahi considers that Condition 20 (c)(xiii) makes it clear how the construction vibration criteria identified in Condition 19 should be applied and what

mitigation measures should be put in place if the construction vibration criteria are to be exceeded [Condition 19 (c) and (d)].

Condition 21(f): Waka Kotahi rejects the proposed changes to clause (f) (reformatted to (c)) from “information to “certification” and reinstates the ability for Council to provide comment on the Schedules. The reasons for this amendment are that the CNVMP is intended to be comprehensive, covering any likely exceedances and will be submitted with the Outline Plan for regulatory oversight. Schedules will cover any unforeseen exceedances or unique construction requirements and the intent is to minimise the number of Schedules required. As such, Waka Kotahi does not consider it necessary for Council to certify the Schedules. Notwithstanding this, Council will be able to comment on the Schedules and any feedback will be considered by Waka Kotahi prior to implementation and this process has been reinstated in the condition (reformatted condition 21(c)) as formerly proposed by Waka Kotahi.

Condition 21(g): Waka Kotahi accepts this condition (reformatted to (d)) but replaces the reference to the amended Schedule being sent to Council for “certification” to “for information” to be consistent with clause (f) (reformatted to (c)).

#### Condition 22 – Historic Heritage Management Plan (HHMP)

The Hearing Commissioners recommended a number of changes to Condition 22.

Waka Kotahi decision is to amend the HHMP condition as follows and delete the corresponding definition of ‘CHI’ in the definitions and abbreviations:

#### **22. Historic Heritage Management Plan (HHMP)**

- ~~(a) The Requiring Authority shall design and implement the construction, operation and maintenance of the Project to achieve the following historic heritage outcomes:
  - ~~(i) To deliver positive historic heritage opportunities and outcomes.~~
  - ~~(ii) To avoid as far as practicable, adverse effects on historic heritage places.~~
  - ~~(iii) Where avoidance of adverse effects cannot be achieved; remedy or mitigate all adverse effects on historic heritage places as far as practicable.~~~~
- (a) A HHMP shall be prepared ~~by the nominated heritage specialist(s)~~ in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- ~~(b) The HHMP shall be prepared with up-to-date information. This information shall be provided to Council prior to the lodgement of the HHMP to streamline the review process. This includes, but is not limited to:
  - ~~(i) Any archaeological assessments, heritage impact or cultural assessments, granted authorities, final archaeological reports and updated site record forms (CHI and New Zealand Archaeological Association ArchSite) prepared/submitted since time of the granting of any designation;~~
  - ~~(ii) Additional areas of survey and investigation undertaken as part of the project; and~~
  - ~~(iii) Further assessment and field survey of historic heritage by the nominated heritage specialist(s) which include (but are not limited to) the following:
    - ~~i. locations proximate to waterways adjacent to Oira Creek and the Ngākōroa Stream.~~~~~~
- ~~(c) The HHMP shall be consistent with all relevant statutory requirements, including the conditions of any Archaeological Authority granted by HNZPT for the Project.~~
- (b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, outcomes in (a), the HHMP shall as a minimum identify and include:
  - (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
  - (ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
  - (iii) known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
  - (iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which

- shall also be documented and recorded;
- (v) roles, responsibilities and contact details of Project personnel, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
  - (vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;
  - (vii) the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the **HNZPT Archaeological Guidelines Series No.1 (AGS 1A): Investigation and recording of buildings and standing structures (November 2018), or any subsequent version.**
    - A. HNZPT Archaeological Guidelines Series No.1 (AGS 1A): Investigation and recording of buildings and standing structures (November 2018), or any subsequent version.**
    - B. International Council on Monuments and Sites New Zealand Charter 2010 or any subsequent version.**
  - (viii) methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;
  - (ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places **identified as part of the detailed design of the and sites within the Designation during Project Construction Works as far as practicable.** These methods shall include, but are not limited to:
    - A. Security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; and
    - B. using construction methods that minimise vibration or other potentially adverse effects**
  - (x) **measures to mitigate adverse effects on historic heritage such as increased public awareness and interpretation signage; and**
  - (xi) **(xi) training requirements and inductions for contractors and subcontractors on historic heritage places and sites within the Designation, ~~methods and procedures in the HHMP,~~ legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) and accidental discovery protocols in Condition 23 below.** The training shall be undertaken prior to the Start of Construction, under the guidance of **the nominated heritage specialist(s) a Suitably Qualified and Experienced Person** and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 8);
  - (xii) **measures to mitigate adverse effects on historic heritage that achieve positive historic heritage outcomes. Measures may include, but not limited to: increased public awareness and amenity of historic heritage sites, interpretation, repatriation, donation of historic heritage material to suitable repositories, publication of heritage stories, and active conservation/restoration of heritage features;**
  - (xiii) **definitions of terms used to identify and assess historic heritage places and alignment with relevant statutory definitions as far as practicable;**
  - (xiv) **reporting requirements for historic heritage places during and after the completion of Construction Works and at the completion of projects works, including a plan for dissemination of reports resulting from these requirements; and**
  - (xv) **measures for the interim stabilisation/conservation (where necessary), storage and curation of objects and artefacts (including taonga tūturu) and any other physical or documentary material that forms part of the wider historic heritage places archive.**
- (c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring etc.), **including interim reports,** shall be submitted to the Manager (**in consultation with the Manager: Heritage Unit**) within 12 months of **being produced completion.**

**Advice Note:**

- 1.—The Council acknowledges that the HHMP is intended to provide flexibility both for the Requiring Authority and the Council for the management of historic heritage places. Accordingly, the HHMP may need to be reviewed over time. Any reviews should be in accordance with the stated objectives of the HHMP and limited to the scope of this Designation.**
- 2.—The historic heritage places archive consists of the records and finds made during Construction Works, including written or drawn documentation, digital files, and artefacts and materials such as taonga tūturu.**

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

The reasons for the amendments are as follows:

The Commissioners' recommended restructure of the HHMP is inconsistent with the general structure of the management plan conditions across the designation conditions. As the HHMP has been merged with the original condition proposed by Waka Kotahi, the HHMP is now overly prescriptive for a management plan condition in a route protection designation and in many instances repetitive.

Importantly, the HHMP is required to be prepared in consultation with Council (along with HNZPT and Mana Whenua). The Council will be able to input into the HHMP before it is submitted with the Outline Plan. Council will have another opportunity to request changes to HHMP via the Outline Plan Process and the detail of the mitigation measures developed at that time. Waka Kotahi, therefore, considers the prescriptive nature of the Commissioners' recommended condition is not appropriate or necessary.

In their recommendation, the Commissioners' have referred to the HHMP condition proposed for the Waka Kotahi Warkworth to Wellsford project<sup>7</sup>. The Warkworth to Wellsford project responded to the specific context of that project and the structure of that condition set. There is no justification to replicate that condition in the context of this Project where the HHMP condition has been developed to respond to potential heritage effects in the local area as identified by expert evidence and will achieve the same outcomes.

Condition 22 (b): Waka Kotahi rejects the proposed amendments to clause (b). The reinstated objective of the HHMP achieves the same outcome as the objective recommended by the Commissioners and retains a consistent structure with the other management plan conditions in the designation.

Condition 22 (b)(ix)(B): Waka Kotahi accepts in part some of the wording recommended by the Commissioners. The construction methods to minimise vibration on historic heritage sites in clause (ix)(B) is covered by the CNVMP and CNVMP Schedule conditions and does not need to be repeated in the HHMP condition.

Condition 22(b)(xii): Waka Kotahi rejects the addition of clause (xii). This clause is too perspective and is covered adequately in the former wording (reinstated) in clause (x).

Advice note: The advice note recommended by the Commissioners is unnecessary. Waka Kotahi considers that referencing the accidental discovery AUP rule is appropriate.

Definitions/abbreviation: "CHI" is not referenced in the condition and is therefore not required in the definitions/abbreviations.

*Condition 23 – Accidental discovery during construction works and documenting requirements (including post-construction)*

The Commissioners recommendation is to add a specific condition relating to accidental discovery during construction works.

The Waka Kotahi decision is to delete this condition in its entirety. The reason for this amendment is that the AUP sets out an appropriate Accidental Discovery Protocol (ADP) that the Project will follow should it need to; Waka Kotahi also has its own established ADP that Auckland Council has previously endorsed. It is unnecessary to

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<sup>7</sup> The reference to designation 6769 (Ara Tūhono – Pūhoi to Wellsford Road) is incorrect in the Independent Hearing Commissioners' Recommendation Report and should be to the Warkworth to Wellsford NoR (second section of the Ara Tūhono – Pūhoi to Wellsford project).

have a condition stating a separate ADP will be prepared. All protocols relating to accidental discoveries are included in the HHMP already (b)(xi) and the advice note. In addition, as recommended through the *Historic Heritage Assessment of Effects Report*, a precautionary authority will be sought under the Heritage New Zealand Pouhere Taonga Act 2014 and ADP will not be relied upon for construction works.

Waka Kotahi accepts the recommendation of the Commissioners to provide Council with electronic copies of all heritage assessments which is now contained in Condition 22(c). Compliance with this requirement will provide the Council with adequate documentary records with respect to any heritage identified through the Project implementation.

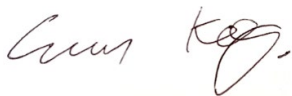
### ***Other conditions***

As set out earlier, Waka Kotahi accepts the majority of the conditions as recommended by the Hearing Commissioners.

### ***Conclusion***

A complete set of the designation conditions, including modifications made as a result of the Waka Kotahi decision and correcting a number of minor typographical and formatting errors, is **attached** to this letter as **Appendix 1**.

Yours sincerely



Evan Keating  
Principal Planner, Poutiaki Taiao / Environmental Planning  
DDI: 09 953 5544  
Email: [evan.keating@nzta.govt.nz](mailto:evan.keating@nzta.govt.nz)

# **Appendix 1 – Final conditions to apply to Notice of Requirement D1**



## 6707 State Highway 22 - Karaka to Takanini

Designation Number	6707
Requiring Authority	New Zealand Transport Agency
Location	State Highway 22 (Karaka Road and Great South Road) from east of Woodlyn Road, Karaka to State Highway 1, Drury
Rollover Designation	Yes
Legacy Reference	Designation 224, Auckland Council District Plan (Papakura Section) 1999
Lapse Date	Given effect to (i.e. no lapse date)

## Purpose

State Highway 22

## Conditions

### Abbreviations and Definitions

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

	<p>(a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or</p> <p>(b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received.</p>
<b>CNVMP</b>	Construction Noise and Vibration Management Plan
<b>CNVMP Schedule or Schedule</b>	A schedule to the CNVMP
<b>Completion of Construction</b>	When construction of the Project (or part of the Project) is complete and it is available for use.
<b>Construction Works</b>	Activities undertaken to construct the Project excluding Enabling Works.
<b>Council</b>	Auckland Council
<b>CPTED</b>	Crime prevention through environmental design
<b>CTMP</b>	Construction Traffic Management Plan
<b>EIANZ Guidelines</b>	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018.
<b>Enabling works</b>	<p>Includes, but is not limited to, the following and similar activities:</p> <ul style="list-style-type: none"> <li>• geotechnical investigations (including trial embankments);</li> <li>• archaeological site investigations;</li> <li>• formation of access for geotechnical investigations;</li> <li>• establishment of site yards, site entrances and fencing;</li> <li>• constructing and sealing site access roads;</li> <li>• demolition or removal of buildings and structures;</li> <li>• relocation of services; and</li> <li>• establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).</li> </ul>
<b>Existing authorised habitable floor</b>	The floor level of any room in a residential building which is authorised by building consent and exists at the time the outline plan is submitted excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.
<b>Flood prone area</b>	A potential ponding area that relies on a single culvert for drainage and does not have an overland flow path.
<b>Habitable floor level that has existing flooding</b>	Where the flood level using the pre Project model scenario is above the existing authorised habitable floor level.
<b>HHMP</b>	Historic Heritage Management Plan
<b>HNZPT</b>	Heritage New Zealand Pouhere Taonga

<b>HNZPTA</b>	Heritage New Zealand Pouhere Taonga Act 2014
<b>Manager</b>	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
<b>Maximum Probable Development</b>	Design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or, if the land is zoned Future Urban in the Auckland Unitary Plan, the probable level of development arising from zone changes.
<b>MID</b>	Maintenance in Design
<b>Network Utility Operator</b>	Has the same meaning as set out in section 166 of the RMA
<b>Ngakoroa Stream Wetlands</b>	For the purpose of Condition 24 and 25, the Ngakoroa Stream Wetlands is the area shown in Schedule 2
<b>NOR</b>	Notice of Requirement
<b>NUMP</b>	Network Utilities Management Plan
<b>Outline Plan</b>	An outline plan prepared in accordance with section 176A of the RMA.
<b>Project</b>	Upgrade of State Highway 22 (SH22) from the Drury Interchange at State Highway 1 to Oira Creek, including active transport facilities, and associated infrastructure.
<b>Project Liaison Person</b>	The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works.
<b>Pre-Project development</b>	Existing site condition prior to the Project (including existing buildings and roadways).
<b>Post-Project development</b>	Site condition after the Project has been completed (including existing and new buildings and roadways).
<b>Requiring Authority</b>	Has the same meaning as section 166 of the RMA and for this Designation is Waka Kotahi NZ Transport Agency (Waka Kotahi).
<b>RMA</b>	Resource Management Act (1991)
<b>SCEMP</b>	Stakeholder Communication and Engagement Management Plan
<b>SID</b>	Safety in Design
<b>Stage of Work</b>	Any physical works that require the development of an Outline Plan.

<b>Start of Construction</b>	The time when Construction Works (excluding Enabling Works) start.
<b>Suitably Qualified and Experienced Person</b>	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.
<b>ULDMP</b>	Urban and Landscape Design Management Plan

<u>General Conditions</u>	
<b>1.</b>	<p><b>Activity in General Accordance with Plans and Information</b></p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.</p> <p>(b) Where there is inconsistency between:</p> <ul style="list-style-type: none"> <li>(i) the Project Description and Concept Plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail; and</li> <li>(ii) the Project Description and Concept Plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</li> </ul>
<b>2.</b>	<p>(a) Conditions 1 – 28 of this designation shall only apply to the work described in the Project Description and Concept Plan in Schedule 1.</p> <p>(b) Except where explicitly provided for, conditions 1 – 28 do not apply to works associated with on-going operation, safety improvements, and maintenance of the existing state highway, or the upgraded state highway following construction of the Project.</p>
<b>3.</b>	<p><b>Project Information</b></p> <p>(a) A Project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been established. The Project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> <li>(i) the status of the Project;</li> <li>(ii) anticipated construction timeframes;</li> <li>(iii) contact details for enquiries;</li> <li>(iv) a subscription service to enable receipt of project updates by email; and</li> <li>(v) how to apply for consent for works in the designation under s176(1)(b) of the RMA.</li> </ul> <p>(b) At the start of detailed design for a Stage of Work, the Project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p>
<b>4.</b>	<p><b>Designation Review</b></p> <p>(a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable:</p>

	<ul style="list-style-type: none"> <li>(i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and</li> <li>(ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</li> </ul>
<b>5.</b>	<p><b>Network Utility Operators (Section 176 Approval)</b></p> <ul style="list-style-type: none"> <li>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> <li>(i) operation, maintenance and urgent repair works;</li> <li>(ii) minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations;</li> <li>(iii) minor works such as new service connections; and</li> <li>(iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects as the existing utility.</li> </ul> </li> <li>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</li> </ul>
<b><u>Pre-construction Conditions</u></b>	
<b>6.</b>	<p><b>Outline Plan(s)</b></p> <ul style="list-style-type: none"> <li>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</li> <li>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</li> <li>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, as follows: <ul style="list-style-type: none"> <li>(i) Network Utilities Management Plan;</li> <li>(ii) Construction Environmental Management Plan;</li> <li>(iii) Construction Traffic Management Plan;</li> <li>(iv) Construction Noise and Vibration Management Plan;</li> <li>(v) Urban and Landscape Design Management Plan;</li> <li>(vi) Historic Heritage Management Plan;</li> <li>(vii) Bird Management Plan; and</li> <li>(viii) Tree Management Plan.</li> </ul> </li> </ul>
<b>7.</b>	<p><b>Management Plans</b></p> <ul style="list-style-type: none"> <li>(a) Any management plan shall: <ul style="list-style-type: none"> <li>(i) be prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 9 to 26);</li> <li>(ii) be prepared by a Suitably Qualified and Experienced Person(s);</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates;</li> <li>(iv) summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have:</li> <li>(v) been incorporated; and</li> <li>(vi) where not incorporated, the reasons why;</li> <li>(vii) be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; and</li> <li>(viii) once finalised, uploaded to the Project website or equivalent virtual information source.</li> </ul> <p>(b) Any management plan developed in accordance with Condition 7(a) may:</p> <ul style="list-style-type: none"> <li>(i) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation;</li> <li>(ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process; and</li> <li>(iii) if there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan as soon as practicable following identification of the need for a revision.</li> </ul> <p>(c) Any material changes to the SCEMPs are to be submitted to the Council for information.</p> <p><b><i>Advice Note:</i></b> <i>Material change will include amendment to any base information informing the management plan or any process, procedure or method of the management plan which has the potential to increase adverse effects on a particular value. For clarity, changes to personnel and contact schedules do not constitute a material change.</i></p>
<p><b>8.</b></p>	<p><b>Cultural Advisory Report</b></p> <ul style="list-style-type: none"> <li>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</li> <li>(b) The objective of the Cultural Advisory Report is to assist in understanding and identifying ngā taonga tuku iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection. To achieve the objective, Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that: <ul style="list-style-type: none"> <li>(i) identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;</li> <li>(ii) sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(iii) identifies traditional cultural practices within the area that may be impacted by the Project;</li> <li>(iv) identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;</li> <li>(v) taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan; and</li> <li>(vi) identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the Project required in any decision-making.</li> </ul> <p>(c) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(d) Conditions 8(b) and 8(c) above will cease to apply if:</p> <ul style="list-style-type: none"> <li>(i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and</li> <li>(ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.</li> </ul>
<p><b>9.</b></p>	<p><b>Urban and Landscape Design Management Plan</b></p> <ul style="list-style-type: none"> <li>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work.</li> <li>(b) The objective of the ULDMP(s) is to: <ul style="list-style-type: none"> <li>(i) enable integration of the Project's permanent works into the surrounding landscape and urban context; and</li> <li>(ii) ensure that the Project's potential adverse landscape and visual effects are avoided, remedied or mitigated as far as practicable and it contributes to a quality urban environment.</li> </ul> </li> <li>(c) The ULDMP shall be prepared in general accordance with: <ul style="list-style-type: none"> <li>(i) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</li> <li>(ii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and</li> <li>(iii) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</li> </ul> </li> <li>(d) The ULDMP shall have regard to the outcomes of Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</li> <li>(e) To achieve the objective, the ULDMP(s) shall provide details of how the Project: <ul style="list-style-type: none"> <li>(i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed</li> </ul> </li> </ul>



	<p>topography, urban environment (i.e. centres and density of built form), natural environment, landscape character, and open space zones;</p> <ul style="list-style-type: none"> <li>(ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure, and walking and cycling connections;</li> <li>(iii) promotes inclusive access (where appropriate); and</li> <li>(iv) promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> <li>A. Crime Prevention Through Environmental Design (CPTED) principles;</li> <li>B. Safety in Design (SID) requirements; and</li> <li>C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</li> </ul> </li> </ul>
<p><b>10.</b></p>	<p>(a) The ULDMP(s) shall include:</p> <ul style="list-style-type: none"> <li>(i) a concept plan which depicts the overall landscape and urban design concept, and explains the rationale for the landscape and urban design proposals;</li> <li>(ii) developed design concepts, including principles for walking and cycling facilities and public transport; and</li> <li>(iii) landscape and urban design details that cover the following: <ul style="list-style-type: none"> <li>A. road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses, benching, spoil disposal sites, median width and treatment, roadside width and treatment;</li> <li>B. roadside elements – such as lighting, sign gantries and signage, fences, and median barriers;</li> <li>C. architectural and landscape treatment of all major structures, including bridges and retaining walls;</li> <li>D. architectural and landscape treatment of noise barriers;</li> <li>E. landscape treatment of permanent stormwater control wetlands and swales;</li> <li>F. integration of passenger transport;</li> <li>G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</li> <li>H. historic heritage places with reference to the HHMP in Condition 22; and</li> <li>I. re-instatement of construction and site compound areas, driveways, accessways and fences.</li> </ul> </li> </ul>
<p><b>11.</b></p>	<p>(a) The ULDMP(s) shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> <li>(i) planting design details including:</li> </ul>

	<ul style="list-style-type: none"> <li>A. identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan in Condition 25. Where practicable, mature trees and native vegetation should be retained;</li> <li>B. street trees, shrubs and ground cover suitable for berms;</li> <li>C. treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones;</li> <li>D. planting of stormwater wetlands;</li> <li>E. identification of vegetation to be retained and any planting requirements under Conditions 23 and 24;</li> <li>F. integration of any planting requirements required by conditions of any resource consents for the Project; and</li> <li>G. reinstatement planting of construction and site compound areas as appropriate;</li> </ul> <ul style="list-style-type: none"> <li>(ii) a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work;</li> <li>(iii) detailed specifications relating to the following: <ul style="list-style-type: none"> <li>A. weed control and clearance;</li> <li>B. pest animal management (to support plant establishment);</li> <li>C. ground preparation (top soiling and decompaction);</li> <li>D. mulching;</li> <li>E. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.</li> </ul> </li> <li>(iv) a maintenance plan in accordance with the Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.</li> </ul> <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 may be reflected in the ULDMP.</p>
<p><b>12.</b></p>	<p><b>Flood Hazard</b></p> <ul style="list-style-type: none"> <li>(a) The Project shall be designed to achieve the following flood risk outcomes: <ul style="list-style-type: none"> <li>(i) no increase in flood levels for existing authorised habitable floors that are already subject to flooding</li> <li>(ii) no more than a 10% reduction in freeboard for existing authorised habitable floors;</li> <li>(iii) no increase of more than 50mm in flood level on land zoned for urban or future urban development where there is no existing dwelling;</li> <li>(iv) no new flood prone areas; and</li> </ul> </li> </ul>

	<p>(v) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) for main access to authorised habitable dwellings existing at time the Outline Plan is submitted.</p> <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 100-year ARI flood levels (for Maximum Probable Development land use and including climate change).</p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising the existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p>
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**Construction Conditions**

<b>13.</b>	<p><b>Construction Environmental Management Plan</b></p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> <li>(i) the roles and responsibilities of staff and contractors;</li> <li>(ii) details of the site or Project manager and the Project Liaison Person, including their contact details (phone and email address);</li> <li>(iii) the Construction Works programmes and the staging approach, and the proposed hours of work;</li> <li>(iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, locations of refuelling activities and construction lighting;</li> <li>(v) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places;</li> <li>(vi) methods for providing for the health and safety of the general public;</li> <li>(vii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;</li> <li>(viii) procedures for incident management;</li> <li>(ix) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;</li> <li>(x) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;</li> <li>(xi) procedures for responding to complaints about Construction Works; and</li> <li>(xii) methods for amending and updating the CEMP as required.</li> </ul>
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	<p>(c) The CEMP shall be prepared having regard to the NZ Transport Agency Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version.</p>
<p><b>14.</b></p>	<p><b>Stakeholder Communication and Engagement Management Plan (SCEMP)</b></p> <p>(a) A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> <li>(i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</li> <li>(ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</li> <li>(iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;</li> <li>(iv) a list of stakeholders, organisations (such as community facilities), and businesses who will be engaged with;</li> <li>(v) identification of the properties whose owners will be engaged with;</li> <li>(vi) methods and timing to engage with landowners whose access is directly affected;</li> <li>(vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and</li> <li>(viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</li> </ul> <p>(c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.</p>
<p><b>15.</b></p>	<p><b>Complaints Register</b></p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> <li>(i) the date, time and nature of the complaint;</li> <li>(ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);</li> <li>(iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;</li> <li>(iv) the outcome of the investigation into the complaint; and</li> </ul>

	<p>(v) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.</p> <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p>
<p><b>16.</b></p>	<p><b>Cultural Monitoring Plan</b></p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person(s) identified in collaboration with Mana Whenua.</p> <p>(b) The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction Works.</p> <p>(c) The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> <li>(i) requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;</li> <li>(ii) requirements and protocols for cultural inductions for contractors and subcontractors;</li> <li>(iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;</li> <li>(iv) identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</li> <li>(v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of any accidental discovery protocols under Condition 22.</li> </ul> <p>(d) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p><b><u>Advice Note:</u></b></p> <p><i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p>
<p><b>17.</b></p>	<p><b>Construction Traffic Management Plan</b></p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.</p>

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

**18. Construction Noise Standards**

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

**Table 18.1: Construction noise standards**

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

Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
<b>Other occupied buildings</b>			
All	0730h – 1800h	70 dB	
	1800h – 0730h	75 dB	

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

**19. Construction Vibration Standards**

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

**Table 19.1 Construction vibration criteria**

Receiver	Details	Category A*	Category B*
Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times Vibration transient	5mm/s ppv	BS 5228-2** Table B2
	At all other times Vibration continuous	5mm/s ppv	BS 5228-2** 50% of Table B2 values

*\*Refer to Waka Kotahi State highway construction and maintenance noise and vibration guide for further explanation regarding Category A and B criteria*

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

(b) Where compliance with the vibration standards set out in Table 19.1 is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 21 shall apply.

	<p>(c) If measured or predicted vibration from construction activities exceeds the Category A criteria, a Suitably Qualified and Experienced Person shall assess and manage construction vibration during those activities.</p> <p>(d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a Suitably Qualified and Experienced Person.</p>
<p><b>20.</b></p>	<p><b>Construction Noise and Vibration Management Plan</b></p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 18 and 19 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the Waka Kotahi State highway construction and maintenance noise and vibration guide (version 1.1, 2019), and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> <li>(i) description of the works and anticipated equipment/processes;</li> <li>(ii) hours of operation, including times and days when construction activities would occur;</li> <li>(iii) the construction noise and vibration standards for the Project;</li> <li>(iv) identification of receivers where noise and vibration standards apply;</li> <li>(v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far as practicable;</li> <li>(vi) methods and frequency for monitoring and reporting on construction noise and vibration;</li> <li>(vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints;</li> <li>(viii) contact details of the Project Liaison Person;</li> <li>(ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;</li> <li>(x) identification of areas where compliance with the noise Condition 18 and/or vibration standards Condition 19 Category A or Category B will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites;</li> <li>(xi) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise</li> </ul>



	<p>Condition 18 and/or vibration standards Category A or Category B Condition 19 will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 20(c)(x) CNVMP;</p> <p>(xii) identification of trigger levels for undertaking building condition surveys, which shall be below Category B day time levels;</p> <p>(xiii) procedures for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration;</p> <p>(xiv) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented; and</p> <p>(xv) requirements for review and update of the CNVMP.</p>
<p><b>21.</b></p>	<p><b>Schedule to a CNVMP</b></p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction activity to which it relates by a Suitably Qualified and Experienced Person, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:</p> <p>(i) construction noise is either predicted or measured to exceed the noise standards in Condition 18;</p> <p>(ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 19.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects for the duration of the construction activity to which it relates beyond those measures set out in the CNVMP. The Schedule shall as a minimum set out:</p> <p>(i) construction activity location, start and finish times;</p> <p>(ii) the nearest neighbours to the construction activity;</p> <p>(iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 18 and 19 and the predicted duration of the exceedance;</p> <p>(iv) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</p> <p>(v) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</p> <p>(vi) location, times and types of monitoring.</p> <p>(c) The Schedule shall be submitted to the Manager for information at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the</p>

	<p>CNVMP. If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p>
<p><b>22.</b></p>	<p><b>Historic Heritage Management Plan</b></p> <p>(a) A HHMP shall be prepared by the nominated heritage specialist(s) in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> <li>(i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;</li> <li>(ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;</li> <li>(iii) known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;</li> <li>(iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;</li> <li>(v) roles, responsibilities and contact details of Project personnel, Council and NZHPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;</li> <li>(vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project</li> <li>(vii) the proposed methodology for investigating and recording post-1900 historic heritage places (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1 (AGS 1A): Investigation and recording of buildings and standing structures (November 2018), or any subsequent version.</li> <li>(viii) methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</li> </ul>

	<ul style="list-style-type: none"> <li>(ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> <li>A. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access;</li> </ul> </li> <li>(x) measures to mitigate adverse effects on historic heritage such as increased public awareness and interpretation signage; and</li> <li>(xi) training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1. The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 8).</li> </ul> <p>c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring etc.) shall be submitted to the Manager within 12 months of completion.</p> <p><b><u>Advice Note:</u></b></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.</i></p>
<p><b>23.</b></p>	<p><b>Pre-Construction Wetland Bird Survey</b></p> <ul style="list-style-type: none"> <li>(a) Prior to the Start of Construction for a Stage of Work within 500m of the Ngakoroa Stream Wetlands, a survey and assessment of Threatened or At-Risk wetland birds and their habitat in the area shown in Schedule 2 shall be undertaken by a Suitably Qualified and Experienced Person.</li> <li>(b) The purpose of the survey and assessment is to: <ul style="list-style-type: none"> <li>(i) confirm the ecological value of the Ngakoroa Stream Wetlands for Threatened or At-Risk wetland birds; and</li> <li>(ii) confirm whether the Project will or may have a moderate or greater level of ecological effect on Threatened or At-Risk wetland birds and their habitat prior to implementation of impact management measures, as determined in accordance with the EIANZ Guidelines for Use in New Zealand: Terrestrial and Freshwater Ecosystems (May 2018) or subsequent revision.</li> </ul> </li> <li>(c) If the wetland bird survey in (a) above confirms that the Project will or may have a moderate or greater level of ecological effect on Threatened or At Risk Wetland birds without impact management, then Condition 24 applies.</li> </ul>

**24. Bird Management Plan**

- (a) If required under Condition 23, prior to the start of construction for a Stage of Work within 500m of the Ngakoroa Stream Wetlands, a BMP shall be prepared and implemented.
- (b) The objective of the BMP is to avoid and/or minimise impacts of construction activities on Threatened or At-Risk wetland birds in the Ngakoroa Stream Wetlands. The BMP shall set out the methods that will be used to achieve this objective. These methods may include:
  - (i) commencing Construction Works outside of the wetland bird breeding season (September to February) where practicable, in order to discourage bird nesting in the construction areas within the designation;
  - (ii) a nesting bird survey of Threatened or At-Risk wetland birds undertaken by a Suitably Qualified and Experienced Person. This should occur prior to any Construction Works taking place within a 50m radius of the Ngakoroa Stream Wetlands (including establishment of the site compound adjacent to the Ngakoroa Stream Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;
  - (iii) protection and buffer measures if nesting Threatened or At-Risk Wetland birds are identified within 50m of any construction area (including laydown areas). This could include:
    - A. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;
    - B. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and
    - C. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person;
  - (iv) a 10m setback where practicable, between the edge of the Ngakoroa Stream Wetlands and the construction area (along the edge of the stockpile/laydown area). This could be achieved by retaining existing vegetation or by planting unvegetated areas with native coastal forest/riparian/wetland species (as appropriate). Marker poles, tape and signage could also be used to clearly delineate the wetland area to prevent encroachment; and
  - (v) minimising light spill from construction areas into the Ngakoroa Stream Wetlands.

	<p>(c) The BMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any resource consents granted for the Project.</p> <p><b><u>Advice Note:</u></b></p> <p><i>Depending on the potential effects of the Project, the resource consents for the Project may include the following monitoring and management plans:</i></p> <p>(a) <i>Stream and/or wetland restoration plans;</i></p> <p>(b) <i>Vegetation restoration plans; and</i></p> <p>(c) <i>Fauna management plans (e.g. herpetofauna, bats).</i></p>
<p><b>25.</b></p>	<p><b>Tree Management Plan</b></p> <p>(a) Prior to the Start of Construction for a Stage of Work a Tree Management Plan shall be prepared.</p> <p>(b) The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 3.</p> <p>(c) The Tree Management Plan shall:</p> <p>(i) confirm that the trees listed in Schedule 3 still exist; and</p> <p>(ii) demonstrate how the design and location of Project works has avoided, remedied or mitigated any effects on the trees listed in Schedule 3. This may include:</p> <p>A. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 11);</p> <p>B. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</p> <p>C. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</p> <p>(iii) demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees.</p>
<p><b>26.</b></p>	<p><b>Network Utility Management Plan</b></p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</p> <p>(i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</p> <p>(ii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and</p>

	<p>(iii) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.</p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(e) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(f) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
<p><b><u>Operational Conditions</u></b></p>	
<p><b>27.</b></p>	<p>Asphaltic mix surface shall be implemented within twelve months of completion of construction of the Project.</p>
<p><b>28.</b></p>	<p>The asphaltic mix surface shall be maintained to retain the noise reduction performance as far as practicable.</p>

## Attachments

### Schedule 1: General Accordance Plans and Information

#### Project Description

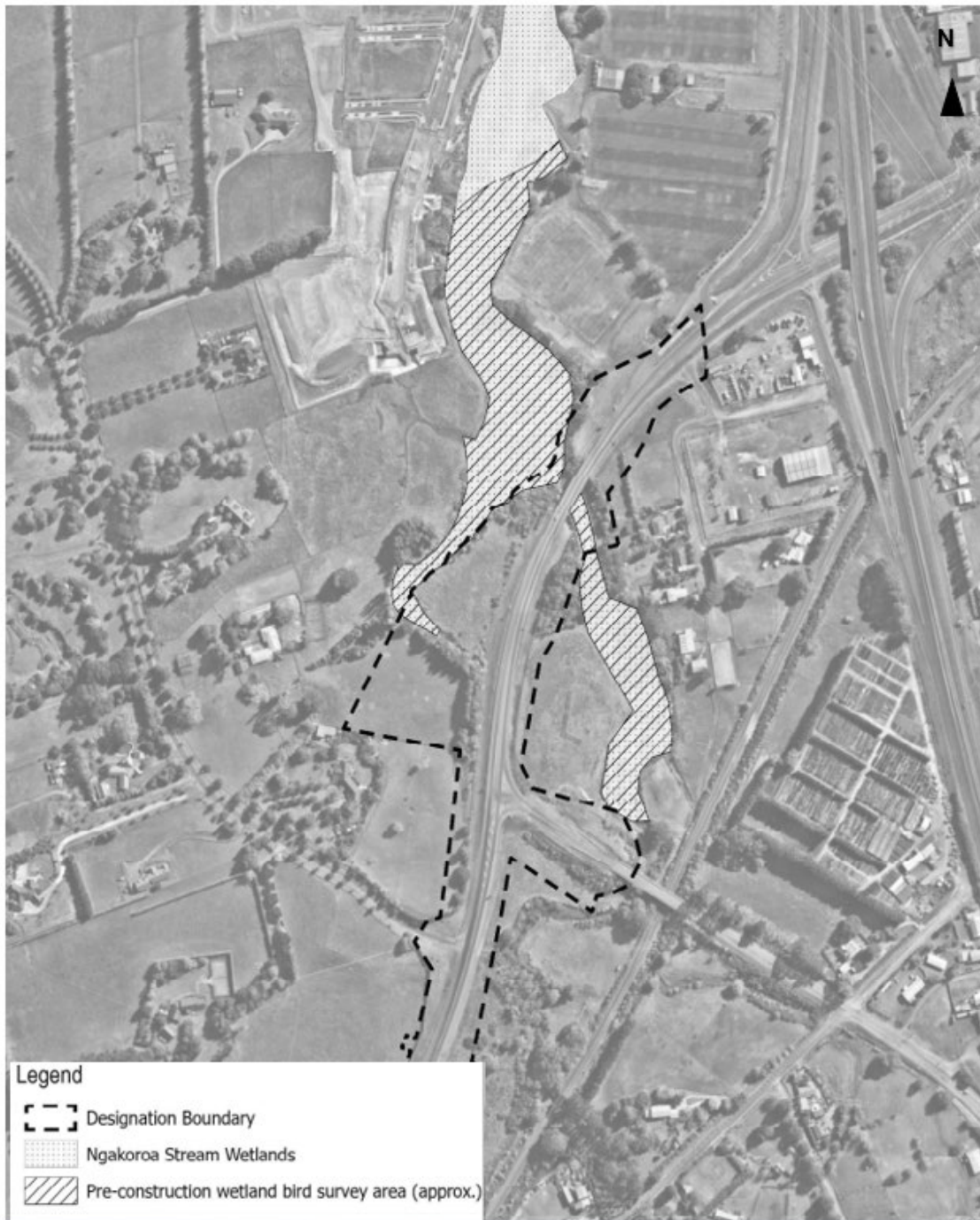
The proposed work is the construction, operation and maintenance of an upgrade of the existing State Highway 22 (SH22) from the Drury Interchange at State Highway 1 Drury to Oira Creek, including active transport facilities, and associated infrastructure. The proposed work is shown in the following Concept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

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

#### Concept Plan



Schedule 2: Pre-construction Wetland Bird Survey





**6707 State Highway 22 – Karaka to Takanini  
Designation Text**

## 6707 State Highway 22 - Karaka to Takanini

Designation Number	6707
Requiring Authority	New Zealand Transport Agency
Location	State Highway 22 (Karaka Road and Great South Road) from east of Woodlyn Road, Karaka to State Highway 1, Drury
Rollover Designation	Yes
Legacy Reference	Designation 224, Auckland Council District Plan (Papakura Section) 1999
Lapse Date	Given effect to (i.e. no lapse date)

## Purpose

State Highway 22.

## Conditions

No conditions.

## Abbreviations and Definitions

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

	<p>(a) <u>where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or</u></p> <p>(b) <u>ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received.</u></p>
<b><u>CNVMP</u></b>	<u>Construction Noise and Vibration Management Plan</u>
<b><u>CNVMP Schedule or Schedule</u></b>	<u>A schedule to the CNVMP</u>
<b><u>Completion of Construction</u></b>	<u>When construction of the Project (or part of the Project) is complete and it is available for use.</u>
<b><u>Construction Works</u></b>	<u>Activities undertaken to construct the Project excluding Enabling Works.</u>
<b><u>Council</u></b>	<u>Auckland Council</u>
<b><u>CPTED</u></b>	<u>Crime prevention through environmental design</u>
<b><u>CTMP</u></b>	<u>Construction Traffic Management Plan</u>
<b><u>EIANZ Guidelines</u></b>	<u>Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018.</u>
<b><u>Enabling works</u></b>	<p><u>Includes, but is not limited to, the following and similar activities:</u></p> <ul style="list-style-type: none"> <li>• <u>geotechnical investigations (including trial embankments);</u></li> <li>• <u>archaeological site investigations;</u></li> <li>• <u>formation of access for geotechnical investigations;</u></li> <li>• <u>establishment of site yards, site entrances and fencing;</u></li> <li>• <u>constructing and sealing site access roads;</u></li> <li>• <u>demolition or removal of buildings and structures;</u></li> <li>• <u>relocation of services; and</u></li> <li>• <u>establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).</u></li> </ul>
<b><u>Existing authorised habitable floor</u></b>	<u>The floor level of any room in a residential building which is authorised by building consent and exists at the time the outline plan is submitted excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.</u>
<b><u>Flood prone area</u></b>	<u>A potential ponding area that relies on a single culvert for drainage and does not have an overland flow path.</u>
<b><u>Habitable floor level that has existing flooding</u></b>	<u>Where the flood level using the pre Project model scenario is above the existing authorised habitable floor level.</u>
<b><u>HHMP</u></b>	<u>Historic Heritage Management Plan</u>

<b><u>HNZPT</u></b>	<u>Heritage New Zealand Pouhere Taonga</u>
<b><u>HNZPTA</u></b>	<u>Heritage New Zealand Pouhere Taonga Act 2014</u>
<b><u>Manager</u></b>	<u>The Manager – Resource Consents of the Auckland Council, or authorised delegate.</u>
<b><u>Maximum Probable Development</u></b>	<u>Design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or, if the land is zoned Future Urban in the Auckland Unitary Plan, the probable level of development arising from zone changes.</u>
<b><u>MID</u></b>	<u>Maintenance in Design</u>
<b><u>Network Utility Operator</u></b>	<u>Has the same meaning as set out in section 166 of the RMA</u>
<b><u>Ngakoroa Stream Wetlands</u></b>	<u>For the purpose of Condition 24 and 25, the Ngakoroa Stream Wetlands is the area shown in Schedule 2</u>
<b><u>NOR</u></b>	<u>Notice of Requirement</u>
<b><u>NUMP</u></b>	<u>Network Utilities Management Plan</u>
<b><u>Outline Plan</u></b>	<u>An outline plan prepared in accordance with section 176A of the RMA.</u>
<b><u>Project</u></b>	<u>Upgrade of State Highway 22 (SH22) from the Drury Interchange at State Highway 1 to Oira Creek, including active transport facilities, and associated infrastructure.</u>
<b><u>Project Liaison Person</u></b>	<u>The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works.</u>
<b><u>Pre-Project development</u></b>	<u>Existing site condition prior to the Project (including existing buildings and roadways).</u>
<b><u>Post-Project development</u></b>	<u>Site condition after the Project has been completed (including existing and new buildings and roadways).</u>
<b><u>Requiring Authority</u></b>	<u>Has the same meaning as section 166 of the RMA and for this Designation is Waka Kotahi NZ Transport Agency (Waka Kotahi).</u>
<b><u>RMA</u></b>	<u>Resource Management Act (1991)</u>
<b><u>SCEMP</u></b>	<u>Stakeholder Communication and Engagement Management Plan</u>
<b><u>SID</u></b>	<u>Safety in Design</u>

<b><u>Stage of Work</u></b>	<u>Any physical works that require the development of an Outline Plan.</u>
<b><u>Start of Construction</u></b>	<u>The time when Construction Works (excluding Enabling Works) start.</u>
<b><u>Suitably Qualified and Experienced Person</u></b>	<u>A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence.</u>
<b><u>ULDMP</u></b>	<u>Urban and Landscape Design Management Plan</u>

General Conditions

<p><b><u>1.</u></b></p>	<p><b><u>Activity in General Accordance with Plans and Information</u></b></p> <p>(a) <u>Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project Description and Concept Plan in Schedule 1.</u></p> <p>(b) <u>Where there is inconsistency between:</u></p> <p>(i) <u>the Project Description and Concept Plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail;</u> <u>and</u></p> <p>(ii) <u>the Project Description and Concept Plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</u></p>
<p><b><u>2.</u></b></p>	<p>(a) <u>Conditions 1 – 28 of this designation shall only apply to the work described in the Project Description and Concept Plan in Schedule 1.</u></p> <p>(b) <u>Except where explicitly provided for, conditions 1 – 28 do not apply to works associated with on-going operation, safety improvements, and maintenance of the existing state highway, or the upgraded state highway following construction of the Project.</u></p>
<p><b><u>3.</u></b></p>	<p><b><u>Project Information</u></b></p> <p>(a) <u>A Project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been established. The Project website or virtual information source shall include these conditions and shall provide information on:</u></p> <p>(i) <u>the status of the Project;</u></p> <p>(ii) <u>anticipated construction timeframes;</u></p> <p>(iii) <u>contact details for enquiries;</u></p> <p>(iv) <u>a subscription service to enable receipt of project updates by email;</u> <u>and</u></p> <p>(v) <u>how to apply for consent for works in the designation under s176(1)(b) of the RMA.</u></p> <p>(b) <u>At the start of detailed design for a Stage of Work, the Project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</u></p>

<p><b>4.</b></p>	<p><b><u>Designation Review</u></b></p> <p>(a) <u>The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable:</u></p> <p>(i) <u>review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and</u></p> <p>(ii) <u>give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</u></p>
<p><b>5.</b></p>	<p><b><u>Network Utility Operators (Section 176 Approval)</u></b></p> <p>(a) <u>Prior to the start of Construction Works, Network Utility Operators with existing infrastructure located within the designation will not require written consent under section 176 of the RMA for the following activities:</u></p> <p>(i) <u>operation, maintenance and urgent repair works;</u></p> <p>(ii) <u>minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations;</u></p> <p>(iii) <u>minor works such as new service connections; and</u></p> <p>(iv) <u>the upgrade and replacement of existing network utilities in the same location with the same or similar effects as the existing utility.</u></p> <p>(b) <u>To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</u></p>
<p><b><u>Pre-construction Conditions</u></b></p>	
<p><b>6.</b></p>	<p><b><u>Outline Plan(s)</u></b></p> <p>(a) <u>An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</u></p> <p>(b) <u>Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</u></p> <p>(c) <u>Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, as follows:</u></p> <p>(i) <u>Network Utilities Management Plan;</u></p> <p>(ii) <u>Construction Environmental Management Plan;</u></p> <p>(iii) <u>Construction Traffic Management Plan;</u></p> <p>(iv) <u>Construction Noise and Vibration Management Plan;</u></p> <p>(v) <u>Urban and Landscape Design Management Plan;</u></p> <p>(vi) <u>Historic Heritage Management Plan;</u></p> <p>(vii) <u>Bird Management Plan; and</u></p> <p>(viii) <u>Tree Management Plan.</u></p>

**7.**

**Management Plans**

- (a) Any management plan shall:
- (i) be prepared and implemented in accordance with the relevant management plan condition (refer to Conditions 9 to 26);
  - (ii) be prepared by a Suitably Qualified and Experienced Person(s);
  - (iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates;
  - (iv) summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have:
  - (v) been incorporated; and
  - (vi) where not incorporated, the reasons why;
  - (vii) be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; and
  - (viii) once finalised, uploaded to the Project website or equivalent virtual information source.
- (b) Any management plan developed in accordance with Condition 7(a) may:
- (i) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation;
  - (ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process; and
  - (iii) if there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan as soon as practicable following identification of the need for a revision.
- (c) Any material changes to the SCEMPs are to be submitted to the Council for information.

**Advice Note:** Material change will include amendment to any base information informing the management plan or any process, procedure or method of the management plan which has the potential to increase adverse effects on a particular value. For clarity, changes to personnel and contact schedules do not constitute a material change.



<p><b><u>8.</u></b></p>	<p><b><u>Cultural Advisory Report</u></b></p> <p>(a) <u>At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</u></p> <p>(b) <u>The objective of the Cultural Advisory Report is to assist in understanding and identifying ngā taonga tuku iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection. To achieve the objective, Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</u></p> <p>(i) <u>identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;</u></p> <p>(ii) <u>sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values;</u></p> <p>(iii) <u>identifies traditional cultural practices within the area that may be impacted by the Project;</u></p> <p>(iv) <u>identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;</u></p> <p>(v) <u>taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan; and</u></p> <p>(vi) <u>identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the Project required in any decision-making.</u></p> <p>(c) <u>The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</u></p> <p>(d) <u>Conditions 8(b) and 8(c) above will cease to apply if:</u></p> <p>(i) <u>Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and</u></p> <p>(ii) <u>Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.</u></p>
<p><b><u>9.</u></b></p>	<p><b><u>Urban and Landscape Design Management Plan</u></b></p> <p>(a) <u>A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></p> <p>(b) <u>The objective of the ULDMP(s) is to:</u></p> <p>(i) <u>enable integration of the Project's permanent works into the surrounding landscape and urban context; and</u></p>

	<ul style="list-style-type: none"> <li>(ii) <u>ensure that the Project's potential adverse landscape and visual effects are avoided, remedied or mitigated as far as practicable and it contributes to a quality urban environment.</u></li> <li>(c) <u>The ULDMP shall be prepared in general accordance with:</u> <ul style="list-style-type: none"> <li>(i) <u>Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</u></li> <li>(ii) <u>Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and</u></li> <li>(iii) <u>Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</u></li> </ul> </li> <li>(d) <u>The ULDMP shall have regard to the outcomes of Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</u></li> <li>(e) <u>To achieve the objective, the ULDMP(s) shall provide details of how the Project:</u> <ul style="list-style-type: none"> <li>(i) <u>is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character, and open space zones;</u></li> <li>(ii) <u>provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure, and walking and cycling connections;</u></li> <li>(iii) <u>promotes inclusive access (where appropriate); and</u></li> <li>(iv) <u>promotes a sense of personal safety by aligning with best practice guidelines, such as:</u> <ul style="list-style-type: none"> <li>A. <u>Crime Prevention Through Environmental Design (CPTED) principles;</u></li> <li>B. <u>Safety in Design (SID) requirements; and</u></li> <li>C. <u>Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</u></li> </ul> </li> </ul> </li> </ul>
<p><b>10.</b></p>	<ul style="list-style-type: none"> <li>(a) <u>The ULDMP(s) shall include:</u> <ul style="list-style-type: none"> <li>(i) <u>a concept plan which depicts the overall landscape and urban design concept, and explains the rationale for the landscape and urban design proposals;</u></li> <li>(ii) <u>developed design concepts, including principles for walking and cycling facilities and public transport; and</u></li> <li>(iii) <u>landscape and urban design details that cover the following:</u> <ul style="list-style-type: none"> <li>A. <u>road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses, benching, spoil disposal sites, median width and treatment, roadside width and treatment;</u></li> <li>B. <u>roadside elements – such as lighting, sign gantries and signage, fences, and median barriers;</u></li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>C. <u>architectural and landscape treatment of all major structures, including bridges and retaining walls;</u></li> <li>D. <u>architectural and landscape treatment of noise barriers;</u></li> <li>E. <u>landscape treatment of permanent stormwater control wetlands and swales;</u></li> <li>F. <u>integration of passenger transport;</u></li> <li>G. <u>pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</u></li> <li>H. <u>historic heritage places with reference to the HHMP in Condition 22; and</u></li> <li>I. <u>re-instatement of construction and site compound areas, driveways, accessways and fences.</u></li> </ul>
<p><b>11.</b></p>	<p>(a) <u>The ULDMP(s) shall also include the following planting details and maintenance requirements:</u></p> <ul style="list-style-type: none"> <li>(i) <u>planting design details including:</u> <ul style="list-style-type: none"> <li>A. <u>identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan in Condition 25. Where practicable, mature trees and native vegetation should be retained;</u></li> <li>B. <u>street trees, shrubs and ground cover suitable for berms;</u></li> <li>C. <u>treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones;</u></li> <li>D. <u>planting of stormwater wetlands;</u></li> <li>E. <u>identification of vegetation to be retained and any planting requirements under Conditions 23 and 24;</u></li> <li>F. <u>integration of any planting requirements required by conditions of any resource consents for the Project; and</u></li> <li>G. <u>reinstatement planting of construction and site compound areas as appropriate;</u></li> </ul> </li> <li>(ii) <u>a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work;</u></li> <li>(iii) <u>detailed specifications relating to the following:</u> <ul style="list-style-type: none"> <li>A. <u>weed control and clearance;</u></li> <li>B. <u>pest animal management (to support plant establishment);</u></li> <li>C. <u>ground preparation (top soiling and decompaction);</u></li> <li>D. <u>mulching;</u></li> <li>E. <u>plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.</u></li> </ul> </li> <li>(iv) <u>a maintenance plan in accordance with the Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.</u></li> </ul> <p>(b) <u>Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects</u></p>

	<u>on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 may be reflected in the ULDMP.</u>
<b>12.</b>	<p><b><u>Flood Hazard</u></b></p> <p>(a) <u>The Project shall be designed to achieve the following flood risk outcomes:</u></p> <ul style="list-style-type: none"> <li>(i) <u>no increase in flood levels for existing authorised habitable floors that are already subject to flooding</u></li> <li>(ii) <u>no more than a 10% reduction in freeboard for existing authorised habitable floors;</u></li> <li>(iii) <u>no increase of more than 50mm in flood level on land zoned for urban or future urban development where there is no existing dwelling;</u></li> <li>(iv) <u>no new flood prone areas; and</u></li> <li>(v) <u>no more than a 10% average increase of flood hazard (defined as flow depth times velocity) for main access to authorised habitable dwellings existing at time the Outline Plan is submitted.</u></li> </ul> <p>(b) <u>Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 100-year ARI flood levels (for Maximum Probable Development land use and including climate change).</u></p> <p>(c) <u>Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising the existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</u></p>
<b><u>Construction Conditions</u></b>	
<b>13.</b>	<p><b><u>Construction Environmental Management Plan</u></b></p> <p>(a) <u>A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></p> <p>(b) <u>The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</u></p> <ul style="list-style-type: none"> <li>(i) <u>the roles and responsibilities of staff and contractors;</u></li> <li>(ii) <u>details of the site or Project manager and the Project Liaison Person, including their contact details (phone and email address);</u></li> <li>(iii) <u>the Construction Works programmes and the staging approach, and the proposed hours of work;</u></li> <li>(iv) <u>details of the proposed construction yards including temporary screening when adjacent to residential areas, locations of refuelling activities and construction lighting;</u></li> </ul>

	<ul style="list-style-type: none"> <li>(v) <u>methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places;</u></li> <li>(vi) <u>methods for providing for the health and safety of the general public;</u></li> <li>(vii) <u>measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;</u></li> <li>(viii) <u>procedures for incident management;</u></li> <li>(ix) <u>procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;</u></li> <li>(x) <u>measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;</u></li> <li>(xi) <u>procedures for responding to complaints about Construction Works;</u> <u>and</u></li> <li>(xii) <u>methods for amending and updating the CEMP as required.</u></li> </ul> <p>(c) <u>The CEMP shall be prepared having regard to the NZ Transport Agency Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version.</u></p>
<p><b><u>14.</u></b></p>	<p><b><u>Stakeholder Communication and Engagement Management Plan (SCEMP)</u></b></p> <ul style="list-style-type: none"> <li>(a) <u>A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></li> <li>(b) <u>The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:</u> <ul style="list-style-type: none"> <li>(i) <u>the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</u></li> <li>(ii) <u>the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</u></li> <li>(iii) <u>methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;</u></li> <li>(iv) <u>a list of stakeholders, organisations (such as community facilities), and businesses who will be engaged with;</u></li> <li>(v) <u>identification of the properties whose owners will be engaged with;</u></li> <li>(vi) <u>methods and timing to engage with landowners whose access is directly affected;</u></li> <li>(vii) <u>methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and</u></li> </ul> </li> </ul>

	<p>(viii) <u>linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</u></p> <p>(c) <u>Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.</u></p>
<p><b>15.</b></p>	<p><b><u>Complaints Register</u></b></p> <p>(a) <u>At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</u></p> <ul style="list-style-type: none"> <li>(i) <u>the date, time and nature of the complaint;</u></li> <li>(ii) <u>the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);</u></li> <li>(iii) <u>measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;</u></li> <li>(iv) <u>the outcome of the investigation into the complaint; and</u></li> <li>(v) <u>any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.</u></li> </ul> <p>(b) <u>A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</u></p>
<p><b>16.</b></p>	<p><b><u>Cultural Monitoring Plan</u></b></p> <p>(a) <u>Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person(s) identified in collaboration with Mana Whenua.</u></p> <p>(b) <u>The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction Works.</u></p> <p>(c) <u>The Cultural Monitoring Plan shall include:</u></p> <ul style="list-style-type: none"> <li>(i) <u>requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;</u></li> <li>(ii) <u>requirements and protocols for cultural inductions for contractors and subcontractors;</u></li> <li>(iii) <u>identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;</u></li> <li>(iv) <u>identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</u></li> </ul>

	<p>(v) <u>details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of any accidental discovery protocols under Condition 22.</u></p> <p>(d) <u>If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified and Experienced Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</u></p> <p><b><u>Advice Note:</u></b></p> <p><i><u>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</u></i></p>
<p><b><u>17.</u></b></p>	<p><b><u>Construction Traffic Management Plan</u></b></p> <p>(a) <u>A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></p> <p>(b) <u>The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:</u></p> <p>(i) <u>methods to manage the effects of temporary traffic management activities on all road users;</u></p> <p>(ii) <u>measures to ensure the safety of all transport users;</u></p> <p>(iii) <u>the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;</u></p> <p>(iv) <u>site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;</u></p> <p>(v) <u>identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists on existing roads;</u></p> <p>(vi) <u>methods to maintain vehicle access to public and private property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;</u></p> <p>(vii) <u>the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; and</u></p> <p>(viii) <u>methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services).</u></p>

(c) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the Waka Kotahi Code of Practice for Temporary Traffic Management.

**18. Construction Noise Standards**

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

**Table 18.1: Construction noise standards**

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

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



**19. Construction Vibration Standards**

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

**Table 19.1 Construction vibration criteria**

<u>Receiver</u>	<u>Details</u>	<u>Category A*</u>	<u>Category B*</u>
<u>Occupied Activities sensitive to noise</u>	<u>Night-time 2000h - 0630h</u>	<u>0.3mm/s ppv</u>	<u>1mm/s ppv</u>
	<u>Daytime 0630h - 2000h</u>	<u>1mm/s ppv</u>	<u>5mm/s ppv</u>
<u>Other occupied buildings</u>	<u>Daytime 0630h - 2000h</u>	<u>2mm/s ppv</u>	<u>5mm/s ppv</u>
<u>All other buildings</u>	<u>At all other times</u> <u>Vibration transient</u>	<u>5mm/s ppv</u>	<u>BS 5228-2**</u> <u>Table B2</u>
	<u>At all other times</u> <u>Vibration continuous</u>	<u>5mm/s ppv</u>	<u>BS 5228-2**</u> <u>50% of Table B2 values</u>

*\*Refer to Waka Kotahi State highway construction and maintenance noise and vibration guide for further explanation regarding Category A and B criteria*

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

(b) Where compliance with the vibration standards set out in Table 19.1 is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 21 shall apply.

(c) If measured or predicted vibration from construction activities exceeds the Category A criteria, a Suitably Qualified and Experienced Person shall assess and manage construction vibration during those activities.

(d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a Suitably Qualified and Experienced Person.

**20. Construction Noise and Vibration Management Plan**

(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.

- (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
- (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 18 and 19 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the Waka Kotahi State highway construction and maintenance noise and vibration guide (version 1.1, 2019), and shall as a minimum, address the following:
- (i) description of the works and anticipated equipment/processes;
  - (ii) hours of operation, including times and days when construction activities would occur;
  - (iii) the construction noise and vibration standards for the Project;
  - (iv) identification of receivers where noise and vibration standards apply;
  - (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far as practicable;
  - (vi) methods and frequency for monitoring and reporting on construction noise and vibration;
  - (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints;
  - (viii) contact details of the Project Liaison Person;
  - (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;
  - (x) identification of areas where compliance with the noise Condition 18 and/or vibration standards Condition 19 Category A or Category B will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites;
  - (xi) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise Condition 18 and/or vibration standards Category A or Category B Condition 19 will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 20(c)(x) CNVMP;
  - (xii) identification of trigger levels for undertaking building condition surveys, which shall be below Category B day time levels;
  - (xiii) procedures for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration;
  - (xiv) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and

the best practicable option for management of effects are being implemented; and  
(xv) requirements for review and update of the CNVMP.

**21. Schedule to a CNVMP**

- (a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction activity to which it relates by a Suitably Qualified and Experienced Person, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:
- (i) construction noise is either predicted or measured to exceed the noise standards in Condition 18;
  - (ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 19.
- (b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects for the duration of the construction activity to which it relates beyond those measures set out in the CNVMP. The Schedule shall as a minimum set out:
- (i) construction activity location, start and finish times;
  - (ii) the nearest neighbours to the construction activity;
  - (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 18 and 19 and the predicted duration of the exceedance;
  - (iv) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;
  - (v) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and
  - (vi) location, times and types of monitoring.
- (c) The Schedule shall be submitted to the Manager for information at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule.
- (d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.

**22. Historic Heritage Management Plan**

- (a) A HHMP shall be prepared by the nominated heritage specialist(s) in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- (b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:
- (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
  - (ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
  - (iii) known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
  - (iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;
  - (v) roles, responsibilities and contact details of Project personnel, Council and NZHPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
  - (vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project
  - (vii) the proposed methodology for investigating and recording post-1900 historic heritage places (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1 (AGS 1A): Investigation and recording of buildings and standing structures (November 2018), or any subsequent version.
  - (viii) methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;
  - (ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
    - A. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access;

	<p><u>(x) measures to mitigate adverse effects on historic heritage such as increased public awareness and interpretation signage; and</u></p> <p><u>(xi) training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1. The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 8).</u></p> <p><u>c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring etc.) shall be submitted to the Manager within 12 months of completion.</u></p> <p><b><u>Advice Note:</u></b></p> <p><u><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.</i></u></p>
<b><u>23.</u></b>	<p><b><u>Pre-Construction Wetland Bird Survey</u></b></p> <p>(a) <u>Prior to the Start of Construction for a Stage of Work within 500m of the Ngakoroa Stream Wetlands, a survey and assessment of Threatened or At-Risk wetland birds and their habitat in the area shown in Schedule 2 shall be undertaken by a Suitably Qualified and Experienced Person.</u></p> <p>(b) <u>The purpose of the survey and assessment is to:</u></p> <p>(i) <u>confirm the ecological value of the Ngakoroa Stream Wetlands for Threatened or At-Risk wetland birds; and</u></p> <p>(ii) <u>confirm whether the Project will or may have a moderate or greater level of ecological effect on Threatened or At-Risk wetland birds and their habitat prior to implementation of impact management measures, as determined in accordance with the EIANZ Guidelines for Use in New Zealand: Terrestrial and Freshwater Ecosystems (May 2018) or subsequent revision.</u></p> <p>(c) <u>If the wetland bird survey in (a) above confirms that the Project will or may have a moderate or greater level of ecological effect on Threatened or At Risk Wetland birds without impact management, then Condition 24 applies.</u></p>
<b><u>24.</u></b>	<p><b><u>Bird Management Plan</u></b></p> <p>(a) <u>If required under Condition 23, prior to the start of construction for a Stage of Work within 500m of the Ngakoroa Stream Wetlands, a BMP shall be prepared and implemented.</u></p>

- (b) The objective of the BMP is to avoid and/or minimise impacts of construction activities on Threatened or At-Risk wetland birds in the Ngakoroa Stream Wetlands. The BMP shall set out the methods that will be used to achieve this objective. These methods may include:
- (i) commencing Construction Works outside of the wetland bird breeding season (September to February) where practicable, in order to discourage bird nesting in the construction areas within the designation;
  - (ii) a nesting bird survey of Threatened or At-Risk wetland birds undertaken by a Suitably Qualified and Experienced Person. This should occur prior to any Construction Works taking place within a 50m radius of the Ngakoroa Stream Wetlands (including establishment of the site compound adjacent to the Ngakoroa Stream Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;
  - (iii) protection and buffer measures if nesting Threatened or At-Risk Wetland birds are identified within 50m of any construction area (including laydown areas). This could include:
    - A. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;
    - B. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and
    - C. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person;
  - (iv) a 10m setback where practicable, between the edge of the Ngakoroa Stream Wetlands and the construction area (along the edge of the stockpile/laydown area). This could be achieved by retaining existing vegetation or by planting unvegetated areas with native coastal forest/riparian/wetland species (as appropriate). Marker poles, tape and signage could also be used to clearly delineate the wetland area to prevent encroachment; and
  - (v) minimising light spill from construction areas into the Ngakoroa Stream Wetlands.
- (c) The BMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any resource consents granted for the Project.

**Advice Note:**

	<p><u>Depending on the potential effects of the Project, the resource consents for the Project may include the following monitoring and management plans:</u></p> <p>(a) <u>Stream and/or wetland restoration plans;</u></p> <p>(b) <u>Vegetation restoration plans; and</u></p> <p>(c) <u>Fauna management plans (e.g. herpetofauna, bats).</u></p>
<p><b><u>25.</u></b></p>	<p><b><u>Tree Management Plan</u></b></p> <p>(a) <u>Prior to the Start of Construction for a Stage of Work a Tree Management Plan shall be prepared.</u></p> <p>(b) <u>The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 3.</u></p> <p>(c) <u>The Tree Management Plan shall:</u></p> <p>(i) <u>confirm that the trees listed in Schedule 3 still exist; and</u></p> <p>(ii) <u>demonstrate how the design and location of Project works has avoided, remedied or mitigated any effects on the trees listed in Schedule 3. This may include:</u></p> <p>A. <u>planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 11);</u></p> <p>B. <u>tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</u></p> <p>C. <u>methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</u></p> <p>(iii) <u>demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees.</u></p>
<p><b><u>26.</u></b></p>	<p><b><u>Network Utility Management Plan</u></b></p> <p>(a) <u>A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></p> <p>(b) <u>The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</u></p> <p>(i) <u>provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</u></p> <p>(ii) <u>manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and</u></p> <p>(iii) <u>demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS</u></p>

	<p><u>4853:2012 Electrical hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.</u></p> <p>(c) <u>The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</u></p> <p>(d) <u>The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</u></p> <p>(e) <u>Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</u></p> <p>(f) <u>Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</u></p>
<b><u>Operational Conditions</u></b>	
<b><u>27.</u></b>	<u>Asphaltic mix surface shall be implemented within twelve months of completion of construction of the Project.</u>
<b><u>28.</u></b>	<u>The asphaltic mix surface shall be maintained to retain the noise reduction performance as far as practicable.</u>



## Attachments

~~No attachments.~~

### Schedule 1: General Accordance Plans and Information

#### Project Description

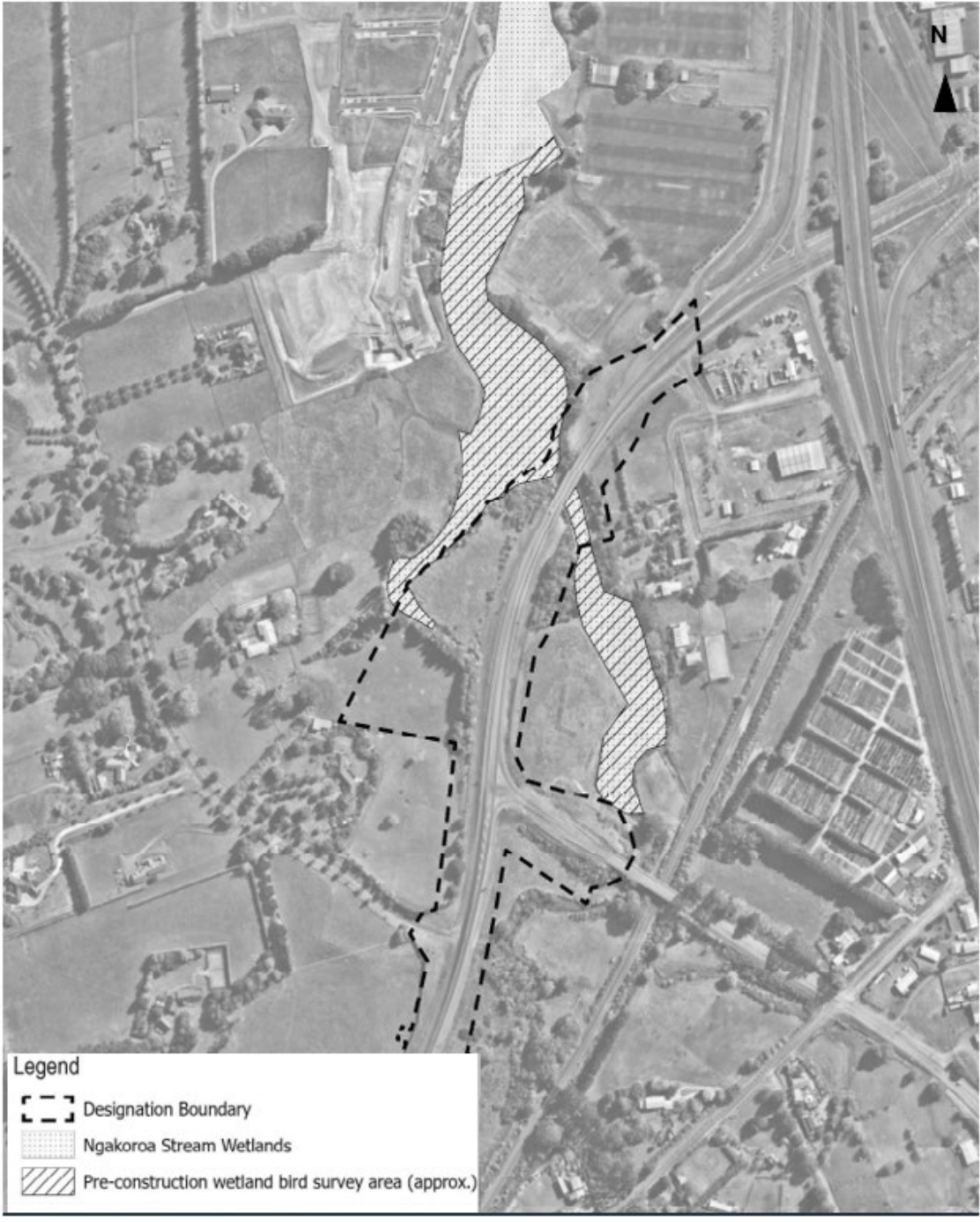
The proposed work is the construction, operation and maintenance of an upgrade of the existing State Highway 22 (SH22) from the Drury Interchange at State Highway 1 Drury to Oira Creek, including active transport facilities, and associated infrastructure. The proposed work is shown in the following Concept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

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

#### Concept Plan



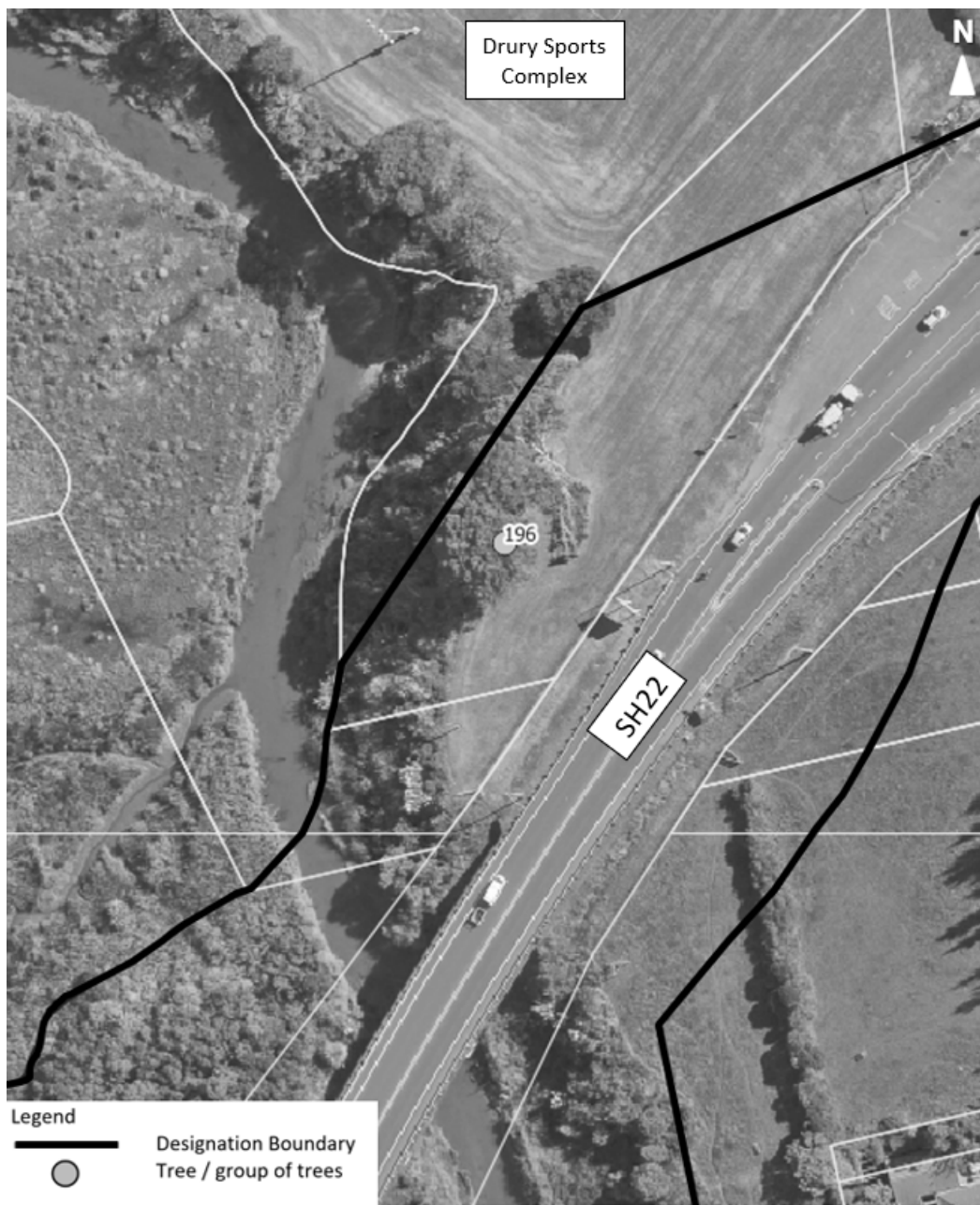
Schedule 2: Pre-construction Wetland Bird Survey



Schedule 3: Trees to be included in the Tree Management Plan

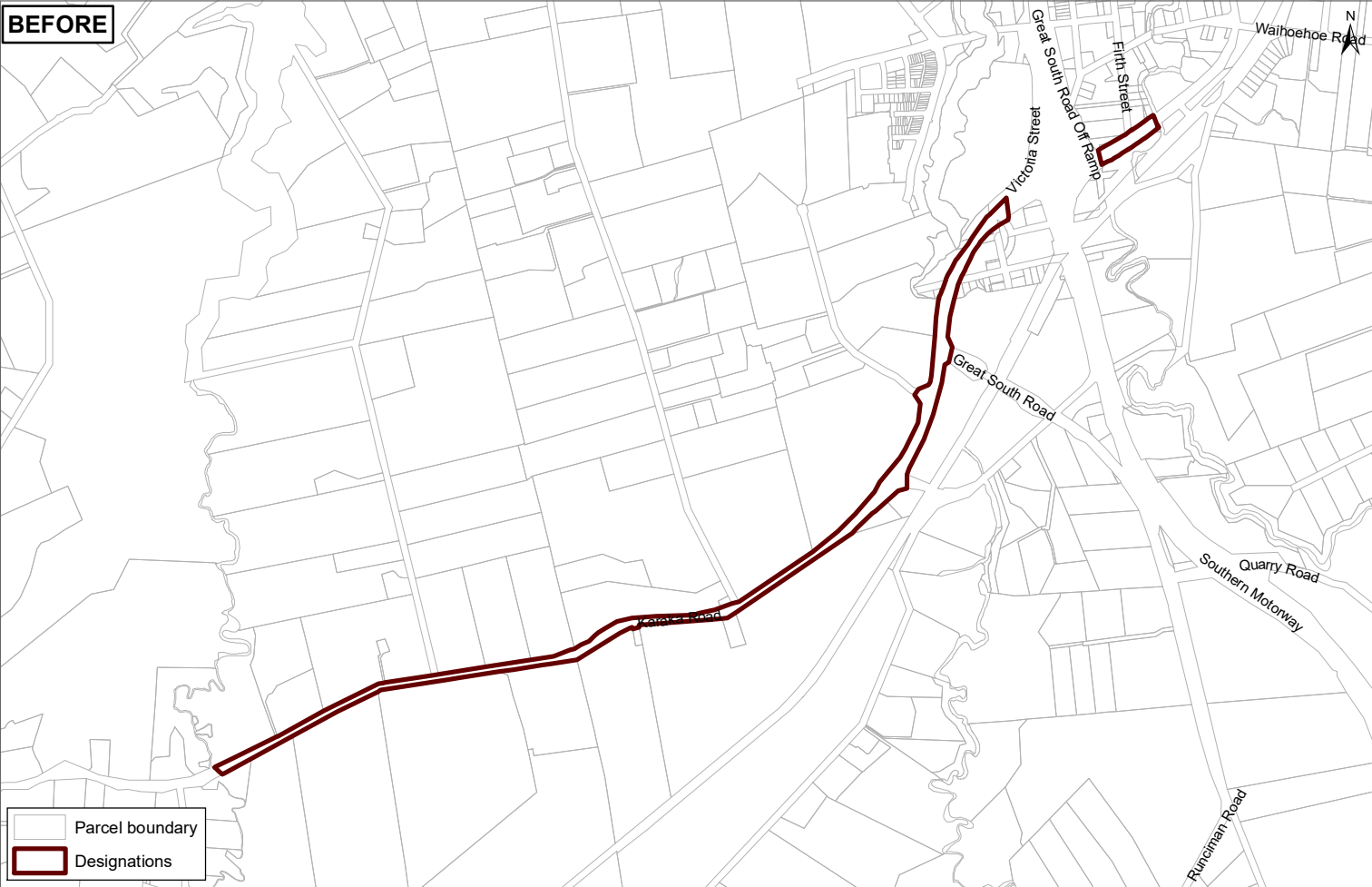
<u>Tree Number</u>	<u>Tree or Group</u>	<u>Number of trees</u>	<u>Species List</u>	<u>Location (refer to Tree Location Plan)</u>	<u>Reason for protection in the AUP (District Plan rules) as at January 2021 when the alteration to designation 6707 was lodged</u>
196	Tree group	7	Eucalyptus sp., Acacia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

Tree Location Plan

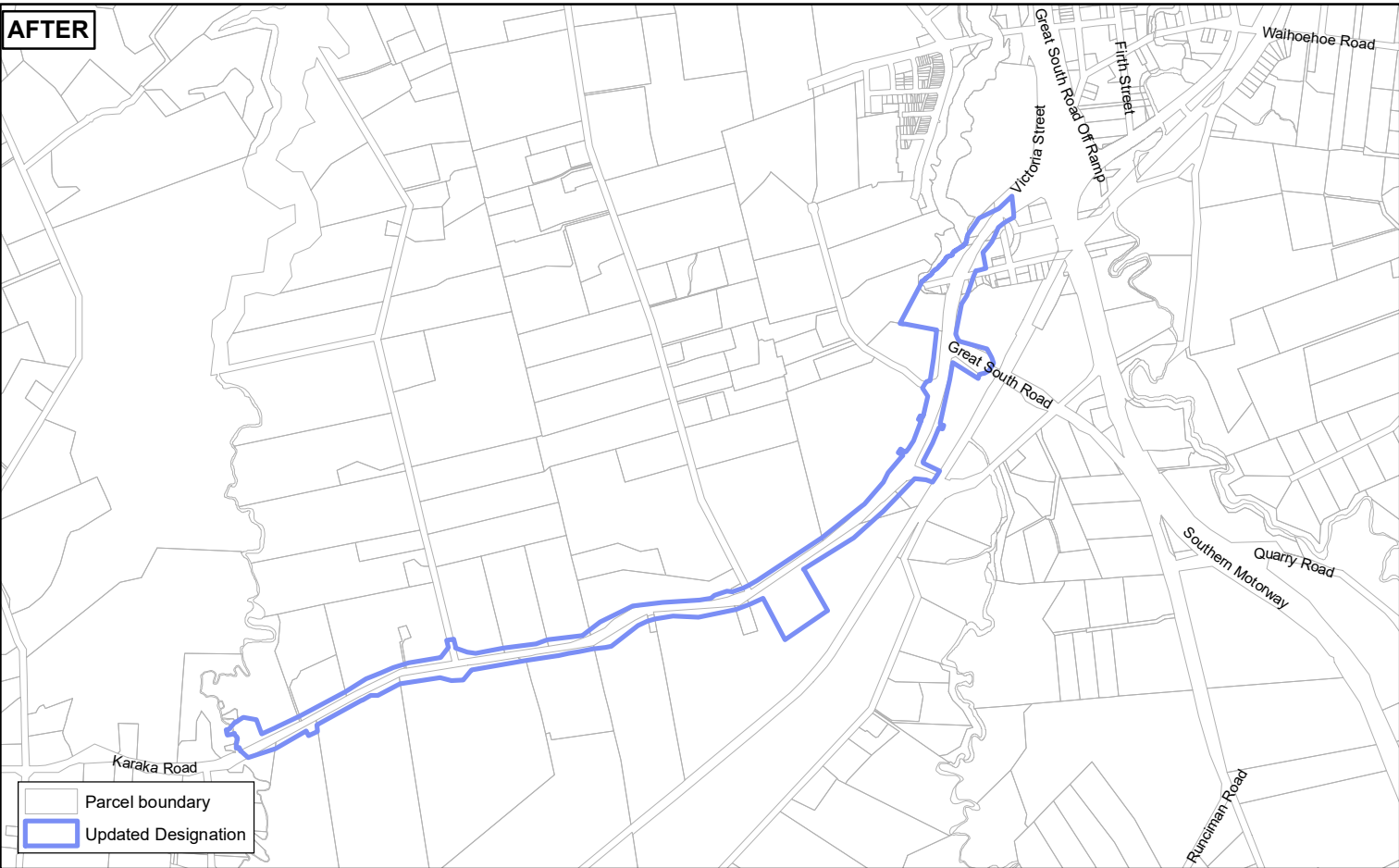


## **Updated GIS Viewer**

**BEFORE**



**AFTER**



0 125 250 500  
Metres

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

Date: 31/08/2022

## Designation 6707 Update State Highway 22 Karaka to Takanini