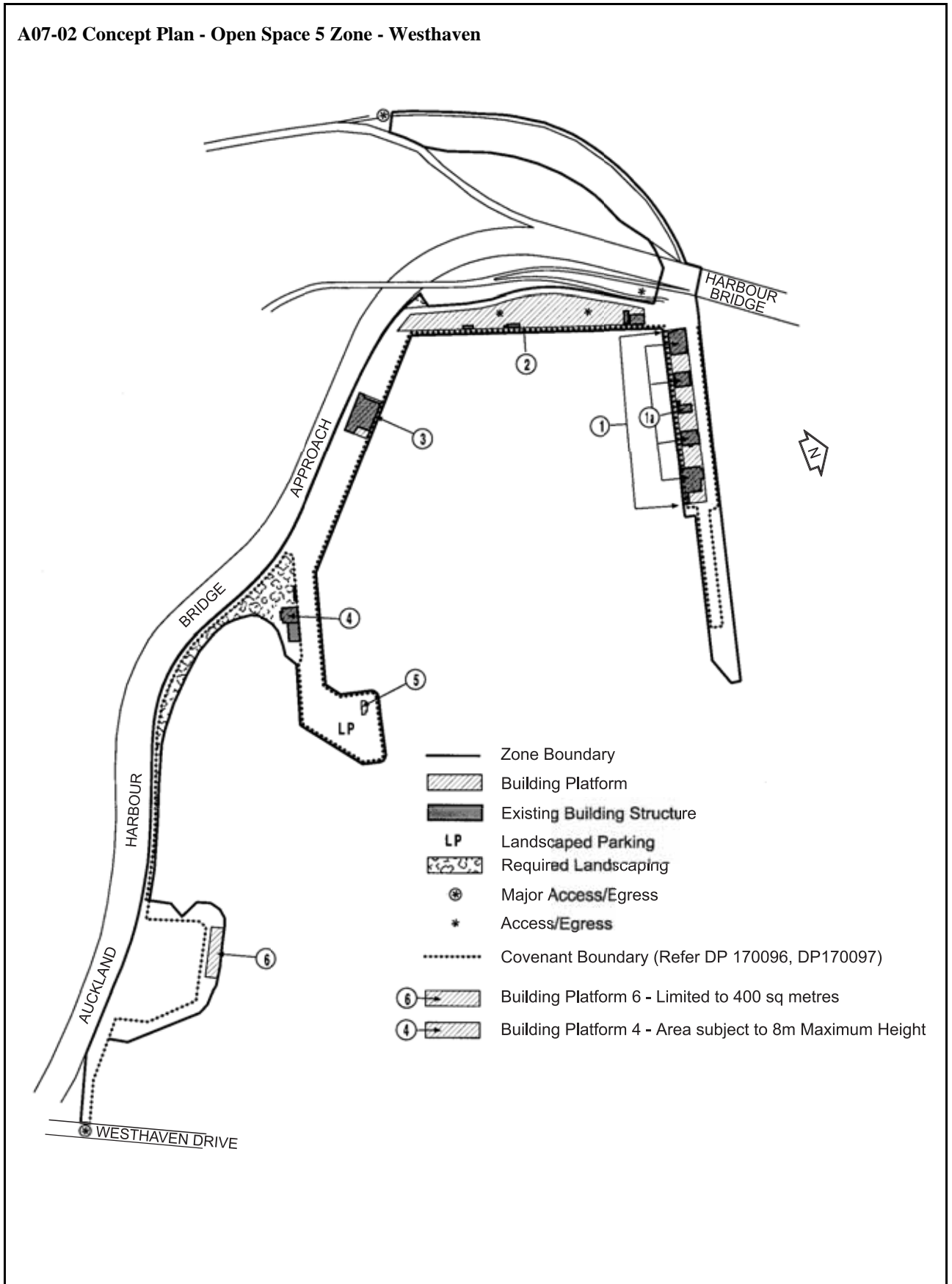


A07-02 Concept Plan - Open Space 5 Zone - Westhaven



APPENDIX B (PLANNING MAPS)

A07-01 MOTORWAY

A07-01A MOTORWAY; SHELLY BEACH PRIORITY LANE

Development to be in accordance with the following conditions –

1. The work shall be undertaken in accordance with the Notice of Requirement dated 27 January 2000 and supporting documents.
2. That the area between Westhaven Drive and motorway be landscaped in accordance with Landscape Plans 3,4 and 5 (Reference Job: 1/261107, Code - 7104, Sheet No's 17, 18, 19)
3. Any tree protected under Rule 5C.7.3.3 of the District Plan shall not be removed, altered, relocated or destroyed without resource consent approval.
4. All transplanted trees shall be transplanted in accordance with accepted arboricultural practice.
5. That a 2.0 metre high fence be erected between Westhaven Drive and the motorway. The length of the fence shall be no greater than the existing fenceline.
6. Transit New Zealand is responsible for the maintenance of the fence including the removal of graffiti.
7. Construction of the priority lane shall adhere with construction noise standards NZS6803P:1984 "The measurement and Assessment of noise construction, maintenance and demolition work."
8. That the operation of the additional motorway lane adjacent to Shelly Beach off-ramp be restricted to buses in the morning peak only, but be available for use by general traffic after the morning peak period.

A07-01B MOTORWAY; NEWMARKET VIADUCT IMPROVEMENT PROJECT

Development to be in accordance with the following conditions –

1. GENERAL

- 1.1 Except as modified by the conditions below and subject to final design, the works shall be undertaken in general accordance with the information provided at the hearing by the Requiring Authority, being Transit New Zealand, the Notice of Requirement and supporting documents, as follows:

- a) 'Newmarket Viaduct Improvement Project (Viaduct Section) - Overview, Notice of Requirement, Assessment of Environmental Effects and Attachments - Volume 1', prepared for Transit New Zealand Limited by Beca Infrastructure Ltd, dated November 2005;
- b) 'Newmarket Viaduct Improvement Project (Viaduct Section) - Specialist Technical Reports - Volume 2', prepared for Transit New Zealand Limited by Beca Infrastructure Ltd, dated November 2005;
- c) 'Newmarket Viaduct Improvement Project (Viaduct Section) - A3 Plans - Volume 3', prepared for Transit New Zealand Limited by Beca Infrastructure Ltd, dated November 2005;
- d) Further information and updated plans provided with the section 92 response (dated 13 January 2006) and post notification material (dated 7 June 2006) including:
 - i) Drawings C110 - C113 (Revision B)
 - ii) Drawings C102 - C106 (Revision B)
 - iii) Schedule of Affected Properties (Revision B)
 - iv) Drawing S211 (Revision B)
 - v) Revised Urban Design/Visual Assessment (Brewer Davidson, May 2006)

- 1.2 As soon as practicable, and within 12 months following completion of construction of the Project, the Requiring Authority shall give notice to Auckland City Council in accordance with Section 182 of the RMA for removal of those parts of the designation which are not required for the long term operation, maintenance and mitigation of effects of the State highway.

Note that Condition 1.2 is specific to land no longer required for construction purposes once the Project is completed.

- 1.3 A stakeholder manager shall be appointed by the Requiring Authority for the duration of the Project to be the main and readily accessible point of contact for persons affected by the designation and construction work. The stakeholder manager's name and contact details shall be advised to affected parties by the Requiring Authority. This person must be reasonably available for on-going consultation on all matters of concern to affected persons, including being available at all times during active construction.
- 1.4 Where requested by the owners, the Requiring Authority shall physically peg out the extent of the alignment on individually affected properties once



the designation has been confirmed or all appeals have been determined, whichever is later.

- 1.5 The period within which this designation shall lapse if not given effect to shall be 5 years from the date on which it is confirmed in accordance with Section 184(1) of the Resource Management Act 1991.
- 1.6 The works the subject to this designation, including demolition and construction, shall be completed as one continuous project, within 5-years of commencement of the works, with the exception of any enabling works (including enabling works above or nearby the rail corridor required to be undertaken in sequence with any work undertaken by Ontrack).
- 1.7 The boundary of the designation shall not encroach into the Mt Hobson Road Carriageway.
- 1.8 The Requiring Authority shall pay the Council a compliance monitoring charge of \$10,000.00 (inclusive of GST) plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance. This charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files and all work to ensure compliance with the conditions on the designation. This monitoring charge shall be paid one month prior to commencement of construction.

2. PROJECT MANAGEMENT PLANS (PMP) AND OUTLINE PLANS

- 2.1 The Requiring Authority shall prepare a PMP which shall include mitigation/management plans as referred to in conditions 3, 4, 7, 8 and 9 below.
- 2.2 No works shall be undertaken in any particular location(s) until:
 - a) The PMP, or such part(s) of the PMP as are relevant to the location(s), are submitted to and approved by the Auckland City Council; and
 - b) Any outline plan(s) required by section 176A of the Resource Management Act 1991 (RMA) in relation to the works in the location(s), are submitted to Auckland City Council.
- 2.3 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and Auckland City Council agrees that the PMP or relevant part(s) of the PMP contains adequate details to satisfy section 176 RMA, then the Auckland City Council may waive the requirement for an outline plan in respect of the works in the particular location(s), as provided for in section 176(2)(c) RMA.

- 2.4 The works shall be undertaken in accordance with the submitted and approved PMP and outline plan of works (where required), unless otherwise altered with the approval of the Auckland City Council (under condition 2.5 below).
- 2.5 The Requiring Authority shall require its contractor implementing the works to prepare a Contractor's Project Management Plan (CPMP) which shall include mitigation/management plans specified in conditions 3, 4, 7, 8 and 9 (referred to in condition 2.1 above). Where the CPMP is inconsistent with the PMP in relation to these mitigation/management plans, the Requiring Authority shall seek the approval from the Auckland City Council to the changes.

3. ENVIRONMENTAL

- 3.1 The PMP shall include an Environmental Management Plan (EMP) to be provided to Auckland City Council prior to commencement of works. The purpose of the EMP is to manage and mitigate, where practicable, identified adverse environmental effects.
- 3.2 The EMP shall also address the implementation of suitable arrangements for stormwater treatment and detention in accordance with Auckland Regional Council (ARC) guidelines and/or consent requirements.

4. CONSTRUCTION

- 4.1 The PMP shall include a Construction Management Plan (CMP) to be provided to Auckland City Council prior to commencement of works. The CMP shall be prepared in consultation with directly affected parties and parties affected by proximity as defined on the Newmarket Viaduct Consultation Map (June 2006).
- 4.2 The CMP shall include specific details relating to the demolition, construction and management of all works associated with the Project, including:

General

- a) Details of the stakeholder manager, including their contact details (phone, facsimile, postal address, email address);
- b) The location of large notice boards that clearly identify the name, telephone number and address for service of the site or project manager;
- c) An outline construction programme of the works indicating in particular likely time periods for road closures and anticipated traffic diversion effects.



APPENDIX B (PLANNING MAPS)

- d) Any means to ensure that no damage occurs to street trees that are otherwise unaffected by the Project throughout the construction period;
- e) Any means of protection of services such as pipes and water mains within the road reserve;
- f) Measures to be adopted to maintain the land in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
- g) Location of workers offices and conveniences (e.g. porta-loos);
- h) Procedures for controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. A Dust Management Plan shall be submitted to Council. It shall specify methods to be used to control dust from earthworks and demolition. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
- i) Procedures for ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of construction activities and are informed about the expected duration of the works;
- j) Means of ensuring the safety of the general public;

Noise

- k) The CMP shall include a Construction Noise Management Plan (CNMP) describing the measures adopted to as far as practicable meet the requirements of the NZS6803:1999 Acoustics - Construction Noise. The CNMP shall refer to noise management measures set out in Annex E of NZS6803:1999, and as a minimum shall address the following:
 - Construction sequence;
 - Machinery and equipment to be used, including the use of non percussive machinery where practicable;
 - Hours of operation, including times and days when noisy construction work would occur;
 - The design of noise mitigation measures such as temporary barriers or enclosures;
 - Construction noise limits for specific areas;
 - Development of alternative strategies where full compliance with NZS6803:1999 cannot be achieved,

including consultation with residents and other occupiers to achieve acceptable outcomes;

- Methods for monitoring and reporting on construction noise.

Traffic

- l) Methods of mitigating the local and network wide effects of both construction of individual elements of the Project, and the use of staging to allow sections of the Project to be opened to traffic while other sections are still under construction. In particular, the CMP shall describe:
 - Traffic management measures to address and maintain, where practicable, traffic capacities at peak hours in Broadway, Gillies Avenue and St Marks Road, and any road closures that will be required;
 - Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks);
 - The numbers, frequencies and timing of construction traffic movements.
- m) Methods to manage the effects of traffic that is required to detour or be diverted during construction, in particular seeking to minimise effects on residential areas such as Orakei Road and Market Road at night.
- n) Contingencies for traffic diversion in the case of extended road closures, emergency works or structure failure.
- o) Consultation with Auckland City Council, the Auckland Regional Transport Authority and the Bus and Coach Association with regard to the traffic management measures during construction to address and maintain, where practicable, traffic capacity at peak hours to provide for passenger transport services on both the roading and rail networks.
- p) Consultation with Auckland City Council with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation.
- q) Identification of any existing on-site parking and manoeuvring areas which are affected by the works. Then, as far as practicable, and in consultation with Auckland City Council and the affected landowner, how the affected areas will be relocated or reinstated to achieve compliance with the District Plan or to a similar standard to that existing.



- r) Where necessary, provision of alternative access arrangements as far as practicable, and in consultation with the Auckland City Council and the affected landowner, where the existing property access is to be removed or becomes unsafe as a result of the works.
- s) Details on the maintenance of pedestrian access and thoroughfare shall be maintained on all roads and footpaths adjacent to the construction works where practicable. Such access shall be safe and clearly identifiable. Pedestrian access across the Dilworth Avenue footbridge shall be maintained at all times, except where it is required to be temporarily closed for construction purposes.
- t) Consistency with the Transit New Zealand 'Code of Practice for Temporary Traffic Management' (COPTTM).

Vibration

- u) The CMP shall as far as practicable meet the vibration standards of the German Standard DIN 4150, and shall address the following aspects:
 - Vibration monitoring measures.
 - Criteria
 - Possible mitigation measures
 - Complaint response
 - Reporting procedures
 - Notification and information for the community of the proposed works.
 - Vibration testing of equipment to confirm that the vibration limits will not be exceeded.
 - Location for vibration monitoring when construction activities are adjacent to critical buildings.
 - Operational times.
 - Preparation of dilapidation reports on critical dwellings prior to, during and after completion of works.

- 4.3 The CMP shall be implemented and maintained throughout the entire demolition and construction periods.
- 4.4 Any commercial earthmoving equipment or similar shall be stored or parked within the boundaries of this designation at all times and not on surrounding streets.

- 4.5 All storage of materials and equipment associated with the construction works shall take place within the boundaries of this designation.
- 4.6 Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and the roads during the site preparation and construction phase of development. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall be repaired to the same or similar standard as existed prior to such damage at no cost to Auckland City Council.
- 4.7 Pedestrian access and thoroughfare shall be maintained on all roads and footpaths adjacent to the construction works where practicable. Such access shall be safe and clearly identifiable.
- 4.8 All local temporary road closures shall be subject to prior approval of the Council.
- 4.9 The CMP shall, where practicable, provide priority for buses at peak hours along Broadway.

Blasting

- 4.10 If any blasting is required during construction, it shall be so controlled as to ensure that any ground vibration as a result of any blasting will not adversely affect the structural stability of any building or structure including electrical equipment (that is not connected with the site covered by this designation) or cause any reduction in its utility value. Peak particle velocities measured on any foundation or uppermost full storey of any building not related to the site, which do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 'Structural Vibration in Buildings - Effect on Structures', will be deemed to meet these requirements. Peak particle velocity means the maximum particle velocity in any of the three mutually perpendicular direction. The units are millimetre per second (mm/s).
- 4.11 The noise created by the use of explosives for blasting shall not exceed a peak overall sound pressure of 128dB (i.e. peak over pressure of 0.05kPa) or alternatively the noise shall not exceed a peak sound level of 122dBC. The measurement shall be made in either case at 1m from the most exposed window or door of any occupied building (that is not subject to this designation).

5. ARCHAEOLOGICAL AND HERITAGE

- 5.1 An archaeologist or some other person approved by the New Zealand Historic Places Trust shall be present to monitor initial earthworks for the Project, including works that affect the stonewall under the



APPENDIX B (PLANNING MAPS)

present viaduct at Gillies Ave (the edge of the lava flow).

- 5.2 Detailed protocols for the management of archaeological and waahi tapu discoveries shall be developed in conjunction with tangata whenua prior to construction.
- 5.3 If any archaeological sites, including human remains are exposed during site works then the following procedures shall apply:
- Immediately after it becomes apparent that an archaeological or traditional site has been exposed, all site works in the immediate vicinity shall cease;
 - The Requiring Authority shall immediately secure the area so that any artefacts or remains are untouched;
 - The Requiring Authority shall notify tangata whenua, the New Zealand Historic Places Trust, Auckland City Council within 24 hours that an archaeological site has been exposed so that appropriate action can be taken. Works shall not commence in the immediate vicinity of the archaeological site until any approval required from the NZ Historic Places Trust is obtained.

6. PROTECTED TREES

- 6.1 This condition applies to trees within the designation area that would be subject to Tree Protection rules under the provisions of the underlying zoning of the District Plan ("Protected Trees").
- 6.2 Removal, trimming/pruning or works within the drip line of Protected Trees, shall be limited to those trees identified in the Landscape Report November 2005 and includes trees located on road reserve greater than 6 metres in height and trees subject to general tree protection greater than 6 metres in height.
- 6.3 A suitably experienced, Council approved arborist ('nominated arborist') shall be employed by the Requiring Authority, at the Requiring Authority's expense, to monitor, supervise and direct all works within the drip line or in the vicinity of those protected trees to be retained, for the duration of the works.
- 6.4 Prior to any site works commencing, a pre-commencement site meeting shall be held so that the conditions of the designation that pertain to the retained vegetation can be explained by the nominated arborist to all contractors or sub-contractors who will be working on site within the

drip-line of, or adjacent to, any protected vegetation that is covered by the designation.

- 6.5 A copy of the conditions of the designation pertaining to the protected trees shall be held on site at all times.
- 6.6 The following measures shall be taken in respect of the remaining Protected Trees within the designation area:
- Temporary protective fencing shall be erected around the Protected Trees to be retained prior to the commencement of construction activity and shall remain in place for the duration of the Project. The purpose of the temporary protective fencing is to provide an area around the retained trees that will facilitate their successful retention during the construction process. The parameters of the enclosure shall be as directed by the Requiring Authority's arborist.
 - Except as provided for in Conditions 6.7 and 6.8, the area within the temporary protective fencing shall be considered a total exclusion zone. The Requiring Authority and its agents shall not:
 - Enter into the delineated area without prior consultation and agreement from the nominated arborist.
 - Alter the dimensions of the delineated area without prior consultation and agreement from the nominated arborist.
 - Store diesel, cement, building materials, site huts, spoil, equipment, or machinery within the delineated area.
 - Spill substances likely to be injurious to tree health within seepage distance of the delineated area.
 - The temporary protective fencing shall be constructed from a solid face (i.e. plywood or corrugated iron) attached to a sturdy framework of freestanding scaffolding or posts. It must be constructed to a minimum height of 1.8m and must remain in place for the duration of the Project.
- 6.7 The nominated arborist shall undertake all necessary trimming and pruning works, including the pruning of tree roots uncovered during excavations. Exposed roots shall be covered and kept moist.
- 6.8 The nominated arborist shall undertake a tree-monitoring programme throughout the construction phase, including monitoring of:



- a) The condition repair and location of the temporary protective fencing;
- b) Any excavation within the drip line of protected trees;
- c) General tree health; and
- d) Compliance with the conditions of the designation by way of fortnightly inspections during the construction period. A copy of the monitoring results from each visit shall be sent to the Auckland City Environments' arborist, with one copy being retained on site by the Project Manager, while a further copy is to be retained by the nominated arborist.

6.9 During the construction process the nominated arborist may make recommendations on the installation of irrigation systems, mulch, or remedial pruning works, if they are required to improve tree health.

7. LANDSCAPING MITIGATION

7.1 The PMP shall include a Landscape Mitigation Plan (LMP) to be provided to Auckland City Council prior to or with the outline plan of works for the project or project stage. The LMP shall be prepared by a suitably qualified landscape architect, and shall address the following matters:

- a) Transit New Zealand's "Guidelines for Highway Landscaping" (dated September 2002);
- b) Consistency with Transit New Zealand's "Central Motorway Improvements: Urban Design Framework" (dated 6 September 2001); and
- c) Consistency with Transit New Zealand's "Urban Design Implementation Principles (2006)".

7.2 The Landscape Mitigation Plan (LMP) for the Project area shall provide for:

- a) The integration of the permanent works into the surrounding landscape;
- b) Mitigation of effects on properties in the vicinity of the alignment;
- c) Integration, and continuation of significant elements of consistency with recently established planting themes in the CMJ Core area, established desirable coastal vegetation, and the vegetative character of Newmarket;
- d) Retention or relocation of existing trees where practicable; and

- e) Replacement planting or mitigation for loss of protected or scheduled trees.

7.3 The Landscape Mitigation Plan (LMP) shall include the following:

- a) **Concept Plan/Report** - this shall depict the overall landscape concept, and provide a framework for the design intent, layout and mitigation proposals.

- b) **Landscape Design Details** - these shall include the following details:

- Identification of vegetation to be retained
- Proposed planting including - plant species, mixes, spacing/densities, sizes (at time of planting) and layout;
- Planting programme - the staging of planting in relation to the construction programme
- Detailed specifications relating to (but not limited to) the following:
 - Vegetation protection (for desirable vegetation to be retained)
 - Weed control and clearance
 - Ground preparation (topsoiling and decompaction to ensure rapid plant establishment and ongoing vigour)
 - Mulching
 - Plant supply and planting
 - Maintenance regime (requirements and programme)
 - Performance standards
- The restorative landscape treatment for the areas within the designation surrounding all road reserves affected by the Project, including Gillies Ave, St Marks Road, Mauranui Ave, Mahuru Street and Clovernook Street
- Landscape treatment for both sides of the Mt Hobson noise wall
- Consideration of views to volcanic cones; and
- Consideration of:
 - The landscape character of the area;
 - The relationship of the works to the pedestrian environment;
 - Integrated planting, as appropriate, to promote a "gateway" concept at St



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- Marks Rd and Gillies Ave and to include treatment of the on-off ramp edges and under-bridge areas;
- Designs that will strengthen Newmarket's "sense of place".
- 7.4 In areas where shrub mixes are used, densities shall ensure that low canopy coverage has been attained by the end of the contract maintenance period.
- 7.5 Prior to planting and throughout the ensuing maintenance period, all weed species declared as plant pests in the Auckland region by the ARC (including Total Control/Containment Pests/Surveillance Pests & Research Organisms) shall be controlled and removed from the site.
- 7.6 Where native plants are used, the composition shall reflect the natural plant associations of the area, and the mixes (where relevant) shall be of suitable richness and diversity to encourage self-sustainability once established.
- 7.7 Where practicable, any planting utilising native plants shall use plants genetically sourced from the Ecological District.
- 7.8 Planting areas shall be mulched using suitable weed-free, granular organic mulch. The only exceptions to this shall be where the slopes are too steep to allow for its retention. In such cases a neutral or black coloured biodegradable or photodegradable geotextile shall be used.
- 7.9 Landscape mitigation proposals outside the designation boundary shall be agreed with the appropriate landowner and subsequently implemented.
- 7.10 The LMP shall be prepared in consultation with Auckland City Council and iwi.
- 7.11 The landscaping shall be implemented in accordance with the LMP within the first planting season following the completion of the construction works providing climatic conditions are suitable, otherwise at the first practicable opportunity thereafter, and shall be maintained for the next 3 years thereafter. Should the landscaping be implemented in stages (depending on construction phases), landscaping may be implemented after the first planting season of each stage.
- 7.12 When planning or implementing changes to signage on the Newmarket Viaduct, the Requiring Authority shall, where safe and practicable, avoid locating additional signage where it will encroach on the viewshaft to Mt Hobson, as described in the Auckland City District Plan: Isthmus Section.

8. URBAN DESIGN

- 8.1 The PMP shall include an Urban Design Plan (UDP) to be provided to Auckland City Council prior to or with the outline plan of works for the project or project stage. The UDP shall be prepared by a suitably qualified person (including an artist where appropriate), and shall address the following matters:
- a) Transit New Zealand's "Central Motorway Improvements: Urban Design Framework" (dated 6 September 2001); and
 - b) Transit New Zealand's "Urban Design Implementation Principles (2006)".
- 8.2 The UDP and urban design measures shall include:
- a) Concept Plan/Report - this shall depict the overall urban design concept and provide a framework for the design intent, layout and urban design measures, which shall:
 - Be determined in consultation with Auckland City Council and iwi (by way of a joint working party);
 - Consider further comments from the Auckland City Urban Design Panel;
 - Not preclude access to any future pedestrian linkage identified by Auckland City Council (including Gillies Ave/ Clovernook Place).
 - b) Urban design details and appropriate design measures in respect of:
 - Treatment of noise attenuation barriers;
 - Road safety barriers;
 - Retaining walls;
 - Pedestrian areas or facilities;
 - Methods to visually screen sections under the Newmarket Viaduct (where considered appropriate), such as beneath the Gillies Ave bridge section;
 - The area beneath the viaduct at Gillies Ave, which shall be designed to promote a positive pedestrian experience;
 - Stakeholder funded art works;
 - Design of the Mt Hobson Road noise wall;
 - Restoring all road reserves beneath the designation affected by the Project, including Gillies Ave, St Marks Road, Mauranui Ave, Mahuru Street and Clovernook Street.



8.3 The Requiring Authority shall commission a peer review of barrier options for the Newmarket Viaduct. The peer reviewer shall be selected by agreement with Auckland City Council.

a) The purpose of the review of barrier options shall be to ascertain whether there are any alternative barrier options to that proposed by Transit in the NOR documentation, that would better maintain the protected views from the Viaduct to the Waitemata Harbour or Rangitoto as identified in the operative District Plan (as at July 2006). The alternative barrier options shall meet each of the following criteria:

- The barrier is approved by the Requiring Authority as meeting its operational and safety requirements (including its debris and noise screen functions); and
- The barrier is of a height or design that could maintain protected views from the Viaduct to the Waitemata Harbour or Rangitoto as identified in the operative District Plan (as at 7 July 2006); and
- The barrier provides the same or better acoustic performance required under condition 9.2(a).

b) The peer review report shall include details of each barrier option (if more than one), including a view protection assessment, the cost, maintenance requirements and the extent to which each option meets Transit's required operational and functional requirements (including its debris and noise screening functions). The report shall be provided to Auckland City Council and the Auckland Regional Council.

c) The view protection assessment shall use photomontages or computer modelling techniques, to demonstrate the impact of each option on protected views. The view protection assessment shall show a representative range of views along the viewshaft's origin from the level of a typical motorcar.

d) Following the completion of the peer review, where significant additional protection to the views from the Viaduct to the Waitemata Harbour or Rangitoto can be practicably achieved, the Requiring Authority will determine the final barrier design in consultation with Auckland City Council and the Auckland Regional Council.

8.4 The above ground Viaduct pier elements shall not be located in the pier restriction zone shown on

Transit plan 9101314-S211, titled "Pier Restriction Zones", Revision B dated 13 January 2006 and submitted with the section 92 response. Piers located within the local road reserve will be minimized and will require the prior written approval of the Auckland City Council. The Council will assess the position and design of the pier in terms of its impact on amenity, public safety and pedestrian and traffic movement, and Council approval shall not be unreasonably withheld.

9. OPERATIONAL NOISE

9.1 The PMP shall include a Noise Management Plan (NMP) to be provided to Auckland City Council prior to commencement of works. The NMP shall be prepared by a suitably qualified acoustic expert for the purposes of avoiding, mitigating or remedying any adverse noise effects from the operation of the project following its construction.

9.2 The NMP shall include:

a) General measures (e.g. noise attenuation barriers), to achieve at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999), these shall include (but are not limited to) the following mitigation measures:

- A noise barrier, no less than 2 metres high from the level of the carriageway, between Mt Hobson Road and the motorway (extending from approximately 28 Dilworth Avenue to 34 Mt Hobson Road) in accordance with the Newmarket Viaduct Improvement Project - Assessment of Noise Effects for Viaduct Section Report (Marshall Day) dated 15 November 2005;
- The use of Open Graded Porous Asphalt "OGPA" or equivalent material to surface the new viaduct;
- The use of solid barriers and a median on the new viaduct.

b) Specific measures for existing dwellings, where these are necessary in addition to the general measures under (a) above to achieve at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999).

9.3 The NMP shall identify the existing dwellings for which specific measures are required in accordance



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with condition 9.2(b) above. Those dwellings shall be referred to as 'affected dwelling(s)'.

9.4 Not less than three months prior to the completion of construction of the Project, the Requiring Authority shall give written notice to the owner of each affected dwelling:

- a) Advising the options available for mitigation treatment to the affected dwelling and the predicted benefits of implementation of such options in term of noise levels; and
- b) Advising that the owner has six months within which to decide whether or not to accept mitigation treatment to the dwelling.
- c) Once an agreement on mitigation is reached between the Requiring Authority and the owner, the mitigation shall be implemented in an accepted timeframe between the Requiring Authority and the owner.

9.5 The Requiring Authority shall advise the Auckland City Council of:

- a) All written notices served in accordance with condition 9.4;
- b) Any responses received to those written notices;
- c) Those affected dwellings in respect of which no response has been received.

9.6 Where specific measures are required for an affected dwelling, the Requiring Authority shall be deemed to have complied with condition 9.1 above where:

- a) The Requiring Authority has completed noise mitigation treatment to an affected dwelling; or
- b) The owner of the affected dwelling has refused to accept the Requiring Authority's offer to implement noise mitigation treatment to the dwelling prior to the expiry of six months after the practical completion of the Project; or
- c) The owner of the affected dwelling cannot after reasonable enquiry be found prior to the expiry of six months after the completion of the State highway construction.

9.7 Subject to condition 9.6, all noise mitigation measures identified by the NMP shall be implemented prior to the completion of construction of the Project.

9.8 As required by the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999) measurements of noise levels existing prior to construction shall be used to establish ambient

noise levels. The results of 24 hour ambient noise measurements at no less than a total of six (6) positions within 50 m of the northbound and southbound lanes, together with site maps and photographs detailing measurement positions and key data on measurement conditions shall be forward to the Council prior to the commencement of construction.

9.9 Compliance Monitoring: Following completion of the work, the requiring authority shall arrange for an appropriately qualified person to undertake monitoring of the level of traffic noise at the above six (6) sites for which ambient noise level data has been previously recorded, within a period between of between 2 and 3 years following completion of construction of the Work and shall report the findings of monitoring to the Council, within one month of the monitoring being undertaken.

10. OPERATIONAL VIBRATION

10.1 Vibration levels of the existing State Highway 1 operations shall be measured at critical locations, and submitted to the Council, prior to the commencement of works. These baseline measurements will provide levels for current use and for comparison with future levels.

11. LIGHTING

11.1 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas.

12. PARKING

12.1 Prior to commencing works pursuant to the designation, the Requiring Authority shall ensure that it has provided approved alternative parking for staff of Westfield, which is currently provided at 10 Mahuru Street, pursuant to Westfield's existing consent LUC no. 5700210401.

ADVICE NOTES:

- a) The Requiring Authority shall obtain all other necessary consents and permits and comply with all relevant Council bylaws.
- b) The Requiring Authority shall obtain all other necessary resource consents and permits in relation to sediment and stormwater discharges from the Auckland Regional Council.
- c) Under the Historic Places Act an Authority to Modify an Archaeological Site is required from the



NZ Historic Places Trust before any work takes place on an archaeological site.

- d) Some of the land is subject to existing designations. The provisions of Section 177 of the Resource Management Act 1991 apply accordingly.
- e) A separate Transit designation, being D09-32, affects land adjoining the Viaduct. That designation imposes a 12.2 metre height restriction on land within 76.2 metres of the centreline of the existing Newmarket Viaduct. The Requiring Authority advises that it will review the ongoing need for and/or extent of designation D09-32 as part of detailed design for the Newmarket Viaduct Project and, once a decision is made, an alteration to designation D09-32 may be sought pursuant to the relevant RMA provisions. In the interim, the height designation D09-32 will remain in its existing position and will not automatically move to align with the new Viaduct alignment.

A07-01C MOTORWAY: VIC PARK TUNNEL PROJECT

GENERAL

1. General Conditions

- 1.1 Except as modified by the conditions below and subject to final design, the project works shall be undertaken in general accordance with the information provided at the hearing by the Requiring Authority (Transit New Zealand), the Notices of Requirement and the supporting documents, namely:
 - a) 'Harbour Bridge To City Project - Overview, Notices of Requirement and Attachments - Volume 1', prepared for Transit New Zealand by Beca Infrastructure Ltd, dated October 2005;
 - b) 'Harbour Bridge To City Project - Assessment of Environmental Effects - Volume 2', prepared for Transit New Zealand by Beca Infrastructure Ltd, dated October 2005;
 - c) 'Harbour Bridge To City Project - Technical Appendices - Volume 3', prepared for Transit New Zealand by Beca Infrastructure Ltd [et al.] dated October 2005;
 - d) 'Harbour Bridge To City Project -A3 Plans - Volume 4', prepared for Transit New Zealand by Beca Infrastructure Ltd, dated October 2005;
 - e) Further information provided with the response provided under Section 92 Resource

Management Act 1991 (dated 2 February 2006).

Note: The Harbour Bridge to City project has been renamed the " Vic Park Tunnel Project" (the Project).

1.2 As soon as practicable following completion of construction of the Vic Park Tunnel (VPT) Project, the Requiring Authority shall give notice to the Auckland City Council in accordance with Section 182 of the Resource Management Act ("RMA") for removal of those parts of the existing designations (those in existence prior to the lodgement of the new designation subject to condition 1.1 above) between the Auckland Harbour Bridge and Wellington Street overbridge, being:

- 1. A07-01 'Motorway' and A07-01A 'Motorway': Shelly Beach Priority Lane in the Auckland City District Plan: Isthmus; and
- 2. 283 'Motorway' in the Auckland City District Plan: Central Area.

1.3 As soon as practicable following completion of construction of the Project, the Requiring Authority shall give notice to Auckland City Council in accordance with Section 182 of the RMA for removal of those parts of the designation which are not required for the long term operation, maintenance and mitigation of effects of the State highway. (Note: This condition is specific to land no longer required for construction purposes once the Project is completed.)

1.4 A liaison person shall be appointed by the Requiring Authority for the duration of the Project to be the main and readily accessible point of contact for persons affected by the designation and construction work. The liaison person's name and contact details shall be advised to affected parties by the Requiring Authority. This person must be reasonably available for on-going consultation on all matters of concern to affected persons.

1.5 Where requested by the owners, the Requiring Authority shall physically peg out the extent of the designation boundary on individually affected properties once the designation has been confirmed or all appeals have been determined, whichever is later.

1.6 The period within which this designation shall lapse if not given effect to shall be 10 years from the date on which it is confirmed in accordance with Section 184(1) of the Resource Management Act 1991.



APPENDIX B (PLANNING MAPS)

2. Project Management Plan ("PMP") and Outline Plans

- 2.1 The Requiring Authority shall prepare a PMP, which shall include mitigation/management plans as referred to in conditions dealing with specific issues below. A schedule of how the subsidiary plans that are required by these conditions relate back to the PMP follows these conditions as Annexure A.
- 2.2 No works shall be undertaken in any particular location(s) until:
 1. The PMP, or such part(s) of the PMP as are relevant to the location(s) are submitted to and approved by the Auckland City Council (Group Manager: City Planning); and
 2. Any outline plan(s) required by section 176A of the Resource Management Act 1991 (RMA) in relation to the works in the location(s), have been submitted to the Auckland City Council.
- 2.3 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Auckland City Council agrees that the PMP or relevant part(s) of the PMP contains adequate details to satisfy section 176 of the RMA, then the PMP or relevant part(s) of the PMP shall be deemed to be a waiver of the requirement for an outline plan in respect of the works in the particular location(s), as provided for in section 176(2)(c) RMA.
- 2.4 The works shall be undertaken in accordance with the approved PMP and outline plan of works (where required).

3. Other Plans

- 3.1 The PMP shall include an Environmental Management Plan (EMP) to be provided to the Auckland City Council prior to the commencement of works. The purpose of the Environmental Management Plan is to avoid, remedy or mitigate all adverse environmental effects associated with the construction and operation of the Project. The EMP is to include a Construction Environmental Management Plan (CEMP) and Environmental Monitoring Guidelines (EMG).
- 3.2 The PMP shall include a Construction Management Plan (CMP) to be provided to Auckland City Council (Group Manager: City Planning) prior to commencement of works. The purpose of the CMP is to avoid, remedy or mitigate any effects of construction, through methods identified in the CMP, including the preparation of management plans. The CMP shall be prepared in consultation

with the directly affected parties and parties affected by proximity (including other neighbouring submitters) as shown in Appendix 1 to the decision ([refer to Plan Modification 32](#)).

- 3.3 The CMP shall include specific details relating to the demolition, construction and management of all works associated with the Project, including the details indicated below:
 1. Details of the site or project manager, including their contact details (phone, facsimile (if any), postal address, email address);
 2. The location of large notice boards that clearly identify the name, telephone number and address for service of the site or project manager;
 3. An outline construction programme of the works indicating in particular likely time periods for partial or complete road closures and anticipated traffic diversion effects;
 4. Any means to ensure that no damage occurs to street trees throughout the construction period;
 5. Any means of protection of services such as pipes and watermains within the road reserve;
 6. Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
 7. Location of workers' offices and conveniences (e.g. portaloos);
 8. Procedures for controlling sediment runoff, dust and the removal of soil, debris and demolition and construction materials from public roads or places, including wheel wash for construction vehicles. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
 9. Procedures for ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of construction activities and are informed about the expected duration of the works;
 10. Procedures for ensuring that blasting events, if any, occur at times least likely to disturb all people in the immediate vicinity of the construction areas, and for reasonable notice or warning of any blasting events to be given;
 11. Procedures to be followed to ensure that those working in the vicinity of identified heritage features are aware of the heritage values of these features and the steps which need to be



taken to meet the conditions applying to work on the site;

12. Procedures to be followed to ensure that iwi representatives are notified of the proposed commencement of works and of the discovery of any koiwi or other artefacts;
13. Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Historic Places Act;
14. Means of ensuring the safety of the general public;
15. Methods for receiving and responding to complaints about construction dust and odour from the works;
16. Protocols for offering mitigation such as temporary relocation of households where noise and other impacts cannot be managed to comply with relevant standards.

NOISE AND VIBRATION

4. Operational Noise

- 4.1 A Noise Management Plan (NMP) shall be prepared by a suitably qualified acoustics expert for the purposes of avoiding, mitigating or remedying any adverse noise effects from the operation of the Project following its construction. The NMP shall be provided to the Auckland City Council (Group Manager: City Planning) prior to the commencement of works.
- 4.2 The NMP shall include:
 1. General measures to achieve, at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999), including (but not limited to) the following mitigation measures:
 - i. the construction of noise walls (to a maximum of 5 metres in height in the St Mary's Bay area);
 - ii. the use of Open Graded Porous Asphalt "OGPA" or equivalent material to surface the carriageway;
 2. Specific measures for existing dwellings, where these are necessary in addition to the general measures under (a) above to achieve at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999).

- 4.3 The NMP shall identify the existing dwellings for which specific measures are required in accordance with condition 4.2.2) above. These dwellings are referred to as the 'affected dwelling(s)'.
 1. Advising the options available for mitigation treatment to the affected dwelling and the predicted benefits of implementation of such options in term of noise levels; and
 2. Advising that the owner has six months within which to decide whether or not to accept mitigation treatment to the dwelling.
 3. Once an agreement on mitigation is reached between the Requiring Authority and the owner, the mitigation shall be implemented in an accepted timeframe between the Requiring Authority and the owner.
- 4.4 Not less than three months prior to the completion of construction of the Project, the Requiring Authority shall give written notice to the owner of each affected dwelling:
 1. All written notices served in accordance with condition 4.4;
 2. Any responses received to those written notices;
 3. Those affected dwellings in respect of which no response has been received.
- 4.5 The Requiring Authority shall advise the Auckland City Council (Group Manager: City Planning) of:
 1. All written notices served in accordance with condition 4.4;
 2. Any responses received to those written notices;
 3. Those affected dwellings in respect of which no response has been received.
- 4.6 Where specific measures are required for an affected dwelling, the Requiring Authority shall be deemed to have complied with condition 4.1 where:
 1. The Requiring Authority has completed noise mitigation treatment to an affected dwelling; or
 2. The owner of the affected dwelling has refused to accept the Requiring Authority's offer to implement noise mitigation treatment to the dwelling prior to the expiry of six months after the practical completion of the Project; or
 3. The owner of the affected dwelling cannot after reasonable enquiry be found prior to the expiry of six months after the completion of construction of the Project.
- 4.7 Subject to condition 4.6, all noise mitigation measures identified by the NMP shall be implemented prior to the completion of construction of the Project.
- 4.8 As required by the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999), measurements of noise levels existing prior to



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construction shall be used to establish ambient noise levels. Measurements shall be undertaken by a suitably qualified person and the results of 24 hour ambient noise measurements at a total of six (6) positions within 100 metres of the designation boundary, together with site maps and photographs detailing the measurement positions and key data on measurement conditions shall be forwarded to the Auckland City Council (Group Manager: City Planning) prior to the commencement of construction.

- 4.9 Following completion of the Project, the Requiring Authority shall arrange for an appropriately qualified person to undertake monitoring of the level of traffic noise at the above six (6) sites for which ambient noise level data has been previously recorded, within a period between 2 and 3 years following completion of construction of the Project and shall report the findings of monitoring to the Auckland City Council (Group Manager: City Planning), within one month of the monitoring being undertaken.

5. Operational Vibration

- 5.1 Vibration levels of the existing State Highway 1 operations shall be measured at critical locations nominated by Transit New Zealand, and submitted to the Auckland City Council (Group Manager: City Planning), prior to the commencement of works. These baseline measurements will provide levels for current use and for comparison with future levels.

6. Construction Noise and Vibration

- 6.1 The Construction Management Plan shall be implemented and maintained throughout the entire demolition and construction periods of the Project and shall include the following:

Noise

1. The CMP shall include a Construction Noise and Vibration Management Plan (CNVMP) describing the measures adopted to, as far as practicable, meet the requirements of NZS6803:1999 Acoustics - Construction Noise. The CNVMP shall refer to noise management measures set out in Annexure E of NZS6803:1999, and as a minimum shall address the following:
 - i. Construction sequence;
 - ii. Machinery and equipment to be used, including the use of non-percussive machinery where practicable;

- iii. Hours of operation, including times and days when noisy construction work would occur;
- iv. The design of noise mitigation measures such as temporary barriers or enclosures;
- v. Construction noise limits for specific areas;
- vi. Development of alternative strategies where full compliance with NZS6803:1999 cannot be achieved, including consultation with residents and other occupiers to achieve acceptable outcomes;
- vii. Methods for monitoring and reporting on construction noise.
- viii. Methods for receiving and responding to complaints about construction noise.

Vibration

2. The CNVMP shall also describe measures adopted to, as far as practicable, meet the vibration criteria of the German Standard DIN 4150, and shall address the following aspects:
 - i. Vibration monitoring measures;
 - ii. Criteria;
 - iii. Possible mitigation measures;
 - iv. Complaint response;
 - v. Reporting procedures;
 - vi. Notification and information for the community of the proposed works;
 - vii. Vibration testing of equipment to confirm that the vibration limits will not be exceeded;
 - viii. Location for vibration monitoring when construction activities are adjacent to critical buildings;
 - ix. Operational times;
 - x. Preparation of dilapidation reports on critical dwellings prior to, during and after completion of works.

7. Blasting

- 7.1 If any blasting is required during construction, it shall be so controlled as to ensure that any ground vibration as a result of any blasting will not adversely affect the structural stability of any building or structure including electrical equipment (that is not connected with the site covered by this designation) or cause any reduction in its utility



value. Peak particle velocities measured on any foundation or uppermost full storey of any building not related to the site, which do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 'Structural Vibration in Buildings - Effect on Structures', will be deemed to meet these requirements. Peak particle velocity means the maximum particle velocity in any of the three mutually perpendicular directions. The units are millimetre per second (mm/s).

- 7.2 The noise created by the use of explosives for blasting shall not exceed a peak overall sound pressure of 128dB (i.e. peak over pressure of 0.05kPa) or alternatively the noise shall not exceed a peak sound level of 122dBC. The measurement shall be made in either case at 1m from the most exposed window or door of any occupied building (that is not subject to this designation).

CONSTRUCTION TRAFFIC

8. Traffic Management Plan

8.1 The Construction Management Plan shall include a Traffic Management Plan (TMP). In developing the TMP:

1. the Requiring Authority shall use advanced traffic modelling tools to better understand the effects of construction of the Project on the affected road network. These tools will be developed and calibrated in conjunction with the Auckland City Council (Group Manager: City Planning) and have the ability to simulate lane restrictions and road closures;
2. the Requiring Authority shall undertake measures to avoid road closures and also the restriction of vehicle and pedestrian movements to the greatest extent practicable. In particular, the measures shall ensure that vehicle and pedestrian accesses in the vicinity of the Victoria Street / Franklin Road intersection are maintained to the greatest extent practicable during the construction period, so as to provide full access for vehicle movements from Franklin Road into Victoria Street and at a minimum left turn access from Victoria Street into Franklin Road.

8.2 The TMP shall describe the measures that will be undertaken to achieve, as far as practicable, the following:

1. Methods of avoiding, remedying or mitigating the local and network wide effects of construction of the Project. In particular, the TMP shall describe:

- i. Traffic management measures to address and maintain, where practicable traffic capacity, including bus services, at traffic peak hours during week days and weekends in Victoria Street, Beaumont Street, Fanshawe Street, Franklin Road, Cook Street, College Hill and Union Street;
 - ii. Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses (including the restriction of right turn movements into Franklin Road);
 - iii. Methods to avoid, remedy or mitigate the local and network wide effects of the construction of individual elements of the project (eg intersections/tunnel) and the use of staging to allow sections of the project to be opened to traffic while other sections are still under construction;
 - iv. Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks);
 - v. The numbers, frequencies, routes and timing of construction traffic movements; and
 - vi. Monitoring to measure the impact of traffic, in terms of traffic speeds and volumes on those roads described in 8.2.1(i);
 - vii. Alternative locations to mitigate the temporary loss of off street parking during construction;
 - viii. Traffic management measures to ensure, to the greatest extent practicable, that during the peak trading hours of the Victoria Park New World, namely 4.00pm to 7.00pm on weekdays and 11.00am to 4.00pm on weekends:
 - a. access for vehicle movements from Franklin Road into Victoria Street (and at a minimum left turn access from Victoria Street into Franklin Road) is maintained; and
 - b. access is maintained to the carpark of the Victoria Park New World.
2. Methods to manage the effects of traffic during construction, including the requirement to detour or divert traffic. These methods shall:



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- i. Seek to avoid, remedy or mitigate effects on access to and from residential areas in Franklin Road, Beaumont Street and Victoria Street and the effects of traffic noise at night.
 - ii. Seek to avoid, remedy or mitigate effects on access to and from businesses and other organisations in the area particularly on Franklin Road, Victoria Street and Beaumont Street including the New World supermarket and the Victory Christian Church.
3. Traffic management measures during construction to be developed in consultation with the Auckland Regional Transport Authority (ARTA), Bus and Coach Association and the Auckland City Council to address and maintain, where practicable, traffic capacity at peak hours to provide for passenger transport services on the road network.
 4. Consultation with the Auckland City Council (Group Manager: City Planning) with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation.
 5. Identification of any existing on-site parking and manoeuvring areas which are affected by the works. Then, as far as practicable, and in consultation with the Auckland City Council (Group Manager: City Planning) and the affected landowners, how the affected areas will be relocated or reinstated to achieve compliance with the Auckland City District Plan: Isthmus Section 1999 or Auckland City District Plan: Central Area Section 2004 or to a similar standard to that existing.
 6. Measures to maintain existing vehicle access to the greatest extent practicable or where the existing property access is to be removed or becomes unsafe as a result of the works, to provide alternative access arrangements to an equivalent standard as that removed, as far as practicable, and in consultation with the Auckland City Council (Group Manager: City Planning) and the affected landowner.
 7. Details on the maintenance of pedestrian access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, where practicable. Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours. This shall include the areas of high pedestrian traffic of Fanshawe Street, Wellington Street, Franklin

Road, Union Street, Cook Street, Victoria Street and Beaumont Street as well as Point Erin, St Mary's Bay and Victoria Park reserve areas.

8. Consistency with Transit New Zealand 'Code of Practice for Temporary Traffic Management' (COPTTM).
 9. Recognition of the need for the Auckland City Council to access and maintain its roading network during the construction phase of the Project.
 10. Recognition of the need to coordinate and to consult directly with the proponents of any major construction occurring concurrently with, and in the vicinity of, the Project during construction.
- 8.3 During construction of the proposed tunnel, Transit shall ensure that all storage and vehicle parking takes place within the boundaries of the designation or in compliance with all parking restrictions and Council bylaws.
 - 8.4 Any commercial earthmoving equipment or similar shall be stored or parked within the boundaries of the designation at all times and not on surrounding streets.
 - 8.5 All storage of materials and equipment associated with the construction works shall take place within the boundaries of the designation.
 - 8.6 Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and roads during the site preparation and construction phase of the Project. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall be repaired to the same or similar standard as existed prior to such damage at no cost to the Auckland City Council.

OPERATIONAL TRAFFIC

9. Traffic management measures that are practicable will be developed by Transit in consultation with ARTA and the Northern Busway partners and implemented, if required, to provide northbound bus priority through the Fanshawe Street / Beaumont Street intersection and the St Mary's Bay section of the motorway corridor.



PUBLIC OPEN SPACE AND AMENITY**10. Trees**

10.1 The Requiring Authority is to produce a feasibility report, prepared by a qualified arboriculturalist and transplanting specialist, on transplanting the scheduled London Plane Trees in Victoria Park which are affected by the proposed designation and works to a location to be determined in consultation with Auckland City. This feasibility report shall address the likelihood of tree survival, the effects of relocation (temporary or permanent), the timeframes required and their effects on the Project, and the overall benefits/costs. If transplanting one or more of the trees is found to be feasible by the transplanting specialist, and Transit agrees with the estimated cost of transplantation, the transplantation shall be undertaken prior to the commencement of the works in that vicinity. The transplanting shall be accompanied by a maintenance programme approved in advance by the Auckland City Arborist.

10.2 The methodology for relocating any such trees shall be approved by the Auckland City Arborist.

10.3 In the event that it is not feasible to transplant one or more of the scheduled London plane trees, their removal shall be mitigated by the planting of an appropriate number of London plane trees in Victoria Park with the intent that the ring of trees that delineates the Park is maintained. The Auckland City Arborist is to determine how many replacement trees will be required in the case of each London plan tree so removed. The replacement trees shall be planted within the next available planting season. If the planting positions are not available until after the construction period is complete, the trees shall be grown on in a nursery until required. These trees shall be a minimum of 6m high when planted. Each of the trees shall have a two year maintenance programme approved by the Auckland City Arborist.

The planting locations for the replacement trees shall be addressed as part of the Requiring Authority's landscape mitigation package and shall be approved by the Auckland City Arborist.

10.4 The Requiring Authority shall develop a tree mitigation package comprising transplanting or replanting of trees, and planting of new trees.

10.5 The removal of any elm trees is to follow MAF (Biosecurity New Zealand) requirements. All plant and machinery used during any such removal must be cleaned before off-site use.

10.6 Monitoring of the groundwater conditions is to be undertaken around trees in the vicinity of the tunnel

excavation during construction. If, in the opinion of the Auckland City Arborist, groundwater levels decline to a level that may adversely affect tree health, appropriate remedial measures shall be undertaken by the Requiring Authority to the satisfaction of the City Arborist.

10.7 Conditions 10.8 to 10.15 apply to trees within the designation area that would be subject to Tree Protection rules under the underlying zoning provisions of the District Plan ("Protected Trees").

10.8 Removal, trimming/pruning or works within the drip line of Protected Trees shall be limited to those trees identified in Appendix 2 of the decision (refer to Plan modification 32). A tree may be added to this Appendix with the approval of the Auckland City Arborist.

10.9 A suitably experienced, Council approved arborist ('nominated arborist') shall be employed by the Requiring Authority for the duration of the works, at the Requiring Authority's expense, to monitor, supervise and direct all works within the drip line or in the vicinity of those Protected Trees to be retained.

10.10 Prior to any site works commencing, a pre-commencement site meeting shall be held so that the conditions of designation that pertain to the retained vegetation are explained by the nominated arborist to all contractors or sub-contractors who will be working on site within the drip-line of, or adjacent to, any protected vegetation that is covered by the designation.

10.11 A copy of the conditions of designation pertaining to the Protected Trees shall be held at the main construction site office, on site, at all times.

10.12 The following measures shall be taken in respect of the remaining Protected Trees within the designation area:

1. Prior to the commencement of construction activity temporary protective fencing shall be erected around the Protected Trees to be retained, and shall remain in place for the duration of the Project. The purpose of the temporary protective fencing is to provide an area around the retained trees that will facilitate their successful retention during the construction process. The parameters of the enclosure shall be as directed by the nominated arborist.
2. Except as provided for in conditions below, the area within the temporary protective fencing shall be considered a total exclusion zone. The Requiring Authority and/or its agents shall not:



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- i. Enter into the delineated area without prior consultation and agreement from the nominated arborist;
 - ii. Alter the dimensions of the delineated area without prior consultation and agreement from the nominated arborist;
 - iii. Store diesel, cement, building materials, site huts, spoil, equipment, or machinery within the delineated area;
 - iv. Spill substances likely to be injurious to tree health within seepage distance of the delineated area
3. The temporary protective fencing shall be constructed with a solid face (e.g. plywood or corrugated iron) and attached to a sturdy framework of freestanding scaffolding or posts. It must be constructed to a minimum height of 1.8m and must remain in place for the duration of the Project.
- 10.13 The nominated arborist shall undertake all necessary trimming and pruning works, including the pruning of tree roots uncovered during excavations. Exposed roots shall be covered and kept moist.
- 10.14 The nominated arborist shall undertake a tree monitoring program throughout the construction phase, including monitoring of:
- a) The condition repair and location of the temporary protective fencing;
 - b) Any excavation within the drip line of Protected Trees;
 - c) General tree health; and
 - d) Compliance with the conditions of designation by way of fortnightly inspections during the construction period. A copy of the monitoring results from each visit shall be sent to the Auckland City Arborist, with one copy being retained on site by the Project Manager, while a further copy is to be retained by the nominated arborist.
- 10.15 During the construction process the Requiring Authority shall implement, where practicable, any recommendations made by the nominated arborist on the installation of irrigation systems, mulch, or remedial pruning works if they are required to improve tree health.

11. Auckland City Parks and Reserves

- 11.1 The design of the Victoria Park tunnel shall not preclude undergrounding of the southbound carriageway in the future.

- 11.2 The design of the Victoria Park tunnel shall not unreasonably preclude surface parks and recreational land uses from locating above it.
- 11.3 All land owned by the Auckland City Council shall be restored to its pre-construction state, or as otherwise agreed by the Auckland City Council (Manager Property Group) and the Requiring Authority in accordance with the Urban Design and Landscape Mitigation Plan.
- 11.4 Any structures and associated infrastructure required to be located within Victoria Park to provide emergency access to and egress from the Victoria Park tunnel shall be:
1. Made as unobtrusive as practicably possible, while achieving their necessary functionality;
 2. Located in a manner consistent with existing buildings and site features, or otherwise near the periphery of Victoria Park, to the extent practicable;
 3. If possible integrated into other Park features or structures;
 4. Suitably designed and landscaped to minimise their adverse effects.
- 11.5 The design and location of any such structures in Victoria Park shall be approved by the Auckland City Council (Group Manager: Community Planning) prior to its construction.
- 11.6 A site-specific slope stability assessment shall be carried out by a suitably qualified engineer for the southern abutments of the Shelly Beach Road overbridge and Jacob's Ladder Pedestrian Bridge, as well as at any location where Tunnel Project works are within 10m of the St Mary's Bay cliff face. Where a moderate or greater risk of instability is assessed as a result of works on the Project, a slope movement monitoring system shall be installed with site-specific stability criteria and trigger levels. If the slope movement monitoring system observes deformation in excess of specified trigger levels as a result of the Project works, the Auckland City Council (Group Manager: Community Planning) in consultation with Transit New Zealand's nominated contractor shall coordinate the appropriate remedial actions. Where practicable, stabilisation works shall be undertaken in a manner that is sensitive to the natural character and gateway values of this area.

12. Integrated Urban Design and Landscape Mitigation Plan

- 12.1 The PMP shall include an integrated Urban Design and Landscape Mitigation Plan ("UDLMP") to be



provided to the Auckland City Council (Group Manager: Community Planning) prior to or together with the outline plan of works for the Project or relevant Project stage. The UDLMP shall be prepared by a suitably qualified person or persons and shall take into account the following:

1. Transit New Zealand's "Guidelines for Highway Landscaping" (dated September 2002);
2. Transit New Zealand's "Central Motorway Improvements: Urban Design Framework" (dated 6 September 2001); and
3. Transit New Zealand's "Urban Design Implementation Principles" (2006).

12.2 The UDLMP is to be based on the draft "Vic Park Tunnel Urban Design Framework" dated 20 October 2006, prepared for Transit New Zealand by Boffa Miskell Limited, and shall include the following key principles:

1. The importance of the tree-lined St Mary's Bay cliffs as a gateway to Auckland City;
2. The existing landscape values of the area;
3. Treatment of the motorway corridor subject of the notices of requirement in a unified way;
4. The considered and careful use of major structural elements;
5. The design of noise barriers as possible sculptural elements (i.e., well designed, elegant and functional structures) but without detracting from principles 1 and 2 above;
6. Support for a strong pedestrian experience;
7. Recognition of Maori values, associated with the history of settlement and use of the area, including the connection with Watchmans Island (Motu Ngaengae) and the former pa site on Te To headland.

12.3 The UDLMP shall consist of:

1. The Final Urban Design Framework: The Framework shall depict the overall urban design concept, the design intent, layout and mitigation proposals for key components and areas (or sectors) of the Project, and provide a framework for the design, layout, landscape planting and streetscape measures. The Framework will:
 - i. Be determined in consultation with the Auckland City Council (Group Manager: Community Planning) and relevant iwi (by way of a joint working party);

- ii. Consider further comments that may be obtained from the Auckland City Council Urban Design Panel (which shall be obtained prior to lodgement of the UDLMP with the Auckland City Council (Group Manager: Community Planning)); and

- iii. Consider further comments from a stakeholder workshop to which affected parties listed in Appendix 1 to the decision (refer to Plan Modification 32) will be invited.

2. Detailed Design Plans: These plans shall depict landscape and streetscape design elements for the Project, as appropriate, and shall consist of:

- i. An overall "masterplan" of the Project showing the location and extent of landscape and streetscape improvements and mitigation measures;
- ii. Where required, detailed concept plans for each sector of the route, including cross-sections and elevations of common and site-specific landscape and streetscape elements.

12.4 Contents of detailed design plans.

1. Streetscape elements to be included in the detailed design plans as described in condition 12.3 (2) shall include:
 - i. Noise attenuation barriers no greater than 5m in height;
 - ii. Road safety barriers;
 - iii. Retaining walls;
 - iv. External appearance and safety consideration (eg stone-throwers) of tunnel portals, the edges of the tunnel portal approaches, and emergency egress;
 - v. The relocated Birdcage (Rob Roy) Hotel and surrounding Franklin Road precinct;
 - vi. Open space in front of the relocated Birdcage Hotel and between the southern tunnel portal and Franklin Road;
 - vii. Replacement of pedestrian and park facilities displaced by the Project;
 - viii. The new pedestrian footbridge and other new pedestrian facilities proposed by the Project, including those within the St Mary's Bay reserve and Victoria Park;



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- ix. Local road reserves affected by the designation, including Franklin Road, Victoria Street, Beaumont Street, and Fanshawe Street;
 - x. The Fanshawe Street/Beaumont Street intersection and the Victoria Street West/Franklin Road/Union Street intersection, including the following elements:
 - Sensitivity to the safety of pedestrians;
 - Improved pedestrian linkages;
 - Consistency with local traffic plans and requirements;
 - Landscaping and design consistent with the Urban Design Framework which also recognises the setting and context of the surrounding area including significant cultural and historic features (if any);
 - xi. Streetlights and sign gantries;
 - xii. Preservation of the Jacob's Ladder pedestrian route in recognition of that route's historic significance and social value.
2. Landscape elements to be included in the detailed design plans as described in 12.3 (2) shall include the following:
- i. A plan for the St Mary's Bay Reserve from Shelley Beach Road through to Beaumont Street, developed in accordance with the following concepts:
 - The final Urban Design Framework;
 - The recognition of the tree-lined St Mary's Bay cliffs as a gateway to Auckland City;
 - The existing high natural character of the area;
 - The importance of good pedestrian linkages including footpaths, boardwalks and the access to the pedestrian overbridge and Jacob's Ladder;
 - The need for ground contouring and landscaping which avoids surface water ponding, where practicable, and that is sensitive to user amenity and safety and the ability to appreciate existing views, having regard to the effects of any noise barriers that are installed;
 - ii. A plan for the western end of Victoria Park, developed in accordance with the following concepts:
 - Replacement and replanting of trees affected by the works and noise barrier.
 - The Victoria Park Management Plan (2005);
 - The final Urban Design Framework;
 - Recognition of the existing character and design of the Park;
 - The maintenance of a ring of Plane Trees and the location of landscaping features having regard to the amenity of the Park;
 - Public access and use including access ways and recreational activities;
 - Effective and imaginative use of the space directly under the viaduct structure;
 - Minimising the effect of the location and design of any structures and associated infrastructure required for emergency access to or egress from the tunnel;
 - Areas identified for active recreation including re-establishment of existing activities or new activities such as playgrounds etc and associated parking.
 - iii. Specific vegetation removal and modification plans showing all scheduled and non-scheduled trees and significant vegetation to be removed/relocated/modified and the landowner(s) involved;
 - iv. Specific planting plans showing the trees and vegetation to be retained, all new planting, and a detailed plant list and specifications including number, size and species;
 - v. Planting programme - the staging of planting in relation to the construction programme;
 - vi. Detailed specifications relating to (but not limited to) the following:
 - vegetation protection (for desirable vegetation to be retained);
 - weed control and clearance;



- ground preparation (topsoiling and decompaction to ensure rapid plant establishment and ongoing vigour);
- mulching;
- plant supply and planting;
- maintenance regime (requirements and programme);
- performance standards (for site preparation, plant supply, planting and maintenance).

12.5 Where appropriate, landscape mitigation proposals outside of the designation (e.g. Victoria Park, St Mary's Bay reserve, Westhaven Drive and Point Erin) may be agreed by the Requiring Authority with the appropriate landowner and subsequently implemented.

12.6 In developing the UDLMP consideration shall also be given to:

1. Other measures that may assist the Auckland City Council to promote safety and security for local residents and open space users;
2. Other measures to assist the Auckland City Council to promote a positive pedestrian experience within the Project area, including the development of pedestrian links in Freeman's Bay (Napier Street to the Birdcage Hotel), through Victoria Park and the St Mary's Bay reserve;
3. Cooperating with the Auckland City Council to identify and to provide opportunities to accommodate any stakeholder funded art works;
4. The requirement that Transit's financial commitment to the urban design process is limited to the mitigation of Project-related effects resulting from within its designation.

12.7 The noise barrier along the St Mary's Bay Reserve shall be designed in accordance with the principles of the Urban Design Framework. This design shall take into account the following considerations:

- The provision of acoustic barriers beside the carriageway to achieve, at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999). Such barriers, where appropriate, shall be transparent.
- Allowing maximum appreciation by southbound motorists of the gateway effect of the tree-lined cliffs;

- Allowing good views of the Westhaven Marina and the Waitemata Harbour from properties on the cliffs and also from the adjacent walkway;
- Making the barrier itself an attractive landscape element;
- The cost, constructability, and the maintenance requirements of the barrier (including cleaning, removal of graffiti and any advertising posters).

12.8 A management and maintenance plan shall be prepared by the requiring authority and implemented for all noise barriers to ensure that, to the extent practicable, the barriers are continually maintained in good condition and free of graffiti and other defacements that may affect the visual amenity of the surrounding areas.

12.9 Prior to planting and throughout the ensuing maintenance period, all weed species declared as plant pests in the Auckland region by the ARC (including Total Control/Containment Pests/Surveillance Pests & Research Organisms) shall be controlled and removed from the designated areas by the requiring authority

12.10 In areas where shrub mixes are used, planting densities shall ensure low canopy coverage has been attained by the end of the maintenance period, which will run for three years following the completion of the construction works.

12.11 Where native plants are used, the composition shall reflect the natural plant associations of the area, and the mixes (where relevant) shall be of suitable richness and diversity to encourage self-sustainability once established. This will require the inclusion of appropriate successional species, including canopy tree species either in the initial planting mix or as enrichment planting.

12.12 Where practicable, any planting utilising native plants shall use plants genetically sourced from the ecological district.

12.13 Planting areas shall be mulched using suitable weed-free, granular organic mulch. The only exceptions to this shall be where the slopes are too steep to allow for its retention. In such cases a neutral or black coloured biodegradable or photodegradable geotextile is to be used.

12.14 The landscaping shall be implemented in accordance with the UDLMP within the first planting season following the completion of the construction works provided that climatic conditions are suitable, otherwise at the first practicable opportunity thereafter, and shall be



APPENDIX B (PLANNING MAPS)

maintained for the next 3 years thereafter. Should the landscaping be implemented in stages (depending on construction phases), landscaping may be implemented after the first planting season of each stage.

13. Lighting

13.1 Motorway lighting should be designed and screened to minimise the amount of lighting overspill and illumination of residential areas.

AIR QUALITY

14. Dust

14.1 The Requiring Authority shall ensure that the Construction Environmental Management Plan developed for the Project contains measures to control dust, generated during the construction process, in order to minimise dust deposition and nuisance beyond the designation boundaries.

Contaminated site/odour

14.2 The Requiring Authority shall ensure that the Construction Environmental Management Plan developed for the Project contains appropriate mitigation measures to control offensive odours, generated as a result of the construction process, occurring beyond the designation boundaries.

15. Monitoring and Review

15.1 At least 6 months prior to commencement of construction of the project, an air quality monitoring station is to be established at a site comparable with the station located within the car park of the Victory Christian Church during 2005 / 2006.

1. The station will monitor the following parameters for a period of six months prior to construction of the project commencing:
 - i. Fine particulates (PM10) in accordance with the specifications given in the National Environmental Standards, Air Quality;
 - ii. Meteorological measurements of wind speed, wind direction and temperature.
2. The station will monitor the following parameters during construction of the project:
 - i. Dust, measured as Total Suspended Particulates (TSP) using a continuous particulate monitor equivalent to that used to measure fine particulates prior to construction;

- ii. Meteorological measurements of wind speed, wind direction and temperature.

3. The station will monitor the following parameters for a period of twelve (12) months after completion of construction of the Project:

- i. Fine particulates (PM10), carbon monoxide (CO) and oxides of nitrogen (NOx) in accordance with the specifications given in the National Environmental Standards, Air Quality;

- ii. Meteorological measurements of wind speed, wind direction and temperature.

4. Results of the monitoring in summary form, assessed against the National Environmental Standards, Air Quality and the Auckland Regional Council target values, shall be reported quarterly to the Auckland City Council.

15.2 Prior to commissioning of the air quality monitoring station, Transit will submit a plan to the Auckland City Council (Group Manager: City Planning) detailing how it will comply with condition 15.1 above.

16. Iwi Matters, Archaeological, Heritage

16.1 An Auckland City Council approved and qualified archaeologist and a Kaitiaki monitor approved by Ngati Paoa and Ngati Whatua shall be provided with 7 working days' notice of the commencement of initial earthworks for the Project in relation to each of the tunnel alignment, its approaches, the basement excavation of the Birdcage Hotel and the relocation site for the Hotel in order that they may be present to monitor those activities.

16.2 Detailed protocols for the management of archaeological, koiwi and waahi tapu discoveries shall be developed in conjunction with tangata whenua prior to construction.

16.3 If any koiwi are exposed during site works the following procedures shall apply:

- a) Immediately after it becomes apparent that koiwi have been exposed, all site works in the immediate vicinity shall cease;
- b) The Requiring Authority shall immediately secure the area so that any artefacts or remains are untouched;
- c) The Requiring Authority shall notify tangata whenua, the New Zealand Historic Places Trust, the Auckland City Council (Group Manager: City Planning) and, where appropriate, the New Zealand Police as soon as possible so that appropriate action can be



taken. Works shall not commence in the immediate vicinity of the koiwi until any approval required has been obtained.

16.4 The Requiring Authority shall develop a methodology and monitoring programme for the relocation and restoration of the Birdcage Hotel (formerly the Rob Roy) to be agreed in writing by the Auckland City Council (Group Manager: City Planning) prior to the works commencing and shall:

- a) take into account the Conservation Plan undertaken by Matthews and Matthews Architects, dated January 2003, and in particular, the policies and schedule of significant features; and
- b) include an inventory of those parts of the Birdcage Hotel (interior and exterior) which are proposed to be: left in place and protected during relocation; removed and reinstated; and those to be removed and not reinstated;
- c) include a schedule of the planned restoration and reinstatement works for the Birdcage Hotel and surrounds (including the forecourt area) and additions to the building as part of the relocation; and
- d) include regular liaison and consultation with the Auckland City Council (Group Manager: City Planning) and the New Zealand Historic Places Trust during the relocation phase.

16.5 All work concerned with the relocation and restoration of the Birdcage Hotel as approved under Condition 16.4 shall be carried out under the direction of an appropriately qualified architectural conservation specialist, the appointment of whom is to be agreed in advance in writing by the Auckland City Council (Group Manager: City Planning).

16.6 Prior to the commencement of construction activities in the vicinity of the Campbell Free Kindergarten, a Condition (Dilapidation) Report on the structure of the Kindergarten building shall be agreed in writing by the Auckland City Council (Manager Property Group) and shall:

- a) be prepared by a suitably qualified building certifier;
- b) make any necessary recommendations for reinforcing the Kindergarten;
- c) include a definition of the level of effects to be considered 'significant' pursuant to Condition 16.8; and
- d) include consultation by the requiring Authority with the New Zealand Historic Places Trust.

16.7 Prior to the commencement of construction activities in the vicinity of the Campbell Free Kindergarten, the structure of the Kindergarten building shall be reinforced as per the recommendations of the Condition (Dilapidation) Report of Condition 16.6. This reinforcement work shall be certified by a building certifier familiar with the Condition (Dilapidation) Report and shall be completed, inspected and agreed in writing by the Auckland City Council (Manager Property Group) prior to the Project works commencing.

16.8 During construction, the effects of vibration on the Birdcage Hotel, Campbell Free Kindergarten, Auckland Municipal Destructor and Depot (also known as the Victoria Park Market) and the former Auckland Gas Company buildings in Beaumont Street shall be monitored by the Requiring Authority and the results of the monitoring provided to the Auckland City Council (Group Manager: City Planning). Appropriate action shall be undertaken if the effects of vibration are significant, including any reasonable restoration or reconstruction of any heritage elements of the buildings noted above, and in the event of damage or failure as a direct result of the Project works, at the cost of the Requiring Authority and to the written approval of the Auckland City Council.

16.9 Prior to the commencement of the Project works, recording of the historical significance of the HMNZS Ngapona, including exterior and interior photographic archival documentation, shall be undertaken and a report prepared. This report is to be completed in consultation with the New Zealand Historic Places Trust and the Auckland City Council.

SERVICES

17. Infrastructure Service Networks

17.1 The Requiring Authority shall liaise with the providers of infrastructure service networks including, but not limited to: water, gas, stormwater, wastewater, power and telecommunications, to develop methodologies and timing for necessary services relocation with the objective of minimising disruption to the operation of these networks during construction of the Project.

ADVICE NOTES

1. The Requiring Authority shall obtain all other necessary consents and permits and comply with all relevant Auckland City Council bylaws, and obtain



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any approvals under the Reserves Act (where required.)

2. The Requiring Authority shall obtain all necessary resource consents and permits in relation to sediment and stormwater discharges from the Auckland Regional Council.
3. Under the Historic Places Act 1993, an Authority to Modify an Archaeological Site is required from the NZ Historic Places Trust before any work takes place on an archaeological site.
4. All archaeological sites are protected under the provisions of the Historic Places Act 1993. It is an offence under that Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the New Zealand Historic Places Trust Pouhere Taonga for an authority to modify or destroy archaeological site(s).
5. Some of the land is subject to existing designations and the provisions of Section 177 of the Resource Management Act 1991 apply accordingly.

**A07-01D MOTORWAY: WESTERN RING
ROUTE - WATERVIEW CONNECTION,
ALTERATION TO DESIGNATION A07-
01 SH16 ALONG THE CAUSEWAY
AND ROSEBANK PENINSULA**



**A07-01E MOTORWAY: WESTERN RING
ROUTE - WATERVIEW CONNECTION,
ALTERATION TO DESIGNATION A07-
01 SH16 BETWEEN GREAT NORTH
ROAD AND ST LUKES
INTERCHANGE**



A07-02 CONCEPT PLAN - WESTHAVEN

Notwithstanding anything to the contrary in any other rule in this Plan the following provisions shall apply in respect of the area illustrated on the Concept Plan.

PERMITTED ACTIVITIES

General

- Buildings within Building Platforms 2, 3, 4, 5, 6 illustrated on the Concept Plan.
- Carparking areas (including trailer parking).

- Clubrooms located within the building platforms identified on the plan.
- Facilities associated with pleasure boating (including boat launching ramps, boat locker facilities, storage and servicing, maintenance and repair and refuelling of pleasure boats).
- Public utilities and amenities (toilets and showers).
- Retail premises not exceeding a total gross floor area of 200m² used for the sale, lease or hire of goods and services which are associated with pleasure boating and marine activities.
- Free standing buildings and structures, outside the building platforms shown on the Concept Plan, ancillary to or associated with the operation of Westhaven Marina including transformer buildings, fixed cranes and gantries, flagpoles, radio and television aerials, race starting towers, observation decks and platforms.

Platform 1

- In addition to the above, alterations and extensions to existing buildings (Building Platform 1a on the Concept Plan) not exceeding 2m for existing single level buildings and 1.5m for existing two level buildings in an easterly, southerly and westerly direction as measured from the external facade of the buildings and within Platform 1 on the Concept Plan.

RESTRICTED CONTROLLED ACTIVITIES

Platform 1

- New buildings and extensions to or alterations to existing buildings within Building Platform 1 identified on the Concept Plan not provided for as a permitted activity, and which comply with the following:
 - i) a minimum of two 15m wide viewshafts crossing the building platform from ground level in a generally north-south direction shall be provided; and
 - ii) up to a height of 8m, the total coverage of all buildings shall not exceed 60 percent of the area of Building Platform 1; and
 - iii) the coverage of those parts of all buildings which are between 8m and 10m in height, shall not exceed 45 percent of the area of Building Platform 1; and
 - iv) no building shall exceed 10m in height.

Platform 3

- Building development extending beyond Building Platform 3 illustrated on the Concept Plan, of up to



APPENDIX B (PLANNING MAPS)

Monday to Saturday	7am-10pm	L ₁₀ 60 dBA
Sunday & public holidays	9am-8pm	L ₁₀ 60 dBA
Sunday & public holidays	7am-9am 8pm-10pm	L ₁₀ 55 dBA
At all other times	L ₁₀ 45 dBA L _{max} 75 dBA	

The above noise levels shall be measured and assessed in accordance with the requirements of the NZS 6801:1991 'Measurement of Sound' and NZS 6802:1991 'Assessment of Environmental Sound'.

The noise shall be measured with a sound level meter complying at least with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

8. Parking

Refer to [PART 12 - TRANSPORTATION](#)

SPECIFIC CONSIDERATIONS

The dominant activity provided for on this site is provision of land based facilities associated with the marina berths and with pleasure boating. An aspect of potential concern in respect to servicing pleasure boats is the risk of facilities and activities involving hazardous substances impacting on the marine environment. For this reason, assessment according to [PART 5E - HAZARDOUS FACILITIES](#) may be required.

Public access is guaranteed to parts of Westhaven by covenant, as generally indicated on the Concept Plan and registered on the title. Temporary changes may be made to the location of public access ways in accordance with provisions of the covenant and any permanent alteration to the location of the access areas requires the agreement of the Council under the terms of the covenant, and would be registered on the title.

Criteria for Assessing Applications for Resource Consent

Restricted Controlled Activities

When considering applications for restricted controlled activities, regard must be had to the following particular matters -

1. Design and external appearance of buildings and structures

All buildings will retain an appearance and character in keeping with their maritime locations and function

2. Landscape design and site layout

Specific requirements in terms of the site layout including buildings, parking and vehicle and pedestrian circulation will provide for the safe and efficient operation of the marina while protecting the outlook and amenity values of surrounding areas, particularly the St Marys Bay residential area.

3. The location and design of vehicular and pedestrian access to and from the activity

Must ensure safety and avoid congestion by providing adequate sight distances and separation of pedestrian and vehicular traffic.

4. Carparking

Refer to [PART 12 - TRANSPORTATION](#).

Discretionary Activities

In addition to the matters set out in Clause [9.7.2.2 DISCRETIONARY ACTIVITIES IN OPEN SPACE 5 ZONE](#) of particular concern is the potential of activities or development located within the marina to impact adversely on the natural environment eg the impact of reclamation on marine habitats and water quality; interference with public access to the area; the possibility of increased discharge of sewage or other contaminants into the marina basin from boats moored or berthed in the marina; disruption of visual amenity for those located along St. Marys Bay Cliff and for those travelling along the motorway.

In respect to space devoted to retail premises and restaurants, cafes and other eating places, a major concern is the scale of the activities and the potential for the activities individually or collectively to affect the natural environment, the amenity values of the area, and the physical resources of existing business zones.

In addition, the pressures that currently exist due to the limited land area, and the limited ability to provide additional areas for parking, may result in conditions being imposed on discretionary activities that attract visitors to the area. In particular, limits on the hours of operation of restaurants, cafes and other eating places may be required at times of potential conflict with pleasure boat users.

Any increase in the number of marina berths or moorings must be accompanied by increases in the number of parking spaces available to boat users. This may require the restriction on parking available for the other activities located in the area affected by the Concept Plan. A ratio of 0.8 parking spaces per



mooring/berth will be used. The Council, by including this ratio does not indicate any support for any increase in mooring/berths.

Landscaping carried out to reduce headlight conflict between Westhaven Drive and the motorway should be of the minimum height and extent required to achieve this function, and should maintain views into the marina as far as possible.

Plan change annotations - key



Indicates where content is affected by proposed plan modification x.
Refer to plan modification folder or website for details.



Indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.

~~Struck through~~ content to be deleted.

