

Before Hearing Commissioners

under: the Resource Management Act 1991

in the matter of: notices of requirement and resource consent applications by the NZ Transport Agency and Hamilton City Council for the Southern Links Project

Rebuttal evidence of Grant Eccles (Planning) on behalf of the
NZ Transport Agency and Hamilton City Council

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**REBUTTAL EVIDENCE OF GRANT ECCLES ON BEHALF OF THE
NZ TRANSPORT AGENCY AND HAMILTON CITY COUNCIL**

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REBUTTAL EVIDENCE OF GRANT ECCLES ON BEHALF OF THE NZ TRANSPORT AGENCY AND HAMILTON CITY COUNCIL

INTRODUCTION

- 1 My full name is Grant Robert Eccles.
- 2 I have the qualifications and experience set out in paragraphs 2 to 4 of my statement of evidence-in-chief (*EIC*) dated 12 June 2014.
- 3 My rebuttal evidence is given in support of notices of requirement (*NORs*) and applications for resource consents lodged by the NZ Transport Agency (*the Transport Agency*) and Hamilton City Council (*HCC*) on 9 August 2013 in relation to the construction, operation and maintenance of the Southern Links Project (*Project*).
- 4 I repeat the confirmation given in my EIC that I have read and agree to comply with the 'Code of Conduct for Expert Witnesses' contained in the Environment Court Practice Note 2011.
- 5 In this statement of rebuttal evidence, I respond to the relevant sections of evidence of the following:
 - 5.1 Ian Johnson (Planning), on behalf of Tsai et al (16) and Meridian 37 (51);
 - 5.2 Dr Rachel Darmody (Heritage and Planning), on behalf of Heritage New Zealand Pouhere Taonga (67);
 - 5.3 Kevin Collier (Instream Ecology) on behalf of the Mangakotukutuku Streamcare Group Inc (45);
 - 5.4 Grant Blackie (Planning and Consenting) on behalf of the Mangakotukutuku Streamcare Group Inc (45);
 - 5.5 Ken Tremaine (Planning) on behalf of Future Proof Implementation Committee (56);
 - 5.6 Kirsty Graveling (Planning) on behalf of the Waikato Regional Council (32);
 - 5.7 Kathryn Drew (Planning) on behalf of Titoki Sands (39);
 - 5.8 Ben Inger (Planning) on behalf of R and C Ingram (30);
 - 5.9 Dr Matt Baber (Freshwater Ecology) on behalf of the Department of Conservation (65);
 - 5.10 Dr Colin O'Donnell (Zoology) on behalf of the Department of Conservation (65);

- 5.11 Wade Hill (Planning) on behalf of the Department of Conservation (65);
 - 5.12 Paul Ryan (Planning) on behalf of Hamilton City Council (44);
 - 5.13 John Olliver (Planning) on behalf of Titanium Park Joint Venture (38) and Waikato Regional Airport Limited (55);
 - 5.14 Dave Serjeant (Planning) on behalf of the Adare Company (52);
 - 5.15 James Lunday (Urban Design) on behalf of the Adare Company (52); and
 - 5.16 Ida Downing (Transport) on behalf of the Adare Company (52).
- 6 The majority of this rebuttal statement is structured by expert as set out above. However, given that many of the experts make comments in their evidence about matters related to staging of the network, for brevity and to avoid repetition I address that specific matter on an individual issue basis under the heading "Staging of the Network".
- 7 The fact that this rebuttal statement does not respond to every matter raised in the evidence of submitter witnesses within my area of expertise should not be taken as acceptance of the matters raised. Rather, I rely on the Assessment of Environmental Effects (AEE) that supports the Notices of Requirements (NORs) for the Southern Links Project, my EIC and this rebuttal statement to set out my opinion on what I consider to be the key planning matters for this hearing.
- 8 This rebuttal statement also provides an updated set of conditions proposed to apply to each of the NOR's that comprise the overall Southern Links network. The conditions have now been separated out into the respective designations and are provided in **Annexures A to E** of this rebuttal, respectively as follows:
- 8.1 HCC 168A Hamilton;
 - 8.2 NZTA 168 Waipa;
 - 8.3 NZTA 168 Waikato;
 - 8.4 NZTA 168 Hamilton; and
 - 8.5 NZTA 181 Hamilton.
- 9 These conditions reflect the Requiring Authorities' response to the issues raised by submitters and their experts, to issues raised in the

s42A Report, and to ongoing consideration of the effects of the Southern Links Project by the Requiring Authorities.

- 10 As the Requiring Authorities propose no changes to the conditions on the three resource consents recommended in the Waikato Regional Council's (WRC) s42A Report, these are not attached.
- 11 **Annexure F** to this statement is a modified Table 28-1 from the s42A Report for the NORs. This adds a new column summarising the Requiring Authorities' response to the matters raised as outstanding in the s42A Report and indicates further where response from the Requiring Authorities' can be found across the expert EIC and rebuttal evidence.

RESPONSE TO EXPERT EVIDENCE OF SUBMITTERS

Ian Johnson (Tsai et al)

- 12 Mr Johnson asserts (at paragraph 3.11 of his evidence) that the severance area between the current extent of the HCC designation in the NOR and the Tsai et al land eastern boundary should be designated by HCC, given its topography and situation relative to the designation. I continue to hold the view, as set out in my EIC¹ that the submitters' land in question does not need to be designated. Mr Denton re-affirms HCC's intention to acquire the severance land in question in his rebuttal evidence.
- 13 I am also mindful that the land immediately neighbouring the Tsai property is not owned by the submitter, and that one of the landowners² did not submit on the HCC's NOR. If the designation boundary was to move as requested by Mr Johnson, it raises the possibility of that adjoining landowner challenging the current process on the basis of being prejudiced by the designation boundary changing with no opportunity to consider the potential effects on them. This is an undesirable potential. Nor is it one that needs to be created to achieve the outcome sought by Mr Johnson and his clients.
- 14 At paragraph 7.5,, following a discussion about the merits of the collector road provision on the Tsai et al property, Mr Johnson concludes that the HCC designation does not need to be amended to allow for the collector road, and that it is a Structure Planning matter that cannot be addressed through the NOR proceedings. I agree with that view.
- 15 At paragraph 7.7, Mr Johnson requests that the NOR be amended to provide for pedestrian/cyclist underpasses beneath the major arterial at certain points in the vicinity of the Tsai et al property. Mr

¹ My EIC, paragraph 181.

² Mithrandir Enterprises.

van Staden addresses the design aspects of this matter in more detail in his rebuttal evidence. For my part, in light of Mr van Staden's comments, I do not agree that the HCC's NOR needs to be amended as there is already provision in the conditions requiring consideration of pedestrian and cyclist connectivity across the north-south major arterial in the vicinity of the Tsai et al property.³

Rachel Darmody (Heritage New Zealand)

- 16 Dr Darmody (at paragraph 17 of her evidence) refers to the accidental discovery protocol condition recommended by the WRC's s42A Report to apply to the resource consent for each of the bridges. She seeks that it be deleted on the basis that such requirements are addressed in the archaeological authority process under the Heritage NZ Pouhere Taonga Act 2014 (*HNZPTA*).
- 17 I understand the preference to avoid duplication of conditions and process, however I disagree with deletion of the condition.
- 18 The Waikato Regional Council has a duty under the RMA to avoid, remedy or mitigate adverse effects, which includes archaeological and heritage effects.
- 19 I am also mindful that the three resource consents and their associated conditions (which have a recommended lapse of 20 years) will endure for at least 35 years once implemented, whereas the archaeological authority process, which is established by statute, may not always exist or may be amended in intervening years.

Ian Johnson (Meridian 37)

- 20 Mr Johnson's evidence largely confirms his support for the Southern Links Project, provided that staging provisions are incorporated and the relevant NOR⁴ is amended to provide more certainty regarding alternative access provisions to the Meridian 37 land block north of the Southern Links designation⁵.
- 21 I address Mr Johnson's staging request later in this evidence. With regards to the provision of alternative access to the Meridian 37 block, I am unsure how Mr Johnson envisages the relevant NOR should be amended to achieve what is sought. If he envisages that the extent of the land requirement in the relevant NOR is extended to incorporate a route into the Meridian 37 site from either Raynes Road or Airport Road, then I disagree with him.
- 22 While such provisions are not uncommon in a NOR, they are usually included only for the formation of roads that will be retained in the

³ See proposed condition 16.1(g) in HCC s168A Hamilton, Annexure A.

⁴ Being NZTA s168 in Waipa District.

⁵ Ian Johnson evidence, paragraph 5.4.

ownership of either the Requiring Authority or another road controlling authority. In this case, I understand that Meridian Drive is not a public road. On that basis, the Transport Agency is not required to specifically designate an alternative alignment for it (as it has done for the Penniket Road alignment west of the airport, and for the Raynes Road/Narrows Road realignment adjacent to the Meridian 37 site).

- 23 In my view, the certainty that Mr Johnson seeks on behalf of Meridian 37 can be obtained through ongoing communication and collaboration with the Transport Agency post-confirmation of the designation (assuming that occurs).

Kevin Collier (Mangakotukutuku Streamcare Group)

- 24 Mr Collier addresses a range of matters in his evidence with regards to freshwater ecology. The information presented is valuable to inform future design stages of the Project which will involve applications for resource consent for (amongst other things) in-stream works. However, I do not consider it influences the current proceedings. My comments at paragraphs 114-121 of my EIC are also relevant here.

Grant Blackie (Mangakotukutuku Streamcare Group)

- 25 Mr Blackie addresses a range of planning related matters in his evidence. Helpfully, these are summarised at the start of the evidence and I respond to them as follows.
- 26 At paragraphs 3.1 and 3.2, Mr Blackie asserts that the NORs and consent applications lack key information with regards to ecological matters, and that as a result there is a lack of certainty with regards to potential ecological effects and their potential mitigation.
- 27 I disagree with both those assertions. The information that has been brought forward through the AEE and the EIC of Mr Turner provides for consideration of relevant ecological effects and mitigations in a manner that is consistent with that required for the NORs. The matters of discretion for the resource consent applications for the bridge structures are narrowly focused and do not require consideration of ecological matters.
- 28 At paragraph 3.4 of his evidence, Mr Blackie spells out his concern that because the full suite of resource consents necessary for the Project have not been applied for now, a piecemeal assessment of effects of the Project in terms of ecological matters is occurring. I disagree and reiterate the comments set out in paragraphs 36 to 41 of my EIC with regards to the appropriateness of the approach adopted by the Requiring Authorities in this instance.
- 29 In paragraphs 4.1 to 4.8, Mr Blackie discusses mitigation prior to construction of the Project. He provides a helpful map in Appendix

1 to his evidence showing areas owned by HCC in the Peacocke area, and areas soon to be transferred to HCC ownership.

30 At paragraph 4.8, Mr Blackie states that "*based on the areas of HCC land identified and expected to become HCC owned within the next 5 years, any argument that purchase of land specifically for the SLP project is not expected for several years cannot be sustained by itself as a reason against the implementation of mitigation many years prior to construction.*"

31 I agree with Mr Blackie that areas set out on Mr Blackie's map are available to HCC for advanced ecological restoration/mitigation works. On that basis, they may form part of the areas identified for such works following the detailed consideration of available areas in the preparation of the Ecological Management and Monitoring Plan (EMMP) required by condition 12 of the HCC 168A NOR.

32 At paragraph 7.4, Mr Blackie suggests some amendments to the EMMP condition that is proposed to apply to the HCC s168A designation. The suggested amendments that I agree with are now included in the updated HCC 168A designation condition set attached to my rebuttal (see **Annexure A**, condition 12). Mr Turner also addresses this matter in his rebuttal evidence.

Ken Tremaine (Future Proof Implementation Committee)

33 Mr Tremaine sets out in his evidence the consistency of the Southern Links Project with the Waikato Regional Land Transport Strategy 2011-2041 and the Future Proof Strategy⁶, and his general support (on behalf of the Future Proof Implementation Committee) for the Southern Links designations and the uniform 20 year lapse sought⁷. I agree with Mr Tremaine's conclusions on those matters.

34 However, at paragraph 5.8 of his evidence, Mr Tremaine sets out the Future Proof view that "*we do not want a situation where the route sits designated for 20 years without any progress being made*" and (at paragraph 5.9) that "*significant consideration needs to be given to staging certain aspects of the Southern Links project in order to ensure there is effective land use and transport integration*". At paragraph 5.12 Mr Tremaine appears to clarify the Future Proof position with regards to staging by specifically referring to the State Highway 3/21 interchange and the staging of it as an important interim solution.

35 In response I note the obvious point that notwithstanding the particular lapse date on a designation, such a date does not preclude earlier implementation of the public work for which the designation is held if the Requiring Authority deems it necessary and

⁶ Ken Tremaine evidence, paragraphs 3.17-3.32.

⁷ Ken Tremaine evidence paragraphs 5.5.

can fund it⁸. As an example, I refer to the Hamilton Ring Road designation which was confirmed in 2006 with a 20 year lapse period south of Ruakura Road. Now, some eight years later, the construction of that part of the Ring Road is already significantly progressed due to funding arrangements that had not been concluded at the time the designation was confirmed.

- 36 I agree in principle with Mr Tremaine's position with regards to the State Highway 3/21 intersection and I discuss that matter later in this rebuttal evidence under the heading "Staging of the Network".

Kirsty Graveling (Waikato Regional Council)

- 37 At paragraphs 5.5 and 5.6, Ms Graveling requests that natural character is added to the objectives of the Landscape Management Plan. I disagree with that request given that natural character is a difficult matter to define and the matters already included in the objective for the Landscape Management Plan (visual, landscape, urban design and ecological) will cumulatively have regard to natural character.

- 38 At paragraphs 6.22-6.24 of her evidence, Ms Graveling seeks insertion of a condition requiring a full ecological survey of the Southern Hamilton area. I disagree with this request. Requiring such a survey, in addition to the extensive ecological survey work already undertaken (which could actually be held to have fulfilled Ms Graveling's request), would be onerous and disproportionate to the potential effects of the Project. Any additional detailed survey work will be undertaken to support future resource consent applications.

Kathryn Drew (Titoki Sands Ltd or 'TSL')

- 39 At paragraphs 14-28 of her evidence, Ms Drew asserts that if the south-facing ramps at the existing Tamahere interchange are closed in the future, then the intent of the TSL resource consent (in terms of its ready access to SH1) will be compromised and there is a possibility that Waikato District Council may levy additional heavy vehicle charges to TSL in the future. I cannot comment on the possibility of additional heavy vehicle charges being levied to TSL as that is a decision that would lie purely in the hands of Waikato District Council.

- 40 The issue distils to the volume of additional traffic (including any heavy vehicle movements that TSL may contribute) that will use Tamahere Drive if the existing south-facing ramps close in the future, and what the associated levels of adverse effects will be (if any). Mr Lion-Cachet has provided further detail on the effect of closing the existing south-facing ramps in his rebuttal evidence, and concludes that the increase of traffic on Tamahere Drive, both in terms of volume and effect, will be minor.

⁸ Nor does the lapse period necessarily entail that the public work will be done at the end of the lapse period

- 41 At paragraph 28 of her evidence, Ms Drew asserts that a condition needs to be imposed on the Transport Agency designation in the Waikato District that requires the Transport Agency to apply for a s181 alteration to designation should the south-facing ramps at the existing Tamahere Interchange need to be closed in the future. I disagree with that assertion. A condition cannot be imposed on a designation (or a resource consent) that requires a further application or the initiation of a further statutory process. Such a condition could only be imposed on an *Augier*⁹ basis following an offer by the Transport Agency to accept such an obligation. In this case, the Transport Agency does not make such an offer to condition the designation.
- 42 Nor would such a condition be necessary. As confirmed in Mr Dowsett's evidence, the Transport Agency will follow the relevant statutory process if it wishes to close the south-facing ramps in the future. Put another way, the Transport Agency will not be able to close the ramps without obtaining the requisite statutory approval.
- 43 Ms Drew asserts (through paragraphs 29-34 of her evidence) that TSL was under the impression that the Southern Links Project had proposed to actively designate for access into the TSL site from the Waikato Expressway interchange, and that such an access should be provided for to mitigate the effect of the potential closure of the south facing ramps at the existing Tamahere interchange in the future. Further (at paragraph 39b) of her evidence), Ms Drew requests that clarification be provided as to why the access leg "*is no longer provided for*".
- 44 Neither I nor anyone else involved in the Southern Links Project can provide such clarification because the Project has never proposed to actively provide or designate for access to the TSL site from the Waikato Expressway connection. In my view, that was made abundantly clear during the consultation phases of the Project, and has been communicated to TSL Directors on at least two occasions¹⁰ in recent months. I am therefore unsure how TSL came to the understanding that access was to be actively provided for by NOR.
- 45 In a planning sense the designation does not preclude such access in the future. In my view, this is appropriate and is all that is necessary. Mr Dowsett comments further on this matter in his EIC.¹¹
- 46 At paragraph 32 of her evidence, Ms Drew refers to a wider community understanding that a "further reason the connection was

⁹ *Augier v Secretary of the Environment* (1978) 38 P & CR 219 (QB).

¹⁰ Meetings on 17 February 2014 and 15 April 2014 (i.e. before Ms Drew's evidence was lodged).

¹¹ Barry Dowsett EIC, paragraphs 64-71.

shown on the consultation drawings was to facilitate a future connection to SH1 from a new road between Oaklea Lane and Tauwhare Road (i.e. running parallel with SH1)". I assume that the route Ms Drew refers to must be a Waikato District Council promoted link, because such a link has never featured in any Southern Links material or discussions with the community on the Southern Links Project. The Project does not seek designation for such a route. Once again, it is my view that the Southern Links Project does not preclude such a route connecting to the Southern Links network in the future, should it be required.

- 47 At paragraphs 35-37 of her evidence, Ms Drew explains her view of the potential impacts that the 20 year lapse period sought for the Project will have on the TSL operation. In Ms Drew's opinion, TSL will be unlikely to be permitted by the Transport Agency to extract sand from the part of their site that is affected by the Southern Links designation, given that the eastern roundabout of the Waikato Expressway connection that affects the TSL land is elevated above current ground level.
- 48 I do not entirely agree. I and a representative from The Property Group met with two of the directors of TSL on 15 April 2014 to discuss a range of Southern Links related matters. That meeting initiated further negotiations that are currently underway between the Transport Agency and TSL with regards to the matter of sand extraction in the TSL area affected by the Project's NOR.
- 49 Two options are currently under consideration. Either TSL will be compensated for the loss of potential earnings from the "sterilised" sand extraction area, or the Transport Agency will permit TSL to extract sand from the area and absorb the costs of importing fill to rebuild the area to the required height above ground level as part of Southern Links construction in the future. A final decision is yet to be made but both parties are making progress toward a final resolution which will provide TSL with the certainty they require now to plan for future site development. On that basis, I do not agree with Ms Drew that reducing the lapse period for the designation to 15 years will aid in providing certainty to TSL.

Ben Inger (R and C Ingram)

- 50 Consistent with the lengthy and somewhat complicated history of NZ Transport Agency/Transit New Zealand effects on the Ingram land, Mr Inger raises a number of inter-related matters in his evidence. These matters are largely addressed by Ms Hampton (Property), Mr Dravitzki (Noise) and Mr Morton (Landscape and Visual) in their rebuttal evidence. I will respond to matters raised in Mr Inger's evidence with regards to access, landscaping, and the extent of the designation.
- 51 Mr Inger considers it necessary for a condition to be imposed on the Transport Agency designation in the Waipa District requiring access

to be provided to the residual titles left over after the Southern Links land acquisition is concluded. The issue is mainly what happens in the intervening period between the residual title being created and the construction of the Penniket Road re-alignment. That is because once the Penniket Road re-alignment is constructed in the future, the residual titles in question will have direct frontage and practicable access to a local road.

- 52 In my view such a condition as requested by Mr Inger is unnecessary. The residual titles in question could gain legal access to either Ohaupo Road or Penniket Road by registration of Right-of-Way Easements, whether or not a reorganisation of titles is undertaken as part of the acquisition process. Much will depend on the outcomes of the property acquisition process. I also understand that the Crown is obliged to provide residual titles with practicable access upon their creation.
- 53 In paragraph 208 of my EIC, I refer to an updated land requirement plan with regards to one of the Ingram titles on Penniket Road. That plan is now provided as **Annexure G** to this rebuttal evidence.
- 54 In **Annexure G** there is also an amended land requirement plan covering the area of the Ingram title roughly opposite the Narrows Road intersection with State Highway 3, prepared in response to recent consultation with Mr and Mrs Ingram. The effect of the designation amendment is to reduce the extent of the designation on the Ingram property in question, so as to avoid a pond area and associated vegetation that is of value to Mr and Mrs Ingram. The need to amend the land requirement plan in question was raised in paragraph 5.3 of Mr Inger's evidence.
- 55 Associated with this locality, and as discussed in the rebuttal evidence of Mr Morton, there is a commitment through conditions to the re-establishment of a hedge along the boundary with the existing SH3 that provides visual screening of the road from Mr and Mrs Ingram's residence.¹² As requested at paragraph 5.3 of Mr Inger's evidence, the relevant Landscape Concept Plan¹³ has also been amended to reflect the adjusted designation boundary and it has been annotated to specifically refer to re-establishment of the hedge.¹⁴
- 56 Proposed condition 9.5 of the Transport Agency designation in the Waipa District has been amended to specifically refer to the owners of 1/3400 Ohaupo Road (i.e. the property that will gain the visual benefit of the hedge), as parties to be specifically provided with the

¹² Refer condition 9.4s in Annexure B.

¹³ North/South State Highway Concept Landscape Plan, Drawing No. 23165305-E-20-2002, Rev C, dated 07/07/14

¹⁴ See Adrian Morton rebuttal, paragraph 8 and Annexure A.

Landscape Management Plan for comment and those comments provided to Council.¹⁵

Dr Matthew Baber (Department of Conservation)

57 At paragraph 4.6 of his evidence, Dr Baber notes his agreement that detail on freshwater matters is appropriately provided at the resource consent stage. That supports the view set out in my EIC¹⁶ in terms of what matters and effects will be addressed at the resource consent stage.

58 As further described in Mr Turner’s rebuttal evidence, the Requiring Authorities have amended the designation conditions to incorporate in part some of the suggestions put forward by Dr Baber with regards to freshwater and instream matters.

Dr Colin O’Donnell (Department of Conservation)

59 At paragraph 9.29 of his evidence, Dr O’Donnell notes with regards to long-tailed bats that *“the only real way to resolve potential impacts is to remove significant amounts of uncertainty through rigorous identification of bat roosts and important feeding habitats followed by their protection prior to granting the consents and, if necessary, realignment of sections of the proposed expressway to avoid both roost and feeding sites”*.

60 In response, it is important to note that long-tailed bats were not the only consideration in development of the Southern Links network. As set out in my Consultation and Alternatives EIC,¹⁷ the network development process was required to consider and balance a range of environmental matters and other factors, not the least of which are the functional and technical characteristics of the public work. In any event, the network development process has in my view produced a network that avoids as far as practicable the roost and feeding sites mentioned by Dr O’Donnell. Mr Turner addresses this matter further in his rebuttal evidence.

Wade Hill (Department of Conservation)

61 At paragraph 6.20 of his evidence, Mr Hill asserts that the Project will not be consistent with the objectives and policies in the relevant district plans unless positive steps are taken to ensure that indigenous biodiversity is protected and enhanced.

62 In my view Mr Hill has adopted an inappropriately narrow analysis of all the relevant local RMA policy documents¹⁸ referred to in his

¹⁵ See Annexure B.

¹⁶ At paragraphs 114-121.

¹⁷ Paragraph 53.

¹⁸ Waikato Operative Regional Policy Statement, Proposed Waikato Regional Policy Statement, Hamilton City Operative and Proposed District Plan, Waipa Operative and Proposed District Plan.

evidence. He has focused on biodiversity and ecosystem provisions only and has not considered the full range of provisions in the planning documents required to provide balance to the analysis of the Southern Links Project. For example, in the Proposed Hamilton City District Plan there are objectives and policies that recognise the need for the arterial roading network to cross gullies and waterways, however Mr Hill has elected not to discuss those provisions. In my view, the Commissioners should focus on all of the relevant policy provisions (found in Appendix P to the Project AEE) in forming a view on whether the Project is consistent with the various local planning documents. The conclusions drawn must be based on a consideration of the relevant objectives/policies "in the round" as against focusing on a particular issue.

- 63 At paragraph 8.1, Mr Hill expresses his concern that the approach of the Requiring Authorities "*would exclude third parties from having input into the formulation of suitable mitigation measures*". Mr Hill appears not to have adequately reviewed the proposed conditions to apply to the designations, which specifically include opportunity for the Department of Conservation and a number of other third party organisations to have input into the development of ecological management and monitoring plans to be prepared by the Requiring Authorities, as well as Concept Landscape Management Plans prepared by the Transport Agency. This is surprising given that at paragraph 8.3, Mr Hill discusses the EMMP condition put forward by HCC and states that it goes "*some way to meeting the concerns raised by the Department in its original submission, particularly the approach to commence mitigation ahead of construction commencing*".
- 64 At paragraph 8.9, Mr Hill makes a number of requested changes to the conditions to apply to the designations. Some of those requested changes have been included in the relevant proposed conditions in Annexures A to D of my rebuttal evidence.¹⁹

Paul Ryan (Hamilton City Council)

- 65 Mr Ryan covers a range of matters in his evidence, the majority of which are outside of the scope of HCC's submission that governs the legal extent of Mr Ryan's evidence.
- 66 Those matters that are within scope are related to pedestrian and cycle access at and around the Cobham Bridge, and are set out in paragraphs 18-22 of Mr Ryan's evidence. It has always been the intention of HCC (as Requiring Authority) and the NZ Transport Agency to make provision for grade-separated walking and cycling connections around the bridge and Mr van Staden has addressed this matter in his rebuttal evidence.

¹⁹ HCC 168A Designation Conditions 12.1-12.7, NZ Transport Agency s168 Waipa and Waikato Designations Conditions 12.1 and 12.2,

- 67 The relevant concept design drawings in the NOR have been updated to reflect the outcome sought in the HCC submission and Mr Ryan's evidence. Specific reference to the updated drawings is now included in the HCC 168A Designation condition set (Annexure A, condition 1.1).
- 68 I agree with some of the other condition amendments requested by Mr Ryan in his evidence, and those are also included in the proposed conditions attached to my rebuttal evidence.
- 69 These condition amendments include:
- 69.1 Clarifying procedures to be followed around certification of management plans and changes thereto, and establishing a procedure to follow in the case of disputes with regards to the contents of management plans²⁰;
 - 69.2 Changing references throughout the conditions from Council officer titles to a standard reference to "Chief Executive or nominee";
 - 69.3 Streamlining condition 2.2(f) in all the Transport Agency condition sets to avoid repetition given the Dust Management Plan requirements;
 - 69.4 Inserting a definition of "local road" into the Transport Agency condition sets; and
 - 69.5 Inserting conditions²¹ into the Transport Agency condition sets around consideration and reinstatement of damage to local roads during construction, including local roads outside of Hamilton.

John Olliver (Titanium Park Joint Venture Ltd or 'TPJV')

- 70 Mr Olliver's evidence focuses largely on the issue of staging of the Southern Links network. I discuss that matter later in this rebuttal evidence. In this section I will address other points in Mr Olliver's evidence that I feel warrant comment.
- 71 At paragraphs 2.12 and 4.15 of his evidence, Mr Olliver points out that the Project affects the access to and the prime south-western corner of the Titanium Park Western Precinct. In my view, it needs to be borne in mind that one of the reasons that a grade separated interchange is proposed to be located at the State Highway 3/21 intersection with the attendant land requirement from TPJV, is because various parties (including WRAL, a partner in the TPJV) disagreed with a proposed interchange location further north that

²⁰ Conditions 1.9 to 1.12 in all of the Transport Agency condition sets.

²¹ Conditions 6.2(j) and 6.3 on Transport Agency designations.

would have avoided land requirements around the State Highway 3/21 intersection. The process that led to the location of the grade separated interchange at the State Highway 3/21 intersection is explained in greater detail in my Consultation and Alternatives EIC (paragraphs 117-120).

- 72 At paragraphs 2.15 and 4.18, Mr Olliver explains that the Airport JV submissions to the Proposed Waipa District Plan ("PWDP") were accepted in part, but that those decisions have not been carried through into appropriate amendments to the Western Precinct Structure Plan in the Decisions Version of the PWDP. Because of that he disagrees with my evidence that the submissions have been accepted and that, by implication, the issue is resolved.
- 73 At the time of preparing my EIC, I was not fully aware that appropriate amendments had not been carried through to the Western Precinct Structure Plan. However, I point out that a careful reading of the relevant paragraph of my EIC (227) will show that I did not imply that the situation was resolved, as I specifically mentioned the need for an appeal to the Environment Court to remedy the situation. This concurs with Mr Olliver's position as set out in paragraph 2.16 of his evidence. The need for the appeal is now heightened given the content of the PWDP decisions.
- 74 At paragraph 2.21, Mr Olliver is critical of the Southern Links NOR and the degree of information that was provided around the State Highway 3/21 interchange and in terms of access to the Western Precinct in general, along with a lack of staging provisions in the proposed conditions. In response, I note that the concept design plans in the Southern Links plan set for the State Highway 3/21 intersection²² were clearly arranged and annotated to explain how the interchange could be incrementally constructed to allow for access to the Western Precinct. Further, the AEE included specific discussion about the Western Precinct access situation and how the Project related to it²³, and that the conditions then proposed to apply to the designation did not preclude forward construction of any part of the State Highway 3/21 interchange.
- 75 At paragraphs 2.25 and 5.13, Mr Olliver asserts that at paragraph 280 of my EIC I posit that the Outline Plan of Works (OPW) process justifies a failure to provide a sufficient level of detail at the outset to assess potential effects. I disagree with Mr Olliver's interpretation of the content of my paragraph. An objective and careful reading of it will see that I said that sufficient information has to be available at the outset with a NOR to show how the environmental effects of the public works could be managed to

²² Appendix U to the AEE, North-South State Highway Route, Layout Plans and Long Sections, drawing numbers 23165305-C-20-2182 to 2185.

²³ Section 7.8.1 of the AEE.

minor levels, with the second stage OPW process allowing for the finer detail of the effects mitigation measures to be provided to Council.

- 76 At paragraph 4.8, Mr Olliver explains that TPJV will no longer be pursuing its relief of requesting the uplifting of designation DN/50 in the Waipa District Plan.²⁴ That designation allows for the construction of a grade-separated mid-block access to the Western Precinct. I agree with that position. DN/50 should remain in place until the Project is constructed to retain its current ability to provide an access solution to the Western Precinct.
- 77 At paragraph 4.20, Mr Olliver raises the fact that the south-bound off-ramp that connects from the Southern Links North-South state highway route to Ohaupo Road conflicts with the work authorised by designation DN/50. Since filing my EIC, the Project team has had further discussions with TPJV with regards to the off-ramp location. TPJV has made it clear that in their view the off-ramp should move further south to a location closer to the State Highway 3/21 intersection, and that TPJV would not support any further land requirement from the Western Precinct to accommodate a revised off-ramp location.
- 78 I agree that the proposed off-ramp location interferes with designation DN/50. However, there is no prohibition in the RMA on the same Requiring Authority holding more than one designation in the same location for different projects. One of the advantages of the off-ramp being located at No Exit Road is the ability to utilise the existing splay in the road reserve to construct a small scale roundabout or any other alternative intersection form without requiring land from any other party. On that basis, the Transport Agency has elected not to move the location of the off-ramp junction with Ohaupo Road.
- 79 At paragraph 5.14, Mr Olliver is critical of the detail available in terms of landscape and urban design treatment around the State Highway 3/21 intersection. Mr Morton addresses that matter in his rebuttal evidence. For my part I note that the proposed conditions to apply to the Waipa designation require specific consultation with TPJV on landscape and urban design treatments at the intersection, and that TPJV is a party from whom comment must be sought on the Landscape Management Plan, with that comment being provided to Waipa District Council.²⁵ In my view those conditions do all that is necessary to allow TPJV and the Transport Agency to appropriately co-ordinate landscape and urban design treatments at the State Highway 3/21 intersection and any future access to the Western Precinct from it.

²⁴ The Requiring Authority for DN/50 is the NZ Transport Agency.

²⁵ See Annexure B, condition 9.5.

John Olliver (Waikato Regional Airport Ltd or 'WRAL')

80 Mr Olliver explains (at paragraphs 3.1 to 3.6 of his evidence) the potential adverse effects that the Southern Links Project has on aviation activities at the Airport, the ways in which the Project has comprehensively addressed these potential adverse effects, and his view that an Airport Operation Management Plan (as recommended in the s42A Report is not necessary given the effect of the relevant aviation safety conditions proposed by the Transport Agency for its designation in the Waipa District. I agree with Mr Olliver that an Airport Operation Management Plan is not required given the comprehensive effect of the aviation related conditions.

81 I agree with Mr Olliver's overview and analysis set out in paragraphs 3.1 to 3.6 of his evidence. His reservation about the need for a further independent aviation safety review of the detailed design of the Southern Links Project has been addressed through the inclusion of such a requirement in the proposed conditions to apply to the Transport Agency's designation in the Waipa District.²⁶ I note that the condition has been slightly altered from that requested by Mr Olliver in his evidence by the addition of a clause requiring the independent reviewer to be agreed by WRAL and the Transport Agency.

82 Mr Olliver also sets out his view that the "Western Corridor" of the Project needs to be developed ahead of the rest of the network, thus necessitating a 10 year lapse for that part of the network. I disagree with Mr Olliver in this regard and address this staging matter later in this evidence.

Dave Serjeant (Adare Company)

83 At paragraph 28 of his evidence, Mr Serjeant questions whether HCC adequately can claim financial responsibility for the Project as required by s168A(1)(a) of the RMA. Mr Denton in his rebuttal evidence has comprehensively addressed Mr Serjeant's comments and understandings with regards to HCC's funding and programming of works for the Peacocke area.

84 My view from a planning perspective is that the RMA does not contain provisions restricting the manner in which a Requiring Authority achieves its financial responsibility for a project or work. There are numerous mechanisms available to allow a requiring authority to fund public works projects²⁷. The manner in which the financial responsibility is achieved is the prerogative of the requiring authority.

²⁶ See condition 15.3 in Annexure B.

²⁷ For example, Public-Private Partnerships (PPP's), Multi-Party Funding Agreements, Forward Developer Funding.

- 85 I further note that HCC is committing itself through conditions (eg EMMP) to expenditure to mitigate the effects of the Project well ahead of construction. In my view, that factor indicates a tangible and real financial responsibility for the Project by HCC.
- 86 Mr Serjeant asserts that the HCC's NOR contains an inappropriate level of detail that constrains the ability for road designs that may differ from those shown in the plan set accompanying the NOR to be constructed in the future. This supports the concerns set out by Mr Lunday and Ms Dowling (see next section of this evidence).
- 87 While I understand Mr Serjeant's concerns, I am not of the view that the HCC's NOR unduly "locks down" the design now such that it could not be altered in the future, for the following reasons:
- 87.1 Condition 1.1 of the HCC 168A designation²⁸ has in-built tolerance for design amendments in the future through use of the phrase "generally" when referring to the plans and documentation that the Project works need to be in accordance with. Preceding that, the condition clearly notes and allows for the fact that the Project works are "subject to final design".
- 87.2 The design work undertaken to date (as portrayed in the plans that support the NOR) is a concept level of design used to inform the extent of the designation, and to allow an appropriate assessment of effects to be carried out to ascertain if the effects of the Project are capable of being mitigated. In my experience, the level of design undertaken is appropriate and is consistent with other similar projects (egg Hamilton Ring Road/E1 route).
- 87.3 Recognising the above, HCC has not applied for an Outline Plan waiver (i.e. its condition set has no condition 3).²⁹

James Lunday and Ida Dowling (Adare Company)

- 88 At paragraphs 21 to 28 of his evidence, Mr Lunday asserts that there is a potential lack of flexibility inherent in the HCC 168A designation in Peacocke in terms of what sections of the network can proceed before others. My view is exactly the opposite. The designation does not pre-determine any staging and does not eliminate any options in that regard.
- 89 Mr Lunday (at paragraphs 21-23 and with reference to the transport evidence of Ms Dowling) expresses opposition to the staging scenario set out in Mr Lion-Cachet's EIC where the Ring Road

²⁸ See Annexure A.

²⁹ Ibid.

extension into Peacocke would be constructed first.³⁰ Again, I point out that the HCC designation does not lock in or “pick winners” in terms of staging. My comments in paragraph 86 above with regards to Mr Serjeant’s concerns are equally applicable to Ms Dowlings’ assertion that the staging scenario set out in the Economic Evaluation that formed part of the Scheme Assessment for the Southern Links Project somehow locks in that staging of the network.

- 90 If Mr Lunday and Ms Dowling are correct and in time it is proved that there is no need to construct the Ring Road extension, then HCC may elect not to construct it. The route for the Ring Road extension, in like manner to the entirety of the overall Southern Links network, does however need to be designated now to allow the route to be protected for an extended period, and to provide the planning mechanism to allow for construction of the project when deemed appropriate in the future.
- 91 Mr Lunday asserts that the HCC’s NOR does not give effect to the Peacocke Structure Plan (*PSP*) as required by the HCC Project Objectives. In my view that is putting too fine a grain of assessment on the matter. Fundamentally, the PSP is arranged such that only very limited development of the majority of the Peacocke area is permissible without the provision of key pieces of infrastructure, one of which is part of the arterial roading routes that HCC seeks to designate.
- 92 The designation is the land use planning mechanism that provides HCC with the long term route security it needs to sensibly begin to plan for construction of the key pieces of infrastructure necessary to allow for the development of Peacocke as per the PSP. Accordingly, my view is that the designation of the arterial routes, which will in part facilitate the development of the majority of the PSP area, is entirely consistent with the PSP.
- 93 At paragraph 20, bullet point 9, Mr Lunday asserts that the planning assessment in the NOR has used the “old” PSP provisions. By old, I assume Mr Lunday means some version other than the Peacocke Structure Plan provisions as finalised during the Variation 14 mediation and consent order process. I confirm that the planning assessment in the NOR did in fact address the Environment Court approved PSP provisions.
- 94 At paragraph 33a, Mr Lunday concludes that the level of detail in the NOR on roads, intersections, landscape and Bridge structures does not fit with the objectives of the PSP to be a Master Planning led process. He further asserts that the designation does not need that level of detail.

³⁰ Shaun Lion-Cachet EIC, paragraph 176.1.

- 95 In my view these assertions do not recognise the fact that a concept level of design needed to be undertaken on the Project to inform the extent of the designation, and to allow an assessment of effects to be carried out to ascertain if the effects of the Project are capable of being mitigated. That level of design is what has been undertaken for the Southern Links Project to date.
- 96 I also note that the PSP road cross-sections in Appendix 2 to Mr Lunday's evidence are those applying to collector roads and lower order local roads to serve the various character areas. Mr Lunday is correct that the concept designs that have been used to inform the extent of the Southern Links designation are not consistent with those cross-sections. That is because the HCC's NOR seeks to designate minor and major arterial routes, the cross-sections of which are not specified in the PSP.
- 97 In my view, there is no need for a condition to be applied to the designation that requires an Urban Design Master Plan as sought in the evidence of Mr Serjeant³¹. One of the problems I foresee with the approach embodied by such a condition is that there will be more than one Master Plan for the Peacocke area and the Master Plans will be prepared at different times by different parties. Because of that, the ultimate control of the design of the arterial routes in Peacocke needs to reside with Council for the sake of consistency and security of delivery. If the Adare Company owned all the land in Peacocke and was the sole party with whom Council would have to deal with in the Master Planning of Peacocke, then my view may be different.
- 98 In conclusion, I note that the witnesses for the Adare Company hold that the design information supporting the Southern Links NOR is too detailed, while a number of witnesses for other submitters assert that there was a lack of design detail in the NOR. In my view, the level of design detail and general information provided to date with the Southern Links NORs strikes the right balance and is appropriate for the statutory RMA process.

Staging of the Network

- 99 A number of experts³² assert that the designations for the Project need to contain staging provisions, and that without such provisions the designations for the network are flawed. Mr Olliver in his evidence for TPJV, and more obliquely Mr Tremaine in his evidence suggest a potential staging, with both witnesses primarily focused on the State Highway 3/21 intersection. I address both Mr Olliver and Mr Tremaine's suggested staging later in this evidence. Mr Lunday and Ms Dowling for Adare assert that the Major Arterial Ring

³¹ Serjeant EIC paragraph 40

³² Mr Johnson for Meridian 37, Mr Olliver for TPJV and WRAL, Mr Tremaine for the Future Proof Implementation Committee, and Messrs Serjeant and Lunday for the Adare Company

Road extension in Peacocke is not required. I have addressed that matter in the paragraphs set out above, and Mr Lion-Cachet has also addressed it in his rebuttal evidence. Other witnesses do not offer a staging regime as such.

Lapse period should be consistent and no need for general staging provisions

- 100 In my view, the critical point is that if the designations that comprise the overall Southern Links network are confirmed with a uniform extended lapse of 20 years as sought, that it does not preclude any particular staging of the network being undertaken in the future. The network route so designated will be able to exist for an extended period unencumbered by potentially unrealistic and artificial staging and lapse periods, and will be able to be developed by the Requiring Authorities as required to meet growth and demand and once funding becomes available through the respective processes of the Requiring Authorities.
- 101 While this may not be satisfactory to submitters who seek staging provisions to be locked into the designations now, in order to provide additional certainty of publicly funded infrastructure being available to assist with their own development aspirations, it reflects the fundamental purpose of a designation – to provide long term protection for a site or route to allow the requiring authority to construct the work or part of the work when it is required and able to be funded in the future.
- 102 Despite the arguments put forward for staging by submitters' experts, I am not under the impression that any expert is suggesting that the Southern Links NORs should be withdrawn if there are no staging provisions in place. That would clearly be an untenable proposition in planning terms in that there would be no route security provided for the Southern Links network, with all the risks that would entail in terms of interim landuse and subdivision potentially compromising the network. Moreover, the prospect of development in stage II of the PSP would be seriously compromised in the absence of an arterial road network to support that urban development. My view is that confirmation of the NORs for the network with a uniform extended 20 year lapse and without staging provisions in place better achieves the purpose of the RMA than the alternative of imposing staging provisions on the designation(s) that may not be achievable.
- 103 Mr Olliver suggests that a 10 year lapse should be applied to the 'Western Corridor'³³ of the network. That is on the basis that such a lapse would recognise the strategic importance of the airport

³³ Defined by Mr Olliver as the north-south state highway route up to and including the central interchange, and the east-west state highway route from the Kahikatea/Greenwood intersection to the central interchange.

industrial node and the limitations on the life of an interim roundabout at the State Highway 3/21 intersection.

- 104 Should a shorter lapse than the Requiring Authorities deem necessary be imposed on the designation(s) (or parts of the designations), there is no guarantee that the Requiring Authorities will be able to fund construction of the work in the shorter time period. In that instance, if the Requiring Authorities cannot demonstrate that they have made and continue to make significant progress or effort towards giving effect to the designations, the designations would lapse. That would obviously not be a desirable outcome as it would send the Requiring Authorities back to 'square one' in terms of once again trying to secure route protection. That is the risk inherent in applying a shortened lapse period to all or parts of the Southern Links network designation.
- 105 On the basis of the above, I disagree with Mr Olliver's suggested 10 year lapse for the 'Western Corridor' and with the various experts who assert that staging provisions are required.

Forward development of SH3/21 intersection

- 106 I agree in principle with Mr Olliver's request on behalf of TPJV that a condition be imposed requiring a dual-lane roundabout to be installed at the State Highway 3/21 intersection with an access leg to the TPJV Western Precinct as a forward work. I also agree with Mr Tremaine's request on behalf of Future Proof that the State Highway 3/21 intersection be staged.
- 107 In my opinion, forward development of the State Highway 3/21 intersection creates an efficient solution to access issues at the Western Precinct which have the potential to last well into the future, and an improvement to the safety of the State Highway 3/21 intersection. Whether that is provided as a direct mitigation of the effects of the Southern Links Project is debateable, because in a bottom-line planning sense TPJV has existing approved access and development provisions for the Western Precinct that they could rely on now if they elected to. That is, the "mid-point access" referred to in the TPJV evidence which is part of the approved Structure Plan.
- 108 My agreement with Mr Olliver's request for a condition is in principle only, because I remain mindful of the Transport Agency's funding processes which dictate the viability and scope of State Highway projects. While the relevant Transport Agency process for the State Highway 3/21 intersection is underway at present, and is tracking toward a solution, I understand that it will not be concluded by the time of the Southern Links hearing.
- 109 I therefore support the condition proposed in Mr Dowsett's rebuttal evidence, which is included in the proposed condition set for the Transport Agency's designation in the Waipa District (see **Annexure B** to this rebuttal evidence, condition 25).

- 110 In my view that proposed condition correctly recognises the current factual and legal situation. While not precluding any particular outcome in terms of an access improvement at the State Highway 3/21 intersection (which may be a dual-land roundabout), it specifies some bottom-line outcomes, including the provision of access to the Western Precinct sought by Mr Olliver and TPJV. The proposed condition also allows for a range of methods of funding the final agreed access improvement, which in turn recognises the commitment stated in Mr Donnelly's evidence (on behalf of TPJV) that TPJV will contribute its fair share financially to the establishment of access at the 3/21 intersection.

PROPOSED CONDITIONS

- 111 Since preparation of my EIC:
- 111.1 I have now separated out the proposed conditions for each NOR (see **Annexures A to D**).
- 111.2 The Transport Agency s181 Hamilton set of conditions is new (**Annexure E**).
- 111.3 The redlined sets show changes proposed by the Requiring Authorities to the set originally lodged with the AEE and to the conditions recommended in the 30 May s42A Report prepared by MWH.
- 112 A clean version of each set of conditions (apart from the NZ Transport Agency s181 set³⁴) is also provided as **Annexures H to K**. My suggestion is that any further changes to the proposed conditions be shown as redlined amendments to the clean set of proposed conditions. Otherwise, the conditions become very difficult to read or follow (with multiple layers of redline).
- 113 In **Annexure L** I have provided a table summarising the conditions proposed to apply to each designation. The commissioners may find this table useful as a quick reference guide.
- 114 The conditions already include a comprehensive suite of requirements around Pre-Construction Communication and Consultation during the lapse period for the designations. However, to further ensure clarity for landowners and occupiers a new condition³⁵ has been added to the condition sets - to apply to the HCC 168A designation, and the NZ Transport Agency s168 designations in the Waipa and Waikato Districts - concerning property acquisition and management engagement practices to be followed by the Requiring Authority.

³⁴ Which is Annexure E and is already a clean set.

³⁵ Condition 1A.13 in all applicable condition sets.

- 115 The condition requires the Requiring Authority to provide a document to the territorial authority, to be made publicly available by the Requiring Authorities, that sets out contact details and the processes and procedures the Requiring Authorities will follow with regards to property acquisition and management matters. The objective of the document provides clarity for affected landowners on how they can engage with the Requiring Authority on matters regarding property acquisition and management.
- 116 The condition is not applied to the short NZ Transport Agency s168 designation in Hamilton (adjacent the Kahikatea Drive/Greenwood Street corner), or the s181 alteration around the Cobham Bridge, because no land acquisition is required in those areas.

MODIFIED TABLE 28

- 117 Attached as **Annexure F** to my rebuttal evidence is Table 28.1 from the s42A Report prepared by MWH, with an additional column showing the Requiring Authorities' response to the "outstanding issues" identified by the s42A authors and where that response can be found in documentation and evidence.
- 118 The first query in Table 28.1 is "*whether the Chinaman's Hill designation should be considered as part of the future environment when considering the effects of the Southern Links project*". The Transport Agency has indicated that parts of the Chinaman's Hill designation will be uplifted upon confirmation of the Southern Links designation(s), and has proposed a condition in that regard. Given those clear undertakings from the Transport Agency, in my view the existing Chinaman's Hill designation should not form part of the future environment for effects assessment purposes.
- 119 I also address a query raised in Table 28.1 (under Ecology at item 14.6.1(g)) as to whether any legally protected land (for example, reserves either held by the Crown or Council or privately protected by covenant) would be affected by the Project.
- 120 In response I can advise that two areas of esplanade reserve are traversed by the Project. One is adjoining the Waikato River where the east-west state highway route crosses the river south of the Narrows, and the other is adjoining the south-bank of the Waikato River off the end of Echobank Place where the Hamilton Ring Road extension major arterial crosses into Peacocke from Cobham Drive. Both of these reserves are vested in the relevant territorial authority.
- 121 Areas of Recreation and Local Purpose Reserve vested in Hamilton City Council and managed under the Reserves Act 1977 are traversed by the Project on either side of Cobham Bridge and to the east of Hamilton Gardens. There are no scenic or scientific reserves traversed by or in the vicinity of the Project.

- 122 There are no areas of privately covenanted vegetation directly affected by the Project.

SHAW SUBMISSION

- 123 I address here the submission of Mr and Mrs Shaw (88) to the HCC s168A NOR. This submission was not considered in my EIC due to it not being served on the Requiring Authority until after filing of the Requiring Authority's EIC.
- 124 Mr and Mrs Hall live at 143 Hall Road in Peacocke. Their property is significantly affected by the HCC east-west minor arterial route west of the north-south major arterial in Peacocke. The alignment of the east-west minor arterial through the Shaw property is largely dictated by siting considerations at either end of that part of the east-west minor arterial. That is, the preferred alignment through the Northview property to the west of the Shaw property (and the constraint formed by the existing ponds on the Shaw property) to connect the minor arterial to SH3, and the location to the east of the Shaw property of the junction of the east-west minor arterial with the north-south major arterial. All of these factors have resulted in the alignment being centrally located through the Shaw property and quite close to their dwelling.
- 125 Mr Dravitzki addresses the acoustic effects of the NOR on the Shaw property in his rebuttal evidence.
- 126 I have met with Mr and Mrs Shaw on several occasions during the development of the Project. Given the effect of the NOR on the Shaw property in a property sense, HCC is of the opinion that total acquisition of the Shaw property will be required in the future. The Public Works Act process will address the degree of compensation payable to Mr and Mrs Shaw with respect to the improvements they have made to the property, as set out in their submission.

CONCLUSION

- 127 I have read the statements of expert evidence provided by submitters relevant to my area of expertise, and none of that evidence has caused me to depart from the opinions expressed in my EIC. Accordingly I reconfirm the conclusions reached in my EIC.
- 128 In particular, I continue to conclude that:
- 128.1 Applying a uniform lapse period of 20 years to all the designations that comprise the Southern Links network will better achieve the purpose of the RMA than any other alternative; and
- 128.2 It is not appropriate or necessary to incorporate staging or forward work requirements into the designations (apart from

at the State Highway 3/21 interchange as described in this rebuttal evidence); and

128.3 The HCC 168A NOR does not contain detail that precludes alternative roading or structural forms being constructed in the future; and

128.4 Both HCC and the Transport Agency have financial responsibility for their respective parts of the Project; and

128.5 The designation and Project works achieve the Project objectives of HCC and the Transport Agency; and

128.6 Conditions to apply to the designations will avoid, remedy and mitigate the adverse effects of the Project to the extent practicable and reasonable.

Grant Eccles

8 July 2014

Annexures:

- A – HCC 168A HCC designation conditions (redline)
- B – NZTA 168 Waipa designation conditions (redline)
- C – NZTA 168 Waikato designation conditions (redline)
- D – NZTA 168 Hamilton designation conditions (redline)
- E – NZTA 181 Hamilton designation conditions (clean)
- F – Section 42A report, Table 28.1 Requiring Authorities' Response
- G – Updated land requirement plans for Ingram property
- H – HCC 168A HCC designation conditions (clean)
- I – NZTA 168 Waipa designation conditions (clean)
- J – NZTA 168 Waikato designation conditions (clean)
- K – NZTA 168 Hamilton designation conditions (clean)
- L – Designation Conditions Summary Table

**ANNEXURE A – HCC 168A HCC DESIGNATION CONDITIONS
(REDLINE)**

Hamilton City Council (Proposed of 08/07/2014)

Conditions to apply to Notice of Requirement in Hamilton City (HCC 168A)

The proposed ~~e~~CConditions have been amended as follows:

- ~~Black strikethrough text~~ – Deleted wording recommended by the Reporting Team in the 30 May 2014 s42A report; and
- Black underlined text – Proposed new wording recommended by the Reporting Team in the 30 May 2014 s42A report.
- Red Underlined Text – wording sought by Hamilton City Council
- Blue strikethrough text – wording deleted by Hamilton City Council

(Southern Links means that part of the Southern Links network project subject to Hamilton City Council's Notice of Requirement (Designation 111) to be constructed and operated within the Peacocke Structure Plan Area.)

1 General Conditions

- 1.1 Except as modified by the ~~e~~CConditions below and subject to final design, the ~~p~~PProject works shall be undertaken generally in accordance with the information provided by the ~~NZ Transport Agency (NZTA)~~ Hamilton City Council (HCC) in its Notice of Requirement (~~NoR~~) and the supporting documents, namely:
- ~~a) Southern Links: Notice of Requirement by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;~~
 - ~~b) Southern Links: Assessment of Environmental Effects and Supporting Information (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013; and~~
 - ~~c) Southern Links – Scheme Assessment Report Drawings 1000-8000 series, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus.~~
 - ~~d) <other documents identified prior to and during the hearing> The Requiring Authorities' response dated 17 December 2013 to the Territorial Authorities' s92 request for further information;~~
 - e) ~~Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012;~~
 - f) ~~Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014.~~
 - g) ~~Southern Links Peacockes North/South Layout Plan and Long Section, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-3102 Revision C, updated 02/07/14.~~
 - h) ~~Southern Links Cobham Drive Layout Plan and Long Section, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-4101 Revision C, updated 02/07/14.~~
- 1.2 Where there is any inconsistency between the ~~Notice of Requirement~~NoR documentation and the designation ~~–~~conditions, the designation conditions shall prevail.
- ~~1.2 A liaison person shall be appointed by the NZTA 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 NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected persons.~~
- 1.3 Pursuant to Section 184A(24)(c) of the RMA, the designation shall not lapse for a period of twenty (20) ~~twenty~~ years after it is included in the Operative and Proposed Hamilton City/~~Waipa~~Waikate District Plans.

1.4 Any reference in these ~~e~~Conditions to legislation or ~~a New Zealand~~ Standards includes any later legislation or New Zealand standard that amends or replaces it.

1.5 In these conditions:

a) "The Project" means that part of the Southern Links network project subject to Hamilton City Council's Notice of Requirement (Designation 111) to be constructed and operated within the Peacocke Structure Plan Area and environs.

Management Plans General

1.5 All works shall be carried out in accordance with the applicable ~~m~~Management ~~p~~Plan(s) and other plans required by these ~~e~~Conditions.

1.6 The following ~~M~~management ~~P~~Plans must be submitted to the Territorial Authority Chief Executive or nominee for certification that they are consistent with the conditions of the designation:

~~a) b)~~ Pre-Construction Communication and Consultation Plan;

~~b) c)~~ Construction Management Plan;

~~d)~~ Construction Noise and Vibration Management Plan;

~~e) e)~~ Traffic Management Plan;

~~d) f)~~ Communication and Consultation Plan;

~~e) g)~~ Social Impact Monitoring Plan;

~~f) h)~~ Property Acquisition and Management Strategy;

~~g) i)~~ Concept Landscape Management Plan;

~~h) j)~~ Landscape Management Plan;

~~i) k)~~ (Heritage and) Archaeological Site Management Plan;

~~j) l)~~ Conservation Plan;

~~k) m)~~ Network Utility Management Plan;

~~l) n)~~ Airport Operation Management Plan;

~~m) o)~~ Dust Management Plan;

~~n) p)~~ Contaminated Soil Management Plan;

~~e) q)~~ Hazardous Substances Management Plan;

r) Traffic and Network ~~and Traffic Road~~ Management Plan; and

s) Environmental Monitoring and Management Plan.

1.7 The Territorial Authority shall ensure that any Management Plan submitted for certification is so certified and the Requiring Authority informed in writing within ten (4)10 working days of receipt of the Management Plan by the Territorial Authority.

1.8 If, within the time allowed in Condition 1.7, the ~~Waipa District Council~~ Territorial Authority has neither certified a Management Plan, nor advised the ~~NZ Transport Agency~~ Requiring Authority in writing that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.

1.9 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the ~~Waipa District Council's~~ Territorial Authority's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.

1.10 At all times during construction, the ~~NZ Transport Agency~~ Requiring Authority shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

~~**Advice Note:** Certification of the management plans shall be on the basis that they are consistent with the conditions of the designation.~~

~~1.7 The following management plans must be submitted to the Territorial Authority Chief Executive or nominee for approval:~~

- ~~a) Activity Specific Construction Noise and Vibration Management Plan~~

~~1.8 The following management plans do not require certification by the Territorial Authority:~~

- a) Waikato-Tainui Mitigation Plan.

1.9 The following management plans will be subject to an independent peer review:

- a) Construction Management Plan;
- b) Construction Noise and Vibration Management Plan;
- c) Communication and Consultation Plan;
- d) Social Impact Monitoring Plan;
- e) Concept Landscape Management Plan;
- f) Landscape Management Plan;
- g) Archaeological Site Management Plan;
- h) Conservation Plan;
- i) Airport Operation Management Plan;
- j) Dust Management Plan;
- k) Contaminated Soil Management Plan;
- l) Hazardous Substances Management Plan.

1.5 Prior to submitting the management plans identified in condition 1.6 to the Territorial Authority, the Requiring Authority shall engage suitably qualified independent specialists agreed to by the Territorial Authority to undertake a peer review of the management plans identified in condition 1.9 and provide recommendations on whether changes are required to the management plans in order to meet the objectives and other requirements set out in the relevant conditions. The management plans submitted to the Territorial Authority shall demonstrate how the recommendation from the independent peer reviewer(s) have been incorporated, and where the recommendations have not been incorporated the reasons why.

1.6 Where conditions require consultation with third parties in the development of management plans, these plans shall demonstrate how the view of that party (or parties) have been incorporated, and, where they have not, the reasons why. Plans that require consultation with third parties and that are also subject to an independent peer review must include the information on consultation with those parties prior to being submitted for an independent peer review.

1A Pre-construction

Communication, and Consultation and Property Liaison Manager

1A.1 Within three months of the confirmation of the designation the Requiring Authority shall appoint a Communication, ~~and~~ Consultation and Property Liaison Manager to implement the Pre-construction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.~~87~~) and Communication and Consultation Plan (Condition 8.1 to 8.~~76~~). The Communication, ~~and~~ Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Southern Link-Project for the duration of the pProject.

1A.2 ~~The Communication, and Consultation and Property Liaison Manager's contact details shall be listed in the Pre-construction Communication and Consultation Plan PCCP and listed on the NZ Transport Agency's website and the Hamilton City Council HCC website.~~

Pre-Construction Communication and Consultation Plan

1A.3 ~~The Requiring Authority shall prepare a Pre-Construction Communication and Consultation Plan PCCP. This PCCP shall be submitted to the Territorial Authority Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the PCCP has been prepared in accordance with this Condition.~~

1A.4 ~~The Plan PCCP shall be implemented and complied with within 18 months from the confirmation of the Designations until the commencement of the construction of the Southern Links Project.~~

1A.5 ~~The objective of the Pre-construction Communication and Consultation Plan PCCP is to set out a framework to:~~

- a) ~~Inform the community of Project progress and likely commencement of construction works;~~
- b) ~~Obtain feedback and inputs from affected parties and stakeholders regarding the development of relevant Management Plans;~~
- c) ~~Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.~~

~~1A.6 The Pre-construction Communication and Consultation Plan shall set out how the Requiring Authority will:~~

- a) ~~Inform the community of Project progress and likely commencement of construction works and programme;~~
- b) ~~Engage with the community in order to foster good relationships and to provide opportunities for learning about the Project;~~
- c) ~~Obtain (and specify reasonable timeframes for) feedback and input from Stakeholders and affected parties regarding the development of management plans <may need to specify which plans>;~~
- d) ~~Where feedback (in accordance with this condition) is provided, the Pre-construction Communication and Consultation Plan shall articulate how that feedback has informed the development of management plans <may need to specify which plans> and where it has not, reasons why it has not;~~
- e) ~~Respond to queries and complaints. Information shall include but not be limited to:~~
 - (i) ~~Who is responsible for responding;~~
 - (ii) ~~How responses will be provided;~~
 - (iii) ~~The timeframes that the responses will be provided within.~~
- f) ~~Provide updates on the property acquisition process and the management of properties acquired by the Requiring Authority for the construction of the Southern Links Project.~~

1A.6 ~~The Pre-construction Communication and Consultation PCCP shall, as a minimum, include:~~

- a) ~~Inform the community of Project progress and likely commencement of construction works and programme;~~
- b) ~~Obtain and specify reasonable timeframes for feedback and input from stakeholders and affected parties regarding the development of management plans; [may need to specify which plans]~~
- c) ~~A Include a communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation ~~tools~~ methods to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 189.1) and the Community Liaison Group(s) (refer to Condition 1A.8) (including any modern and relevant communication methods, newsletters or similar, advertising etc.); and any other relevant communication matters;~~

~~b)(d) Details of the Communication, and Consultation and Property Liaison Manager for the pre-construction period (Condition 1A.2) including their contact details (phone, email and postal address);~~

~~c) The methods for identifying, communicating and consulting with stakeholders and affected parties and other interested parties. Such methods shall include but not be limited to:~~

~~(i) Newsletters;~~

~~(ii) Newspaper advertising;~~

~~(iii) Notification and targeted consultation with stakeholders and affected parties; and~~

~~(iv) The use of the project website for public information.~~

~~d) The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);~~

~~f) The methods for communicating and consulting with the Community Liaison Group(s) (refer to condition 1A.9);~~

~~g) How communication and consultation activity will be recorded.~~

1A.7 The Pre-construction Communication and Consultation Plan PCCP will be made publicly available (once certified) and on the Transport Agency's website and the Hamilton City Council's HCC's website.

Community Liaison Groups

1A.98 Within three months of the confirmation of the designations the Requiring Authority shall, in consultation with the Territorial Authorities, establish at least one a Community Liaison Group for each of the following localities:

~~a) Northern Sector Peacocke Structure Plan area s (HCC Designation 111);~~

~~a) Southern Sector Airport (Transport Agency Designation (Waipa) DN/156)~~

~~b) Western Sector Collins Road (Transport Agency Designation (Waipa) DN/156 and Designation (Hamilton City) 112)~~

~~c) Eastern Sector Tamahere (Transport Agency Designation (Waipa) DN/156 and Designation (Waikato) DES 0018/13)~~

~~1A.10 The number of Groups shall be confirmed with the Territorial Authorities.~~

~~1A.119 The membership of the Community Liaison Group(s) shall include representative(s) of the Requiring Authority and be open to all affected parties including, but not limited to the following:~~

~~a) Representative(s) for and/or affected property owners and occupiers;~~

~~b) Tamahere Community Committee;~~

~~c) Riverside Golf Club;~~

~~d) Mangakotukutuku Stream Care Group;~~

~~e) St Stephens Church;~~

~~f) <[additional group members to be confirmed through the hearing process]>.~~

~~1A.12 The purpose of the Groups shall be to:~~

~~a) Provide a means for receiving regular updates on Project progress;~~

~~b) Enable opportunities for concerns and issues to be reported to and responded by the Requiring Authority.~~

~~c) Provide feedback on the development of management plans <which plans to be confirmed through the hearing process>.~~

~~d) Monitor the effects of constructing the Project on the community by providing a regular forum through which information about the Project can be provided to the community.~~

~~1A.13 The Requiring Authority will consult with the Groups in respect of the development of management plans <which plans to be confirmed through the hearing process>.~~

~~1A.1410 The Requiring Authority will invite each of the Groups to meet at least annually until the commencement of construction and then at appropriate ~~least once every three months or as otherwise required agreed~~ intervals ~~once construction commences~~ the duration of the construction phase. Should a majority of each Group members decline or not respond to an invitation to meet, the Requiring Authority is not required to hold that meeting.~~

~~1A.1511 Once construction has commenced the Requiring Authority will provide an update at least every three months (or as otherwise agreed) to the Groups on Project progression, compliance with the designation Project conditions and mManagement pPlans [which plans to be confirmed through the hearing process] and any material changes to the management se plans.~~

~~1A.1612 The Requiring Authority shall provide reasonable administrative support for the Groups including organising meetings at a local venue, inviting all members of the Groups, as well as the taking and dissemination of meeting minutes a local venue for meetings of the Community Liaison Groups.~~

~~1A.16 The Groups shall continue for the duration of the construction phase of the Project and for six months following completion of the Project.~~

Property acquisition and management engagement

1A.13 Within three months of the confirmation of the designation, the Requiring Authority shall provide to the Council Chief Executive or nominee and affected landowners access to a document outlining the Requiring Authority's property acquisition and management engagement practice (PAMEP).

The objective of the PAMEP is to provide clarity for affected landowners on how they can engage with the Requiring Authority on matters regarding property acquisition and management.

The PAMEP shall, as a minimum:

- a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 1A.2) and others [how many people might this be? Should all their details be public too?] who hold delegated duties for property acquisition and management relevant to the Project .
- b) Identify timeframes within which the Requiring Authority will respond to enquiries.
- c) Describe the process which the Requiring Authority will follow for responding to specific:
 - a. Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;
 - b. Requests from landowners to use land that is within the designation footprint but not yet acquired by the Requiring Authority; and
 - c. Complaints regarding the maintenance of properties acquired by the Requiring Authority.

The PAEMP will be made publicly available on the [Hamilton City] Council website -

2. Construction Management Plan

2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the ~~NZTA~~ Requiring Authority shall submit for ~~review and comment certification~~ a Construction Management Plan (CMP) to the Territorial Authority Chief Executive or nominee. The ~~purpose objective~~ of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP, including the preparation of management plans. For the avoidance of doubt, the ~~NZTA~~ Requiring Authority may prepare a CMP (or sub-management plan) in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for ~~review and comment certification~~ in accordance with this ~~e~~Condition prior to any construction activity commencing on a particular stage.

2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following details:

- (a) Details of the site or pProject manager, including their contact details (phone, facsimile (if any), postal address, email address);

- (aa) Details of the contact person required by eCondition 8.1 including name, phone number, email and postal address:-
- (b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or pProject manager and the contact person required by eConditions 1A.1 and 8.1;
- (bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
- (c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
- (cc) Environmental incident and emergency management procedures;
- (d) 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;
- ~~(dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation.~~
- (e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
- (f) 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;
- (ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
- (g) 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;
- (h) 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;
- (i) 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 1993 Heritage New Zealand Pouhere Taonga Act 2014;
- (j) Means of ensuring the safety of the general public; and
- (k) ~~Methods~~ Procedures for receiving and responding to complaints; ~~about construction dust, and odour from the works; and~~
- ~~(l) The following sub-management plans:~~
- ~~i. Construction Noise and Vibration Management Plan (in accordance with condition 0);~~
 - ~~ii. Traffic Management Plan (in accordance with condition 4);~~
 - ~~iii. Archaeological Site Management Plan;~~
 - ~~iv. Earthworks Management Plan;~~
 - ~~v. Dust Management Plan;~~
 - ~~vi. Ecological and Restoration Management Plan;~~
 - ~~vii. Erosion and Sediment Control Plan;~~
 - ~~viii. Hazardous Substances Management Plan; and~~
 - ~~ix. Stakeholder Communications Plan (in accordance with condition 4).~~

~~Except for the plans listed in clauses (l)(i), (ii) and (ix), the above sub-management plans do not require certification by Council but will be provided to Council for review and comment.~~

~~The Construction Noise and Vibration Management Plan, Traffic Management Plan and Stakeholder Communications Plan shall be provided to Council (in accordance with conditions 0, 4 and 4, respectively) for the Council's certification that the plan satisfies these conditions.~~

- ~~(l) Provision of access for emergency vehicles;~~
- ~~(m) Hours of operation of trucks and service vehicles;~~
- ~~(n) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on local roads, and the remedial measures to be taken should that occur.~~

2.3 Any changes proposed to the CMP shall be confirmed in writing by the Requiring Authority and certified in writing by the Territorial Authority's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

2A.1 Upon receiving a complaint during construction, the Requiring Authority shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt; and
- c) Respond to the complaint in accordance with any relevant ~~mManagement pPlan-~~, which may include monitoring of the activity by a suitably qualified **and experienced** expert **and**; implementation of mitigation measures, ~~and, in the case of noise and / or vibration, preparation of a Activity Specific Construction Noise and Vibration Management Plan (in accordance with conditions 5.5);~~

2A.2 A record of all complaints received shall be kept by the Requiring Authority. This record shall include:

- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
- b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
- c) Known construction activities at the time and in the vicinity of the concern or complaint;
- d) Any other activities in the area unrelated to the ~~Southern Links network~~**Project** construction that may have contributed to complaint such as non- ~~Southern Links network~~**Project** construction, fires, traffic accidents or unusually dusty conditions generally; **and**
- e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.

2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every ~~two~~ three months (or as otherwise agreed) to the Territorial Authority Chief Executive or nominee.

~~2A.4 Where a complaint remains unresolved or a dispute arises, the Territorial Authority Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the Requiring Authority considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Territorial Authority Chief Executive or nominee must determine whether a review of the CEMP or other relevant management plan is required to address this complaint. The Territorial Authority Chief Executive or nominee shall advise the Requiring Authority of its recommendation within 10 working days of receiving the records of complaint.~~

3 Outline Plan

~~3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Council ~~Territorial Authority~~ agrees that the CMP or relevant part(s) of the CMP contains adequate details to satisfy section 176A of the RMA, then the CMP or relevant part(s) of the~~

~~CMP 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 176A(2)(c) RMA.~~

3. [This condition deliberately left blank]

NOISE AND VIBRATION

~~Conditions 4.1 to 4.12 have not been assessed by the Reporting Team due to lack of information regarding the effects of operational noise and vibration.~~

4. Operational Noise

4.1 For the purposes of ~~e~~Conditions 4.1 - 4.12 the following terms will have the following meanings:

- a) BPO – means the Best Practicable Option.
- b) Noise Assessment – means the Noise Assessment ~~report (Appendix G) submitted with the NOR~~prepared in accordance with Condition 4.2.
- c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
- d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
- e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
- f) Structural Mitigation – has the same meaning as in NZS 6806:2010.

~~4.12~~ a) The Requiring Authority shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the Requiring Authority shall submit to the ~~Council~~ Territorial Authority Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The Requiring Authority shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.

b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified ~~[insert notification date]~~ (29 January 2014).

~~4.23~~ The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to ~~e~~Condition 4. ~~XX~~4, shall include, as a minimum, the following:

- a) noise barriers with the location, length and height in general accordance with the Noise Assessment; and
- b) Low-noise road surfaces in general accordance with the Noise Assessment.

~~4.34~~ Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:

- a) if the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Hamilton City ~~Waipāwaikato District~~ Council certifies to the Council that the

changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or

- b) if changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.

4.45 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.

4.56 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').

4.67 a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the Requiring Authority shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.

- b) If the owner(s) of the Category C Building approves the Requiring Authority access to the property within 12 months of the date of the Requiring Authority's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.

4.8 Where a Category C Building is identified, the Requiring Authority shall be deemed to have complied with Condition 4.7 above where:

- a) The Requiring Authority (through its acoustics specialist) has visited the building; or
- b) The owner of the Category C Building approved the Requiring Authority's access, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or
- c) The owner of the Category C Building did not approve the Requiring Authority access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the Requiring Authority letter (sent pursuant to Condition 4.7(a) within that period)); or
- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Category C Building, the Requiring Authority shall not be required to implement any Building-Modification Mitigation at that Category C Building.

4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the Requiring Authority shall give written notice to the owner of each Category C Building:

- a) Advising of the options available for Building-Modification Mitigation to the building; and
- b) Advising that the owner has three months within which to decide whether to accept Building-Modification Mitigation for the building, and if the Requiring Authority has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.

4.10 Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of an affected building, the mitigation shall be implemented (including the Requiring Authority obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.

4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the Requiring Authority shall be deemed to have complied with Condition 4.10 above where:

- a) The Requiring Authority has completed Building-Modification Mitigation to the Category C Building; or
 - b) The owner of the Category C Building did not accept the Requiring Authority offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the Requiring Authority within that period); or
 - c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The Requiring Authority shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.

~~after the opening of the Project to the public.~~

5. Construction Noise and Vibration

~~5.1 The NZTA shall implement a Construction Noise and Vibration Management Plan (CNVMP) throughout the entire construction period of the Project. The CNVMP shall be provided to the [council officer] for certification that it addresses Conditions 5.1 to 5.5 prior to commencement of construction of the project.~~

~~The CNVMP must describe the measures adopted to seek to meet:~~

- ~~• the noise criteria set out in Condition 5.3 below, where practicable. Where it is not practicable to achieve these criteria, alternative strategies should be described to address the effects of noise on neighbours; and~~
- ~~• the Category A vibration criteria set out in Condition 5.4 below, where practicable. If measured or predicted vibration levels exceed the Category A criteria then a suitably qualified expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria then construction activity shall only proceed if there is continuous monitoring of vibration levels and effects on those buildings at risk of exceeding the Category B criteria, by suitably qualified experts.~~

~~The CNVMP shall, as a minimum, address the following:~~

- ~~• Description of the works, a list of machinery to be used, anticipated equipment/processes and their scheduled durations.~~
- ~~• The procedure for measuring vibrations~~
- ~~• Hours of operation, including times and days when construction activities causing noise and/or using high-vibration machinery would occur.~~
- ~~• Requirements for vibration measurements of relevant machinery prior to construction or during their first operation, to confirm the vibrations the machinery generates.~~
- ~~• The construction noise and vibration assessment criteria for the project.~~
- ~~• Identification of affected houses and other sensitive locations where noise and vibration criteria apply.~~
- ~~• Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category A vibration criteria in Condition 11)~~
- ~~• Requirements for identifying any existing infrastructure assets (services, roads etc) which may be at risk of vibration induced damage during construction.~~
- ~~• Mitigation options, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved.~~
- ~~• Details of which operational road-traffic noise mitigation options as required by Condition 13 below will be implemented early enough to also mitigate construction noise.~~
- ~~• Management schedules containing site specific information and the roles and responsibilities of personnel on-site.~~
- ~~• Methods and frequency for monitoring and reporting on construction noise and vibration.~~
- ~~• Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and receiving and handling construction noise and vibration complaints.~~
- ~~• Construction equipment operator training procedures and expected construction site behaviours, particularly regarding the use of excavators and vibratory compactors.~~

- Contact numbers for key construction staff, staff responsible for noise and vibration assessment and council officers (as territorial authority).
- Procedures for managing construction vibration damage to existing services such as roads and underground pipelines.

5.2 The NZTA should, where practicable, implement those Structural Mitigation and Building Modification Mitigation measures for operational noise detailed in 13-23 which are identified in the CNVMP as also providing construction noise mitigation, prior to commencing major construction works that would be attenuated by these mitigation measures.

5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics - Construction Noise'. The construction noise criteria for the purposes of the CNVMP are:

Day	Time	$L_{Aeq(15min)}$	L_{AFmax}
Occupied PPFs (as defined in NZS 6806:2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	60 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

5.4 Construction vibration must be measured in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013). The construction vibration criteria for the purposes of the CNVMP are:

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Daytime 6:00 am to 8:00 pm	1.0 mm/s PPV	5.0 mm/s PPV	Inside the building
	Night time 8:00 pm to 6:00 am	0.3 mm/s PPV	1.0 mm/s PPV	
Other occupied buildings	Daytime 6:00 am to 8:00 pm	2.0 mm/s PPV	10.0 mm/s PPV	
All buildings	Transient vibration	5.0 mm/s PPV	BS 5228.2- Table B2 values	Building foundation
	Continuous vibration		BS 5228.2-	

Receiver	Details	Category A	Category B	Location
			50 percent Table B2 values	
Underground Services	Transient vibration	20mm/s PPV	30 mm/s PPV	On pipework
	Continuous vibration	10mm/s PPV	15 mm/s PPV	

5.5 When construction equipment is being evaluated for its ability to cause structural damage at a particular residence, the relevant standard that shall be used is as listed in line 2 of table 1 of German Standard DIN 4150 3:1999. The criteria are as listed below:

Type of Structure	Vibration Thresholds for Structural Damage, PPV (mm/s)				
	Short-Term			Long-Term	
	At Foundation			Uppermost Floor	Uppermost Floor
	0 to 10 Hz	10 to 50 Hz	50 to 100 Hz	All Frequencies	All Frequencies
Commercial /Industrial	20	20 to 40	40 to 50	40	40
Residential	5	5 to 15	15 to 20	15	5
Sensitive/Historic	3	3 to 8	8 to 10	8	2.5

Note: When a range of velocities is given, the limit increases linearly over the frequency range.

The Reporting Team prefer the following Construction Noise and Vibration Management Plan condition. This condition is the same as that agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.

Construction Noise and Vibration Management Plan

- 5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the Requiring Authority shall submit no later than forty (40) working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Waipa District Council/the Territorial Authority for certification by the Waipa District Council's/HCC's Chief Executive Officer or nominee for certification.
- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZTA, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.
- 5.3** Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	$L_{Aeq}(15min)$	L_{AFmax}
Occupied PPFs (as defined in NZS 6806:2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB

Day	Time	$L_{Aeq(15min)}$	L_{AFmax}
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

5.34 The CNVMP shall include specific details relating to methods for the control of ground vibrations associated with all relevant Project construction works, which shall be formulated to comply with the Category A criteria in Table A below, and whenever this is not practicable, to not exceed the Category B criteria. The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	All hours Monday to Sunday At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework

Receiver	Details	Category A	Category B	Location
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table AB: Construction Vibration Criteria

5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall, as a minimum, address the following aspects with regard to managing the adverse effects of construction noise and vibration:

- ~~a) Noise and/or vibration sources, including machinery, equipment and construction techniques to be used and their scheduled durations and hours of operation including times and days when work causing construction noise and/or vibration would occur;~~
- ~~b) The construction noise and vibration criteria for the project;~~
- ~~ca) Identification of affected dwellings and other sensitive locations where noise and/or vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;~~
- ~~db) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;~~
- ~~ec) Mitigation options, including alternative strategies where full compliance with the noise criteria from NZS 6803: 1999 in Table A above and/or the vibration criteria tabulated in Table AB above cannot practicably be achieved;~~
- ~~d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works.~~
- ~~f) Methods and frequency for monitoring and reporting on construction noise and vibration;~~
- ~~g) Contact numbers for key construction staff, staff responsible for noise and/or vibration assessment and council officers; and~~
- ~~h) Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling complaints about construction noise and/or vibration.~~

5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the [NZ Transport Agency Requiring Authority](#) shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be [circulated](#) provided to the [Waipa District Council HCC chief executive or nominee](#) at least **five (5) working-days** in advance of the relevant works being carried out **and implemented**.

~~5.5 Where a CNVMP predicts that levels from a particular activity will or will likely exceed the limits set out in condition 5.2 and/or 5.3, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare and submit for the approval of the Territorial Authority's Chief Executive Officer or nominee an Activity Specific Construction Noise and Vibration Management Plan (ASCNVMP), unless the Territorial Authority dismisses this requirement because the extent or duration by which the limits are exceeded is minor.~~

~~5.6 The ASCNVMP(s) shall be submitted to the Territorial Authority's Chief Executive Officer or nominee for review and approval at least 7 working days prior to the proposed works commencing. Works subject to the ASCNVMP(s) shall not commence until approval is received from the Territorial Authority.~~

~~5.6 In addition to the requirements of condition 5.4 an ASCNVMP(s) must:~~

- a) ~~Describe the activity (including duration), plant and machinery that is expected not to comply with the noise and/or vibration limits in conditions 5.2 and 5.3;~~
- b) ~~Provide predicted levels for all receivers where the levels will not be compliant with the limits in conditions 5.2 and 5.3;~~
- c) ~~Describe the mitigation measures proposed to reduce the noise and/or vibration levels as far as practicable, including any options that have been discounted due to cost or any other reason;~~
- d) ~~Describe alternative mitigation of the impacts that is acceptable to affected parties (e.g. temporary accommodation during the specific activity).~~

Advice Note: *It is accepted that the noise and vibration limits in Conditions ~~5.2-5.3~~ and ~~5.3-5.4~~ may not be met at all times, but that the Requiring Authority will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 A Traffic Management Plan (TMP), shall be prepared in accordance with the NZTA Code of Practice for Temporary Traffic Management and in consultation with the Territorial Authority Chief Executive or nominee. The TMP shall be submitted to the Territorial Authority Chief Executive or nominee, for certification that the plan satisfies this condition no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The TMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the TMP shall describe:
 - a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance of all access points to the Project site, and all key state highway and arterial local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State Highway network.
 - h) Measures to ensure that any staging of construction works will appropriately avoid, remedy or mitigate traffic related adverse effects.

6. Traffic and Network Management Plan

- ~~6.1 Prior to the commencement of construction, the Requiring Authority shall submit a Traffic and Network Management Plan, to be certified as being to the satisfaction of the Territorial Authority Chief Executive or nominee, which explains:~~
- ~~a) The intersection design philosophy as a part of a whole route approach to road and intersection management and operation;~~
 - ~~b) The localised traffic impacts together with accompanying mitigation measures required as a direct or indirect result of road closures, diversions, new intersection arrangements and other measures needed to accommodate the Southern Links Arterials Project;~~
 - ~~c) The provision of cycle infrastructure and the design of cycle features and whether they are consistent with current best practice guidelines;~~
 - ~~d) The provision of pedestrian infrastructure and whether the design of pedestrian infrastructure is consistent with current best practice guidelines;~~
 - ~~e) The merits of including bus service infrastructure features such as, but not limited to:
 - ~~i) Bus priority detection equipment at all signalised intersections along the route;~~
 - ~~ii) Bus stopping lay bays at appropriate locations along the route;~~
 - ~~iii) Passenger waiting facilities and shelters with bus information as part of the final road design; and.~~~~
 - ~~f) The provision of pedestrian and cyclist connectivity to and from Hamilton Gardens and along the Waikato River and Peacocke gully system.)~~

7 General Construction Traffic

- ~~7.1 The Requiring Authority shall ensure there is no off-site Project-related Bulk HCV traffic:
6.1.1.1 6.2.1.1 on Sundays; or
6.1.1.2 6.2.1.2 on public holidays or after 4.00 pm on working days prior to long weekends.~~
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

STAKEHOLDER COMMUNICATIONS

7 Stakeholder Communications Plan

- ~~7.1 The CMP shall include a Stakeholder Communications Plan (SCP), which shall be submitted to the Planning and Regulatory Manager, Hamilton City/Waipā/Waikato District Council, for certification that the plan satisfies this condition 8 no later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations).~~
- ~~7.2 The SCP shall describe the measures that will be undertaken to manage communications with affected individuals, organisations and communities regarding the effects of construction of the Project. In particular, the SCP shall contain details regarding:~~
- ~~7.2.1.1 A liaison person's name and contact details (including phone, facsimile (if any), postal address, and email address), as required by condition 1.2;~~
 - ~~7.2.1.2 Procedures for receiving, recording and responding to complaints about effects of construction activities, including whom to contact regarding complaints;~~
 - ~~7.2.1.3 The stakeholders who will be communicated with;~~
 - ~~7.2.1.4 Communication methods for the presentation of Project information, timing and duration of phases of construction works and changes in access, including the process for giving advanced warning to residents or occupiers of affected properties of specific construction effects; and~~
 - ~~7.2.1.5 Communication methods for the presentation of Project information to stakeholders regarding the management of earthworks, dust, construction noise (including hours of operation~~

and noise levels), vibration and construction traffic (including water cart traffic).

The Reporting Team prefer the following Communication and Consultation conditions.

8 Construction Communication and Consultation

Contact Person

8.1 The Requiring Authority shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.

Communication and Consultation Plan

8.2 The Requiring Authority shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Southern Links Network Project.

8.3 This Plan shall be submitted to Territorial Authority Chief Executive or nominee, no later than **forty (40)** working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.

8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Southern Links Network Project.

8.5 The Communication and Consultation Plan shall set out how the Requiring Authority will:

- a) Inform the community of construction progress and future construction activities and constraints that could affect them;
- b) The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);
- c) Provide early information on key Project milestones;
- d) Obtain and specify a reasonable timeframe (being not less than 10 working days), for feedback and inputs from affected parties regarding the development, review and implementation of the management plans <which plans to be confirmed through the hearing process>; and
- e) Respond to queries and complaints including but not limited to:
 - i) Who is responsible for responding;
 - ii) How responses will be provided;
 - iii) The timeframes that responses will be provided within.

8.65 The Communication and Consultation Plan shall as a minimum include:

- a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters;
- b) The Communication, ~~and~~ Consultation and Property Liaison Manager for the Project including their contact details (phone, email and postal address);
- c) The methods for identifying, communicating and consulting with persons affected by the project including but not limited to:
 - All property owners and occupiers within the designation footprint;
 - All property owners and occupiers adjacent to the designation footprint;
 - Department of Conservation;
 - Heritage New Zealand;
 - Community Liaison Group(s) (refer Condition 1A.9);

Network Utility Operators;

Hamilton Regional Airport Ltd;

~~<additional parties to be confirmed through the hearing process>~~

- d) How stakeholders and persons affected by the ~~p~~Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;
- ~~d) How stakeholders and persons affected by the project will be consulted in the development and review of the management plans <which plans to be confirmed through the hearing process>, including specifying reasonable timeframes for feedback;~~
- e) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;
- f) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours; and
- g) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works.;
- ~~h) A list of affected parties and stakeholders who will be communicated with;~~
- ~~i) How communication and consultation activity will be recorded.~~

8.76 The Communication and Consultation Plan will be made publicly available (once certified) and on the Requiring Authority's website.

Advice Note: The Pre-Construction and Communication and Consultation Plan required under Condition 1A will continue to work alongside the Communication and Consultation Plan required under this Condition.

The Reporting Team recommends that the Requiring Authorities provide conditions requiring the preparation of:

- ~~a) Social Impact Monitoring Plan~~
- ~~b) Property Acquisition and Management Strategy~~

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

9.1 No later than ~~forty-two~~ twenty (4020) working days prior to the commencement of any stage of construction (excluding site investigations), the ~~NZTA Requiring Authority~~ shall submit ~~for approval~~ a Concept Landscape Management Plan (CLMP), to ~~Territorial Authority Chief Executive or nominee for certification~~. The CLMP shall be developed in consultation with the Southern Links Tangata Whenua Working Group (TWWG).

9.1A The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses <to be provided by the Requiring Authorities>. The CLMP shall include:

- a) A vision statement;
- b) An outline of the landscape and urban design themes to be adopted for the entire length of the ~~Southern Links~~ Project, including for overbridges, underbridges and noise barriers.
- c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces.
- d) Concept landscape plans showing the design scheme; and

- e) Planting management and maintenance requirements.

9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.

~~9.2A The CLMP shall be prepared in accordance with:~~

- ~~a) NZTA's 'P39 Standard Specification for Highway Landscape Treatments' (2013);~~
- ~~b) 'Bridging the Gap', NZTA Urban Design Guidelines (2013);~~
- ~~c) NZTA Urban Design Guidelines (2013); and~~
- ~~d) Waikato Regional Council, Natural Character Policies within the Proposed Waikato Regional Policy Statement.~~

~~9.2B The CLMP shall have regard to Policy 12.3 (Natural Character) of the Proposed Waikato Regional Policy Statement.~~

~~9.2C The Requiring Authority shall provide the CLMP to the following stakeholders at least 30 working days prior to submitting it to Territorial Authority Chief Executive or nominee:~~

- ~~a) Affected property owners and occupiers~~
- ~~b) Tamahere Community Committee;~~
- ~~c) Waikato Regional Airport;~~
- ~~d) Tangata Whenua Working Group~~
- ~~e) Mangakotukutuku Stream Care Group;~~
- ~~f) <additional parties to be confirmed through the hearing process>~~

~~9.2D If the Requiring Authority has not received any comments from the stakeholders noted in condition 9.2C within 20 working days of providing them the CLMP the Requiring Authority may consider that the stakeholder concerned has no comments.~~

~~9.2E The Requiring Authority shall include any comments from the stakeholders noted in condition 9.2C along with an explanation of where and why any comments have not been incorporated into the CLMP(s) prior to submitting the CLMP to the Territorial Authority.~~

Landscape Management Plan

9.3 The ~~NZTA~~ Requiring Authority shall develop the ~~approved~~ certified CLMP into a fully detailed Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the ~~NZTA~~ Requiring Authority shall submit for ~~approval~~ certification the LMP, to the Territorial Authority Chief Executive or nominee ~~for certification~~.

9.3A The ~~objective of the~~ LMP will ~~be to~~ identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of that particular stage of the Project or a particular stage of the Project ~~<to be provided by the Requiring Authorities>~~. The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project to maintain and enhance landscape, amenity and ecological values along the route and mitigate any adverse visual, landscape and ecological effects of that particular stage of works.

9.4 The LMP(s) shall be prepared, in consultation with TWWG, ~~in consultation with the Hamilton City/Waipā/Waikato District Council Territorial Authority~~ by a suitably qualified and experienced landscape architect and shall include at least the following:

- a) The proposed landscape and urban design theme to be adopted ~~for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;~~
- b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological

Management and ~~Restoration-Monitoring Plan~~ required by ~~e~~Condition 12), and the type and density of planting to be undertaken;

- c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
- d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
- ~~e) The outcomes of consultation with Hamilton City/Waipā/Waikato District Council Territorial Authority regarding landscape proposals along local roads;~~
- f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
- g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
- h) Measures to integrate cut and fill batters with the existing topography;
- i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
- j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
- k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
- l) A planting specification, including planting and mulching techniques;
- m) Planting maintenance requirements over a ~~two~~-five year period following planting and reinstatement of road verges and gullies;
- n) An implementation programme for all remedial and mitigation measures; and
- o) Post-construction monitoring measures; ;
- p) Site specific planting and screening measures developed in agreement-consultation with affected property owners; ; and
- (q) All plant species used in the Landscape Management Plan shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Hamilton City District Plan, Waipā District Plan, and the Waikato District Plan.
- ~~q) Planting Maintenance and establishment requirements over a five year period following planting and reinstatement of road verges.~~

~~9.5 The Requiring Authority shall provide the LMP to the following stakeholders at least 30 working days prior to submitting it to Territorial Authority Chief Executive or nominee:~~

- ~~a) Affected property owners and occupiers~~
- ~~b) Tamahere Community Committee;~~
- ~~) Waikato Regional Airport;~~
- ~~) Hamilton Southern Links Tangata Whenua Working Group~~
- ~~) Mangakotukutuku Stream Care Group;~~
- ~~) <additional parties to be confirmed through the hearing process>~~

~~9.6 If the Requiring Authority has not received any comments from the stakeholders noted in condition 9.5 within 20 working days of providing them the LMP the Requiring Authority may consider that the stakeholder concerned has no comments.~~

~~9.7 The Requiring Authority shall include any comments from the stakeholders noted in condition 9.5 along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the Territorial Authority.~~

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Maintenance and Monitoring of Landscape Management Plan(s)

11.1 ~~11.421~~ The NZTA/HCC Requiring Authority shall undertake an inspection at one year and again at ~~two~~ five years after the implementation of the LMP(s) in accordance with ~~e~~Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to ~~Waipa/Waikato District Council Territorial Authority~~ Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ECOLOGICAL MANAGEMENT AND RESTORATION MONITORING PLAN

~~Conditions 12.1 to 12.2 have not been assessed by the Reporting Team due to lack of information regarding the effects on ecology.~~

~~12. Ecological Management and Restoration Plan~~

~~12.1 The requiring authority shall develop an **Ecological Management and Restoration Plan** (EMRP). This EMRP shall be prepared by an appropriately qualified ecologist/s and provide for the management of Long Tailed Bat habitats within the designation. The Southern Links Taangata Whenua Working Group and the Department of Conservation shall be consulted in the preparation of the EMRP. The EMRP shall be submitted to the *Waipa/Waikato District Council* for certification acting in a technical certification capacity, at least 40 working days prior to the commencement of works. The EMRP shall include, but may not be limited to, the following matters:~~

- ~~Details of a comprehensive nocturnal surveys/Long Tailed Bat monitoring programme in order to confirm occupancy at the following and other potential (including non-indigenous) habitats along the Southern Links Reading Corridor route:~~

~~—along the Waikato River margins at Tamahere from the Southern Links crossing point north to (and including) the oak tree stand noted as a long tailed bat roost north of the airport runway (both Waipa and Waikato).~~

~~—in the gully system on properties fronting Tamahere Drive directly affected by the Southern Links designation (Waikato DC only).~~

~~- in the remnant kahikatea stands generally located in the area bounded by Middle Road, Narrows Road and Raynes Road, and adjacent to State Highway 3 in the vicinity of Penniket Road (Waipa DC only).~~

~~Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats;~~

- ~~b) In the event of detection of Long Tailed Bats within the road corridor, or the detection of bat commuting routes affected by the road corridor, the requiring authority shall develop a Long-Tailed Bat Management Plan. This plan shall include, but may not be limited to, the following:~~
- ~~i. Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;~~
 - ~~ii. Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;~~
 - ~~iii. Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);~~
 - ~~iv. The establishment of buffer zones along the southern links route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;~~
 - ~~v. Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;~~
 - ~~vi. Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Southern Links network at all locations where bats are detected;~~
 - ~~vii. Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the project or its vicinity that do not require removal;~~
 - ~~viii. Procedures for implementing, monitoring and review of the EMRP.~~
- ~~c) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of biodiversity values or natural habitat along the Southern Links network as a result of its construction. These details shall include, but may not be limited to the following:~~
- ~~i. The nature of any restorative planting to be undertaken (timing, species, source of planting material, extent and location);~~
 - ~~ii. The nature of any weed and/or pest control considered appropriate (timing, extent and location); and~~
 - ~~iii. The nature and extent of stock proof fencing that is to be established along the margins of restoration areas.~~

12.2 If appropriate the ERMP required under this condition can be developed as a combined document with the ERMP required by condition *(insert final condition reference)* of the NZTA Southern Links designation in the Waikato District, and/or the required by *(insert final condition reference)* of the Hamilton City Council designation for the Southern Links Arterial Routes.

12. Ecological Management and Monitoring Plan

12.1 The Requiring Authority shall, in consultation with the Southern Links Taangata Whenua Working Group (TWWG), Waikato Regional Council, Hamilton City Council HCC (as Territorial Authority), the Waikato River Authority, the Director-General of Conservation, the Mangakotukutuku Stream Care Group Incorporated, the Riverlea Environment Society and the NZ Transport Agency develop an Ecological Management and Monitoring Plan (EMMP). The EMMP shall be prepared by an appropriately qualified and experienced ecologist/s.

12.2 The EMMP shall be submitted to ~~Hamilton City Council's City Planning Manager~~ HCC's Chief Executive or nominee, ~~acting in a technical certification capacity, for certification that the EMMP includes performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives specified below.~~ The EMMP must be submitted for certification within three years after the date on which Hamilton City Council's designation is included in the ~~Operative or Proposed Hamilton~~ HCC District Plan or at least ~~forty (40)~~ working days prior to the commencement of works, whichever event occurs earlier in time. ~~Hamilton City Council must certify the EMMP within 10 working days of the Requiring Authority submitting it for certification.~~

The EMMP will include performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives specified below.

The objectives of the EMMP shall be to demonstrate how the Requiring Authority will ~~aim to achieve no net loss of terrestrial, wetland and stream biodiversity values.~~ It will provide details on how monitoring, management and mitigation the significant adverse effects of construction activities and ~~Southern Links network~~ Project operation ~~operation on terrestrial and wetland ecological values, and their associated biodiversity values, is to be undertaken~~ -including but not limited to effects on:

- a) Long-Tailed Bats, with the aim of ~~retaining~~ enhancing long-tailed bat habitats within the city boundary;
- b) Avifauna, with the aim of enhancing the extent and quality of habitat for native species;
- c) Lizards, with the aim of enhancing the extent and quality of habitat for native species ; and
- d) ~~Significant~~ Indigenous vegetation, ~~aquatic and wetland values,~~ with the aim of restoring ~~or mitigating~~ indigenous vegetation to the gullies and margins of the Waikato River in accordance with objectives and policies of the Hamilton Gully Reserves Management Plan (2007) as these relate to biodiversity, with the species and composition of vegetation restored reflecting as far as possible the natural ecosystems that were likely to be originally representative of gully systems and riparian margins of the Waikato River as defined in Clarkson & Clarkson (1997)¹.

12.3 The EMMP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:

- a) Ecological management;
 - i) Vegetation and habitat management;
 - ii) Management of effects on long-tailed bats, avifauna, and lizards;
- b) Ecological monitoring; and
- c) Habitat restoration on the basis of a minimum 1:1 restoration ratio for areas of gully, ~~bat habitat~~ and river margin affected by the designation. ~~The area to be restored based on this ratio shall be a minimum of 13ha.~~ Gully habitat restoration proposed by the EMMP shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system. Third Revised Edition. Hamilton City Council (or an updated version).

¹ Clarkson, B. R. & Clarkson, B. D. (July 1997 – revised April 2000). Indigenous Vegetation Types of Hamilton City. A report prepared for the Ministry of the Environment. Landcare Research.

12.4 The EMMP shall include:

- a) Identification of areas and timeframes for establishment of advance restoration / mitigation planting, as far as practicable ~~in advance~~ ahead of construction activities taking into account land ownership, accessibility and ~~funding constraints~~ the timing of available funding;
- b) Identification of areas and timeframes for establishment of incremental restoration / mitigation planting to be undertaken as property is acquired by or vested in ~~the NZ Transport Agency~~ HCC through the Public Works Act or the Resource Management Act;
- c) Provision for the coordination of construction works and environmental protection and restoration programmes;
- d) Provision for the engagement of suitably qualified and experienced ecologists to develop appropriate procedures to manage effects on long-tailed bats, avifauna, and lizards, where habitats are affected;
- e) The nature of any weed and / or pest control considered appropriate (timing, extent and location) in restoration / mitigation planting areas;
- f) The nature and extent of stock proof fencing (if required) that is to be established around the boundaries of restoration / mitigation planting areas; ~~and~~
- g) Provisions, where practicable, for the salvage of elements of ~~any significant habitat of~~ indigenous flora and fauna that is being destroyed as a result of the construction of the Project ~~and its translocation to appropriate restoration areas.~~

12.5 The EMMP provisions for Long-Tailed Bat Management shall include, but not be limited to, the following:

- a) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;
- b) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;
- c) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
- d) The establishment of buffer zones and hop overs along the ~~Southern Links~~ Project route in advance of construction (where feasible), during and after construction to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
- e) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
- f) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the ~~Southern Links~~ Project network at all locations where bats are detected;
- g) Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the Project or its vicinity that do not require removal; ~~and-~~
- h) Monitoring of long-tailed bats shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats.

12.6 The EMMP will outline the aquatic surveys to be undertaken by a suitably qualified and experienced ecologist/s prior to lodgement of resource consent applications with the Regional Council. These shall include, but will not be limited to:

- a) Fish surveys of waterways (including drains and wetlands) using a recognised protocol prior to stream crossing design to determine the fish community and therefore likely fish passage and fish recovery requirements where culverts are to be installed; and times when instream works are to be avoided so as not to adversely impact on peak periods of fish migration and spawning; and
- b) Surveys to determine aquatic quality and character of habitats impacted by stream crossings where instream habitats will be impacted (e.g. culverts) so that an appropriate methodology can be used to mitigate loss of ecological value that has not already been accounted for by advanced mitigation restoration (e.g. presence of mudfish)

12.7 The Requiring Authority may review the EMMP at any time to make provision for the future grant of resource consents required to authorise components of the Project, and any staging of construction of the ~~Southern Links Project network~~, within Hamilton City. The Requiring Authority shall consult with the ~~Southern Links Taangata Whenua Working Group~~ TWWG, Waikato Regional Council, ~~Hamilton City Council~~ HCC (as Territorial Authority), the Waikato River Authority, the Director-General of Conservation, the Mangakotukutuku Stream Care Group Incorporated, ~~and the Riverlea Environment Society and the NZ Transport Agency~~ in preparing any review to the EMMP. The Requiring Authority shall submit any review of the EMMP to HCC's ~~the Hamilton City Council City Planning Manager Chief Executive~~ for certification.

ARCHAEOLOGY

13 Heritage and Archaeological Site Management Plan ~~y Site Management Plan~~

13.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the Requiring Authority's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation footprint and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work).

13.2 Prior to the commencement of construction the Requiring Authority shall provide to ~~the Hamilton City Council~~ HCC evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.

13.32 Following consultation with Heritage New Zealand and the TWWG, a ~~A~~ Heritage and Archaeological Site Management Plan (HASMP), to be first approved by Heritage New Zealand and then certified as being to the satisfaction of the Territorial Authority Chief Executive or nominee, shall be) prepared by a suitably qualified and experienced archaeologist and then submitted for certification to HCC's Chief Executive or nominee at least forty (40) days prior to the commencement of any earthworks or construction activity and experienced archaeologist and a suitably qualified and experienced conservation architect under the direction of the Requiring Authority in consultation with the Southern Links Taangata Whenua Working Group and Heritage New Zealand.

13.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on ~~[heritage buildings] and~~ archaeological sites within the designation in conjunction with any conditions required in compliance with any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:

- a) Measures that will be taken to protect or avoid archaeological sites (or insitu archaeological remains) from damage during construction;

- b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the Requiring Authority's Designation;
- c) Areas where monitoring of construction works by an archaeologist will be required;
- d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
- e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
- f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
- g) Provision Monitoring for any revisions required to the HASMP during the course of the Project; and
- h) Reporting requirements.

13.5 Following consultation with Heritage New Zealand and the TWWG, a Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to HCC's Chief Executive or nominee. The Policy shall describe the long-term ongoing management of those remaining archaeological sites (part or whole) that are identified as adversely affected by the designation footprint but remain unaffected (in part or whole) by the construction of the road once construction is completed. This should not be limited to the surface visible remains but recognise the importance of sub-surface deposits.

13.1 The Requiring Authority shall give at least 4 weeks written notice of the date that the construction contractor intends to commence earthworks or construction activity, to:

- a) The Project archaeologist to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of the construction; and
- b) The Territorial Authority;
- c) The Hamilton Southern Links Tangata Whenua Working Group to enable them to:

 - i. allocate a representative to liaise with the Project archaeologist and who will be actively involved in the archaeological work associated with the Project;
 - ii. clarify with the contractor the location of the archaeological sites and the procedures that will be observed;
 - iii. provide the names of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the project;
 - iv. undertake any appropriate cultural ceremonies on the archaeological sites; and
 - v. arrange for the inspection of the earthworks in the vicinity of the archaeological sites.

13.1 Prior to the commencement of construction the NZTA Requiring Authority shall provide to the Waipa/Waikato District Council Territorial Authority evidence that Archaeological Authorities have been obtained from the Heritage New Zealand Historic Places Trust as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZTA Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.

13.2 The CMP shall include an Archaeological Site Management Plan (ASMP) prepared under the direction of the NZTA in consultation with the Southern Links Tangata Whenua Working Group and the NZHPT. The ASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. In particular, the ASMP shall describe:

7.2.1.6 Measures that will be taken to protect archaeological sites from damage during construction;

- ~~7.2.1.7 Mitigation measures in the form of archaeological investigation and recording;~~
- ~~7.2.1.8 Areas where monitoring of construction works by an archaeologist will be required;~~
- ~~7.2.1.9 Accidental Discovery Protocols to be followed if archaeological sites, human remains or taonga (Maori artefacts) are encountered during construction works;~~
- ~~7.2.1.10 The roles and responsibilities associated with managing the archaeological aspects of the Project;~~
- ~~7.2.1.11 Provision for training contractors in the archaeological requirements of the Project;~~
- ~~7.2.1.12 Provision for any revisions required to the ASMP during the course of the Project; and~~
- ~~7.2.1.13 Reporting requirements.~~
- ~~13.2 No later than 4 weeks prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Archaeological Site Management Plan (ASMP), prepared by a suitably qualified archaeologist, to the Territorial Authority Chief Executive or nominee for certification.~~
- ~~13.3 The ASMP shall be prepared in consultation with the Hamilton Southern Links Tangata Whenua Working Group and with Heritage New Zealand. The objective of the ASMP is to describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. As a minimum, the ASMP shall include the following:~~
- ~~a) Measures to be taken to protect archaeological sites or the parts of archaeological sites from damage during construction. Wherever possible this should take the form of a physical barrier and such a barrier should be placed with an appropriate buffer zone of not less than 10 m;~~
 - ~~b) Roles and responsibilities associated with managing the archaeological aspects of the Project;~~
 - ~~c) Provisions for training for staff and contractors in the archaeological requirements of the Project;~~
 - ~~d) Provision for any revisions required to the ASMP during the course of the Project. Any required revisions to the ASMP shall not be implemented by the Requiring Authority until approved in writing by Territorial Authority Chief Executive or nominee. The Territorial Authority shall respond to the request for a revision to the ASMP within 2 weeks or another time period agreed between all parties;~~
 - ~~e) Twenty working days prior to the Requiring Authority providing the ASMP or any revisions in accordance with condition 1.3(d) to Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised ASMP detailing:

 - ~~i. Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
 - ~~ii. Where feedback has been provided, how it has been incorporated into the ASMP; and~~
 - ~~iii. Where feedback has been provided but not been incorporated into the ASMP, the reasons why not.~~~~
- ~~13.4 All site records in the national NZAA database are updated to reflect the information gathered during the project to date and that they are updated as new information comes to hand.~~
- ~~13.5 Conservation Plans shall be prepared for the long-term management of those archaeological sites (part or whole) that remain unaffected by the construction of the project once construction is completed. These Conservation plans shall:~~
- ~~a) Not be limited to the surface visible remains but recognise the importance of sub-surface deposits);~~
 - ~~b) Be prepared by a suitably qualified archaeologist; and~~
 - ~~c) Submitted to the Territorial Authority Chief Executive or nominee for certification.~~

~~13.6 No later than 4 weeks prior to the Requiring Authority providing the Conservation Plans to the Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised Conservation Plans detailing:~~

- ~~a) Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
- ~~b) Where feedback has been provided, how it has been incorporated into the Conservation plans; and~~
- ~~c) Where feedback has been provided but not been incorporated into the Conservation Plans, the reasons why not.~~

~~13.7 Direct effects in the Whatakoruru Paa (S14/47) are avoided during construction other than the removal of the standing pines trees on the paa. These should be felled and removed in a manner that causes a minimum of adverse effects on the area affected by the tree and with no adverse effects on the part of the pa unaffected by the trees. Consistent with proposed condition 13.5 a Conservation Plan must be prepared for the paa S14/47. HCC Designation 111~~

NETWORK UTILITY INFRASTRUCTURE

14 Network Infrastructure Generally

~~14.1 The NZTA 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 to ensure:~~

- ~~a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and~~
- ~~b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.~~

~~14.1 During the design phase of the Project, the Requiring Authority shall give reasonable notice and make all reasonable endeavours to:~~

- ~~a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and~~
- ~~b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.~~

~~14.2 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the Requiring Authority shall, subject only to reasonable planned interruption, either:~~

- ~~a) Protect the utility from any activity which may interfere with the proper functioning of the services; or~~
- ~~b) Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or~~
- ~~c) Seek to repair or replace, at the Requiring Authority's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.~~

~~14.3 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Network Utilities Management Plan (NUMP). The NUMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council at least 40 working days prior to construction activities being undertaken for certification.~~

~~14.4 The NZ Transport Agency shall adhere to the relevant requirements of the NUMP at all appropriate times during the Project. The objective of the NUMP shall be to ensure that the enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.~~

~~14.5 The NUMP shall be prepared in consultation with network utility operators who have network utilities that traverse, or are in close proximity to, the designation. The NUMP shall include as a minimum:~~

- ~~a) Cross references to the Communication and Consultation Plan for the methods that will be used to liaise with all network utility operators who have existing network utilities that traverse, or are in close proximity to, the designation;~~
- ~~b) Measures to be used to accurately identify the location of existing network utilities, and the measures for the protection, support, relocation and/or reinstatement of existing network utilities;~~
- ~~c) Methods to be used to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities (and their priority designations) which traverse, or are close proximity to, the designation, and the restrictions in place in relation to those existing network utilities. This shall include:
 - ~~i) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to network utilities;~~
 - ~~ii) Plans identifying the locations of the network utilities (and their designations) and appropriate physical indicators on the ground showing specific surveyed locations;~~~~
- ~~d) Measures to be used to ensure the continued operation of network utility and the security of supply of the services by network utility operators at all times;~~
- ~~e) Measures to be used to enable network utility operators to access existing network utilities for maintenance at all reasonable times on an ongoing basis during construction, and to access network utilities for emergency and urgent repair works at all times during the construction;~~
- ~~f) Contingency management plans for reasonably foreseeable circumstances in respect of the relocation and rebuild of network utilities during the construction;~~
- ~~g) Earthworks management (including depth and extent of earthworks and temporary and permanent stabilisation measures), for earthworks in close proximity to network utilities;~~
- ~~h) Vibrations management and monitoring for works in close proximity to network utilities;~~
- ~~i) Emergency management procedures in the event of any emergency involving network utilities;~~
- ~~j) The process for providing as-built drawings showing the relationship of the relocated network utilities to the Southern Links network to network utility operators and the timing for providing these drawings; and~~
- ~~k) The methods to provide for the integrity of KiwiRail's assets and to avoid adverse effects on KiwiRail operations as a result of the Project.~~

15 Airport Aviation Infrastructure

~~15.1 During the design phase of the project the NZTA shall liaise with Waikato Regional Airport Ltd (or its successor) in relation to any part of the works within the designation where existing and/or future airport aviation infrastructure may be affected, and make reasonable and relevant changes requested by Waikato Regional Airport Ltd to the relevant design plans and construction methodologies to ensure that such aviation infrastructure is not adversely affected.~~

~~15.2 The final design of the project shall incorporate, but not be limited to, the following measures:~~

- ~~(i) Signage at appropriate locations adjacent to airport flight paths cautioning drivers about low flying aircraft~~
- ~~(ii) Location of the east-west state highway route as far to the north (within the designation) as practicable from the main airport runway~~
- ~~e) Consideration of the extent of highway lighting with regards to airport approach paths. Where highway lighting is required within approach paths the highway lighting must be shielded to avoid the lighting creating a distraction to the pilots of aircraft on approach to runways at the airport. In this regard the NZTA shall liaise with the New Zealand Civil Aviation Authority (or its successor) at the time of detailed design to ensure relevant compliance standards for light shielding at the time are complied with.~~

~~15.3 Prior to any physical works commencing on the part of the Southern Links network that potentially affects airport aviation infrastructure, the NZTA shall obtain a letter from Waikato Regional Airport Ltd (or its successor) that confirms that the works have been designed to the satisfaction of Waikato Regional Airport Ltd (or its successor).~~

~~The Reporting Team suggesting that the Requiring Authorities work with the Waikato Regional Airport Ltd to develop a condition for an Airport Operation Management Plan.~~

4615 Te Awa Cycleway

~~4615.1 The Requiring Authority shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.~~

16. Underpasses

~~16.1 Following consultation with the owners of the properties specified in this Condition, the Requiring Authority shall consider in the final design of the Project incorporating underpasses of a standard sufficient for their intended use at the following locations:~~

- ~~a) Under the Peacocke North-South Major Arterial link to Cobham Drive from areas west of the major arterial to areas to the east of the major arterial in the vicinity of the Glenview Club. (this bit has shifted to 16.1(g))~~

16. Traffic and Road Network Management Plan

~~16.1 As part of the outline plan, the Requiring Authority shall submit a Traffic and Network Management Plan, to be certified by the Territorial Authority Chief Executive or nominee, which explains:~~

- ~~a) The intersection design philosophy as a part of a whole-route approach to road and intersection management and operation.~~
- ~~b) The localised traffic impacts together with accompanying mitigation measures required as a direct or indirect result of road closures, diversions, new intersection arrangements and other measures needed to accommodate the Project;~~
- ~~c) The provision of cycle infrastructure and the design of cycle features and whether they are consistent with current best practice guidelines;~~
- ~~d) The provision of pedestrian infrastructure and whether the design of pedestrian infrastructure is consistent with current best practice guidelines;~~
- ~~e) The merits of including bus service infrastructure features such as, but not limited to:~~
- ~~i) Bus priority detection equipment at all signalised intersections along the route;~~
- ~~ii) Bus stopping lay-bys at appropriate locations along the route;~~
- ~~iii) Passenger waiting facilities and shelters with bus information as part of the final road design; and~~
- ~~f) The provision of pedestrian and cyclist connectivity to and from Hamilton Gardens and along the Waikato River and Peacocke gully system.)~~
- ~~g) The provisions of pedestrian and cyclist connectivity from areas west of the Peacocke North-South Major Arterial to areas east of the arterial in the vicinity of the Glenview Club. The Peacocke North-South Major Arterial link to Cobham Drive from areas west of the major arterial to areas to the east of the major arterial in the vicinity of the Glenview Club.~~

17 Protected Trees

~~2017.1~~ The Requiring Authority shall undertake best endeavours at the time of detailed design to retain the existence and health of the protected trees listed as T36.1 (Pin Oak), T36.3 (Pin Oak) and T36.4 (Pine) in the Hamilton City Proposed District Plan (Decisions Version - 2014).

18 Consultation with Waikato - Tainui

18.1 When required to consult with taangata whenua by the ~~e~~Conditions of this designation the ~~NZTA Requiring Authority~~ shall, through its Chief Executive ~~Officer~~ or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a ~~Hamilton Southern Links Taangata Whenua Working Group ('Group')~~ ~~(TWWG)~~. Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:

- a) Each hapu is represented by the recognised/appointed person or persons;
- b) Administration of liaison/coordination occurs in a timely manner;
- c) Any actions/direction or information from the ~~TWWG Group~~/representatives has a common voice for Iwi on all liaison/coordination matters.

~~2018.1~~ The ~~TWWG~~ shall comprise of representatives of the following:

- a) Ngati Hauaa;
- b) Ngati Koroki Kahukura;
- c) Ngati Wairere;
- d) Ngati Maahanga;
- e) ~~NZTA~~ Requiring Authority ;
- f) ~~Waipa/Waikato District Council~~ The Territorial Authority.

~~The Requiring Authorities may wish to consider the inclusion of the following condition or similar wording. This condition is based on a condition agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.~~

~~18.3~~ ~~The Requiring Authority shall:~~

- ~~a) Within six months of confirmation of the designations, prepare in consultation with the TWWG a Waikato-Tainui Mitigation Plan (WTMP). The objective of the WTMP is to specify and record a range of reasonable and tangible mitigation measures to address the mitigation recommendations included in the Hamilton Southern Links Taangata Whenua Effects Assessment Report (TWEAR) dated January 2014.~~
- ~~b) No less than six weeks prior to the Requiring Authority providing the WTMP to the Territorial Authority, a draft version of the WTMP will be provided to the TWWG for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised WTMP detailing:
 - ~~i. Whether any feedback has been provided by the TWWG; and~~
 - ~~ii. Where feedback has been provided, how it has been incorporated into the WTMP; and~~
 - ~~iii. Where feedback has been provided but not been incorporated into the WTMP, the reasons why not.~~~~
- ~~c) Once the WTMP is finalised, submit a copy of the WTMP to the Territorial Authority for its information.~~
- ~~d) The Requiring Authority must implement the WTMP throughout the duration of the project.~~

19 Dust Management Plan

19.1 Prior to the commencement of construction, the Requiring Authority shall prepare a Dust Management Plan (DMP). The Requiring Authority shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.

19.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority at least 40 working days prior to construction activities being undertaken for certification.

19.3 As a minimum the DMP shall include the following details:

- a) Mitigation measures to be implemented during construction to minimise dust emissions;
- b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
- c) Procedures for responding to process malfunctions and accidental dust discharges;
- d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
- e) Continuous monitoring of meteorology;
- f) Monitoring of construction vehicle maintenance;
- g) Complaints investigation, monitoring and reporting;
- h) The identification of staff and contractors' responsibilities; and
- i) Appropriate DMP review procedures.

~~4~~ ~~Should dust resulting from the enabling works and construction of the Project generate a complaint, the Requiring Authority shall within five working days of receipt of the complaint provide a written report to the Territorial Authority. The report shall specify:~~

- ~~a) The cause or likely cause of the event and any factors that influenced its severity;~~
- ~~b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and~~
- ~~c) The steps to be taken in future to prevent recurrence of similar events.~~

20 Contaminated Soil Management Plan

20.1 Prior to the commencement of construction, the Requiring Authority shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The Requiring Authority shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

20.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority for certification at least forty (40) working days prior to construction activities being undertaken certification.

20.3 As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
- c) The soil validation testing that will be undertaken;
- d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;

- e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
- f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material;
 - ii) Stop work or isolate the area once any such material is identified;
- g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil;
 - iv) Remediate any required sites; and;
- h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii) Handle any asbestos containing material.

20.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of ~~The~~ the measures required in eCondition 20240.3 above ~~shall also include appointment of a Suitably Qualified and Experienced Practitioner to implement the actions identified in the CSMP.~~

20.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Territorial Authority documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the Requiring Authority.

Advice note: A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).

21 Hazardous Substances Management Plan

21.1 Prior to the commencement of construction, the Requiring Authority shall prepare a Hazardous Substances Management Plan (HSMP). The Requiring Authority shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.

21.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority ~~for certification~~ at least forty (40) working days prior to construction activities being undertaken ~~for certification~~.

21.3 As a minimum the ~~CSMP~~-HSMP shall include the following details:

- ~~f)h)~~ Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
- ~~g)i)~~ Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
- ~~h)j)~~ The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;

- ~~i) Confirmation that there shall be no storage of explosives on the Project site;~~
- ~~j) Procedures to notify and report to the Territorial Authority within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and~~
- ~~k) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.~~

~~22 Road Lighting~~

~~Construction Lighting~~

- ~~22.1 The Requiring Authority shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.~~

~~Operational Lighting~~

- ~~22.2 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing residential buildings dwelling, and shall ensure that:~~
- ~~a) All carriageway lighting is designed in accordance with "Road Lighting Standard AS/NZS1158"; and~~
 - ~~b) All other lighting is designed in accordance with the relevant rules of the District Plan.~~

~~23 Administration~~

- ~~23.1 The Requiring Authority shall pay to the Waipa/Waikato District Council/Territorial Authority any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.~~

~~23 Traffic and Network Management Plan~~

- ~~23.1 Prior to the commencement of construction, the Requiring Authority shall submit a Traffic and Network Management Plan, to be certified as being to the satisfaction of the Territorial Authority Chief Executive or nominee, which explains:~~
- ~~a) The intersection design philosophy as a part of a whole route approach to road and intersection management and operation;~~
 - ~~b) The localised traffic impacts together with accompanying mitigation measures required as a direct or indirect result of road closures, diversions, new intersection arrangements and other measures needed to accommodate the Project;~~
 - ~~c) The provision of cycle infrastructure and the design of cycle features and whether they are consistent with current best practice guidelines;~~
 - ~~d) The provision of pedestrian infrastructure and whether the design of pedestrian infrastructure is consistent with current best practice guidelines;~~
 - ~~e) The merits of including bus service infrastructure features such as, but not limited to:

 - ~~i) Bus priority detection equipment at all signalised intersections along the route;~~
 - ~~ii) Bus stopping lay-bys at appropriate locations along the route;~~
 - ~~iii) Passenger waiting facilities and shelters with bus information as part of the final road design; and~~
 - ~~l)m) f) The provision of pedestrian and cyclist connectivity to and from Hamilton Gardens and along the Waikato River and Peacocke gully system;~~~~

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

~~B Section 177 of the RMA~~

~~The NZTA Requiring Authority is reminded of the requirements under section 177 of the RMA in respect of the Southern Links roading designation overlapping the North Island Main Trunk Railway Line designation and the Waikato Regional Airport Ltd designation State Highway One (Cobham Drive) designation.~~

~~GB Authority under the Historic Places Act 1993~~ Heritage New Zealand Pouhere Taonga Act 2014

The NZTA Requiring Authority will need to obtain an authority from the Heritage New Zealand Historic Places Trust to destroy, damage or modify any archaeological sites in accordance with the Historic Places Act 1993 Heritage New Zealand Pouhere Taonga Act 2014.

~~DC~~ Consultation and Liaison with Regional and Local Agencies

The Requiring Authority should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council ~~and~~ Waipa District Council ~~and Waikato District Council~~ (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

E Taangata Whenua Contact Details

Contact details for the hapu listed ~~above in Condition 18~~ 2above can be obtained through the office of Waikato-Tainui.

**ANNEXURE B – NZTA 168 WAIPA DESIGNATION CONDITIONS
(REDLINE)**

NZ Transport Agency (proposed as of 8/7/14)

Conditions to apply to Notice of Requirement in Waipa District (NZTA 168 Waipa)

The proposed Conditions have been amended as follows:

- ~~Black strikethrough text~~ – Deleted wording recommended by the Reporting Team in the 30 May 2014 s42A Report.
- Black underlined text – Proposed new wording recommended by the Reporting Team in the 30 May 2014 s42A Report.
- Red underlined text – wording sought by NZ Transport Agency.
- Blue strikethrough text – wording deleted by NZ Transport Agency.

1 General Conditions

- 1.1 Except as modified by the ~~e~~Conditions below and subject to final design, the ~~p~~Project works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (~~NZTA~~NZ Transport Agency) in its Notice of Requirement (~~NoR~~NoR) and the supporting documents, namely:
- ~~Southern Links: Notice of Requirement~~ by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - ~~Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information~~ (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013; ~~and~~
 - ~~Southern Links – Scheme Assessment Report Drawings 1000-8000 series~~, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
 - ~~other documents identified prior to and during the hearing~~ The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information;
 - Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012;
 - Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014;
 - Southern Links North/South State High Concept Landscape Plan, prepared by AECOM New Zealand Ltd and Opus, drawing number 23165305-E-20-2002 Revision C, updated 07/07/14;
 - Southern Links Ohaupo Road Designation and Land Requirements Plan, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-2513 Revision C, updated 03/07/14;
and
 - Southern Links North/South State Highway 3 Designation and Land Requirements Plan, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-2507 Revision C, updated 11/06/14.
- 1.2 Where there is any inconsistency between the ~~Notice of Requirement~~NoR documentation and the designation conditions, the designation conditions shall prevail.
- ~~1.2 A liaison person shall be appointed by the NZTA 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 NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected persons.~~
- 1.3 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of ~~twenty~~ (20) ~~years~~ after it is included in the Operative and Proposed ~~Hamilton City/Waipara~~Waikato District Plans.

1.4 Any reference in these ~~e~~Conditions to legislation or a ~~New Zealand~~ Standard includes any later legislation or ~~New Zealand~~ standard that amends or replaces it.

1.5 In these conditions:

a) "The Project" shall mean the Southern Links Project [insert definition]; and

b) "Local road" shall mean a road that is not a State highway or private road.

Management Plans General

~~4.5~~1.6 All works shall be carried out in accordance with the applicable ~~m~~Management ~~p~~Plan(s) and other plans required by these ~~e~~Conditions.

~~4.6~~1.7 The following ~~m~~Management ~~p~~Plans must be submitted to the ~~Territorial Authority~~ Waipa District Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:

a) Pre-Construction Communication and Consultation Plan;

b) Construction Management Plan;

c) Construction Noise and Vibration Management Plan;

d) Communication and Consultation Plan;

~~e)~~ Social Impact Monitoring Plan;

~~f)~~ Property Acquisition and Management Strategy;

~~g)~~e) Concept Landscape Management Plan;

~~h)~~f) Landscape Management Plan;

~~i)~~g) Heritage and Archaeological Site Management Plan;

~~j)~~h) Conservation Plan Ecological Management and Restoration Plan;

~~k)~~ Network Utility Management Plan;

~~l)~~ Airport Operation Management Plan;

~~m)~~i) Dust Management Plan;

~~n)~~j) Contaminated Soil Management Plan;

~~o)~~k) Hazardous Substances Management Plan; and

l) Traffic Management Plan.

~~1.8~~ ~~4.7~~1.8 The Waipa District Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed, within 10 working days of receipt of the Management Plan by the Waipa District Council.

~~Advice Note: Certification of the mManagement pPlans shall be on the basis that they are consistent with the eConditions of the designation.~~

~~1.7~~ ~~The following management plans must be submitted to the Territorial Authority Chief Executive or nominee for approval:~~

~~a) Activity Specific Construction Noise and Vibration Management Plan~~

~~1.8~~ ~~The following management plans do not require certification by the Territorial Authority:~~

~~a) Waikato-Tainui Mitigation Plan.~~

~~1.9~~ ~~The following management plans will be subject to an independent peer review:~~

~~a) Construction Management Plan;~~

~~b) Construction Noise and Vibration Management Plan;~~

~~c) Communication and Consultation Plan;~~

~~d) Social Impact Monitoring Plan;~~

- ~~e) Concept Landscape Management Plan;~~
- ~~f) Landscape Management Plan;~~
- ~~g) Archaeological Site Management Plan;~~
- ~~h) Conservation Plan;~~
- ~~i) Airport Operation Management Plan;~~
- ~~j) Dust Management Plan;~~
- ~~k) Contaminated Soil Management Plan;~~
- ~~l) Hazardous Substances Management Plan.~~

~~1.7 Prior to submitting the management plans identified in condition 1.6 to the Territorial Authority, the Requiring Authority shall engage suitably qualified independent specialists agreed to by the Territorial Authority to undertake a peer review of the management plans identified in condition 1.9 and provide recommendations on whether changes are required to the management plans in order to meet the objectives and other requirements set out in the relevant conditions. The management plans submitted to the Territorial Authority shall demonstrate how the recommendation from the independent peer reviewer(s) have been incorporated, and where the recommendations have not been incorporated the reasons why.~~

~~1.8 Where conditions require consultation with third parties in the development of management plans, these plans shall demonstrate how the view of that party (or parties) have been incorporated, and, where they have not, the reasons why. Plans that require consultation with third parties and that are also subject to an independent peer review must include the information on consultation with those parties prior to being submitted for an independent peer review.~~

~~1.9 If, within the time allowed in Condition 1.8, the Waipa District Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.~~

~~1.10 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Waipa District Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.~~

- ~~1.11~~
- ~~a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Waipa District Council to determine a process of resolution.~~
 - ~~b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.~~
 - ~~c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Waipa District Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.~~

~~***Advice note:*** The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.~~

~~1.12 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.~~

1A Pre-constructionConstruction

Communication, and Consultation and Property Liaison Manager

- 1A.1 ~~Within three months of the confirmation of the designation the Requiring Authority-NZ Transport Agency shall appoint a Communication, and Consultation and Property Liaison Manager to implement the Pre-construction-Construction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.8) and Communication and Consultation Plan (Condition 8.1 to 8.7). The Communication, and Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Southern Link-Project for the duration of the pProject.~~
- 1A.2 ~~The Communication, and Consultation and Property Liaison Manager's contact details shall be listed in the Pre-cConstruction Communication and Consultation Plan-PCCP and listed on the NZ Transport Agency's website and the Hamilton City Waipa District Council website.~~

Pre-Construction Communication and Consultation Plan

- 1A.3 ~~The Requiring Authority-NZ Transport Agency shall prepare a Pre-Construction Communication and Consultation PlanPCCP. This Plan-PCCP shall be submitted to the Territorial Authority-Waipā District Council Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the Plan-PCCP has been prepared in accordance with this eCondition.~~
- 1A.4 ~~The Plan-PCCP shall be implemented and complied with within 18 months from the confirmation of the dDesignations until the commencement of the construction of the Southern Links-Project.~~
- 1A.5 ~~The objective of the Pre-cConstruction Communication and Consultation Plan-PCCP is to set out a framework to:~~
- a) ~~Inform the community of Project progress and likely commencement of construction works;~~
 - b) ~~Obtain feedback and inputs from affected parties and stakeholders regarding the development of relevant management plans;~~
 - c) ~~Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.~~

- ~~1A.6 The Pre-construction Communication and Consultation Plan shall set out how the Requiring Authority will:~~
- a) ~~Inform the community of Project progress and likely commencement of construction works and programme;~~
 - b) ~~Engage with the community in order to foster good relationships and to provide opportunities for learning about the Project;~~
 - c) ~~Obtain (and specify reasonable timeframes for) feedback and input from Stakeholders and affected parties regarding the development of management plans <may need to specify which plans>;~~
 - d) ~~Where feedback (in accordance with this condition) is provided, the Pre-construction Communication and Consultation Plan shall articulate how that feedback has informed the development of management plans <may need to specify which plans> and where it has not, reasons why it has not;~~
 - e) ~~Respond to queries and complaints. Information shall include but not be limited to:~~
 - (i) ~~Who is responsible for responding;~~
 - (ii) ~~How responses will be provided;~~
 - (iii) ~~The timeframes that the responses will be provided within.~~
 - f) ~~Provide updates on the property acquisition process and the management of properties acquired by the Requiring Authority for the construction of the Southern Links Project.~~

- 1A.6 The Pre-cConstruction Communication and Consultation Plan-PCCP shall, as a minimum,include:
- a) Inform the community of Project progress and likely commencement of construction works and programme;
 - b) Obtain and specify reasonable timeframes for feedback and input from stakeholders and affected parties regarding the development of management plans [~~may need to specify which plans~~]

~~a~~b) ~~A~~ ~~Include~~ a communications framework that details the ~~Requiring Authority~~ NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation ~~tools~~ ~~methods~~ to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 20.1) and the Community Liaison Group(s) (refer to Condition 1A.8) (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters:

~~b~~c) Details of the Communication, ~~and~~ Consultation ~~and~~ Property Liaison Manager for the pre-construction period (~~e~~Condition 1A.2) including their contact details (phone, email and postal address):

~~c~~) ~~The methods for identifying, communicating and consulting with stakeholders and affected parties and other interested parties. Such methods shall include but not be limited to:~~

~~(i) Newsletters;~~

~~(ii) Newspaper advertising;~~

~~(iii) Notification and targeted consultation with stakeholders and affected parties; and~~

~~(iv) The use of the project website for public information.~~

~~d~~) ~~The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);~~

~~f~~) ~~The methods for communicating and consulting with the Community Liaison Group(s) (refer to condition 1A.9);~~

~~g~~) ~~How communication and consultation activity will be recorded.~~

1A.7 The ~~Pre~~ ~~c~~Construction Communication and Consultation Plan ~~PCCP~~ will be ~~made~~ publicly available (once certified) ~~and~~ on the NZ Transport Agency's website and the ~~Hamilton City~~ ~~Waipa~~ District Council's website.

Community Liaison Groups

1A.98 Within three months of the confirmation of the designations the ~~Requiring Authority~~ NZ Transport Agency shall, in consultation with the ~~Territorial Authorities~~ ~~Waipa~~ District Council, establish ~~at least one~~ Community Liaison Group for each of the following localities:

~~a~~) ~~Northern Sector Peacockes (HCC Designation 111)~~

~~b~~a) ~~Southern Sector Airport (Transport Agency Designation (Waipa) DN/156); and~~

~~c~~b) ~~Western Sector Collins/Houchens Road.~~

~~d~~) ~~(Transport Agency Designation (Waipa) DN/156 and Designation (Hamilton City) 112)~~

~~e~~) ~~Eastern Sector Tamahere (Transport Agency Designation (Waipa) DN/156 and Designation (Waikato) DES 0018/13)~~

~~1A.10 The number of Groups shall be confirmed with the Territorial Authorities.~~

1A.119 The membership of the Community Liaison Group(s) shall include representative(s) of the ~~Requiring Authority~~ NZ Transport Agency and be open to all affected parties including, but not limited to the following:

a) ~~Representative(s) for and/or affected property owners and occupiers;~~

~~b~~) ~~Tamahere Community Committee;~~

~~c~~) ~~Riverside Golf Club;~~

~~d~~) ~~Mangakotukutuku Stream Care Group;~~

~~e~~) ~~St Stephens Church;~~

~~f~~b) ~~[<additional group members to be confirmed through the hearing process>]~~

~~1A.12 The purpose of the Groups shall be to:~~

~~a~~) ~~Provide a means for receiving regular updates on Project progress;~~

- ~~b) Enable opportunities for concerns and issues to be reported to and responded by the Requiring Authority.~~
- ~~c) Provide feedback on the development of management plans <which plans to be confirmed through the hearing process>.~~
- ~~d) Monitor the effects of constructing the Project on the community by providing a regular forum through which information about the Project can be provided to the community.~~

~~1A.13 The Requiring Authority will consult with the Groups in respect of the development of management plans <which plans to be confirmed through the hearing process>.~~

~~1A.1410 The Requiring Authority NZ Transport Agency will invite each of the Groups to meet at least annually until the commencement of construction and then at least once every three months or as otherwise required agreed intervals once construction commences for the duration of the construction phase. Should a majority of each Group members decline or not respond to an invitation to meet, the NZ Transport Agency is not required to hold that meeting.~~

~~1A.1511 Once construction has commenced the Requiring Authority NZ Transport Agency will provide an update at least every three months (or as otherwise agreed) to the Groups on compliance with the designation conditions. and mManagement pPlans [~~which plans to be confirmed through the hearing process~~] and any material changes to these plans.~~

~~1A.1612 The Requiring Authority NZ Transport Agency shall provide reasonable administrative support for the Groups including organising meetings at a local venue, inviting all members of the Groups, as well as the taking and dissemination of meeting minutes a local venue for meetings of the Community Liaison Groups.~~

~~1A.16 The Groups shall continue for the duration of the construction phase of the Project and for six months following completion of the Project.~~

~~1A.13 [Add the new PAEMP condition here?]~~

Property acquisition and management engagement

~~1A.13 Within three months of the confirmation of the designation, the Requiring Authority shall provide to the Council Chief Executive or nominee and affected landowners access to a document outlining the Requiring Authority's property acquisition and management engagement practice (PAMEP). The objective of the PAMEP is to provide clarity for affected landowners on how they can engage with the Requiring Authority on matters regarding property acquisition and management. The PAMEP shall, as a minimum:~~

- ~~a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 1A.2).~~
- ~~b) Identify timeframes within which the NZ Transport Agency will respond to enquiries.~~
- ~~c) Describe the process which the NZ Transport Agency will follow for responding to specific:

 - ~~i. Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;~~
 - ~~ii. Requests from landowners to use land that is within the designation footprint but not yet acquired by the NZ Transport Agency; and~~
 - ~~iii. Complaints regarding the maintenance of properties acquired by the NZ Transport Agency.~~~~

2. Construction Management Plan

~~2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZTA Requiring Authority NZ Transport Agency shall submit for review and comment certification a Construction Management Plan (CMP) to the Territorial Authority Waipa District Council Chief Executive or nominee. The purpose objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP, including the preparation of management plans. For the avoidance of doubt, the NZTA Requiring Authority NZ Transport Agency may prepare a CMP (or sub-management plan) in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for review and comment~~

certification in accordance with this eCondition prior to any construction activity commencing on a particular stage.

2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following ~~details~~:

- a) Details of the site or pProject manager, including their contact details (phone, facsimile (if any), postal address, email address);
- ~~(aa) Details of the contact person required by eCondition 8.1 including name, phone number, email and postal address;~~
- b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or pProject manager and the contact person required by eConditions 1A.1 and 8.1;
- ~~(bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;~~
- c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
- ~~(cc) Environmental incident and emergency management procedures;~~
- d) 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;
- ~~(dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation;~~
- e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
- f) 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;~~
- ~~(ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;~~
- g) 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;
- h) 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;
- i) 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 1993~~ Heritage New Zealand Pouhere Taonga Act 2014;
- j) Means of ensuring the safety of the general public;
- k) ~~Methods~~ Procedures for receiving and responding to complaints; ~~about construction dust, and odour from the works; and~~
- l) ~~The following sub-management plans:~~
 - ~~i. Construction Noise and Vibration Management Plan (in accordance with condition 0);~~
 - ~~ii. Traffic Management Plan (in accordance with condition 0);~~
 - ~~iii. Archaeological Site Management Plan;~~
 - ~~iv. Earthworks Management Plan;~~
 - ~~v. Dust Management Plan;~~
 - ~~vi. Ecological and Restoration Management Plan;~~

- ~~vii. Erosion and Sediment Control Plan;~~
- ~~viii. Hazardous Substances Management Plan; and~~
- ~~ix. Stakeholder Communications Plan (in accordance with condition 0).~~

Except for the plans listed in clauses (i)(i), (ii) and (ix), the above sub-management plans do not require certification by Council but will be provided to Council for review and comment.

The Construction Noise and Vibration Management Plan, Traffic Management Plan and Stakeholder Communications Plan shall be provided to Council (in accordance with conditions 0, 0 and 0, respectively) for the Council's certification that the plan satisfies these conditions.

- ~~(l) Provision of access for emergency vehicles;~~
- ~~(m) Hours of operation of trucks and service vehicles;~~
- ~~(n) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on local roads, and the remedial measures to be taken should that occur.~~

- 2.3 Any changes proposed to the CMP shall be confirmed in writing by the ~~Requiring Authority~~ NZ Transport Agency and certified in writing by the ~~Territorial Authority's Waipa District Council's~~ Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

~~2A.1~~ Upon receiving a complaint during construction, the ~~Requiring Authority~~ NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt;
- c) Respond to the complaint in accordance with any relevant ~~m~~Management ~~p~~Plan-, which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures, ~~and, in the case of noise and / or vibration, preparation of a Activity Specific Construction Noise and Vibration Management Plan (in accordance with conditions 5.5);~~

~~2A.2~~ A record of all complaints received shall be kept by the ~~Requiring Authority~~ NZ Transport Agency. This record shall include:

- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
- b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
- c) Known construction activities at the time and in the vicinity of the concern or complaint;
- d) Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;
- e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.

~~2A.3~~ This record shall be maintained on site, be available for inspection upon request, and shall be provided every ~~two~~ three months (or as otherwise agreed) to the ~~Territorial Authority~~ Waipa District Council Chief Executive or nominee.

~~2A.4~~ Where a complaint remains unresolved or a dispute arises, the ~~Territorial Authority~~ Waipa District Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the ~~Requiring Authority~~ NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the ~~Territorial Authority~~ Waipa District Council Chief Executive or nominee must determine whether a review of the ~~CEMP~~ or other relevant ~~management~~ Management plan ~~Plan~~ is required to address this complaint. The

~~Territorial Authority Waipa District Council~~ Chief Executive or nominee shall advise the ~~Requiring Authority NZ Transport Agency~~ of its recommendation within 10 working days of receiving the records of complaint.

3 Outline Plan

- 3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Council ~~Territorial Authority Waipa District Council~~ agrees that ~~the a CMP Management Plan(s) listed in Condition 1.7~~ or relevant part(s) of the ~~CMP Management Plan(s)~~ contains adequate details to satisfy section 176A of the RMA, then the ~~CMP Management Plan(s)~~ or relevant part(s) of the ~~CMP Management Plan(s)~~ 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 176A(2)(c) RMA.

NOISE AND VIBRATION

~~Conditions 4.1 to 4.12 have not been assessed by the Reporting Team due to lack of information regarding the effects of operational noise and vibration.~~

4. Operational Noise

- 4.1 For the purposes of ~~e~~Conditions 4.2 - 4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
 - b) Noise Assessment – means the Noise Assessment ~~report (Appendix G to the AEE)~~ submitted with ~~the NOR prepared in accordance with Condition 4.2.~~
 - c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
 - d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.12 a) The ~~NZTA-NZ Transport Agency~~ shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the ~~Waipa District~~ Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the ~~NZTA-NZ Transport Agency~~ shall submit to the Council ~~Chief Executive or nominee~~ a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The ~~NZTA-NZ Transport Agency~~ shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.
- b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified ~~[insert notification date]~~ (29 January 2014).
- 4.23 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to ~~e~~Condition ~~XX~~4.4, shall include, as a minimum, the following:
- a) ~~n~~Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.

- 4.34 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:
- if the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the ~~Hamilton City/Waipara/Waikato~~ District Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - if changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.45 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.65 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.76 a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the ~~NZTA-NZ Transport Agency~~ shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
- b) If the owner(s) of the Category C Building approves the ~~NZTA's-NZ Transport Agency's~~ access to the property within 12 months of the date of the ~~NZTA's-NZ Transport Agency's~~ letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the ~~NZTA-NZ Transport Agency~~ shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 4.8 Where a Category C Building is identified, the ~~NZTA-NZ Transport Agency~~ shall be deemed to have complied with Condition 4.7 above where:
- The ~~NZTA-NZ Transport Agency~~ (through its acoustics specialist) has visited the building; or
 - The owner of the Category C Building approved the ~~NZTA's-NZ Transport Agency's~~ access, but the ~~NZTA-NZ Transport Agency~~ could not gain entry for some reason (such as entry denied by a tenant); or
 - The owner of the Category C Building did not approve the ~~NZTA's-NZ Transport Agency's~~ access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the ~~NZTA's-NZ Transport Agency's~~ letter (sent pursuant to Condition 4.7(a) within that period)); or
 - The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- If any of (b) to (d) above apply to a particular Category C Building, the ~~NZTA-NZ Transport Agency~~ shall not be required to implement any Building-Modification Mitigation at that Category C Building.
- 4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the ~~NZTA-NZ Transport Agency~~ shall give written notice to the owner of each Category C Building:
- Advising of the options available for Building-Modification Mitigation to the building; and
 - Advising that the owner has three months within which to decide whether to accept Building Modification Mitigation for the building, and if the ~~NZTA-NZ Transport Agency~~ has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.

- 4.10 Once an agreement on Building-Modification Mitigation is reached between the [NZTA-NZ Transport Agency](#) and the owner of an affected building, the mitigation shall be implemented (including the [NZTA-NZ Transport Agency](#) obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the [NZTA-NZ Transport Agency](#) and the owner.
- 4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the [NZTA-NZ Transport Agency](#) shall be deemed to have complied with Condition 4.10 above where:
- The [NZTA-NZ Transport Agency](#) has completed Building-Modification Mitigation to the Category C Building; or
 - The owner of the Category C Building did not accept the [NZTA's-NZ Transport Agency's](#) offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the [NZTA-NZ Transport Agency](#) within that period); or
 - The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The [NZTA-NZ Transport Agency](#) shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years [after the opening of the Project to the public](#).

5 Construction Noise and Vibration

- ~~5.1 The NZTA shall implement a Construction Noise and Vibration Management Plan (CNVMP) throughout the entire construction period of the Project. The CNVMP shall be provided to the [council officer] for certification that it addresses Conditions 5.1 to 5.5 prior to commencement of construction of the project.~~

~~The CNVMP must describe the measures adopted to seek to meet:~~

- ~~• the noise criteria set out in Condition 5.3 below, where practicable. Where it is not practicable to achieve those criteria, alternative strategies should be described to address the effects of noise on neighbours; and~~
- ~~• the Category A vibration criteria set out in Condition 5.4 below, where practicable. If measured or predicted vibration levels exceed the Category A criteria then a suitably qualified expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria then construction activity shall only proceed if there is continuous monitoring of vibration levels and effects on those buildings at risk of exceeding the Category B criteria, by suitably qualified experts.~~

~~The CNVMP shall, as a minimum, address the following:~~

- ~~• Description of the works, a list of machinery to be used, anticipated equipment/processes and their scheduled durations.~~
- ~~• The procedure for measuring vibrations~~
- ~~• Hours of operation, including times and days when construction activities causing noise and/or using high-vibration machinery would occur.~~
- ~~• Requirements for vibration measurements of relevant machinery prior to construction or during their first operation, to confirm the vibrations the machinery generates.~~
- ~~• The construction noise and vibration assessment criteria for the project.~~
- ~~• Identification of affected houses and other sensitive locations where noise and vibration criteria apply.~~
- ~~• Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category A vibration criteria in Condition 11)~~

- ~~Requirements for identifying any existing infrastructure assets (services, roads etc) which may be at risk of vibration induced damage during construction.~~
- ~~Mitigation options, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved.~~
- ~~Details of which operational road traffic noise mitigation options as required by Condition 13 below will be implemented early enough to also mitigate construction noise.~~
- ~~Management schedules containing site specific information and the roles and responsibilities of personnel on-site.~~
- ~~Methods and frequency for monitoring and reporting on construction noise and vibration.~~
- ~~Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and receiving and handling construction noise and vibration complaints.~~
- ~~Construction equipment operator training procedures and expected construction site behaviours, particularly regarding the use of excavators and vibratory compactors.~~
- ~~Contact numbers for key construction staff, staff responsible for noise and vibration assessment and council officers (as territorial authority).~~
- ~~Procedures for managing construction vibration damage to existing services such as roads and underground pipelines.~~

5.2 ~~The NZTA should, where practicable, implement those Structural Mitigation and Building Modification Mitigation measures for operational noise detailed in 13-23 which are identified in the CNVMP as also providing construction noise mitigation, prior to commencing major construction works that would be attenuated by these mitigation measures.~~

5.3 ~~Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics - Construction Noise'. The construction noise criteria for the purposes of the CNVMP are:~~

Day	Time	$L_{Aeq}(15min)$	L_{AFmax}
Occupied PPFs (as defined in NZS 6806:2010)			
Weekdays	0630h - 0730h	60 dB	75 dB
	0730h - 1800h	75 dB	90 dB
	1800h - 2000h	70 dB	85 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	60 dB	75 dB
	0730h - 1800h	75 dB	90 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sundays and public holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	60 dB	75 dB
Commercial and industrial receivers			
All	0730h - 1800h	75 dB	
	1800h - 0730h	80 dB	

5.4 Construction vibration must be measured in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013). The construction vibration criteria for the purposes of the CNVMP are:

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Daytime 6:00 am to 8:00 pm	1.0 mm/s PPV	5.0 mm/s PPV	Inside the building
	Night time 8:00 pm to 6:00 am	0.3 mm/s PPV	1.0 mm/s PPV	
Other occupied buildings	Daytime 6:00 am to 8:00 pm	2.0 mm/s PPV	10.0 mm/s PPV	
All buildings	Transient vibration	5.0 mm/s PPV	BS 5228.2- Table B2 values	Building foundation
	Continuous vibration		BS 5228.2- 50 percent Table B2 values	
Underground Services	Transient vibration	20mm/s PPV	30 mm/s PPV	On pipework
	Continuous vibration	10mm/s PPV	15 mm/s PPV	

5.5 When construction equipment is being evaluated for its ability to cause structural damage at a particular residence, the relevant standard that shall be used is as listed in line 2 of table 1 of German Standard DIN 4150 3:1999. The criteria are as listed below:

Type of Structure	Vibration Thresholds for Structural Damage, PPV (mm/s)				
	Short-Term			Long-Term	
	At Foundation			Uppermost Floor	Uppermost Floor
	0 to 10 Hz	10 to 50 Hz	50 to 100 Hz	All Frequencies	All Frequencies
Commercial /Industrial	20	20 to 40	40 to 50	40	40
Residential	5	5 to 15	15 to 20	15	5
Sensitive/Historic	3	3 to 8	8 to 10	8	2.5

Note: When a range of velocities is given, the limit increases linearly over the frequency range.

The Reporting Team prefer the following Construction Noise and Vibration Management Plan condition. This condition is the same as that agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.

Construction Noise and Vibration Management Plan

5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit **no later than 40 working days prior to the commencement of any stage of construction activity**, a Construction Noise

and Vibration Management Plan (CNVMP) to the Waipa District Council for certification by the Waipa District Council's Chief Executive Officer or nominee.

5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (~~NZTA~~, NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.

5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

<u>Day</u>	<u>Time</u>	<u>L_{Aeq}(15min)</u>	<u>L_{AFmax}</u>
<u>Occupied PPFs (as defined in NZS 6806.2010)</u>			
<u>Weekdays</u>	<u>0630h – 0730h</u>	<u>60 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>75 dB</u>	<u>90 dB</u>
	<u>1800h – 2000h</u>	<u>70 dB</u>	<u>85 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Saturday</u>	<u>0630h – 0730h</u>	<u>60 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>75 dB</u>	<u>90 dB</u>
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Sundays and public holidays</u>	<u>0630h – 0730h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>55 dB</u>	<u>85 dB</u>
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Commercial and industrial receivers</u>			
<u>All</u>	<u>0730h – 1800h</u>	<u>75 dB</u>	
	<u>1800h – 0730h</u>	<u>80 dB</u>	

Table A: Construction Noise Criteria

~~5.34 The CNVMP shall include specific details relating to methods for the control of ground vibrations associated with all relevant Project construction works, which shall be formulated to comply with the Category A criteria in Table A below, and whenever this is not practicable, to not exceed the Category B criteria. The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006~~

Receiver	Details	Category A	Category B	Location
Occupied	Monday to Friday	1.0 mm/s ppv	5.0 mm/s ppv	Inside the

Receiver	Details	Category A	Category B	Location
dwellings	6:30 am to 8:00 pm			building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	All hours Monday to Sunday At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table AB: Construction Vibration Criteria

5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall, as a minimum, address the following aspects with regard to managing the adverse effects of construction noise and vibration:

- ~~a) Noise and/or vibration sources, including machinery, equipment and construction techniques to be used and their scheduled durations and hours of operation including times and days when work causing construction noise and/or vibration would occur;~~
- ~~b) The construction noise and vibration criteria for the project;~~
- ~~ca) Identification of affected dwellings and other sensitive locations where noise and/or vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat. It shall also include the dwelling at 194 Houchens Road;~~
- ~~db) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;~~
- ~~ec) Mitigation options, including alternative strategies where full compliance with the noise criteria from NZS 6803: 1999 in Table A above and/or the vibration criteria tabulated in Table B above cannot practicably be achieved;~~
- ~~d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works. Critical dwellings shall include but not be limited to the dwelling at 194 Houchens Road.~~
- ~~f) Methods and frequency for monitoring and reporting on construction noise and vibration;~~
- ~~g) Contact numbers for key construction staff, staff responsible for noise and/or vibration assessment and council officers; and~~
- ~~h) Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling complaints about construction noise and/or vibration.~~

5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State

Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be circulated provided to the Waipa District Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

- ~~5.5~~ Where a CNVMP predicts that levels from a particular activity will or will likely exceed the limits set out in condition 5.2 and/or 5.3, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare and submit for the approval of the Territorial Authority's Chief Executive Officer or nominee an Activity Specific Construction Noise and Vibration Management Plan (ASCNVMP), unless the Territorial Authority dismisses this requirement because the extent or duration by which the limits are exceeded is minor.
- ~~5.6~~ The ASCNVMP(s) shall be submitted to the Territorial Authority's Chief Executive Officer or nominee for review and approval at least 7 working days prior to the proposed works commencing. Works subject to the ASCNVMP(s) shall not commence until approval is received from the Territorial Authority.
- ~~5.6~~ In addition to the requirements of condition 5.4 an ASCNVMP(s) must:
- ~~a)~~ Describe the activity (including duration), plant and machinery that is expected not to comply with the noise and/or vibration limits in conditions 5.2 and 5.3;
 - ~~b)~~ Provide predicted levels for all receivers where the levels will not be compliant with the limits in conditions 5.2 and 5.3;
 - ~~c)~~ Describe the mitigation measures proposed to reduce the noise and/or vibration levels as far as practicable, including any options that have been discounted due to cost or any other reason;
 - ~~d)~~ Describe alternative mitigation of the impacts that is acceptable to affected parties (e.g. temporary accommodation during the specific activity).

Advice Note: It is accepted that the noise and vibration limits in Conditions ~~5.2-5.3~~ and ~~5.3-5.4~~ may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 ~~The CMP shall include a~~ Traffic Management Plan (TMP); shall be prepared in accordance with the NZ ~~TA-Transport Agency~~ Code of Practice for Temporary Traffic Management and in consultation with the ~~Manager-Roading Chief Executive or nominee, Hamilton City/Waipawa/Waikato~~ District Council. The TMP shall be submitted to the ~~Planning and Regulatory Manager, Hamilton City/Waipawa/Waikato~~ District Council Chief Executive or nominee, for certification that the ~~plan-TMP~~ satisfies this ~~s~~Condition ~~0~~ no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The TMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the TMP shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;

- e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
- f) Measures to ensure safe access to the Project site, ~~from sState highways existing at the time of the commencement of construction of any part of the Southern Links network that requires access from such an existing sState highway.~~
- g) Measures to monitor the performance of all access points ~~on and off the sState highway and arterial network~~ to the Project site, and all key ~~sState highway and arterial~~ local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State ~~H~~highway network.
- ~~(h)~~ Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (Bulk HCVs).
 - ~~i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.~~
 - ~~j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.~~
 - ~~k) Measures to ensure that any staging of construction works will adequately avoid, remedy or mitigate traffic-related adverse effects.~~

~~6.3 When requesting certification of the TMP, the NZ Transport Agency shall provide the Waipa District Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(i), any effects on that Territorial Authority's road network and measures to address such effects.~~

7 General Construction Traffic

- 7.1 The ~~NZTA~~ NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
 - a) ~~e~~On Sundays; or
 - b) ~~e~~On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

~~Stakeholder communication~~NS

~~8 Stakeholder Communications Plan~~

- ~~8.1 The CMP shall include a Stakeholder Communications Plan (SCP), which shall be submitted to the Planning and Regulatory Manager, Hamilton City/Waipawa/Waikato District Council, for certification that the plan satisfies this condition 8 no later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations).~~
- ~~8.2 The SCP shall describe the measures that will be undertaken to manage communications with affected individuals, organisations and communities regarding the effects of construction of the Project. In particular, the SCP shall contain details regarding:~~
 - ~~a) A liaison person's name and contact details (including phone, facsimile (if any), postal address, and email address), as required by condition 1.2;~~
 - ~~b) Procedures for receiving, recording and responding to complaints about effects of construction activities, including whom to contact regarding complaints;~~
 - ~~c) The stakeholders who will be communicated with;~~

- d) ~~Communication methods for the presentation of Project information, timing and duration of phases of construction works and changes in access, including the process for giving advanced warning to residents or occupiers of affected properties of specific construction effects; and~~
- e) ~~Communication methods for the presentation of Project information to stakeholders regarding the management of earthworks, dust, construction noise (including hours of operation and noise levels), vibration and construction traffic (including water cart traffic).~~

The Reporting Team prefer the following Communication and Consultation conditions.

8 Construction Communication and Consultation

Contact Person

- 8.1 ~~The Requiring Authority NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.~~

Communication and Consultation Plan

- 8.2 ~~The Requiring Authority NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Southern Links Network Project.~~
- 8.3 ~~This Plan shall be submitted to Territorial Authority Waipa District Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.~~
- 8.4 ~~The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Southern Links Network Project.~~

~~8.5 The Communication and Consultation Plan shall set out how the Requiring Authority will:~~

- ~~a) Inform the community of construction progress and future construction activities and constraints that could affect them;~~
- ~~b) The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);~~
- ~~c) Provide early information on key Project milestones;~~
- ~~d) Obtain and specify a reasonable timeframe (being not less than 10 working days), for feedback and inputs from affected parties regarding the development, review and implementation of the management plans <which plans to be confirmed through the hearing process>; and~~
- ~~e) Respond to queries and complaints including but not limited to:

 - ~~i) Who is responsible for responding;~~
 - ~~ii) How responses will be provided;~~
 - ~~iii) The timeframes that responses will be provided within.~~~~

~~8.65 The Communication and Consultation Plan shall as a minimum include:~~

- ~~a) A communications framework that details the Requiring Authority NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters;~~
- ~~b) The Communication and Consultation and Property Liaison Manager for the Project, including their contact details (phone, email and postal address);~~
- ~~c) The methods for identifying, communicating and consulting with persons affected by the project including but not limited to:~~

~~All property owners and occupiers within the designation footprint;~~
~~All property owners and occupiers adjacent to the designation footprint;~~
~~Department of Conservation;~~
~~Heritage New Zealand;~~
~~Community Liaison Group(s) (refer Condition 1A.9);~~
~~Network Utility Operators;~~
~~Hamilton Regional Airport Ltd;~~
~~<additional parties to be confirmed through the hearing process>~~

- ~~d)c) How stakeholders and persons affected by the pProject will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;~~
- ~~e) How stakeholders and persons affected by the project will be consulted in the development and review of the management plans <which plans to be confirmed through the hearing process>, including specifying reasonable timeframes for feedback;~~
- ~~f)d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;~~
- ~~g)e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;~~
- ~~h)f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works;~~
- ~~i) A list of affected parties and stakeholders who will be communicated with;~~
- ~~j) How communication and consultation activity will be recorded.~~

8.76 The Communication and Consultation Plan will be **made** publicly available (once certified) ~~and~~ on the ~~Requiring Authority's NZ Transport Agency's~~ website.

Advice Note: ~~The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.~~

~~The Reporting Team recommends that the Requiring Authorities provide conditions requiring the preparation of:~~

- ~~a) Social Impact Monitoring Plan~~
~~b) Property Acquisition and Management Strategy~~

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

9.1 No later than ~~forty twenty~~ (4020) working days prior to the commencement of any stage of construction (excluding site investigations), the NZTA ~~Requiring Authority NZ Transport Agency~~ shall submit ~~for approval~~ a Concept Landscape Management Plan (CLMP), to ~~Territorial Authority Waipa District Council~~ Chief Executive or nominee for certification.

9.1A ~~The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses <to be provided by the Requiring Authorities>.~~ The CLMP shall include:

- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the ~~Southern Links~~ Project, including for overbridges, underbridges and noise barriers;
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces;
 - d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.
- 9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures ~~and urban design proposals~~ outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.
- 9.2A The CLMP shall be prepared in accordance with:
- a) ~~NZTA's 'P39 Standard Specification for Highway Landscape Treatments' (2013); and~~
 - b) ~~'Bridging the Gap', NZTA Urban Design Guidelines (2013);~~
 - c) ~~NZTA Urban Design Guidelines (2013); and~~
 - d) ~~Waikato Regional Council, Natural Character Policies within the Proposed Waikato Regional Policy Statement.~~
- 9.2B The CLMP shall have regard to Policy 12.3 (Natural Character) of the Proposed Waikato Regional Policy Statement ~~as it existed at July 2014.~~
- 9.2C The ~~Requiring Authority~~ ~~NZ Transport Agency~~ shall provide the CLMP to the following stakeholders at least 30 working days prior to submitting it to ~~Territorial Authority~~ ~~Waipa District Council~~ Chief Executive or nominee:
- a) ~~Affected property owners and occupiers~~
 - b) ~~Tamahere Community Committee;~~
 - ea) ~~Waikato Regional Airport Limited;~~
 - eb) ~~Southern Links Taangata Whenua Working Group; and and~~
 - e) ~~Mangakotukutuku Stream Care Group;~~
 - fc) ~~<additional parties to be confirmed through the hearing process>~~ ~~Department of Conservation.~~
- 9.2D If the ~~Requiring Authority~~ ~~NZ Transport Agency~~ has not received any comments from the stakeholders noted in ~~e~~Condition 9.2C within 20 working days of providing them the CLMP the ~~Requiring Authority~~ ~~NZ Transport Agency~~ may consider that the stakeholder concerned has no comments.
- 9.2E The ~~Requiring Authority~~ ~~NZ Transport Agency~~ shall include any comments from the stakeholders noted in ~~e~~Condition 9.2C along with an explanation of where and why any comments have not been incorporated into the CLMP(s) prior to submitting the CLMP to the ~~Territorial Authority~~ ~~Waipa District Council~~.

Landscape Management Plan

- 9.3 The NZTA ~~Requiring Authority~~ ~~NZ Transport Agency~~ shall develop the ~~approved~~-certified CLMP into a ~~fully detailed~~-Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the ~~NZTA~~ ~~Requiring Authority~~ ~~NZ Transport Agency~~ shall submit for ~~approval~~-certification the LMP, to the ~~Territorial Authority~~ ~~Waipa District Council~~ Chief Executive or nominee ~~for certification~~.
- 9.3A ~~The objective of the LMP will be to identify the specific urban design and landscape measures to be implemented and maintained as part of the Project to maintain and enhance landscape, amenity and ecological values along the route and mitigate any adverse visual, landscape and ecological effects of that particular stage of the Project <to be provided by the Requiring Authorities>.~~ The LMP shall identify the specific ~~urban design and~~ landscape measures to be implemented and maintained as part of the Project ~~in order~~ to maintain and enhance landscape, amenity and ecological values along the route and ~~to~~ mitigate any adverse visual, landscape, ~~urban design~~ and ecological effects of ~~that~~ ~~the Project, or a~~ particular stage of works.

- 9.4 The LMP(s) shall be prepared in consultation with the ~~Hamilton City/Waipā/Waikato District Council~~ Territorial Authority/Waipā District Council by a suitably qualified and experienced landscape architect and shall include at least the following:
- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
 - b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Restoration Plan ~~n~~ required by ~~e~~Condition 12), and the type and density of planting to be undertaken;
 - c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
 - d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
 - e) The outcomes of consultation with ~~the Hamilton City/Waipā/Waikato District Council~~ Territorial Authority/Waipā District Council regarding landscape proposals along local roads;
 - f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
 - g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
 - h) Measures to integrate cut and fill batters with the existing topography;
 - i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
 - j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
 - k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
 - l) A planting specification, including planting and mulching techniques;
 - m) Planting maintenance requirements over a ~~two~~five year period following planting and reinstatement of road verges and gullies;
 - n) An implementation programme for all remedial and mitigation measures; ~~and~~
 - o) ~~Post-construction monitoring measures;~~
 - p) Site specific planting and screening measures developed in ~~agreement consultation~~ with affected property owners;
 - ~~(q) All plant species used in the LMP shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the ~~Hamilton City District Plan, Waipā District Plan, and the Waikato District Plan~~;~~
 - ~~(r) Evidence of consultation with the Titanium Park Joint Venture Limited (TPJV) with regard to landscape and urban design treatments at the State Highway 3/21 intersection. The objective of the consultation shall be to achieve consistency, as far as practicable, between the design treatments of the State highway works and the adjacent TPJV Western Precinct development; and~~
 - ~~(s) Replacement of the existing hedge that runs along the boundary of 2/3400 Ohaupo Road and Ohaupo Road that provides screening of the road from the dwelling on 1/3400 Ohaupo Road. The hedge replacement shall be of suitable species to ensure the visual screening is reinstated to at least the extent that existed prior to removal of the hedge. The owners of 1/3400 Ohaupo Road¹ shall be consulted during the design of the replacement hedge.~~

¹ At the time of the NZ Transport Agency's decision to confirm the designation, 1/3400 Ohaupo Road was owned by Ronald and Carol Ingram.

- ~~q) Planting Maintenance and establishment requirements over a five year period following planting and reinstatement of road verges.~~
- 9.5 ~~The Requiring Authority NZ Transport Agency shall provide the LMP to the following stakeholders at least 30 working days prior to submitting it to Territorial Authority Waipa District Council Chief Executive or nominee:~~
- ~~a) Affected property owners and occupiers~~
- ~~b) Tamahere Community Committee;~~
- ~~a) Waikato Regional Airport Limited;~~
- ~~b) Hamilton Southern Links Taangata Whenua Working Group; and~~
- ~~) Mangakotukutuku Stream Care Group;~~
- ~~c) <additional parties to be confirmed through the hearing process> Department of Conservation; and~~
- ~~d) The owners of 1/3400 Ohaupo Road.~~
- 9.6 ~~If the Requiring Authority NZ Transport Agency has not received any comments from the stakeholders noted in eCondition 9.5 within 20 working days of providing them the LMP the Requiring Authority NZ Transport Agency may consider that the stakeholder concerned has no comments.~~
- 9.7 ~~The Requiring Authority NZ Transport Agency shall include any comments from the stakeholders noted in eCondition 9.5 along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the Territorial Authority Waipa District Council.~~

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
- b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 **Maintenance and Monitoring of Landscape Management Plan(s)**

- 11.1 ~~The NZTA/HCC Requiring Authority NZ Transport Agency shall undertake an inspection at one year and again at ~~two~~ five years after the implementation of the LMP(s) in accordance with eCondition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to ~~Waipa~~ Waikato District Council Territorial Authority Waipa District Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.~~

ECOLOGICAL MANAGEMENT AND RESTORATION PLAN

~~Conditions 12.1 to 12.2 have not been assessed by the Reporting Team due to lack of information regarding the effects on ecology.~~

12. Ecological Management and Restoration Plan

12.1 The ~~requiring authority NZ Transport Agency~~ shall develop an Ecological Management and Restoration Plan (EMRP). ~~This EMRP shall be prepared by an appropriately qualified ecologist/s and provide for the management of Long Tailed Bat habitats within the designation. This EMRP shall be prepared by an appropriately qualified and experienced ecologist/s and the Plan's purpose shall be to avoid, remedy, or mitigate adverse ecological effects associated with the Project on terrestrial, wetland and perennial stream habitats.~~ The Southern Links Taangata Whenua Working Group, ~~and~~ the Department of Conservation, ~~Waikato Regional Council and the Waipa District Council~~ shall be consulted in the preparation of the EMRP. The EMRP shall be submitted to the Waipa ~~Waikato~~ District Council for certification acting in a technical certification capacity, at least 40 working days prior to the commencement of works.

~~12.2 The objectives of the EMRP shall be to demonstrate how the NZ Transport Agency will aim to achieve no net loss of terrestrial, wetland and stream biodiversity values. It will provide details of how monitoring, management and mitigation of the significant adverse effects of construction activities and Southern Links network operation on associated biodiversity values is to be undertaken, including but not limited to effects on, long tailed bats.~~

~~12.3 The EMRP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:~~

- ~~a) Vegetation and habitat restoration and enhancement;~~
- ~~b) Management of significant effects on long tailed bats, avifauna, and lizards; and~~
- ~~c) Ecological monitoring.~~

~~12.4 Habitat creation, restoration or enhancement shall be on the basis of a minimum 1:1 ratio to mitigate for areas of gully, bat habitat and river margin lost to the Project footprint. The areas of habitat to be created, restored or enhanced based on the 1:1 shall be a minimum of 6.5ha. Where habitat creation, restoration or enhancement are undertaken within gullies or along the river margins it shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system Third Revised Edition. Hamilton City Council (or an updated version), Options for habitat restoration, enhancement and protection shall include consideration of Sites 8, 10 and 11 identified in Annexure 2 of Mr John Turner EIC.~~

~~12.5 The EMRP shall include, but may not be limited to, the following matters:~~

- a) Details of a comprehensive nocturnal surveys/Long Tailed Bat monitoring programme in order to confirm occupancy at the following and other potential (including non-indigenous) habitats along the Southern Links Roding Corridor route:
 - ~~-i) along the Waikato River margins at Tamahere from the Southern Links crossing point north to (and including) the oak tree stand noted as a long tailed bat roost north of the airport runway; ~~(both Waipa and Waikato).~~ and~~
 - ~~-in the gully system on properties fronting Tamahere Drive directly affected by the Southern Links designation (Waikato DC only).~~
 - ~~-ii) in the remnant kahikatea-mature tree stands generally located in the area bounded by Middle Road, Narrows Road and Raynes Road, and adjacent to State Highway 3 in the vicinity of Penniket Road ~~(Waipa DC only).~~~~

Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats;

- b) In the event of detection of Long Tailed Bats within the road corridor, or the detection of bat commuting routes affected by the road corridor, the ~~requiring authority NZ Transport Agency~~ shall develop a Long-Tailed Bat Management Plan. This plan shall include, but may not be limited to, the following:
 - i-) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the

limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;

- ii-) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;
 - iii-) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
 - iv-) The establishment of buffer zones along the southern links route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
 - v-) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
 - vi-) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Southern Links network at all locations where bats are detected;
 - vii-) Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the ~~p~~Project or its vicinity that do not require removal;
 - viii-) Procedures for implementing, monitoring and review of the EMRP.
- c) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of biodiversity values or natural habitat along the Southern Links network as a result of its construction. These details shall include, but may not be limited to the following:
- i-) The nature of any restorative planting to be undertaken (timing, species, source of planting material, extent and location);
 - ii-) The nature of any weed and/or pest control considered appropriate (timing, extent and location); and
 - iii-) The nature and extent of stock proof fencing that is to be established along the margins of restoration areas.

12.26 If appropriate the ~~ERMP-EMRP~~ required under this ~~e~~Condition can be developed as a combined document with the ~~ERMP-EMRP~~ required by ~~e~~Condition 12 (~~insert final condition reference~~) of the ~~NZTA NZ Transport Agency~~ Southern Links designation in the Waikato District, and/or the ~~Environmental Management and Monitoring Plan (EMMP)~~ required by (~~insert final condition reference~~) ~~Condition 12~~ of the Hamilton City Council designation for the Southern Links Arterial Routes.

ARCHAEOLOGY

13 Archaeology ~~Site Management Plan~~

13.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This

may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)

13.2 Prior to the commencement of construction, the NZ Transport Agency shall provide to the Waipa District Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.

13.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist and conservation architect under the direction of the NZ Transport Agency and then submitted for certification to the Waipa District Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.

13.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites and heritage buildings within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:

- a) Measures that will be taken to protect or avoid archaeological sites (or insitu archaeological remains) from damage during construction;
- b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;
- c) Areas where monitoring of construction works by an archaeologist will be required;
- d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
- e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
- f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
- g) Provision for any revisions required to the HASMP during the course of the Project; and
- h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.

13.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, an Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Waipa District Chief Executive or nominee. The Policy shall describe the on-going management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.

13.6 Specifically with regards to the Glenhope Homestead, the HASMP shall include requirements for:

- a) The preparation of a pre-relocation comprehensive photographic record of the interior and exterior of the building with a floor plan of the building identifying the location and viewpoint of photographs identified; and the wider setting of the building, including the garden and trees, and the adjacent woolshed and two worker's cottages. A detailed site plan detailing these elements as well as paths, the road entrance, driveways and any other built objects should also be drawn up with the location and viewpoint of photographs identified.
- b) Copies of all relevant records to be given to Heritage New Zealand and Council.
- c) The preparation of a detailed dwelling condition report prior to the start and conclusion of any relocation works.
- d) Identification of the alternative site within the bounds of the original 350 acre farm to which the dwelling will be relocated and the works that will be undertaken at that site to recreate the setting (as far as practicable) of the original Glenhope site.

~~13.7 In addition to the relevant provisions of the HASMP, a Dwelling Conservation Plan shall be prepared for Glenhope Homestead by a suitably qualified and experienced conservation architect to identify and rank individual heritage spaces and fabric of the dwelling, describe appropriate policies to ensure heritage values of the dwelling are maintained throughout construction and operation of the Project and provide a dwelling relocation methodology, including treatment of brickwork chimneys. A copy of the Dwelling Conservation Plan shall be provided to Heritage New Zealand.~~

~~13.1 The Requiring Authority shall give at least 4 weeks written notice of the date that the construction contractor intends to commence earthworks or construction activity, to:~~

- ~~a) The Project archaeologist to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of the construction; and~~
- ~~b) The Territorial Authority;~~
- ~~c) The Hamilton Southern Links Tangata Whenua Working Group to enable them to:

 - ~~i. allocate a representative to liaise with the Project archaeologist and who will be actively involved in the archaeological work associated with the Project;~~
 - ~~ii. clarify with the contractor the location of the archaeological sites and the procedures that will be observed;~~
 - ~~iii. provide the names of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the project;~~
 - ~~iv. undertake any appropriate cultural ceremonies on the archaeological sites; and~~
 - ~~v. arrange for the inspection of the earthworks in the vicinity of the archaeological sites.~~~~

~~13.1 Prior to the commencement of construction the NZTA Requiring Authority shall provide to the Waipa/Waikato District Council Territorial Authority evidence that Archaeological Authorities have been obtained from the Heritage New Zealand Historic Places Trust as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZTA Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.~~

~~13.2 The CMP shall include an Archaeological Site Management Plan (ASMP) prepared under the direction of the NZTA in consultation with the Southern Links Tangata Whenua Working Group and the NZHPT. The ASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. In particular, the ASMP shall describe:~~

- ~~a) Measures that will be taken to protect archaeological sites from damage during construction;~~
- ~~b) Mitigation measures in the form of archaeological investigation and recording;~~
- ~~c) Areas where monitoring of construction works by an archaeologist will be required;~~
- ~~d) Accidental Discovery Protocols to be followed if archaeological sites, human remains or taonga (Maori artefacts) are encountered during construction works;~~
- ~~e) The roles and responsibilities associated with managing the archaeological aspects of the Project;~~
- ~~f) Provision for training contractors in the archaeological requirements of the Project;~~
- ~~g) Provision for any revisions required to the ASMP during the course of the Project; and~~
- ~~h) Reporting requirements.~~

~~13.2 No later than 4 weeks prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Archaeological Site Management Plan (ASMP), prepared by a suitably qualified archaeologist, to the Territorial Authority Chief Executive or nominee for certification.~~

~~13.3 The ASMP shall be prepared in consultation with the Hamilton Southern Links Tangata Whenua Working Group and with Heritage New Zealand. The objective of the ASMP is to describe the measures~~

~~that will be taken to avoid or mitigate effects on archaeological sites within the designation. As a minimum, the ASMP shall include the following:~~

- ~~a) Measures to be taken to protect archaeological sites or the parts of archaeological sites from damage during construction. Wherever possible this should take the form of a physical barrier and such a barrier should be placed with an appropriate buffer zone of not less than 10 m;~~
- ~~b) Roles and responsibilities associated with managing the archaeological aspects of the Project;~~
- ~~c) Provisions for training for staff and contractors in the archaeological requirements of the Project;~~
- ~~d) Provision for any revisions required to the ASMP during the course of the Project. Any required revisions to the ASMP shall not be implemented by the Requiring Authority until approved in writing by Territorial Authority Chief Executive or nominee. The Territorial Authority shall respond to the request for a revision to the ASMP within 2 weeks or another time period agreed between all parties;~~
- ~~e) Twenty working days prior to the Requiring Authority providing the ASMP or any revisions in accordance with condition 1.3(d) to Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised ASMP detailing:

 - ~~i. Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
 - ~~ii. Where feedback has been provided, how it has been incorporated into the ASMP; and~~
 - ~~iii. Where feedback has been provided but not been incorporated into the ASMP, the reasons why not.~~~~

~~13.5 Conservation Plans shall be prepared for the long term management of those archaeological sites (part or whole) that remain unaffected by the construction of the project once construction is completed. These Conservation plans shall:~~

- ~~a) Not be limited to the surface visible remains but recognise the importance of sub-surface deposits);~~
- ~~b) Be prepared by a suitably qualified archaeologist; and~~
- ~~c) Submitted to the Territorial Authority Chief Executive or nominee for certification.~~

~~13.6 No later than 4 weeks prior to the Requiring Authority providing the Conservation Plans to the Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised Conservation Plans detailing:~~

- ~~a) Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
- ~~b) Where feedback has been provided, how it has been incorporated into the Conservation plans; and~~
- ~~c) Where feedback has been provided but not been incorporated into the Conservation Plans, the reasons why not.~~

~~13.7 Direct effects in the Whatakoruru Paa (S14/47) are avoided during construction other than the removal of the standing pines trees on the paa. These should be felled and removed in a manner that causes a minimum of adverse effects on the area affected by the tree and with no adverse effects on the part of the pa unaffected by the trees. Consistent with proposed condition 13.5 a Conservation Plan must be prepared for the paa S14/47. HCC Designation 114~~

NETWORK UTILITY INFRASTRUCTURE

14 Network Infrastructure Generally

14.1 The ~~NZTA~~ NZ Transport Agency 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 to ensure:

- a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and
- b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.

~~14.2~~ During the design phase of the Project, the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:

- ~~a)~~ Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and
- ~~b)~~ Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.

~~14.3~~ To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the NZ Transport Agency shall, subject to reasonable planned interruption, either:

- ~~a)~~ Protect the utility from any activity which may interfere with the proper functioning of the services; or
- ~~b)~~ Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or
- ~~c)~~ Seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

~~14.3~~ Prior to the commencement of construction, the NZ Transport Agency shall prepare a Network Utilities Management Plan (NUMP). The NUMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council at least 40 working days prior to construction activities being undertaken for certification.

~~14.4~~ The NZ Transport Agency shall adhere to the relevant requirements of the NUMP at all appropriate times during the Project. The objective of the NUMP shall be to ensure that the enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.

~~14.5~~ The NUMP shall be prepared in consultation with network utility operators who have network utilities that traverse, or are in close proximity to, the designation. The NUMP shall include as a minimum:

- ~~a)~~ Cross references to the Communication and Consultation Plan for the methods that will be used to liaise with all network utility operators who have existing network utilities that traverse, or are in close proximity to, the designation;
- ~~b)~~ Measures to be used to accurately identify the location of existing network utilities, and the measures for the protection, support, relocation and/or reinstatement of existing network utilities;
- ~~c)~~ Methods to be used to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities (and their priority designations) which traverse, or are close proximity to, the designation, and the restrictions in place in relation to those existing network utilities. This shall include:
 - ~~i)~~ Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to network utilities;
 - ~~ii)~~ Plans identifying the locations of the network utilities (and their designations) and appropriate physical indicators on the ground showing specific surveyed locations;

- ~~d) Measures to be used to ensure the continued operation of network utility and the security of supply of the services by network utility operators at all times;~~
- ~~e) Measures to be used to enable network utility operators to access existing network utilities for maintenance at all reasonable times on an ongoing basis during construction, and to access network utilities for emergency and urgent repair works at all times during the construction;~~
- ~~f) Contingency management plans for reasonably foreseeable circumstances in respect of the relocation and rebuild of network utilities during the construction;~~
- ~~g) Earthworks management (including depth and extent of earthworks and temporary and permanent stabilisation measures), for earthworks in close proximity to network utilities;~~
- ~~h) Vibrations management and monitoring for works in close proximity to network utilities;~~
- ~~i) Emergency management procedures in the event of any emergency involving network utilities;~~
- ~~j) The process for providing as-built drawings showing the relationship of the relocated network utilities to the Southern Links network to network utility operators and the timing for providing these drawings; and~~
- ~~k) The methods to provide for the integrity of KiwiRail's assets and to avoid adverse effects on KiwiRail operations as a result of the Project.~~

15 Airport Aviation Infrastructure

- 15.1 During the design phase of the pProject the NZTA-NZ Transport Agency shall liaise with Waikato Regional Airport Ltd (or its successor) in relation to any part of the works within the designation where existing and/or future airport aviation infrastructure may be affected, and make reasonable and relevant changes requested by Waikato Regional Airport Ltd to the relevant design plans and construction methodologies to ensure that such aviation infrastructure is not adversely affected.
- 15.2 The final design of the pProject shall incorporate, but not be limited to, the following measures:
- ~~(i)a) Signage at appropriate locations adjacent to airport flight paths cautioning drivers about low flying aircraft;~~
 - ~~(ii)b) Location of the east-west state highway route as far to the north (within the designation) as practicable from the main airport runway;~~
 - ~~(iii)c) Consideration of the extent of highway lighting with regards to airport approach paths. Where highway lighting is required within approach paths the highway lighting must be shielded to avoid the lighting creating a distraction to the pilots of aircraft on approach to runways at the airport. In this regard the NZTA shall liaise with the New Zealand Civil Aviation Authority (or its successor) at the time of detailed design to ensure relevant compliance standards for light shielding at the time are complied with;~~
 - ~~d) Provision of vehicular access for maintenance and emergency purposes to the part of the airport high intensity lighting bank north of the east-west state highway route from the local road network;~~
 - ~~e) Avoidance of stormwater ponds that create a continuous area of standing water (ie not drained within 48 hours) in the airport locality that could attract birds into aircraft flight paths of a number that will create an aviation hazard;~~
 - ~~f) For planting located within any part of the network subject to the Hamilton Airport Obstacle Limitation Surface as set out in the Waipa District Plan, the use of species (developed as part of the Landscape Management Plan required by Condition 9.4) that at their full mature height will not protrude through the height restrictions imposed by the Obstacle Limitation Surface, and that are not recognised as having characteristics that are highly attractive to birds;~~
 - ~~g) Procedures (developed as part of the Construction Management Plan required by Condition 2.2) to be followed during the construction and management of all works associated with the Project to address adverse effects on aviation safety. These procedures shall include, but not be limited to:~~
 - ~~i) Ensuring the maximum height above ground level of any construction related equipment~~

does not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Waipa District Plan;

- ii) Measures to ensure construction related equipment does not produce glare into the eyes of aircraft pilots;
- iii) Control of dust emissions including the use of suppressants as required;
- iv) The orientation, intensity, location and times of use of any temporary floodlighting ~~and construction lighting~~;
- v) Temporary traffic management to ensure that airport access is maintained for passengers and emergency vehicles at all times; and
- vi) Methods for communicating construction matters relevant to aviation activities to the airport operator.

15.3 Prior to any physical works commencing on the part of the Southern Links network that potentially affects airport aviation infrastructure:

- a) The NZ Transport Agency shall provide to WRAL (or its successor) an Aviation Safety Review report based on the detailed design of the Project, prepared by a suitably qualified and experienced practitioner agreed to by the Transport Agency and WRAL; and
- b) ~~†~~The ~~NZTA~~ NZ Transport Agency shall obtain a letter from Waikato Regional Airport Ltd (or its successor) that confirms that the works have been designed to the satisfaction of Waikato Regional Airport Ltd (or its successor).

~~The Reporting Team suggesting that the Requiring Authorities work with the Waikato Regional Airport Ltd to develop a condition for an Airport Operation Management Plan.~~

16 Te Awa Cycleway

16.1 The NZ Transport Agency shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.

17 Detailed Drainage Design

17.1 During the preparation of the detailed stormwater design plans for the Project, the NZ Transport Agency shall pay particular attention to the design of stormwater devices and methods on 99 Raynes Road² to ensure that existing drainage issues on the property are not made worse by the Project, and that the health of the covenanted kahikatea stand on the property is not adversely affected. In consultation with the owners of 99 Raynes Road, the detailed drainage design shall, where practicable, incorporate or complement existing field drainage works on the property.

17.2 Subject to the requirements of future resource consents required to authorise stormwater discharges, diversions and associated structures, the NZ Transport Agency shall ensure that the detailed stormwater design for the part of the Project located within the Nukuhau and Nukuhau North Drainage Areas shall be independently peer reviewed. Specific attention shall be paid to the capacity of the designed drainage network to cater for existing stormwater flows and those from the Project without worsening drainage issues on properties within the drainage areas, and on the property at 133 Raynes Road³.

18. Underpasses

18.1 Following consultation with the owners of the properties specified in this Condition, the NZ Transport Agency shall consider in the final design of the Project incorporating underpasses of a standard sufficient for their intended use at the following locations:

² At the time of the NZ Transport Agency's decision to confirm the designation, 99 Raynes Road was owned by John and Heather Healey.

³ At the time of the NZ Transport Agency's decision to confirm the designation, 133 Raynes Road was owned by Diane Sharpe and RK Sharpe Estate.

- a) Under the east-west State highway route to connect 217 Collins Road⁴ with the severance area adjoining the North Island Main Trunk Rail Line to the east of the State highway route; and
- b) Under the north-south State highway route to connect 2/3400 Ohaupo Road with the severance area between the Penniket Road re-alignment and the north-south State highway route, unless that severance area is identified use for another Project purpose.

19 Railway Crossing Design

19.1 Prior to detailed design being commenced, the NZ Transport Agency shall enter into discussions with KiwiRail (or its successor, if any) in relation to developing a Project Agreement covering the final design and construction of the Project in the vicinity of the Collins Road level crossing and the bridge over the railway corridor to the south of Collins Road.

~~20.1 The Requiring Authority shall undertake best endeavours at the time of detailed design to retain the existence and health of the protected trees listed as T36.1 (Pin Oak), T36.3 (Pin Oak) and T36.4 (Pine) in the Hamilton City Proposed District Plan (Decisions Version - 2014).~~

1820 Consultation with Waikato - Tainui

~~1820.1~~ When required to consult with taangata whenua by the ~~e~~Conditions of this designation the ~~NZTA Requiring Authority~~ NZ Transport Agency shall, through its Chief Executive ~~Officer~~ or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working ~~Group~~ (~~Group~~) (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:

Each hapu is represented by the recognised/appointed person or persons;

- a) Administration of liaison/coordination occurs in a timely manner;
- b) Any actions/direction or information from the TWWG Group/representatives has a common voice for Iwi on all liaison/coordination matters.

~~2120.12~~ The TWWG shall comprise of representatives of the following:

- a) Ngati Hauaa;
- b) Ngati Koroki Kahukura;
- c) Ngati Wairere;
- d) Ngati Maahanga;
- e) NZTA Requiring Authority NZ Transport Agency; and
- f) ~~Waipa/Waikato District Council~~ Territorial Authority Waipa District Council.

~~The Requiring Authorities may wish to consider the inclusion of the following condition or similar wording. This condition is based on a condition agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.~~

~~18.3 The Requiring Authority shall:~~

- a) ~~Within six months of confirmation of the designations, prepare in consultation with the TWWG a Waikato-Tainui Mitigation Plan (WTMP). The objective of the WTMP is to specify and record a range of reasonable and tangible mitigation measures to address the mitigation recommendations included in the Hamilton Southern Links Taangata Whenua Effects Assessment Report (TWEAR) dated January 2014.~~

⁴ At the time of the NZ Transport Agency's decision to confirm the designation, 217 Collins Road was owned by Shanghai Pengxin New Zealand Ltd.

- ~~b) No less than six weeks prior to the Requiring Authority providing the WTMP to the Territorial Authority, a draft version of the WTMP will be provided to the TWWG for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised WTMP detailing:

 - ~~i. Whether any feedback has been provided by the TWWG; and~~
 - ~~ii. Where feedback has been provided, how it has been incorporated into the WTMP; and~~
 - ~~iii. Where feedback has been provided but not been incorporated into the WTMP, the reasons why not.~~~~
- ~~c) Once the WTMP is finalised, submit a copy of the WTMP to the Territorial Authority for its information.~~
- ~~d) The Requiring Authority must implement the WTMP throughout the duration of the project.~~

21 Dust Management Plan

~~21.1 Prior to the commencement of construction, the Requiring Authority NZ Transport Agency shall prepare a Dust Management Plan (DMP). The Requiring Authority NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.~~

~~21.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority Waipa District Council at least 40 working days prior to construction activities being undertaken for certification.~~

~~21.3 As a minimum the DMP shall include the following details:~~

- ~~a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;~~
- ~~b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;~~
- ~~c) Procedures for responding to process malfunctions and accidental dust discharges;~~
- ~~d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;~~
- ~~e) Continuous monitoring of meteorology;~~
- ~~f) Monitoring of construction vehicle maintenance;~~
- ~~g) Complaints investigation, monitoring and reporting;~~
- ~~h) The identification of staff and contractors' responsibilities; and~~
- ~~i) Appropriate DMP review procedures.~~

~~4 Should dust resulting from the enabling works and construction of the Project generate a complaint, the Requiring Authority shall within five working days of receipt of the complaint provide a written report to the Territorial Authority. The report shall specify:~~

- ~~a) The cause or likely cause of the event and any factors that influenced its severity;~~
- ~~b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and~~
- ~~c) The steps to be taken in future to prevent recurrence of similar events.~~

22 Contaminated Soil Management Plan

~~22.1 Prior to the commencement of construction, the Requiring Authority NZ Transport Agency shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The Requiring Authority NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or~~

mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

22.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the ~~Territorial Authority-Waipā District Council~~ for certification at least 40 working days prior to construction activities being undertaken certification.

22.3 As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
- c) The soil validation testing that will be undertaken;
- d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
- e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
- f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material;
 - ii) Stop work or isolate the area once any such material is identified;
- g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil;
 - iv) Remediate any required sites; and
- h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii) Handle any asbestos containing material.

22.4 ~~A S~~Suitably Qualified and Experienced Practitioner shall supervise the implementation of ~~T~~the measures required in e~~Condition 20~~22.3 above. shall also include appointment of a Suitably Qualified and Experienced Practitioner to implement the actions identified in the CSMP.

22.5 At the completion of the construction of the Project, a validation report will be prepared ~~by a~~ Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the ~~Territorial Authority-Waipā District Council~~ documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the ~~Requiring Authority~~ NZ Transport Agency.

***Advice note:** A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).*

23 Hazardous Substances Management Plan

23.1 Prior to the commencement of construction, the ~~Requiring Authority~~ NZ Transport Agency shall prepare a Hazardous Substances Management Plan (HSMP). The ~~Requiring Authority~~ NZ Transport Agency shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose

of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.

23.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the ~~Territorial Authority~~ ~~Waipa District Council for certification~~ at least 40 working days prior to construction activities being undertaken ~~for certification.~~

23.3 As a minimum the HSMP shall include the following details:

- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
- b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
- c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
- ~~d) Confirmation that there shall be no storage of explosives on the Project site;~~
- ~~e)d) Procedures to notify and report to the ~~Territorial Authority~~ ~~Waipa District Council~~ within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and~~
- ~~f)e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.~~

24 Road Lighting

Construction Lighting

24.1 The ~~requiring authority~~ ~~NZ Transport Agency~~ shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

24.2 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing ~~residential buildings~~ ~~dwellings~~, and shall ensure that:

- a) All carriageway lighting is designed in accordance with "Road Lighting Standard AS/NZS1158"; and
- b) All other lighting is designed in accordance with the relevant rules of the ~~e~~Operative ~~Waipa~~ District Plan.

25 Roding improvement at SH3/21 Intersection

25.1 The Requiring Authority shall develop and construct a roundabout or equivalent access solution (hereafter, 'roding improvement') in the vicinity of the SH3/21 intersection, which shall include approaches and connections to the existing State highways and connectivity for the Titanium Park Western Precinct. The design of the roding improvement shall be finalised after consultation with Titanium Park Joint Venture. The roding improvement shall be constructed as soon as reasonably practicable once full funding for its design and construction has been obtained via the National Land Transport Programme (NLTP) or external funding sources or a combination of both. The roding improvement shall include an access leg into the Western Precinct that is consistent with full provision of the Project's SH3/21 interchange.

25.2 The roding improvement shall be subject only to the following conditions, modified to match the scale of the work:

- a) 2 - Construction Management Plan;
- b) 2A - Complaints Management;
- c) 4 - Operational Noise;

- d) 5 - Construction Noise and Vibration;
- e) 7 - General Construction Traffic;
- f) 9 - Landscape Management Plans;
- g) 14 - Network Infrastructure General;
- h) 22 - Dust Management;
- i) 23 - Contaminated Soil Management;
- j) 24 - Hazardous Substances Management Plan; and
- k) 25 - Road Lighting.

26 Chinaman's Hill Designation

26.1 Within 12 months of the Southern Links designation being confirmed, the NZ Transport Agency shall, pursuant to s182(1) of the RMA, give notice of those parts of the Chinaman's Hill Designation that will be uplifted.

267 Administration

267.1 The ~~Requiring Authority~~ NZ Transport Agency shall pay to the Waipa District Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Section 177 of the RMA

The NZTA ~~Transport Agency~~ is reminded of the requirements under section 177 of the RMA in respect of the Southern Links roading designation overlapping the North Island Main Trunk Railway Line designation and the Waikato Regional Airport Ltd designation.

C Authority under the ~~Historic Places Act 1993~~ Heritage New Zealand Pouhere Taonga Act 2014

The NZTA ~~Requiring Authority~~ NZ Transport Agency will need to obtain an authority from the Heritage New Zealand ~~Historic Places Trust~~ to destroy, damage or modify any archaeological sites in accordance with the ~~Historic Places Act 1993~~ Heritage New Zealand Pouhere Taonga Act 2014.

D Consultation and Liaison with Regional and Local Agencies

The ~~Requiring Authority~~ NZ Transport Agency should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

E Taangata Whenua Contact Details

Contact details for the hapu listed ~~above~~ in Condition 20.2 can be obtained through the office of Waikato-Tainui.

**ANNEXURE C – NZTA 168 WAIKATO DESIGNATION CONDITIONS
(REDLINE)**

NZ Transport Agency (proposed as of 8/7/14)

Conditions to apply to Notice of Requirement in Waikato District (NZTA 168 Waikato)

The proposed Conditions have been amended as follows:

- ~~Black strikethrough text~~ – Deleted wording recommended by the Reporting Team in the 30 May 2014 s42A report; and
- Black underlined text – Proposed new wording recommended by the Reporting Team in the 30 May 2014 s42A report;
- Red Underlined Text – wording sought by NZ Transport Agency; and
- Blue strikethrough text – wording deleted by NZ Transport Agency.

1 General Conditions

- 1.1 Except as modified by the eConditions below and subject to final design, the pProject works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (NZTA) in its Notice of Requirement and the supporting documents, namely:
- Southern Links: Notice of Requirement (NoR) by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013; ~~and~~
 - Southern Links – Scheme Assessment Report Drawings 1000-8000 series, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus.
 - ~~<other documents identified prior to and during the hearing>~~
 - The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information;
 - Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012; and
 - Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014.
- 1.2 Where there is any inconsistency between the ~~Notice of Requirement NoR~~ documentation and the designation conditions, the designation conditions shall prevail.
- 1.2 ~~A liaison person shall be appointed by the NZTA 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 NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected persons.~~
- 1.3 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of twenty (20) ~~twenty~~ years after it is included in the Operative and Proposed ~~Hamilton City Waipa~~ Waikato District Plans.
- 1.4 Any reference in these eConditions to legislation or a ~~New Zealand~~ Standard includes any later legislation or ~~New Zealand~~ standard that amends or replaces it.
- 1.5 In these conditions:
- "The Project" shall mean The Southern Links Project [insert definition]; and
 - "Local road" shall mean a road that is not a State highway or private road.

Management Plans General

~~4.5~~1.6 All works shall be carried out in accordance with the applicable ~~m~~Management ~~p~~Plan(s) and other plans required by these ~~e~~Conditions.

~~4.6~~1.7 The following ~~m~~Management ~~p~~Plans must be submitted to the ~~Territorial Authority~~ Waikato District Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:

- a) Pre-Construction Communication and Consultation Plan;
- b) Construction Management Plan;
- c) Construction Noise and Vibration Management Plan;
- d) Communication and Consultation Plan;
- ~~e)~~ Social Impact Monitoring Plan;
- ~~f)~~ Property Acquisition and Management Strategy;
- ~~g)~~e) Concept Landscape Management Plan;
- ~~h)~~f) Landscape Management Plan;
- ~~i)~~g) Heritage and Archaeological Site Management Plan;
- ~~j)~~h) Conservation PlanEcological Management and Restoration Plan;
- ~~k)~~ Network Utility Management Plan;
- ~~l)~~ Airport Operation Management Plan;
- ~~m)~~i) Dust Management Plan;
- ~~n)~~j) Contaminated Soil Management Plan;
- ~~o)~~k) Hazardous Substances Management Plan; and
- l) Traffic Management Plan.

1.8 The Waikato District Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed within 10 working days of receipt of the Management Plan by the Waikato District Council.

~~Advice Note: Certification of the management plans shall be on the basis that they are consistent with the conditions of the designation.~~

~~1.7~~ The following management plans must be submitted to the ~~Territorial Authority~~ Chief Executive or nominee for approval:

- ~~a) Activity Specific Construction Noise and Vibration Management Plan~~

~~1.8~~ The following management plans do not require certification by the ~~Territorial Authority~~:

- ~~a) Waikato-Tainui Mitigation Plan.~~

~~1.9~~ The following management plans will be subject to an independent peer review:

- ~~a) Construction Management Plan;~~
- ~~b) Construction Noise and Vibration Management Plan;~~
- ~~c) Communication and Consultation Plan;~~
- ~~d) Social Impact Monitoring Plan;~~
- ~~e) Concept Landscape Management Plan;~~
- ~~f) Landscape Management Plan;~~
- ~~g) Archaeological Site Management Plan;~~
- ~~h) Conservation Plan;~~
- ~~i) Airport Operation Management Plan;~~

- ~~j) Dust Management Plan;~~
- ~~k) Contaminated Soil Management Plan;~~
- ~~l) Hazardous Substances Management Plan.~~

~~1.7 Prior to submitting the management plans identified in condition 1.6 to the Territorial Authority, the Requiring Authority shall engage suitably qualified independent specialists agreed to by the Territorial Authority to undertake a peer review of the management plans identified in condition 1.9 and provide recommendations on whether changes are required to the management plans in order to meet the objectives and other requirements set out in the relevant conditions. The management plans submitted to the Territorial Authority shall demonstrate how the recommendation from the independent peer reviewer(s) have been incorporated, and where the recommendations have not been incorporated the reasons why.~~

~~1.8 Where conditions require consultation with third parties in the development of management plans, these plans shall demonstrate how the view of that party (or parties) have been incorporated, and, where they have not, the reasons why. Plans that require consultation with third parties and that are also subject to an independent peer review must include the information on consultation with those parties prior to being submitted for an independent peer review.~~

~~1.8 If, within the time allowed in Condition 1.8, the Waikato District Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.~~

~~1.9 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Waikato District Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.~~

~~1.10 a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Waikato District Council to determine a process of resolution.~~

~~b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.~~

~~c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Waikato District Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.~~

~~*Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.*~~

~~1.11 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.~~

1A Pre-cConstruction

Communication, and Consultation and Liaison Manager

~~1A.1 Within three months of the confirmation of the designation the Requiring Authority-NZ Transport Agency shall appoint a Communication, ~~and~~ Consultation and Property Liaison Manager to implement the Pre-cConstruction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.8) and Communication and Consultation Plan (Condition 8.1 to 8.7). The Communication, ~~and~~ Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Southern Link Project for the duration of the ~~p~~Project.~~

- 1A.2 ~~The Communication, and Consultation~~ **and Property Liaison** Manager's contact details shall be listed in the ~~Pre-construction Communication and Consultation Plan PCCP~~ and ~~listed~~ on the **NZ** Transport Agency's website and the ~~Hamilton City Waikato District~~ Council website.

Pre-Construction Communication and Consultation Plan

- 1A.3 ~~The Requiring Authority NZ Transport Agency~~ shall prepare a ~~Pre-Construction Communication and Consultation Plan PCCP~~. This ~~Plan PCCP~~ shall be submitted to the ~~Territorial Authority Waikato District Council~~ Chief Executive or nominee, within **12** months of the Designation being confirmed, for certification that the ~~Plan PCCP~~ has been prepared in accordance with this ~~e~~Condition.

- 1A.4 ~~The Plan PCCP~~ shall be implemented and complied with ~~from~~ within **18** months from the confirmation of the ~~e~~Designations until the commencement of the construction of the ~~Southern Links~~ Project.

- 1A.5 ~~The objective of the Pre-construction Communication and Consultation Plan PCCP~~ is to set out a framework to:

- a) ~~Inform the community of Project progress and likely commencement of construction works;~~
- b) ~~Obtain feedback and inputs from affected parties and stakeholders regarding the development of relevant management plans;~~
- c) ~~Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.~~

- ~~1A.6 The Pre-construction Communication and Consultation Plan shall set out how the Requiring Authority will:~~

- ~~a) Inform the community of Project progress and likely commencement of construction works and programme;~~
- ~~b) Engage with the community in order to foster good relationships and to provide opportunities for learning about the Project;~~
- ~~c) Obtain (and specify reasonable timeframes for) feedback and input from Stakeholders and affected parties regarding the development of management plans <may need to specify which plans>;~~
- ~~d) Where feedback (in accordance with this condition) is provided, the Pre-construction Communication and Consultation Plan shall articulate how that feedback has informed the development of management plans <may need to specify which plans> and where it has not, reasons why it has not;~~
- ~~e) Respond to queries and complaints. Information shall include but not be limited to:

 - ~~(i) Who is responsible for responding;~~
 - ~~(ii) How responses will be provided;~~
 - ~~(iii) The timeframes that the responses will be provided within.~~~~
- ~~f) Provide updates on the property acquisition process and the management of properties acquired by the Requiring Authority for the construction of the Southern Links Project.~~

- 1A.6 ~~The Pre-construction Communication and Consultation Plan PCCP~~ shall, as a minimum, ~~include:~~

- ~~a) Inform the community of Project progress and likely commencement of construction works and programme;~~

~~Obtain and specify reasonable timeframes for feedback and input from stakeholders and affected parties regarding the development of management plans; [**<may need to specify which plans>**]~~

- ~~eb) A-Include a communications framework that details the Requiring Authority's NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation ~~tools methods~~ to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 17.1) and the Community Liaison Group(s) (refer to Condition 1A.8) (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters;~~

~~bdc~~ Details of the Communication, ~~and~~ Consultation ~~and~~ Property Liaison Manager for the pre-construction period (~~e~~Condition 1A.2) including their contact details (phone, email and postal address):

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

~~(i)~~ Newsletters;

~~(ii)~~ Newspaper advertising;

~~(iii)~~ Notification and targeted consultation with stakeholders and affected parties; and

~~(iv)~~ The use of the project website for public information.

~~d~~ The methods for communicating and consulting with tāngata whenua (refer to condition 18.1):

~~f~~ The methods for communicating and consulting with the Community Liaison Group(s) (refer to condition 1A.9):

~~g~~ How communication and consultation activity will be recorded.

1A.7 The ~~Pre construction Communication and Consultation Plan PCCP~~ will be made publicly available (once certified) ~~and~~ on the NZ Transport Agency's website and the ~~Hamilton City Waikato District Council's~~ website.

Community Liaison Groups

1A.98 Within three months of the confirmation of the designations the ~~Requiring Authority NZ Transport Agency~~ shall, in consultation with the ~~Territorial Authorities Waikato District Council~~, establish ~~at least one~~ Community Liaison Group for each of the following localities:

~~a~~ Northern Sector Peacockes (HCC Designation 111)

~~b~~ Southern Sector Airport (Transport Agency Designation (Waipa) DN/156)

~~c~~ Western Sector Collins Road (Transport Agency Designation (Waipa) DN/156 and Designation (Hamilton City) 112)

~~d)a~~ Eastern Sector Tamahere. ~~(Transport Agency Designation (Waipa) DN/156 and Designation (Waikato) DES 0018/13)~~

~~1A.10~~ The number of Groups shall be confirmed with the Territorial Authorities.

1A.14109 The membership of the Community Liaison Group(s) shall include representative(s) of the ~~Requiring Authority NZ Transport Agency~~ and be open to all affected parties including, but not limited to the following:

a) Representative(s) for and/or affected property owners and occupiers;

b) Tamahere Community Committee;

c) Riverside Golf Club;

~~d~~ Mangakotukutuku Stream Care Group;

~~e)d~~ St Stephens Church; and

~~f)e~~ [additional group members to be confirmed through the hearing process].

~~1A.12~~ The purpose of the Groups shall be to:

~~a~~ Provide a means for receiving regular updates on Project progress;

~~b~~ Enable opportunities for concerns and issues to be reported to and responded by the Requiring Authority.

~~c~~ Provide feedback on the development of management plans <which plans to be confirmed through the hearing process>.

~~d~~ Monitor the effects of constructing the Project on the community by providing a regular forum through which information about the Project can be provided to the community.

~~1A.13 The Requiring Authority will consult with the Groups in respect of the development of management plans <which plans to be confirmed through the hearing process>.~~

~~1A.14110 The Requiring Authority NZ Transport Agency will invite each of the Groups to meet at least annually until the commencement of construction and then at least once every three months or as otherwise required agreed intervals once construction commences for the duration of the construction phase. Should a majority of each Group members decline or not respond to an invitation to meet, the NZ Transport Agency is not required to hold that meeting.~~

~~1A.151211 Once construction has commenced the Requiring Authority NZ Transport Agency will provide an update at least every three months (or as otherwise agreed) to the Groups on compliance with the designation conditions and mManagement pPlans [which plans to be confirmed through the hearing process] and any material changes to these plans.~~

~~1A.161312 The Requiring Authority NZ Transport Agency shall provide reasonable administrative support for the Groups including organising meetings at a local venue, inviting all members of the Groups, as well as the taking and dissemination of meeting minutes a [local] venue for meetings of the Community Liaison Groups.~~

~~1A.16 The Groups shall continue for the duration of the construction phase of the Project and for six months following completion of the Project.~~

Property Acquisition and Management Engagement

~~1A.13 Within three months of the confirmation of the designation, the NZ Transport Agency shall provide to the Council Chief Executive or nominee and affected landowners access to a document outlining the NZ Transport Agency's property acquisition and management engagement practice (PAMEP). The objective of the PAMEP is to provide clarity for affected landowners on how they can engage with the NZ Transport Agency on matters regarding property acquisition and management. The PAMEP shall, as a minimum:~~

- ~~a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 1A.2).~~
- ~~b) Identify timeframes within which the NZ Transport Agency will respond to enquiries.~~
- ~~c) Describe the process which the NZ Transport Agency will follow for responding to specific:

 - ~~i) Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;~~
 - ~~ii) Requests from landowners to use land that is within the designation footprint but not yet acquired by the NZ Transport Agency; and~~
 - ~~iii) Complaints regarding the maintenance of properties acquired by the NZ Transport Agency.~~~~

2. Construction Management Plan

~~2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZTA Requiring Authority NZ Transport Agency shall submit for review and comment certification a Construction Management Plan (CMP) to the Territorial Authority Waikato District Council Chief Executive or nominee. The purpose objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP, including the preparation of management plans. For the avoidance of doubt, the NZTA Requiring Authority NZ Transport Agency may prepare a CMP (or sub-management plan) in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for review and comment certification in accordance with this eCondition prior to any construction activity commencing on a particular stage.~~

~~2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following details:~~

- ~~a) Details of the site or pProject manager, including their contact details (phone, facsimile (if any), postal address, email address);~~

- ~~(aa) Details of the contact person required by eCondition 8.1 including name, phone number, email and postal address;~~
- b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or pProject manager and the contact person required by eConditions 1A.1 and 8.1;
- ~~(bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;~~
- c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
- ~~(cc) Environmental incident and emergency management procedures;~~
- d) 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;
- ~~(dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation;~~
- e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
- f) 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;~~
- ~~(ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;~~
- g) 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;
- h) 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;
- i) 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 1993 Heritage New Zealand Pouhere Taonga Act 2014;
- j) Means of ensuring the safety of the general public;
- k) ~~Methods~~ Procedures for receiving and responding to complaints; ~~about construction dust, and odour from the works; and~~
- l) ~~The following sub-management plans:~~
- ~~i. Construction Noise and Vibration Management Plan (in accordance with condition Error! Reference source not found.);~~
- ~~ii. Traffic Management Plan (in accordance with condition Error! Reference source not found.);~~
- ~~iii. Archaeological Site Management Plan;~~
- ~~iv. Earthworks Management Plan;~~
- ~~v. Dust Management Plan;~~
- ~~vi. Ecological and Restoration Management Plan;~~
- ~~vii. Erosion and Sediment Control Plan;~~
- ~~viii. Hazardous Substances Management Plan; and~~
- ~~ix. Stakeholder Communications Plan (in accordance with condition Error! Reference source not found.);~~

~~Except for the plans listed in clauses (l)(i), (ii) and (ix), the above sub-management plans do not require certification by Council but will be provided to Council for review and comment.~~

~~The Construction Noise and Vibration Management Plan, Traffic Management Plan and Stakeholder Communications Plan shall be provided to Council (in accordance with conditions ~~Error! Reference source not found.~~, ~~Error! Reference source not found.~~ and ~~Error! Reference source not found.~~, respectively) for the Council's certification that the plan satisfies these conditions.~~

~~(l) Provision of access for emergency vehicles;~~

~~(m) Hours of operation of trucks and service vehicles;~~

~~(n) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on local roads, and the remedial measures to be taken should that occur.~~

2.3 Any changes proposed to the CMP shall be confirmed in writing by the ~~Requiring Authority NZ Transport Agency~~ and certified in writing by the ~~Territorial Authority's Waikato District Council's~~ Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

2A.1 ~~Upon receiving a complaint during construction, the Requiring Authority NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:~~

- a) ~~Identify of the nature of the complaint, and the location, date and time of the alleged event(s);~~
- b) ~~Acknowledge receipt of the complaint within 24 hours of receipt;~~
- c) ~~Respond to the complaint in accordance with any relevant mManagement pPlan , which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures, and, in the case of noise and / or vibration, preparation of a Activity Specific Construction Noise and Vibration Management Plan (in accordance with conditions 5.5);~~

2A.2 ~~A record of all complaints received shall be kept by the Requiring Authority NZ Transport Agency. This record shall include:~~

- a) ~~The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;~~
- b) ~~Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;~~
- c) ~~Known construction activities at the time and in the vicinity of the concern or complaint;~~
- d) ~~Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;~~
- e) ~~Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.~~

2A.3 ~~This record shall be maintained on site, be available for inspection upon request, and shall be provided every two-three months (or as otherwise agreed) to the Territorial Authority Waikato District Council Chief Executive or nominee.~~

2A.4 ~~Where a complaint remains unresolved or a dispute arises, the Territorial Authority Waikato District Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the Requiring Authority NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Territorial Authority Waikato District Council Chief Executive or nominee must determine whether a review of the GEMPCMP or other relevant mManagement pPlan is required to address this complaint. The Territorial Authority Waikato District Council Chief Executive or nominee shall advise the Requiring Authority NZ Transport Agency of its recommendation within 10 working days of receiving the records of complaint.~~

3 Outline Plan

- 3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Council ~~Territorial Authority Waikato District Council~~ agrees that ~~the CMP a Management Plan(s) listed in Condition 1.7~~ or relevant part(s) of the ~~CMP Management Plan(s)~~ contains adequate details to satisfy section 176A of the RMA, then the ~~CMP Management Plan(s)~~ or relevant part(s) of the ~~CMP Management Plan(s)~~ 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 176A(2)(c) RMA.

NOISE AND VIBRATION

~~Conditions 4.1 to 4.12 have not been assessed by the Reporting Team due to lack of information regarding the effects of operational noise and vibration.~~

4. Operational Noise

- 4.1 For the purposes of ~~e~~Conditions 4.1-4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
 - b) Noise Assessment – means the Noise Assessment ~~report (Appendix G) submitted with the NOR prepared in accordance with Condition 4.2.~~
 - c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
 - d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.12 a) The ~~NZTA-NZ Transport Agency~~ shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the ~~Waikato District~~ Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the ~~NZTA-NZ Transport Agency~~ shall submit to the Council ~~Chief Executive or nominee~~ a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The ~~NZTA-NZ Transport Agency~~ shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.
- b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified ~~[insert notification date]~~ (29 January 2014).
- 4.23 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to ~~e~~Condition ~~4.XX~~4.4, shall include, as a minimum, the following:
- a) ~~N~~oise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.34 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:
- a) ~~i~~f the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner

approved by the ~~Hamilton City/Waipā~~ Waikato District Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or

- b) ~~if~~ changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.45 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.56 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.67 a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the ~~NZTA~~ NZ Transport Agency shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
- b) If the owner(s) of the Category C Building approves the ~~NZTA's~~ NZ Transport Agency's access to the property within 12 months of the date of the ~~NZTA's~~ NZ Transport Agency's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the ~~NZTA~~ NZ Transport Agency shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 4.8 Where a Category C Building is identified, the ~~NZTA~~ NZ Transport Agency shall be deemed to have complied with Condition 4.7 above where:
- a) The ~~NZTA~~ NZ Transport Agency (through its acoustics specialist) has visited the building; or
- b) The owner of the Category C Building approved the ~~NZTA's~~ NZ Transport Agency's access, but the ~~NZTA~~ NZ Transport Agency could not gain entry for some reason (such as entry denied by a tenant); or
- c) The owner of the Category C Building did not approve the ~~NZTA's~~ NZ Transport Agency's access to the property within the time period set out in Condition [N4.7(b)] (including where the owner(s) did not respond to the ~~NZTA's~~ NZ Transport Agency's letter (sent pursuant to Condition [N4.7(a)] within that period)); or
- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- If any of (b) to (d) above apply to a particular Category C Building, the ~~NZTA~~ NZ Transport Agency shall not be required to implement any Building-Modification Mitigation at that Category C Building.
- 4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the ~~NZTA~~ NZ Transport Agency shall give written notice to the owner of each Category C Building:
- a) Advising of the options available for Building-Modification Mitigation to the building; and
- b) Advising that the owner has three months within which to decide whether to accept Building Modification Mitigation for the building, and if the ~~NZTA~~ NZ Transport Agency has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.
- 4.10 Once an agreement on Building-Modification Mitigation is reached between the ~~NZTA~~ NZ Transport Agency and the owner of an affected building, the mitigation shall be implemented (including the ~~NZTA~~ NZ Transport Agency obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the ~~NZTA~~ NZ Transport Agency and the owner.

- 4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the ~~NZTA~~ NZ Transport Agency shall be deemed to have complied with Condition 4.10 above where:
- a) The ~~NZTA~~ NZ Transport Agency has completed Building-Modification Mitigation to the Category C Building; or
 - b) The owner of the Category C Building did not accept the ~~NZTA's~~ NZ Transport Agency's offer to implement Building Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the ~~NZTA~~ NZ Transport Agency within that period); or
 - c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The ~~NZTA~~ NZ Transport Agency shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.
~~after the opening of the Project to the public.~~

5 Construction Noise and Vibration

~~5.1 The NZTA shall implement a Construction Noise and Vibration Management Plan (CNVMP) throughout the entire construction period of the Project. The CNVMP shall be provided to the [council officer] for certification that it addresses Conditions 5.1 to 5.5 prior to commencement of construction of the project.~~

~~The CNVMP must describe the measures adopted to seek to meet:~~

- ~~• the noise criteria set out in Condition 5.3 below, where practicable. Where it is not practicable to achieve those criteria, alternative strategies should be described to address the effects of noise on neighbours; and~~
- ~~• the Category A vibration criteria set out in Condition 5.4 below, where practicable. If measured or predicted vibration levels exceed the Category A criteria then a suitably qualified expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria then construction activity shall only proceed if there is continuous monitoring of vibration levels and effects on those buildings at risk of exceeding the Category B criteria, by suitably qualified experts.~~

The CNVMP shall, as a minimum, address the following:

- ~~• Description of the works, a list of machinery to be used, anticipated equipment/processes and their scheduled durations.~~
- ~~• The procedure for measuring vibrations~~
- ~~• Hours of operation, including times and days when construction activities causing noise and/or using high-vibration machinery would occur.~~
- ~~• Requirements for vibration measurements of relevant machinery prior to construction or during their first operation, to confirm the vibrations the machinery generates.~~
- ~~• The construction noise and vibration assessment criteria for the project.~~
- ~~• Identification of affected houses and other sensitive locations where noise and vibration criteria apply.~~
- ~~• Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category A vibration criteria in Condition 11)~~
- ~~• Requirements for identifying any existing infrastructure assets (services, roads etc) which may be at risk of vibration induced damage during construction.~~

- ~~Mitigation options, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved.~~
- ~~Details of which operational road traffic noise mitigation options as required by Condition 13 below will be implemented early enough to also mitigate construction noise.~~
- ~~Management schedules containing site specific information and the roles and responsibilities of personnel on-site.~~
- ~~Methods and frequency for monitoring and reporting on construction noise and vibration.~~
- ~~Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and receiving and handling construction noise and vibration complaints.~~
- ~~Construction equipment operator training procedures and expected construction site behaviours, particularly regarding the use of excavators and vibratory compactors.~~
- ~~Contact numbers for key construction staff, staff responsible for noise and vibration assessment and council officers (as territorial authority).~~
- ~~Procedures for managing construction vibration damage to existing services such as roads and underground pipelines.~~

5.2 ~~The NZTA should, where practicable, implement those Structural Mitigation and Building Modification Mitigation measures for operational noise detailed in 13.23 which are identified in the CNVMP as also providing construction noise mitigation, prior to commencing major construction works that would be attenuated by these mitigation measures.~~

5.3 ~~Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics - Construction Noise'. The construction noise criteria for the purposes of the CNVMP are:~~

Day	Time	$L_{Aeq}(15min)$	L_{AFmax}
Occupied PPFs (as defined in NZS 6806:2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	60 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

5.4 Construction vibration must be measured in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013). The construction vibration criteria for the purposes of the CNVMP are:

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Daytime 6:00 am to 8:00 pm	1.0 mm/s PPV	5.0 mm/s PPV	Inside the building
	Night time 8:00 pm to 6:00 am	0.3 mm/s PPV	1.0 mm/s PPV	
Other occupied buildings	Daytime 6:00 am to 8:00 pm	2.0 mm/s PPV	10.0 mm/s PPV	
All buildings	Transient vibration	5.0 mm/s PPV	BS 5228.2- Table B2 values	Building foundation
	Continuous vibration		BS 5228.2- 50 percent Table B2 values	
Underground Services	Transient vibration	20mm/s PPV	30 mm/s PPV	On pipework
	Continuous vibration	10mm/s PPV	15 mm/s PPV	

5.5 When construction equipment is being evaluated for its ability to cause structural damage at a particular residence, the relevant standard that shall be used is as listed in line 2 of table 1 of German Standard DIN 4150 3:1999. The criteria are as listed below:

Type of Structure	Vibration Thresholds for Structural Damage, PPV (mm/s)				
	Short-Term				Long-Term
	At Foundation			Uppermost Floor	Uppermost Floor
	0 to 10 Hz	10 to 50 Hz	50 to 100 Hz	All Frequencies	All Frequencies
Commercial /Industrial	20	20 to 40	40 to 50	40	40
Residential	5	5 to 15	15 to 20	15	5
Sensitive/Historic	3	3 to 8	8 to 10	8	2.5

Note: When a range of velocities is given, the limit increases linearly over the frequency range.

The Reporting Team prefer the following Construction Noise and Vibration Management Plan condition. This condition is the same as that agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.

Construction Noise and Vibration Management Plan

5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit **no later than 40 working days prior to the commencement of any stage of construction activity**, a Construction Noise

and Vibration Management Plan (CNVMP) to the Waipa-Waikato District Council for certification by the Waipa-Waikato District Council's Chief Executive Officer or nominee.

5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZTA, NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.

5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

<u>Day</u>	<u>Time</u>	<u>L_{Aeq}(15min)</u>	<u>L_{AFmax}</u>
<u>Occupied PPFs (as defined in NZS 6806.2010)</u>			
<u>Weekdays</u>	<u>0630h – 0730h</u>	<u>60 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>75 dB</u>	<u>90 dB</u>
	<u>1800h – 2000h</u>	<u>70 dB</u>	<u>85 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Saturday</u>	<u>0630h – 0730h</u>	<u>60 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>75 dB</u>	<u>90 dB</u>
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Sundays and public holidays</u>	<u>0630h – 0730h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>55 dB</u>	<u>85 dB</u>
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Commercial and industrial receivers</u>			
<u>All</u>	<u>0730h – 1800h</u>	<u>75 dB</u>	
	<u>1800h – 0730h</u>	<u>80 dB</u>	

Table A: Construction Noise Criteria

~~5.34 The CNVMP shall include specific details relating to methods for the control of ground vibrations associated with all relevant Project construction works, which shall be formulated to comply with the Category A criteria in Table A below, and whenever this is not practicable, to not exceed the Category B criteria. The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.~~

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	All hours Monday to Sunday At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table AB: Construction Vibration Criteria

5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall, as a minimum, address the following aspects with regard to managing the adverse effects of construction noise and vibration:

- ~~a) Noise and/or vibration sources, including machinery, equipment and construction techniques to be used and their scheduled durations and hours of operation including times and days when work causing construction noise and/or vibration would occur;~~
- ~~b) The construction noise and vibration criteria for the project;~~
- ~~ea) Identification of affected dwellings and other sensitive locations where noise and/or vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat. It shall also include the dwelling at 157A Tamahere Drive;~~
- ~~db) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;~~
- ~~ec) Mitigation options, including alternative strategies where full compliance with the noise criteria from NZS 6803: 1999 in Table A above and/or the vibration criteria tabulated in Table AB above cannot practicably be achieved;~~
- ~~d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works. Critical dwellings shall include but not be limited to the dwelling at 157A Tamahere Drive.~~
- ~~f) Methods and frequency for monitoring and reporting on construction noise and vibration;~~
- ~~g) Contact numbers for key construction staff, staff responsible for noise and/or vibration assessment and council officers; and~~
- ~~h) Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling complaints about construction noise and/or vibration.~~

5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall

prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the Waikato District Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

- ~~5.5 Where a CNVMP predicts that levels from a particular activity will or will likely exceed the limits set out in condition 5.2 and/or 5.3, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare and submit for the approval of the Territorial Authority's Chief Executive Officer or nominee an Activity Specific Construction Noise and Vibration Management Plan (ASCNVMP), unless the Territorial Authority dismisses this requirement because the extent or duration by which the limits are exceeded is minor.~~
- ~~5.6 The ASCNVMP(s) shall be submitted to the Territorial Authority's Chief Executive Officer or nominee for review and approval at least 7 working days prior to the proposed works commencing. Works subject to the ASCNVMP(s) shall not commence until approval is received from the Territorial Authority.~~
- ~~5.6 In addition to the requirements of condition 5.4 an ASCNVMP(s) must:~~
- ~~a) Describe the activity (including duration), plant and machinery that is expected not to comply with the noise and/or vibration limits in conditions 5.2 and 5.3;~~
 - ~~b) Provide predicted levels for all receivers where the levels will not be compliant with the limits in conditions 5.2 and 5.3;~~
 - ~~c) Describe the mitigation measures proposed to reduce the noise and/or vibration levels as far as practicable, including any options that have been discounted due to cost or any other reason;~~
 - ~~d) Describe alternative mitigation of the impacts that is acceptable to affected parties (e.g. temporary accommodation during the specific activity).~~

Advice Note: *It is accepted that the noise and vibration limits in Conditions ~~5.2~~5.3 and ~~5.3~~5.4 may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 ~~The CMP shall include a~~ A Traffic Management Plan (TMP), ~~shall be~~ prepared in accordance with the NZ ~~TA~~Transport Agency Code of Practice for Temporary Traffic Management and in consultation with the ~~Manager~~Roading Chief Executive or nominee, ~~Hamilton City~~Waipa/~~Waikato~~ District Council. The TMP shall be submitted to the ~~Planning and Regulatory Manager, Hamilton City~~Waipa/~~Waikato~~ District Council ~~Chief Executive or nominee~~, for certification that the ~~plan~~TMP satisfies this ~~c~~Condition -no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The TMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the TMP shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;

- e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
- f) Measures to ensure safe access to the Project site, ~~from sState highways existing at the time of the commencement of construction of any part of the Southern Links network that requires access from such an existing sState highway.~~
- g) Measures to monitor the performance of all access points ~~on and off the state highway and arterial network local road~~ to the Project site, and all key ~~sState highway and arterial/local road~~ intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State ~~H~~highway network.
- ~~(h) Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (Bulk HCVs).~~
 - ~~i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.~~
 - ~~j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.~~
 - ~~k) Measures to ensure that any staging of construction traffic works will adequately avoid, remedy or mitigate traffic-related adverse effects.~~

~~6.3 When requesting certification of the TMP, the NZ Transport Agency shall provide the Waikato District Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(j), any effects on that Territorial Authority's road network and measures to address such effects.~~

7 General Construction Traffic

- 7.1 The ~~NZTA~~ NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
 - a) ~~e~~On Sundays; or
 - b) ~~e~~On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

STAKEHOLDER COMMUNICATIONS

~~8 Stakeholder Communications Plan~~

- ~~8.1 The CMP shall include a Stakeholder Communications Plan (SCP), which shall be submitted to the Planning and Regulatory Manager, Hamilton City/Waipā/Waikato District Council, for certification that the plan satisfies this condition 8 no later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations).~~
- ~~8.2 The SCP shall describe the measures that will be undertaken to manage communications with affected individuals, organisations and communities regarding the effects of construction of the Project. In particular, the SCP shall contain details regarding:

 - a) ~~A liaison person's name and contact details (including phone, facsimile (if any), postal address, and email address), as required by condition 1.2;~~
 - b) ~~Procedures for receiving, recording and responding to complaints about effects of construction activities, including whom to contact regarding complaints;~~
 - c) ~~The stakeholders who will be communicated with;~~~~

- d) ~~Communication methods for the presentation of Project information, timing and duration of phases of construction works and changes in access, including the process for giving advanced warning to residents or occupiers of affected properties of specific construction effects; and~~
- e) ~~Communication methods for the presentation of Project information to stakeholders regarding the management of earthworks, dust, construction noise (including hours of operation and noise levels), vibration and construction traffic (including water cart traffic).~~

The Reporting Team prefer the following Communication and Consultation conditions.

8 Construction Communication and Consultation

Contact Person

- 8.1 ~~The Requiring Authority NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.~~

Communication and Consultation Plan

- 8.2 ~~The Requiring Authority NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Southern Links Network Project.~~
- 8.3 ~~This Plan shall be submitted to Territorial Authority Waikato District Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.~~
- 8.4 ~~The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Southern Links Network Project.~~

~~8.5 The Communication and Consultation Plan shall set out how the Requiring Authority will:~~

- a) ~~Inform the community of construction progress and future construction activities and constraints that could affect them;~~
- b) ~~The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);~~
- c) ~~Provide early information on key Project milestones;~~
- d) ~~Obtain and specify a reasonable timeframe (being not less than 10 working days), for feedback and inputs from affected parties regarding the development, review and implementation of the management plans <which plans to be confirmed through the hearing process>; and~~
- e) ~~Respond to queries and complaints including but not limited to:~~
 - i) ~~Who is responsible for responding;~~
 - ii) ~~How responses will be provided;~~
 - iii) ~~The timeframes that responses will be provided within.~~

~~8.65 The Communication and Consultation Plan shall as a minimum include:~~

- a) ~~A communications framework that details the Requiring Authority's NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters;~~
- b) ~~The Communication and Consultation and Property Liaison Manager for the Project, including their contact details (phone, email and postal address);~~
- c) ~~The methods for identifying, communicating and consulting with persons affected by the project including but not limited to:~~

~~All property owners and occupiers within the designation footprint;~~
~~All property owners and occupiers adjacent to the designation footprint;~~
~~Department of Conservation;~~
~~Heritage New Zealand;~~
~~Community Liaison Group(s) (refer Condition 1A.9);~~
~~Network Utility Operators;~~
~~Hamilton Regional Airport Ltd;~~
~~<additional parties to be confirmed through the hearing process>~~

- ~~d)c) How stakeholders and persons affected by the pProject will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;~~
- ~~e) How stakeholders and persons affected by the project will be consulted in the development and review of the management plans <which plans to be confirmed through the hearing process>, including specifying reasonable timeframes for feedback;~~
- ~~f)d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;~~
- ~~g)e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;~~
- ~~h)f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works;~~
- ~~i) A list of affected parties and stakeholders who will be communicated with;~~
- ~~j) How communication and consultation activity will be recorded.~~

8.76 The Communication and Consultation Plan will be made publicly available (once certified) ~~and~~ on the ~~Requiring Authority's NZ Transport Agency's~~ website.

Advice Note: ~~The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.~~

~~The Reporting Team recommends that the Requiring Authorities provide conditions requiring the preparation of:~~

- ~~a) Social Impact Monitoring Plan~~
- ~~b) Property Acquisition and Management Strategy~~

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

9.1 No later than ~~forty twenty~~ (4020) working days prior to the commencement of any stage of construction (excluding site investigations), the NZTA ~~Requiring Authority NZ Transport Agency~~ shall submit ~~for approval~~ a Concept Landscape Management Plan (CLMP), to ~~Territorial Authority Waikato District Council~~ Chief Executive or nominee for certification.

9.1A ~~The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses <to be provided by the Requiring Authorities>.~~ The CLMP shall include:

- a) A vision statement;
- b) An outline of the landscape and urban design themes to be adopted for the entire length of the ~~Southern Links~~-Project, including for overbridges, underbridges and noise barriers~~;~~;
- c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces~~;~~;
- d) Concept landscape plans showing the design scheme; and
- e) Planting management and maintenance requirements.

9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.

9.2A The CLMP shall be prepared in accordance with:

- a) ~~NZTA's 'P39 Standard Specification for Highway Landscape Treatments' (2013);~~
- b) ~~'Bridging the Gap', NZTA Urban Design Guidelines (2013);~~
- c) ~~NZTA Urban Design Guidelines (2013); and~~
- d) ~~Waikato Regional Council, Natural Character Policies within the Proposed Waikato Regional Policy Statement.~~

9.2B The CLMP shall have regard to Policy 12.3 (Natural Character) of the Proposed Waikato Regional Policy Statement ~~as it existed at July 2014.~~

9.2C ~~The Requiring Authority NZ Transport Agency shall provide the CLMP to the following stakeholders at least 30 working days prior to submitting it to Territorial Authority Waikato District Council Chief Executive or nominee:~~

- a) ~~Affected property owners and occupiers~~
- ba) ~~Tamahere Community Committee;~~
- c) ~~Waikato Regional Airport;~~
- bd) ~~Southern Links Taangata Whenua Working Group;~~
- e) ~~Mangakotukutuku Stream Care Group;~~
- cf) ~~<additional parties to be confirmed through the hearing process> Department of Conservation; and~~
- d) ~~The owners of 157A Tamahere Drive.~~

9.2D ~~If the Requiring Authority NZ Transport Agency has not received any comments from the stakeholders noted in eCondition 9.2C within 20 working days of providing them the CLMP the Requiring Authority NZ Transport Agency may consider that the stakeholder concerned has no comments.~~

9.2E ~~The Requiring Authority NZ Transport Agency shall include any comments from the stakeholders noted in eCondition 9.2C along with an explanation of where and why any comments have not been incorporated into the CLMP(s) prior to submitting the CLMP, to the Territorial Authority Waikato District Council.~~

Landscape Management Plan

9.3 ~~The NZTA Requiring Authority NZ Transport Agency shall develop the approved-certified CLMP into a fully detailed-Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the NZTA Requiring Authority NZ Transport Agency shall submit for approval-certification the LMP, to the Territorial Authority-Waikato District Council Chief Executive or nominee for-certification.~~

9.3A ~~The objective of the LMP will be to identify the specific urban design and landscape measures to be implemented and maintained as part of the Project to maintain and enhance landscape, amenity and ecological values along the route and mitigate any adverse visual, landscape and ecological effects of that~~

~~particular stage of the Project <to be provided by the Requiring Authorities>~~ The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of ~~that the Project, or a~~ particular stage of works.

9.4 The LMP(s) shall be prepared in consultation with the ~~Hamilton City/Waipā/Waikato District Council~~ Territorial Authority-Waikato District Council by a suitably qualified and experienced landscape architect and shall include at least the following:

- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
- b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Restoration Plan ~~n~~ required by ~~e~~Condition 12), and the type and density of planting to be undertaken;
- c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
- d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
- e) The outcomes of consultation with ~~the Hamilton City/Waipā/Waikato District Council~~ Territorial Authority-Waikato District Council regarding landscape proposals along local roads;
- f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
- g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
- h) Measures to integrate cut and fill batters with the existing topography;
- i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
- j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
- k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
- l) A planting specification, including planting and mulching techniques;
- m) Planting maintenance requirements over a ~~two~~-five year period following planting and reinstatement of road verges and gullies;
- n) An implementation programme for all remedial and mitigation measures; ~~and~~
- o) Post-construction monitoring measures.
- p) Site specific planting and screening measures developed in ~~agreement consultation~~ with affected property owners;
- (q) All plant species used in the LMP shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Hamilton City District Plan, Waipā District Plan, and the Waikato District Plan;
- (r) The preparation of a detailed planting plan for the area adjacent to the frontage of 157A Tamahere Drive in consultation with the owners¹ of that property. The planting plan shall incorporate suitable

¹ At the time of the NZ Transport Agency's decision to confirm the designation, 157A Tamahere Drive was owned by Martin and Debra Swann.

species to ensure that the visual screening provided by any existing vegetation that is removed is reinstated to at least the extent that existed prior to removal of the vegetation.

~~q) Planting Maintenance and establishment requirements over a five year period following planting and reinstatement of road verges.~~

9.5 The ~~Requiring Authority~~ NZ Transport Agency shall provide the LMP to the following stakeholders at least 30 working days prior to submitting it to ~~Territorial Authority~~ Waikato District Council Chief Executive or nominee:

~~a) Affected property owners and occupiers~~

~~ba) Tamahere Community Committee;~~

~~) Waikato Regional Airport;~~

~~b) Hamilton Southern Links Taangata Whenua Working Group; and~~

~~) Mangakotukutuku Stream Care Group;~~

~~c) <additional parties to be confirmed through the hearing process> Department of Conservation.~~

9.6 If the ~~Requiring Authority~~ NZ Transport Agency has not received any comments from the stakeholders noted in ~~e~~Condition 9.5 within 20 working days of providing them the LMP the ~~Requiring Authority~~ NZ Transport Agency may consider that the stakeholder concerned has no comments.

9.7 The ~~Requiring Authority~~ NZ Transport Agency shall include any comments from the stakeholders noted in ~~e~~Condition 9.5 along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the ~~Territorial Authority~~ Waikato District Council.

10 Implementation of Landscape Management Plan(s)

10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:

a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or

b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Monitoring ~~and Monitoring~~ of Landscape Management Plan(s)

11.1 The ~~NZTA/HCC~~ ~~Requiring Authority~~ NZ Transport Agency shall undertake an inspection at one year and again at ~~two~~ five years after the implementation of the LMP(s) in accordance with ~~e~~Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to ~~Waipa~~ ~~Waikato District Council~~ Territorial Authority Waikato District Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ECOLOGICAL MANAGEMENT AND RESTORATION PLAN

~~Conditions 12.1 to 12.2 have not been assessed by the Reporting Team due to lack of information regarding the effects on ecology.~~

12. Ecological Management and Restoration Plan

12.1 The ~~requiring authority NZ Transport Agency~~ shall develop an Ecological Management and Restoration Plan (EMRP). ~~This EMRP shall be prepared by an appropriately qualified ecologist/s and provide for the management of Long Tailed Bat habitats within the designation. This EMRP shall be prepared by an appropriately qualified and experienced ecologist/s and the Plan's purpose shall be to avoid, remedy, or mitigate adverse ecological effects associated with the Project on terrestrial, wetland and perennial stream habitats.~~ The Southern Links Taangata Whenua Working Group, ~~and~~ the Department of Conservation, ~~Waikato Regional Council and the Waikato District Council~~ shall be consulted in the preparation of the EMRP. The EMRP shall be submitted to the ~~Waipa~~ Waikato District Council for certification acting in a technical certification capacity, at least 40 working days prior to the commencement of works.

~~12.2 The objectives of the EMRP shall be to demonstrate how the Requiring Authority NZ Transport Agency will aim to achieve no net loss of terrestrial, wetland and stream biodiversity values. It will provide details of how monitoring, management and mitigation of the significant adverse effects of construction activities and Southern Links network operation on associated biodiversity values is to be undertaken, including but not limited to effects on, long tailed bats.~~

~~12.3 The EMRP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:~~

- ~~a) Vegetation and habitat restoration and enhancement;~~
- ~~b) Management of significant effects on long tailed bats, avifauna, and lizards; and~~
- ~~c) Ecological monitoring.~~

~~12.4 Habitat creation, restoration or enhancement shall be on the basis of a minimum 1:1 ratio to mitigate for areas of gully, bat habitat and river margin lost to the Project footprint. The areas of habitat to be created, restored or enhanced based on the 1:1 shall be a minimum of 6.5ha. Where habitat creation, restoration or enhancement are undertaken within gullies or along the river margins it shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system Third Revised Edition. Hamilton City Council (or an updated version), Options for habitat restoration, enhancement and protection shall include consideration of Sites 8, 10 and 11 identified in Annexure 2 of Mr John Turner EIC.~~

~~12.5 The EMRP shall include, but may not be limited to, the following matters:~~

- a) Details of a comprehensive nocturnal surveys/Long Tailed Bat monitoring programme in order to confirm occupancy at the following and other potential (including non-indigenous) habitats along the Southern Links Roding Corridor route:
 - ~~-i) along the Waikato River margins at Tamahere from the Southern Links crossing point north to (and including) the oak tree stand noted as a long tailed bat roost north of the airport runway; and (both Waipa and Waikato).~~
 - ~~-ii) in the gully system on properties fronting Tamahere Drive and Day Road directly affected by the Southern Links designation. (Waikato DC only).~~
~~- in the remnant kahikatea stands generally located in the area bounded by Middle Road, Narrows Road and Raynes Road, and adjacent to State Highway 3 in the vicinity of Penniket Road (Waipa DC only).~~

Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats;

- b) In the event of detection of Long Tailed Bats within the road corridor, or the detection of bat commuting routes affected by the road corridor, the ~~requiring authority NZ Transport Agency~~ shall develop a Long-Tailed Bat Management Plan. This plan shall include, but may not be limited to, the following:
 - i-) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the

limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;

- ii-) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;
 - iii-) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
 - iv-) The establishment of buffer zones along the southern links route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
 - v-) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
 - vi-) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Southern Links network at all locations where bats are detected;
 - vii-) Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the ~~p~~P Project or its vicinity that do not require removal;
 - viii-) Procedures for implementing, monitoring and review of the EMRP.
- c) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of biodiversity values or natural habitat along the Southern Links network as a result of its construction. These details shall include, but may not be limited to the following:
- i) The nature of any restorative planting to be undertaken (timing, species, source of planting material, extent and location);
 - ii) The nature of any weed and/or pest control considered appropriate (timing, extent and location); and
 - iii) The nature and extent of stock proof fencing that is to be established along the margins of restoration areas.

12.26 If appropriate the ~~ERMP-EMRP~~ required under this ~~e~~CCondition can be developed as a combined document with the ~~ERMP-EMRP~~ required by ~~e~~CCondition 12 (~~insert final condition reference~~) of the ~~NZ_TA Transport Agency~~ Southern Links designation in the ~~Waikato-Waipua~~ District, and/or the ~~Environmental Management and Monitoring Plan (EMMP)~~ required by (~~insert final condition reference~~) ~~Condition 12~~ of the Hamilton City Council designation for the Southern Links Arterial Routes.

ARCHAEOLOGY

13 Archaeology ~~Site Management Plan~~

13.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This

may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)

13.2 Prior to the commencement of construction the NZ Transport Agency shall provide to the Waikato District Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.

13.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist under the direction of the NZ Transport Agency and then submitted for certification to the Waikato District Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.

13.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:

- a) Measures that will be taken to protect or avoid archaeological sites (or in situ archaeological remains) from damage during construction;
- b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;
- c) Areas where monitoring of construction works by an archaeologist will be required;
- d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
- e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
- f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
- g) Provision for any revisions required to the HASMP during the course of the Project; and
- h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.

13.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, an Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Waikato District Chief Executive or nominee. The Policy shall describe the ongoing management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.

~~13.1 The Requiring Authority shall give at least 4 weeks written notice of the date that the construction contractor intends to commence earthworks or construction activity, to:~~

- ~~a) The Project archaeologist to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of the construction; and~~
- ~~b) The Territorial Authority;~~
- ~~c) The Hamilton Southern Links Tangata Whenua Working Group to enable them to:

 - ~~i. allocate a representative to liaise with the Project archaeologist and who will be actively involved in the archaeological work associated with the Project;~~
 - ~~ii. clarify with the contractor the location of the archaeological sites and the procedures that will be observed;~~~~

- iii. ~~provide the names of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the project;~~
 - iv. ~~undertake any appropriate cultural ceremonies on the archaeological sites; and~~
 - v. ~~arrange for the inspection of the earthworks in the vicinity of the archaeological sites.~~
- 13.1 ~~Prior to the commencement of construction the NZTA Requiring Authority shall provide to the Waipa/Waikato District Council Territorial Authority evidence that Archaeological Authorities have been obtained from the Heritage New Zealand Historic Places Trust as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZTA Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.~~
- 13.2 ~~The CMP shall include an Archaeological Site Management Plan (ASMP) prepared under the direction of the NZTA in consultation with the Southern Links Taangata Whenua Working Group and the NZHPT. The ASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. In particular, the ASMP shall describe:~~
- f) ~~Measures that will be taken to protect archaeological sites from damage during construction;~~
 - g) ~~Mitigation measures in the form of archaeological investigation and recording;~~
 - h) ~~Areas where monitoring of construction works by an archaeologist will be required;~~
 - i) ~~Accidental Discovery Protocols to be followed if archaeological sites, human remains or taonga (Maori artefacts) are encountered during construction works;~~
 - j) ~~The roles and responsibilities associated with managing the archaeological aspects of the Project;~~
 - k) ~~Provision for training contractors in the archaeological requirements of the Project;~~
 - l) ~~Provision for any revisions required to the ASMP during the course of the Project; and~~
 - m) ~~Reporting requirements.~~
- 13.2 ~~No later than 4 weeks prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Archaeological Site Management Plan (ASMP), prepared by a suitably qualified archaeologist, to the Territorial Authority Chief Executive or nominee for certification.~~
- 13.3 ~~The ASMP shall be prepared in consultation with the Hamilton Southern Links Tangata Whenua Working Group and with Heritage New Zealand. The objective of the ASMP is to describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. As a minimum, the ASMP shall include the following:~~
- a) ~~Measures to be taken to protect archaeological sites or the parts of archaeological sites from damage during construction. Wherever possible this should take the form of a physical barrier and such a barrier should be placed with an appropriate buffer zone of not less than 10 m;~~
 - b) ~~Roles and responsibilities associated with managing the archaeological aspects of the Project;~~
 - c) ~~Provisions for training for staff and contractors in the archaeological requirements of the Project;~~
 - d) ~~Provision for any revisions required to the ASMP during the course of the Project. Any required revisions to the ASMP shall not be implemented by the Requiring Authority until approved in writing by Territorial Authority Chief Executive or nominee. The Territorial Authority shall respond to the request for a revision to the ASMP within 2 weeks or another time period agreed between all parties;~~
 - e) ~~Twenty working days prior to the Requiring Authority providing the ASMP or any revisions in accordance with condition 1.3(d) to Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised ASMP detailing;~~

- ~~i. Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
- ~~ii. Where feedback has been provided, how it has been incorporated into the ASMP; and~~
- ~~iii. Where feedback has been provided but not been incorporated into the ASMP, the reasons why not.~~

~~13.4 All site records in the national NZAA database are updated to reflect the information gathered during the project to date and that they are updated as new information comes to hand.~~

~~13.5 Conservation Plans shall be prepared for the long-term management of those archaeological sites (part or whole) that remain unaffected by the construction of the project once construction is completed. These Conservation plans shall:~~

- ~~a) Not be limited to the surface visible remains but recognise the importance of sub-surface deposits);~~
- ~~b) Be prepared by a suitably qualified archaeologist; and~~
- ~~c) Submitted to the Territorial Authority Chief Executive or nominee for certification.~~

~~13.6 No later than 4 weeks prior to the Requiring Authority providing the Conservation Plans to the Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised Conservation Plans detailing:~~

- ~~a) Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
- ~~b) Where feedback has been provided, how it has been incorporated into the Conservation plans; and~~
- ~~c) Where feedback has been provided but not been incorporated into the Conservation Plans, the reasons why not.~~

~~13.7 Direct effects in the Whatakoruru Paa (S14/47) are avoided during construction other than the removal of the standing pines trees on the paa. These should be felled and removed in a manner that causes a minimum of adverse effects on the area affected by the tree and with no adverse effects on the part of the pa unaffected by the trees. Consistent with proposed condition 13.5 a Conservation Plan must be prepared for the paa S14/47. HCC Designation 114~~

NETWORK UTILITY INFRASTRUCTURE

14 Network Infrastructure Generally

14.1 The ~~NZTA~~ NZ Transport Agency 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 to ensure:

- a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and
- b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.

~~14.2 During the design phase of the Project the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:~~

- ~~a) Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and~~
- ~~b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.~~

~~14.3 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the Requiring Authority-NZ Transport Agency shall, subject to reasonable planned interruption, either:~~

- ~~a) Protect the utility from any activity which may interfere with the proper functioning of the services;~~
- ~~or~~
- ~~b) seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or~~
- ~~c) seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.~~

~~14.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Network Utilities Management Plan (NUMP). The NUMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council at least 40 working days prior to construction activities being undertaken for certification.~~

~~14.4 The NZ Transport Agency shall adhere to the relevant requirements of the NUMP at all appropriate times during the Project. The objective of the NUMP shall be to ensure that the enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.~~

~~14.5 The NUMP shall be prepared in consultation with network utility operators who have network utilities that traverse, or are in close proximity to, the designation. The NUMP shall include as a minimum:~~

- ~~a) Cross references to the Communication and Consultation Plan for the methods that will be used to liaise with all network utility operators who have existing network utilities that traverse, or are in close proximity to, the designation;~~
- ~~b) Measures to be used to accurately identify the location of existing network utilities, and the measures for the protection, support, relocation and/or reinstatement of existing network utilities;~~
- ~~c) Methods to be used to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities (and their priority designations) which traverse, or are close proximity to, the designation, and the restrictions in place in relation to those existing network utilities. This shall include:

 - ~~i) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to network utilities;~~
 - ~~ii) Plans identifying the locations of the network utilities (and their designations) and appropriate physical indicators on the ground showing specific surveyed locations;~~~~
- ~~d) Measures to be used to ensure the continued operation of network utility and the security of supply of the services by network utility operators at all times;~~
- ~~e) Measures to be used to enable network utility operators to access existing network utilities for maintenance at all reasonable times on an ongoing basis during construction, and to access network utilities for emergency and urgent repair works at all times during the construction;~~
- ~~f) Contingency management plans for reasonably foreseeable circumstances in respect of the relocation and rebuild of network utilities during the construction;~~
- ~~g) Earthworks management (including depth and extent of earthworks and temporary and permanent stabilisation measures), for earthworks in close proximity to network utilities;~~
- ~~h) Vibrations management and monitoring for works in close proximity to network utilities;~~
- ~~i) Emergency management procedures in the event of any emergency involving network utilities;~~
- ~~j) The process for providing as-built drawings showing the relationship of the relocated network utilities to the Southern Links network to network utility operators and the timing for providing these drawings; and~~
- ~~k) The methods to provide for the integrity of KiwiRail's assets and to avoid adverse effects on KiwiRail operations as a result of the Project.~~

~~15 Airport Aviation Infrastructure~~

~~15.1 During the design phase of the project the NZTA shall liaise with Waikato Regional Airport Ltd (or its successor) in relation to any part of the works within the designation where existing and/or future airport aviation infrastructure may be affected, and make reasonable and relevant changes requested by Waikato Regional Airport Ltd to the relevant design plans and construction methodologies to ensure that such aviation infrastructure is not adversely affected.~~

~~15.2 The final design of the project shall incorporate, but not be limited to, the following measures:~~

- ~~(i) Signage at appropriate locations adjacent to airport flight paths cautioning drivers about low flying aircraft~~
- ~~(ii) Location of the east-west state highway route as far to the north (within the designation) as practicable from the main airport runway~~
 - ~~e) Consideration of the extent of highway lighting with regards to airport approach paths. Where highway lighting is required within approach paths the highway lighting must be shielded to avoid the lighting creating a distraction to the pilots of aircraft on approach to runways at the airport. In this regard the NZTA shall liaise with the New Zealand Civil Aviation Authority (or its successor) at the time of detailed design to ensure relevant compliance standards for light shielding at the time are complied with.~~

~~15.3 Prior to any physical works commencing on the part of the Southern Links network that potentially affects airport aviation infrastructure, the NZTA shall obtain a letter from Waikato Regional Airport Ltd (or its successor) that confirms that the works have been designed to the satisfaction of Waikato Regional Airport Ltd (or its successor).~~

~~The Reporting Team suggesting that the Requiring Authorities work with the Waikato Regional Airport Ltd to develop a condition for an Airport Operation Management Plan.~~

4615 Te Awa Cycleway

~~4615.1~~ The NZ Transport Agency shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.

16 Underpasses

~~16.1 Following consultation with the owners of the properties specified in this Condition, the NZ Transport Agency shall consider in the final design of the Project incorporating an underpass of a standard sufficient for its intended use at the following location:~~

- ~~a) Under the east-west State highway route to connect the northern portion of the Narrows Golf Course to the southern portion of the course, if required.~~

~~20.1 The Requiring Authority shall undertake best endeavours at the time of detailed design to retain the existence and health of the protected trees listed as T36.1 (Pin Oak), T36.3 (Pin Oak) and T36.4 (Pine) in the Hamilton City Proposed District Plan (Decisions Version – 2014).~~

4817 Consultation with Waikato - Tainui

~~4817.1~~ When required to consult with taangata whenua by the ~~e~~Conditions of this designation the NZTA ~~Requiring Authority~~ NZ Transport Agency shall, through its Chief Executive ~~Officer~~ or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working ~~Group~~ (~~Group~~) (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:

- a) Each hapu is represented by the recognised/appointed person or persons;
- b) Administration of liaison/coordination occurs in a timely manner;

- c) Any actions/direction or information from the ~~TWWG Group~~/representatives has a common voice for Iwi on all liaison/coordination matters.

~~24.17.2~~The ~~TWWG~~ shall comprise of representatives of the following:

- a) Ngati Hauaa;
 b) Ngati Koroki Kahukura;
 c) Ngati Wairere;
 d) Ngati Maahanga;
 e) ~~NZTA Requiring Authority~~The NZ Transport Agency; and
 f) ~~Waipa/Waikato District Council Territorial Authority~~ The Waikato District Council.

~~The Requiring Authorities may wish to consider the inclusion of the following condition or similar wording. This condition is based on a condition agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.~~

~~18.3~~ ~~The Requiring Authority shall:~~

- a) ~~Within six months of confirmation of the designations, prepare in consultation with the TWWG a Waikato-Tainui Mitigation Plan (WTMP). The objective of the WTMP is to specify and record a range of reasonable and tangible mitigation measures to address the mitigation recommendations included in the Hamilton Southern Links Taangata Whenua Effects Assessment Report (TWEAR) dated January 2014.~~
- b) ~~No less than six weeks prior to the Requiring Authority providing the WTMP to the Territorial Authority, a draft version of the WTMP will be provided to the TWWG for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised WTMP detailing:~~
- i. ~~Whether any feedback has been provided by the TWWG; and~~
- ii. ~~Where feedback has been provided, how it has been incorporated into the WTMP; and~~
- iii. ~~Where feedback has been provided but not been incorporated into the WTMP, the reasons why not;~~
- c) ~~Once the WTMP is finalised, submit a copy of the WTMP to the Territorial Authority for its information.~~
- d) ~~The Requiring Authority must implement the WTMP throughout the duration of the project.~~

18 Dust Management Plan

~~18.1~~ Prior to the commencement of construction, the ~~Requiring Authority~~ NZ Transport Agency shall prepare a Dust Management Plan (DMP). The ~~Requiring Authority~~ NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.

~~18.2~~ The DMP shall be provided to the Chief Executive Officer or nominee of the ~~Territorial Authority~~ Waikato District Council at least 40 working days prior to construction activities being undertaken for certification.

~~18.3~~ As a minimum the DMP shall include the following details:

- a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;
- b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
- c) Procedures for responding to process malfunctions and accidental dust discharges;

- d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
- e) Continuous monitoring of meteorology;
- f) Monitoring of construction vehicle maintenance;
- g) Complaints investigation, monitoring and reporting;
- h) The identification of staff and contractors' responsibilities; and
- i) Appropriate DMP review procedures.

~~4~~ Should dust resulting from the enabling works and construction of the Project generate a complaint, the Requiring Authority shall within five working days of receipt of the complaint provide a written report to the Territorial Authority. The report shall specify:

- ~~a) The cause or likely cause of the event and any factors that influenced its severity;~~
- ~~b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and~~
- ~~c) The steps to be taken in future to prevent recurrence of similar events.~~

19 Contaminated Soil Management Plan

~~19.1~~ Prior to the commencement of construction, the ~~Requiring Authority~~ NZ Transport Agency shall ~~engage a Suitably Qualified and Experienced Practitioner to~~ prepare a Contaminated Soil Management Plan (CSMP). The ~~Requiring Authority~~ NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works ~~for~~ and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

~~19.2~~ The CSMP shall be provided to the Chief Executive Officer or nominee of the ~~Territorial Authority~~ Waikato District Council for certification at least 40 working days prior to construction activities being undertaken ~~certification~~.

~~19.3~~ As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
- c) The soil validation testing that will be undertaken;
- d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
- e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
- f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material;
 - ii) Stop work or isolate the area once any such material is identified;
- g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil;
 - iv) Remediate any required sites; ~~and~~

- h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii) Handle any asbestos containing material.

~~19.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of The the measures required in eCondition 2019.3 above shall also include appointment of a Suitably Qualified and Experienced Practitioner to implement the actions identified in the CSMP.~~

~~19.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Territorial Authority-Waikato District Council documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the Requiring Authority NZ Transport Agency.~~

~~*Advice note: A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).*~~

20 Hazardous Substances Management Plan

~~20.1 Prior to the commencement of construction, the Requiring Authority-NZ Transport Agency shall prepare a Hazardous Substances Management Plan (HSMP). The Requiring Authority-NZ Transport Agency shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.~~

~~20.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority-Waikato District Council for certification at least 40 working days prior to construction activities being undertaken for certification.~~

~~20.3 As a minimum the CSMP-HSMP shall include the following details:~~

- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
- b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
- c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
- ~~d) Confirmation that there shall be no storage of explosives on the Project site;~~
- ~~e)d) Procedures to notify and report to the Territorial Authority-Waikato District Council within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and~~
- ~~f)e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.~~

21 Road Lighting

Construction Lighting

~~21.1 The requiring authority-NZ Transport Agency shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.~~

Operational Lighting

21.2 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing ~~residential buildings~~ dwellings, and shall ensure that:

- a) All carriageway lighting is designed in accordance with “Road Lighting Standard AS/NZS1158”;
and
- b) All other lighting is designed in accordance with the relevant rules of the [Operative Waikato District Plan](#).

232 Administration

232.1 The [NZ Transport Agency](#) shall pay to the [Waipa-Waikato](#) District Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

~~B Section 177 of the RMA~~

~~The NZTA is reminded of the requirements under section 177 of the RMA in respect of the Southern Links roading designation overlapping the North Island Main Trunk Railway Line designation and the Waikato Regional Airport Ltd designation.~~

~~GB Authority under the Historic Places Act 1993~~ **Heritage New Zealand Pouhere Taonga Act 2014**

The NZTA ~~Requiring Authority~~ [NZ Transport Agency](#) will need to obtain an authority from the [Heritage New Zealand Historic Places Trust](#) to destroy, damage or modify any archaeological sites in accordance with the ~~Historic Places Act 1993~~ [Heritage New Zealand Pouhere Taonga Act 2014](#).

~~DC~~ Consultation and Liaison with Regional and Local Agencies

The ~~Requiring Authority~~ [NZ Transport Agency](#) should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

~~ED~~ Taangata Whenua Contact Details

Contact details for the hapu listed above [in Condition 20.2](#) can be obtained through the office of Waikato-Tainui.

E Tamahere Interchange – South Facing Ramps (NZTA)

It is anticipated that any future closure of the south facing ramps at the existing Tamahere Interchange will require an Alteration to Designation pursuant to s181 of the RMA. The requiring authority will not make any such application without first consulting with the Tamahere community on any proposed closure of the south facing ramps.

**ANNEXURE D – NZTA 168 HAMILTON DESIGNATION CONDITIONS
(REDLINE)**

NZ Transport Agency (proposed as of 8/7/14)

Conditions to apply to Notice of Requirement in Hamilton City (NZTA 168 Hamilton)

The proposed conditions have been amended as follows:

- ~~Black Strikethrough text~~ – Deleted wording recommended by the Reporting Team in the 30 May 2014 s42A report;
- Black Underlined text – Proposed new wording recommended by the Reporting Team in the 30 May 2014 s42A report;
- Red Underlined Text – wording sought by NZ Transport Agency; and
- Blue strikethrough text – wording deleted by NZ Transport Agency.

1 General Conditions

- 1.1 Except as modified by the eConditions below and subject to final design, the pProject works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (NZTA NZ Transport Agency) in its Notice of Requirement (NoR) and the supporting documents, namely:
- a) Southern Links: Notice of Requirement by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - b) Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013; ~~and~~
 - c) Southern Links – Scheme Assessment Report Drawings 1000-8000 series, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
 - d) ~~<other documents identified prior to and during the hearing>~~ The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information; and
 - e) Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012; and
 - f) Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014.
- 1.2 Where there is any inconsistency between the ~~Notice of Requirement~~ NoR documentation and the designation conditions, the designation conditions shall prevail.
- ~~1.2 A liaison person shall be appointed by the NZTA 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 NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected persons.~~
- 1.3 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of twenty (20) ~~twenty~~ years after it is included in the Operative and Proposed Hamilton City ~~Waipa/Waikato District~~ Plan.
- 1.4 Any reference in these eConditions to legislation or a New Zealand Standard includes any later legislation or New Zealand standard that amends or replaces it.
- 1.5 In these conditions:
- a) "The Project" shall mean The Southern Links Project [insert definition]; and
 - b) "Local road" shall mean a road that is not a State highway or private road.

Management Plans General

- ~~4.5~~ 1.6 All works shall be carried out in accordance with the applicable mManagement pPlan(s) and other plans required by these eConditions.

~~1.6~~1.7 The following ~~m~~Management ~~p~~Plans must be submitted to the ~~Territorial Authority~~ Hamilton City Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:

- a) Pre-Construction Communication and Consultation Plan;
- b) Construction Management Plan;
- c) Construction Noise and Vibration Management Plan;
- d) Communication and Consultation Plan;
- ~~e) Social Impact Monitoring Plan;~~
- ~~f) Property Acquisition and Management Strategy;~~
- ~~g)~~e) Concept Landscape Management Plan;
- ~~h)~~f) Landscape Management Plan;
- ~~i)~~g) (Heritage and) Archaeological Site Management Plan;
- ~~j) Conservation Plan;~~
- ~~k) Network Utility Management Plan;~~
- ~~l) Airport Operation Management Plan;~~
- ~~m)~~h) Dust Management Plan;
- ~~n)~~i) Contaminated Soil Management Plan;
- ~~o)~~j) Hazardous Substances Management Plan; **and**
- ~~k) Traffic Management Plan.~~

~~1.8~~ 4.7The Hamilton City Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed, within 10 working days of receipt of the Management Plan by the Hamilton City Council.

~~**Advice Note:** Certification of the ~~m~~Management ~~p~~Plans shall be on the basis that they are consistent with the conditions of the designation.~~

~~1.7~~ The following management plans must be submitted to the Territorial Authority Chief Executive or nominee for approval:

- a) ~~Activity Specific Construction Noise and Vibration Management Plan~~

~~1.8~~ The following management plans do not require certification by the Territorial Authority:

- a) ~~Waikato-Tainui Mitigation Plan.~~

~~1.9~~ The following management plans will be subject to an independent peer review:

- a) ~~Construction Management Plan;~~
- b) ~~Construction Noise and Vibration Management Plan;~~
- c) ~~Communication and Consultation Plan;~~
- d) ~~Social Impact Monitoring Plan;~~
- e) ~~Concept Landscape Management Plan;~~
- f) ~~Landscape Management Plan;~~
- g) ~~Archaeological Site Management Plan;~~
- h) ~~Conservation Plan;~~
- i) ~~Airport Operation Management Plan;~~
- j) ~~Dust Management Plan;~~
- k) ~~Contaminated Soil Management Plan;~~

l) Hazardous Substances Management Plan.

- 1.7 Prior to submitting the management plans identified in condition 1.6 to the Territorial Authority, the Requiring Authority shall engage suitably qualified independent specialists agreed to by the Territorial Authority to undertake a peer review of the management plans identified in condition 1.9 and provide recommendations on whether changes are required to the management plans in order to meet the objectives and other requirements set out in the relevant conditions. The management plans submitted to the Territorial Authority shall demonstrate how the recommendation from the independent peer reviewer(s) have been incorporated, and where the recommendations have not been incorporated the reasons why.
- 1.8 Where conditions require consultation with third parties in the development of management plans, these plans shall demonstrate how the view of that party (or parties) have been incorporated, and, where they have not, the reasons why. Plans that require consultation with third parties and that are also subject to an independent peer review must include the information on consultation with those parties prior to being submitted for an independent peer review.
- 1.9 If, within the time allowed in Condition 1.8, the Hamilton City Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.
- 1.10 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Hamilton City Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.
- 1.11 a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Hamilton City Council to determine a process of resolution.
- b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Hamilton City Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.*
- 1.12 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

1A Pre-cConstruction

Communication, and Consultation and Property Liaison Manager

- 1A.1 Within three months of the confirmation of the designation the ~~Requiring Authority~~ NZ Transport Agency shall appoint a Communication, ~~and Consultation~~ and Property Liaison Manager to implement the Pre-construction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.8) and Communication and Consultation Plan (Condition 8.1 to 8.7). The Communication, ~~and Consultation~~ and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the ~~Southern Link~~ Project for the duration of the pProject.
- 1A.2 The Communication, ~~and Consultation~~ and Property Liaison Manager's contact details shall be listed in the ~~Pre-construction Communication and Consultation Plan PCCP~~ and listed on the NZ Transport Agency's website and the Hamilton City Council website.

Pre-Construction Communication and Consultation Plan

- 1A.3 ~~The Requiring Authority NZ Transport Agency shall prepare a Pre-Construction Communication and Consultation Plan PCCP. This PlanPCCP shall be submitted to the Territorial Authority Hamilton City Council Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the PlanPCCP has been prepared in accordance with this eCondition.~~
- 1A.4 ~~The PlanPCCP shall be implemented and complied with within 18 months from the confirmation of the eDesignations until the commencement of the construction of the Southern Links Project.~~
- 1A.5 ~~The objective of the Pre-construction Communication and Consultation Plan PCCP is to set out a framework to:~~
- ~~a) Inform the community of Project progress and likely commencement of construction works;~~
 - ~~b) Obtain feedback and inputs from affected parties and stakeholders regarding the development of relevant management plans;~~
 - ~~c) Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.~~
- 1A.6 ~~The Pre-construction Communication and Consultation Plan shall set out how the Requiring Authority will:~~
- ~~a) Inform the community of Project progress and likely commencement of construction works and programme;~~
 - ~~b) Engage with the community in order to foster good relationships and to provide opportunities for learning about the Project;~~
 - ~~c) Obtain (and specify reasonable timeframes for) feedback and input from Stakeholders and affected parties regarding the development of management plans <may need to specify which plans>;~~
 - ~~d) Where feedback (in accordance with this condition) is provided, the Pre-construction Communication and Consultation Plan shall articulate how that feedback has informed the development of management plans <may need to specify which plans> and where it has not, reasons why it has not;~~
 - ~~e) Respond to queries and complaints. Information shall include but not be limited to:

 - ~~(i) Who is responsible for responding;~~
 - ~~(ii) How responses will be provided;~~
 - ~~(iii) The timeframes that the responses will be provided within.~~~~
 - ~~f) Provide updates on the property acquisition process and the management of properties acquired by the Requiring Authority for the construction of the Southern Links Project.~~
- 1A.6 ~~The Pre-construction Communication and Consultation Plan PCCP shall, as a minimum, include:~~
- ~~a) Inform the community of Project progress and likely commencement of construction works and programme;~~
 - ~~b) Obtain and specify reasonable timeframes for feedback and input from stakeholders and affected parties regarding the development of management plans; [<may need to specify which plans>];~~
 - ~~cb) A-Include a communications framework that details the Requiring Authority's NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools methods to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 14.1) and the Community Liaison Group(s) (refer to Condition 1A.8) (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters;~~
 - ~~bdc) Details of the Communication, and Consultation and Property Liaison Manager for the pre-construction period (eCondition 1A.2) including their contact details (phone, email and postal address);.~~

~~c) The methods for identifying, communicating and consulting with stakeholders and affected parties and other interested parties. Such methods shall include but not be limited to:~~

~~(i) Newsletters;~~

~~(ii) Newspaper advertising;~~

~~(iii) Notification and targeted consultation with stakeholders and affected parties; and~~

~~(iv) The use of the project website for public information.~~

~~d) The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);~~

~~f) The methods for communicating and consulting with the Community Liaison Group(s) (refer to condition 1A.9);~~

~~g) How communication and consultation activity will be recorded.~~

1A.7 The ~~Pre construction Communication and Consultation Plan PCCP~~ will be made publicly available (once certified) and on the NZ Transport Agency's website and the Hamilton City Council's website.

Community Liaison Groups

1A.98 Within three months of the confirmation of the designations the ~~Requiring Authority NZ Transport Agency~~ shall, in consultation with the ~~Territorial Authorities Hamilton City Council~~, establish ~~at least one~~ Community Liaison Group for each of the following localities:

~~a) Northern Sector Peacockes (HCC Designation 111)~~

~~b) Southern Sector Airport (Transport Agency Designation (Waipa) DN/156)~~

~~c) Western Sector Collins Road (Transport Agency Designation (Waipa) DN/156 and Designation (Hamilton City) 112)~~

~~d)a) Eastern Sector Tamahere (Transport Agency Designation (Waipa) DN/156 and Designation (Waikato) DES 0018/13) Kahikatea Drive/Greenwood Street corner.~~

~~1A.10 The number of Groups shall be confirmed with the Territorial Authorities.~~

1A.1109 The membership of the Community Liaison Group(s) shall include representative(s) of the ~~Requiring Authority NZ Transport Agency~~ and be open to all affected parties including, but not limited to the following:

a) ~~Representative(s) for and/or affected property owners and occupiers;~~

~~b) Tamahere Community Committee;~~

~~c) Riverside Golf Club;~~

~~d) Mangakotukutuku Stream Care Group;~~

~~e) St Stephens Church;~~

~~f)b) [**<additional group members to be confirmed through the hearing process>**].~~

~~1A.12 The purpose of the Groups shall be to:~~

~~a) Provide a means for receiving regular updates on Project progress;~~

~~b) Enable opportunities for concerns and issues to be reported to and responded by the Requiring Authority;~~

~~c) Provide feedback on the development of management plans <which plans to be confirmed through the hearing process>;~~

~~d) Monitor the effects of constructing the Project on the community by providing a regular forum through which information about the Project can be provided to the community.~~

~~1A.13 The Requiring Authority will consult with the Groups in respect of the development of management plans <which plans to be confirmed through the hearing process>.~~

~~1A.14110~~ The ~~Requiring Authority NZ Transport Agency~~ will invite the Groups to meet at least annually until the commencement of construction and then at ~~least once every three months or as otherwise required~~ agreed intervals once construction commences for the duration of the construction phase. Should a majority of the Group members decline or not respond to an invitation to meet, the NZ Transport Agency is not required to hold that meeting.

~~1A.151211~~ Once construction has commenced the ~~Requiring Authority NZ Transport Agency~~ will provide an update at least every three months (or as otherwise agreed) to the Groups on compliance with the designation conditions and ~~m~~Management ~~p~~Plans [~~which plans to be confirmed through the hearing process~~] and any material changes to these plans.

~~1A.161312~~ The ~~Requiring Authority NZ Transport Agency~~ shall provide ~~reasonable administrative support for the Groups including organising meetings at a local venue, inviting all members of the Groups, as well as the taking and dissemination of meeting minutes~~ a [local] venue for meetings of the Community Liaison Group.

~~1A.16~~ The Groups shall continue for the duration of the construction phase of the Project and for six months following completion of the Project.

2. Construction Management Plan

2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZTA ~~Requiring Authority NZ Transport Agency~~ shall submit for ~~review and comment~~ certification a Construction Management Plan (CMP) to the ~~Territorial Authority Hamilton City Council~~ Chief Executive or nominee. The ~~purpose~~ objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP, ~~including the preparation of management plans.~~ For the avoidance of doubt, the NZTA ~~Requiring Authority NZ Transport Agency~~ may prepare a CMP ~~(or sub-management plan)~~ in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for ~~review and comment~~ certification in accordance with this ~~e~~Condition prior to any construction activity commencing on a particular stage.

2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following ~~details~~:

- (a) Details of the site or ~~p~~Project manager, including their contact details (phone, facsimile (if any), postal address, email address);
- ~~(aa) Details of the contact person required by eCondition 8.1 including name, phone number, email and postal address.;~~
- (b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or ~~p~~Project manager and the contact person required by eConditions 1A.1 and 8.1;
- ~~(bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;~~
- (c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
- ~~(cc) Environmental incident and emergency management procedures;~~
- (d) 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;
- ~~(dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation.;~~
- (e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
- (f) 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;~~

- ~~(ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;~~
- (g) 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;
- (h) 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;
- (i) 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 1993~~ Heritage New Zealand Pouhere Taonga Act 2014;
- (j) Means of ensuring the safety of the general public;
- (k) ~~Methods~~ Procedures for receiving and responding to complaints; ~~about construction dust, and odour from the works; and~~
- ~~(l) The following sub-management plans:~~
 - ~~i. Construction Noise and Vibration Management Plan (in accordance with condition 5);~~
 - ~~ii. Traffic Management Plan (in accordance with condition 6);~~
 - ~~iii. Archaeological Site Management Plan;~~
 - ~~iv. Earthworks Management Plan;~~
 - ~~v. Dust Management Plan;~~
 - ~~vi. Ecological and Restoration Management Plan;~~
 - ~~vii. Erosion and Sediment Control Plan;~~
 - ~~viii. Hazardous Substances Management Plan; and~~
 - ~~ix. Stakeholder Communications Plan (in accordance with condition 5).~~

~~Except for the plans listed in clauses (l)(i), (ii) and (ix), the above sub-management plans do not require certification by Council but will be provided to Council for review and comment.~~

~~The Construction Noise and Vibration Management Plan, Traffic Management Plan and Stakeholder Communications Plan shall be provided to Council (in accordance with conditions 5, 6 and 5, respectively) for the Council's certification that the plan satisfies these conditions.~~

~~(l) Provision of access for emergency vehicles;~~

~~(m) Hours of operation of trucks and service vehicles;~~

~~(n) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on local roads, and the remedial measures to be taken should that occur.~~

- 2.3 Any changes proposed to the CMP shall be confirmed in writing by the ~~Requiring Authority~~ NZ Transport Agency and certified in writing by the ~~Territorial Authority's~~ Hamilton City Council's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

2A.1 Upon receiving a complaint during construction, the ~~Requiring Authority~~ NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt;

- c) ~~Respond to the complaint in accordance with any relevant mManagement pPlan , which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures, and, in the case of noise and / or vibration, preparation of a Activity Specific Construction Noise and Vibration Management Plan (in accordance with conditions 5.5);~~

2A.2 A record of all complaints received shall be kept by the Requiring Authority NZ Transport Agency. This record shall include:

- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
- b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
- c) Known construction activities at the time and in the vicinity of the concern or complaint;
- d) Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;
- e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.

2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every two-three months (or as otherwise agreed) to the Territorial Authority Hamilton City Council Chief Executive or nominee.

2A.4 Where a complaint remains unresolved or a dispute arises, the Territorial Authority Hamilton City Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the Requiring Authority NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Territorial Authority Hamilton City Council Chief Executive or nominee must determine whether a review of the CMP or other relevant mManagement pPlan is required to address this complaint. The Territorial Authority Hamilton City Council Chief Executive or nominee shall advise the Requiring Authority NZ Transport Agency of its recommendation within 10 working days of receiving the records of complaint.

3 Outline Plan

- 3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Council Territorial Authority Hamilton City Council agrees that the CMP a Management Plan(s) listed in Condition 1.7 or relevant part(s) of the CMP Management Plan(s) contains adequate details to satisfy section 176A of the RMA, then the CMP Management Plan(s) or relevant part(s) of the CMP Management Plan(s) 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 176A(2)(c) RMA.

NOISE AND VIBRATION

~~Conditions 4.1 to 4.12 have not been assessed by the Reporting Team due to lack of information regarding the effects of operational noise and vibration.~~

4. Operational Noise

- 4.1 For the purposes of eConditions 4.14-2-4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
- b) Noise Assessment – means the Noise Assessment ~~report (Appendix G) submitted with the NOR prepared in accordance with Condition 4.2.~~
- c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e.

Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.

- d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.42 a) The ~~NZTA~~ NZ Transport Agency shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Hamilton City Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the NZ Transport Agency shall submit to the Council Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The ~~NZTA~~ NZ Transport Agency shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.
- b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified ~~[insert notification date]~~ (29 January 2014).
- 4.23 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to ~~e~~Condition 4.40, shall include, as a minimum, the following:
- a) Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.34 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either
- a) If the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Hamilton City ~~Waipa~~ Waikato District Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - b) If changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.45 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.56 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.67 a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the ~~NZTA~~ NZ Transport Agency shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
- b) If the owner(s) of the Category C Building approves the ~~NZTA's~~ NZ Transport Agency's access to the property within 12 months of the date of the ~~NZTA's~~ NZ Transport Agency's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of

construction of the Project, the ~~NZTA~~ NZ Transport Agency shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.

4.8 Where a Category C Building is identified, the ~~NZTA~~ NZ Transport Agency shall be deemed to have complied with Condition 4.7 above where:

- a) The ~~NZTA~~ NZ Transport Agency (through its acoustics specialist) has visited the building; or
- b) The owner of the Category C Building approved the ~~NZTA's~~ NZ Transport Agency's access, but the ~~NZTA~~ NZ Transport Agency could not gain entry for some reason (such as entry denied by a tenant); or
- c) The owner of the Category C Building did not approve the ~~NZTA's~~ NZ Transport Agency's access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the ~~NZTA's~~ NZ Transport Agency's letter (sent pursuant to Condition 4.7(a) within that period)); or
- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Category C Building, the ~~NZTA~~ NZ Transport Agency shall not be required to implement any Building-Modification Mitigation at that Category C Building.

4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the ~~NZTA~~ NZ Transport Agency shall give written notice to the owner of each Category C Building:

- a) Advising of the options available for Building-Modification Mitigation to the building; and
- b) Advising that the owner has three months within which to decide whether to accept Building-Modification Mitigation for the building, and if the ~~NZTA~~ NZ Transport Agency has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.

4.10 Once an agreement on Building-Modification Mitigation is reached between the ~~NZTA~~ NZ Transport Agency and the owner of an affected building, the mitigation shall be implemented (including the ~~NZTA~~ NZ Transport Agency obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the ~~NZTA~~ NZ Transport Agency and the owner.

4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the ~~NZTA~~ NZ Transport Agency shall be deemed to have complied with Condition 4.10 above where:

- a) The ~~NZTA~~ NZ Transport Agency has completed Building-Modification Mitigation to the Category C Building; or
- b) The owner of the Category C Building did not accept the ~~NZTA's~~ NZ Transport Agency's offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the ~~NZTA~~ NZ Transport Agency within that period); or
- c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

4.12 The ~~NZTA~~ NZ Transport Agency shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years ~~after the opening of the Project to the public.~~

~~after the opening of the Project to the public.~~

5 Construction Noise and Vibration

~~5.1 The NZTA shall implement a Construction Noise and Vibration Management Plan (CNVMP) throughout the entire construction period of the Project. The CNVMP shall be provided to the [council officer] for certification that it addresses Conditions 5.1 to 5.5 prior to commencement of construction of the project.~~

~~The CNVMP must describe the measures adopted to seek to meet:~~

~~• the noise criteria set out in Condition 5.3 below, where practicable. Where it is not practicable to achieve those criteria, alternative strategies should be described to address the effects of noise on neighbours; and~~

~~• the Category A vibration criteria set out in Condition 5.4 below, where practicable. If measured or predicted vibration levels exceed the Category A criteria then a suitably qualified expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria then construction activity shall only proceed if there is continuous monitoring of vibration levels and effects on those buildings at risk of exceeding the Category B criteria, by suitably qualified experts.~~

The CNVMP shall, as a minimum, address the following:

- ~~• Description of the works, a list of machinery to be used, anticipated equipment/processes and their scheduled durations.~~
- ~~• The procedure for measuring vibrations~~
- ~~• Hours of operation, including times and days when construction activities causing noise and/or using high-vibration machinery would occur.~~
- ~~• Requirements for vibration measurements of relevant machinery prior to construction or during their first operation, to confirm the vibrations the machinery generates.~~
- ~~• The construction noise and vibration assessment criteria for the project.~~
- ~~• Identification of affected houses and other sensitive locations where noise and vibration criteria apply.~~
- ~~• Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category A vibration criteria in Condition 11)~~
- ~~• Requirements for identifying any existing infrastructure assets (services, roads etc) which may be at risk of vibration induced damage during construction.~~
- ~~• Mitigation options, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved.~~
- ~~• Details of which operational road-traffic noise mitigation options as required by Condition 13 below will be implemented early enough to also mitigate construction noise.~~
- ~~• Management schedules containing site specific information and the roles and responsibilities of personnel on-site.~~
- ~~• Methods and frequency for monitoring and reporting on construction noise and vibration.~~
- ~~• Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and receiving and handling construction noise and vibration complaints.~~
- ~~• Construction equipment operator training procedures and expected construction site behaviours, particularly regarding the use of excavators and vibratory compactors.~~
- ~~• Contact numbers for key construction staff, staff responsible for noise and vibration assessment and council officers (as territorial authority).~~
- ~~• Procedures for managing construction vibration damage to existing services such as roads and underground pipelines.~~

~~5.2 The NZTA should, where practicable, implement those Structural Mitigation and Building Modification Mitigation measures for operational noise detailed in 13-23 which are identified in the CNVMP as also~~

providing construction noise mitigation, prior to commencing major construction works that would be attenuated by these mitigation measures.

5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics - Construction Noise'. The construction noise criteria for the purposes of the CNVMP are:

Day	Time	$L_{Aeq}(15min)$	L_{AFmax}
Occupied PPFs (as defined in NZS 6806:2010)			
Weekdays	0630h—0730h	60 dB	75 dB
	0730h—1800h	75 dB	90 dB
	1800h—2000h	70 dB	85 dB
	2000h—0630h	45 dB	75 dB
Saturday	0630h—0730h	60 dB	75 dB
	0730h—1800h	75 dB	90 dB
	1800h—2000h	45 dB	75 dB
	2000h—0630h	45 dB	75 dB
Sundays and public holidays	0630h—0730h	45 dB	75 dB
	0730h—1800h	55 dB	85 dB
	1800h—2000h	45 dB	75 dB
	2000h—0630h	60 dB	75 dB
Commercial and industrial receivers			
All	0730h—1800h	75 dB	
	1800h—0730h	80 dB	

5.4 Construction vibration must be measured in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013). The construction vibration criteria for the purposes of the CNVMP are:

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Daytime 6:00 am to 8:00 pm	1.0 mm/s PPV	5.0 mm/s PPV	Inside the building
	Night time 8:00 pm to 6:00 am	0.3 mm/s PPV	1.0 mm/s PPV	
Other occupied buildings	Daytime 6:00 am to 8:00 pm	2.0 mm/s PPV	10.0 mm/s PPV	
All buildings	Transient vibration	5.0 mm/s PPV	BS 5228.2 - Table B2 values	Building foundation
	Continuous vibration		BS 5228.2 - 50 percent Table B2 values	
Underground Services	Transient vibration	20mm/s PPV	30 mm/s PPV	On pipework
	Continuous vibration	10mm/s PPV	15 mm/s PPV	

5.5 When construction equipment is being evaluated for its ability to cause structural damage at a particular residence, the relevant standard that shall be used is as listed in line 2 of table 1 of German Standard DIN 4150 3:1999. The criteria are as listed below:

Type of Structure	Vibration Thresholds for Structural Damage, PPV (mm/s)				
	Short-Term				Long-Term
	At Foundation			Uppermost Floor	Uppermost Floor
	0 to 10 Hz	10 to 50 Hz	50 to 100 Hz	All Frequencies	All Frequencies
Commercial /Industrial	20	20 to 40	40 to 50	40	40
Residential	5	5 to 15	15 to 20	15	5
Sensitive/Historic	3	3 to 8	8 to 10	8	2.5

Note: When a range of velocities is given, the limit increases linearly over the frequency range.

The Reporting Team prefer the following Construction Noise and Vibration Management Plan condition. This condition is the same as that agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.

Construction Noise and Vibration Management Plan

- 5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit no later than 40 working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Waipa District Hamilton City Council for certification by the Waipa District Hamilton City Council's Chief Executive Officer or nominee.
- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZTA, NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.
- 5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
<u>Occupied PPFs (as defined in NZS 6806.2010)</u>			
<u>Weekdays</u>	<u>0630h – 0730h</u>	<u>60 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>75 dB</u>	<u>90 dB</u>
	<u>1800h – 2000h</u>	<u>70 dB</u>	<u>85 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Saturday</u>	<u>0630h – 0730h</u>	<u>60 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>75 dB</u>	<u>90 dB</u>
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>

Day	Time	$L_{Aeq}(15min)$	L_{AFmax}
<u>Sundays and public holidays</u>	<u>0630h – 0730h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>0730h – 1800h</u>	<u>55 dB</u>	<u>85 dB</u>
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Commercial and industrial receivers</u>			
<u>All</u>	<u>0730h – 1800h</u>	<u>75 dB</u>	
	<u>1800h – 0730h</u>	<u>80 dB</u>	

Table A: Construction Noise Criteria

5.34 ~~The CNVMP shall include specific details relating to methods for the control of ground vibrations associated with all relevant Project construction works, which shall be formulated to comply with the Category A criteria in Table A below, and whenever this is not practicable, to not exceed the Category B criteria. The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts.~~ The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	All hours Monday to Sunday <u>At all times</u>	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table AB: Construction Vibration Criteria

5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, ~~the CNVMP shall, as a minimum,~~ address the following aspects with regard to managing the adverse effects of construction noise and vibration:

- a) ~~Noise and/or vibration sources, including machinery, equipment and construction techniques to be used and their scheduled durations and hours of operation including times and days when work causing construction noise and/or vibration would occur;~~

- ~~b) The construction noise and vibration criteria for the project;~~
- ~~ea) Identification of affected dwellings and other sensitive locations where noise and/or vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;~~
- ~~eb) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;~~
- ~~ec) Mitigation options, including alternative strategies where full compliance with the noise criteria from NZS 6803: 1999 in Table A above and/or the vibration criteria tabulated in Table AB above cannot practicably be achieved;~~
- ~~d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works.~~
- ~~f) Methods and frequency for monitoring and reporting on construction noise and vibration;~~
- ~~g) Contact numbers for key construction staff, staff responsible for noise and/or vibration assessment and council officers; and~~
- ~~h) Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling complaints about construction noise and/or vibration.~~

5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the Hamilton City Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

~~5.5 Where a CNVMP predicts that levels from a particular activity will or will likely exceed the limits set out in condition 5.2 and/or 5.3, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare and submit for the approval of the Territorial Authority's Chief Executive Officer or nominee an Activity Specific Construction Noise and Vibration Management Plan (ASCNVMP), unless the Territorial Authority dismisses this requirement because the extent or duration by which the limits are exceeded is minor.~~

~~5.6 The ASCNVMP(s) shall be submitted to the Territorial Authority's Chief Executive Officer or nominee for review and approval at least 7 working days prior to the proposed works commencing. Works subject to the ASCNVMP(s) shall not commence until approval is received from the Territorial Authority.~~

~~5.6 In addition to the requirements of condition 5.4 an ASCNVMP(s) must:~~

- ~~a) Describe the activity (including duration), plant and machinery that is expected not to comply with the noise and/or vibration limits in conditions 5.2 and 5.3;~~
- ~~b) Provide predicted levels for all receivers where the levels will not be compliant with the limits in conditions 5.2 and 5.3;~~
- ~~c) Describe the mitigation measures proposed to reduce the noise and/or vibration levels as far as practicable, including any options that have been discounted due to cost or any other reason;~~
- ~~d) Describe alternative mitigation of the impacts that is acceptable to affected parties (e.g. temporary accommodation during the specific activity).~~

Advice Note: *It is accepted that the noise and vibration limits in Conditions ~~5.2-5.3~~ and ~~5.3-5.4~~ may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 ~~The CMP shall include a~~ A Traffic Management Plan (TMP), ~~shall be~~ prepared in accordance with the NZ ~~TA Transport Agency Code of Practice for Temporary Traffic Management~~ and in consultation with the ~~Manager Reading Chief Executive or nominee~~, Hamilton City ~~Waipa Waikato District Council~~. The TMP shall be submitted to the ~~Planning and Regulatory Manager~~, Hamilton City ~~Waipa Waikato District Council Chief Executive or nominee~~, for certification that the ~~plan~~ TMP satisfies this ~~e~~ Condition ~~6~~ no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The TMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the TMP shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site, ~~from sState highways existing at the time of the commencement of construction of any part of the Southern Links network that requires access from such an existing sState highway.~~
 - g) Measures to monitor the performance of all access points ~~on and off the sState highway and arterial network~~ local road to the Project site, and all key ~~sState highway and arterial~~ local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State ~~H~~highway network.
 - ~~h~~) Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (*Bulk HCVs*)
 - i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.
 - j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.
 - k) Measures to ensure that any staging of construction works will adequately avoid, remedy or mitigate traffic-related adverse effects.
- 6.3 When requesting certification of the TMP, the NZ Transport Agency shall provide the Hamilton City Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(j), any effects on that Territorial Authority's road network and measures to address such effects.

7 General Construction Traffic

- 7.1 The ~~NZTA~~ NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
- ~~e~~On Sundays; or
 - ~~e~~On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

STAKEHOLDER COMMUNICATIONS

~~8 Stakeholder Communications Plan~~

- ~~8.1 The CMP shall include a Stakeholder Communications Plan (SCP), which shall be submitted to the Planning and Regulatory Manager, Hamilton City/Waipā/Waikato District Council, for certification that the plan satisfies this condition 8 no later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations).~~
- ~~8.2 The SCP shall describe the measures that will be undertaken to manage communications with affected individuals, organisations and communities regarding the effects of construction of the Project. In particular, the SCP shall contain details regarding:~~
- ~~A liaison person's name and contact details (including phone, facsimile (if any), postal address, and email address), as required by condition 1.2;~~
 - ~~Procedures for receiving, recording and responding to complaints about effects of construction activities, including whom to contact regarding complaints;~~
 - ~~The stakeholders who will be communicated with;~~
 - ~~Communication methods for the presentation of Project information, timing and duration of phases of construction works and changes in access, including the process for giving advanced warning to residents or occupiers of affected properties of specific construction effects; and~~
 - ~~Communication methods for the presentation of Project information to stakeholders regarding the management of earthworks, dust, construction noise (including hours of operation and noise levels), vibration and construction traffic (including water cart traffic).~~

The Reporting Team prefer the following Communication and Consultation conditions.

~~8 Construction Communication and Consultation~~

~~Contact Person~~

- ~~8.1 The Requiring Authority NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.~~

~~Communication and Consultation Plan~~

- ~~8.2 The Requiring Authority NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Southern Links Network Project.~~
- ~~8.3 This Plan shall be submitted to Territorial Authority-Hamilton City Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.~~
- ~~8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Southern Links Network Project.~~
- ~~8.5 The Communication and Consultation Plan shall set out how the Requiring Authority will:~~
- ~~Inform the community of construction progress and future construction activities and constraints that could affect them;~~

- ~~b) The methods for communicating and consulting with tāngata whenua (refer to condition 18.1);~~
- ~~c) Provide early information on key Project milestones;~~
- ~~d) Obtain and specify a reasonable timeframe (being not less than 10 working days), for feedback and inputs from affected parties regarding the development, review and implementation of the management plans <which plans to be confirmed through the hearing process>; and~~
- ~~e) Respond to queries and complaints including but not limited to:

 - ~~i) Who is responsible for responding;~~
 - ~~ii) How responses will be provided;~~
 - ~~iii) The timeframes that responses will be provided within.~~~~

8.65 The Communication and Consultation Plan shall as a minimum include:

- a) A communications framework that details the ~~Requiring Authority's NZ Transport Agency's~~ communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising ~~etc.~~), and any other relevant communication matters;
- b) The Communication and Consultation ~~and Property Liaison~~ Manager for the Project, including their contact details (phone, email and postal address);
- ~~c) The methods for identifying, communicating and consulting with persons affected by the project including but not limited to:

 - ~~All property owners and occupiers within the designation footprint;~~
 - ~~All property owners and occupiers adjacent to the designation footprint;~~
 - ~~Department of Conservation;~~
 - ~~Heritage New Zealand;~~
 - ~~Community Liaison Group(s) (refer Condition 1A.9);~~
 - ~~Network Utility Operators;~~
 - ~~Hamilton Regional Airport Ltd;~~
 - ~~<additional parties to be confirmed through the hearing process>~~~~
- ~~d)c) How stakeholders and persons affected by the pProject will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;~~
- ~~d) How stakeholders and persons affected by the project will be consulted in the development and review of the management plans <which plans to be confirmed through the hearing process>, including specifying reasonable timeframes for feedback;~~
- ~~e)d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;~~
- ~~f)e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;~~
- ~~g)f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works;~~
- ~~h) A list of affected parties and stakeholders who will be communicated with;~~
- ~~i) How communication and consultation activity will be recorded.~~

8.76 The Communication and Consultation Plan will be ~~made~~ publicly available (once certified) ~~and~~ on the ~~Requiring Authority's NZ Transport Agency's~~ website.

Advice Note: The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.

The Reporting Team recommends that the Requiring Authorities provide conditions requiring the preparation of:

- a) ~~Social Impact Monitoring Plan~~
- b) ~~Property Acquisition and Management Strategy~~

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

9.1 No later than ~~forty~~ twenty (4020) working days prior to the commencement of any stage of construction (excluding site investigations), the ~~NZTA~~ Requiring Authority ~~NZ Transport Agency~~ shall submit ~~for approval~~ a Concept Landscape Management Plan (CLMP), to ~~Territorial Authority~~ Hamilton City Council Chief Executive or nominee for certification.

9.1A ~~The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses~~ to be provided by the Requiring Authorities. The CLMP shall include:

- a) A vision statement;
- b) An outline of the landscape and urban design themes to be adopted for the entire length of the ~~Southern Links~~ Project, including for overbridges, underbridges and noise barriers;
- c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces;
- d) Concept landscape plans showing the design scheme; and
- e) Planting management and maintenance requirements.

9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.

9.2A The CLMP shall be prepared in accordance with:

- a) ~~NZTA's~~ The NZ Transport Agency's 'P39 Standard Specification for Highway Landscape Treatments' (2013); and
- b) ~~'Bridging the Gap', NZTA Urban Design Guidelines (2013);~~
- c) ~~NZTA Urban Design Guidelines (2013); and~~
- d) ~~Waikato Regional Council, Natural Character Policies within the Proposed Waikato Regional Policy Statement.~~

~~9.2B The CLMP shall have regard to Policy 12.3 (Natural Character) of the Proposed Waikato Regional Policy Statement.~~

~~9.2C The Requiring Authority shall provide the CLMP to the following stakeholders at least 30 working days prior to submitting it to Territorial Authority Chief Executive or nominee:~~

- a) ~~Affected property owners and occupiers~~
- b) ~~Tamahere Community Committee;~~
- c) ~~Waikato Regional Airport;~~
- d) ~~Tangata Whenua Working Group~~
- e) ~~Mangakotukutuku Stream Care Group;~~

~~f) <additional parties to be confirmed through the hearing process>~~

~~9.2D If the Requiring Authority has not received any comments from the stakeholders noted in condition 9.2C within 20 working days of providing them the CLMP the Requiring Authority may consider that the stakeholder concerned has no comments.~~

~~9.2E The Requiring Authority shall include any comments from the stakeholders noted in condition 9.2C along with an explanation of where and why any comments have not been incorporated into the CLMP(s) prior to submitting the CLMP to the Territorial Authority.~~

Landscape Management Plan

9.3 The ~~NZTA Requiring Authority~~ NZ Transport Agency shall develop the ~~approved~~ certified CLMP into a ~~fully detailed~~ Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the ~~NZTA Requiring Authority~~ NZ Transport Agency shall submit for ~~approval~~ certification the LMP, to the ~~Territorial Authority~~ Hamilton City Council Chief Executive or nominee ~~for certification~~.

9.3A ~~The objective of the LMP will be to identify the specific urban design and landscape measures to be implemented and maintained as part of the Project to maintain and enhance landscape, amenity and ecological values along the route and mitigate any adverse visual, landscape and ecological effects of that particular stage of the Project <to be provided by the Requiring Authorities>~~. The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of ~~that the Project, or a~~ particular stage of works.

9.4 The LMP(s) shall be prepared in consultation with the ~~Hamilton City/Waipā/Waikato District Council~~ Territorial Authority Hamilton City Council by a suitably qualified and experienced landscape architect and shall include at least the following:

- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
- b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Restoration Plan required by condition 12), and the ~~type and density of~~ planting to be undertaken;
- c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
- d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
- e) The outcomes of consultation with ~~the Hamilton City/Waipā/Waikato District Council~~ Territorial Authority Hamilton City Council regarding landscape proposals along local roads;
- f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
- g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
- h) Measures to integrate cut and fill batters with the existing topography;
- i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
- j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
- k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
- l) A planting specification, including planting and mulching techniques;

- m) Planting maintenance requirements over a ~~two~~five year period following planting and reinstatement of road verges and gullies;
- n) An implementation programme for all remedial and mitigation measures; ~~and~~
- o) Post-construction monitoring measures;
- p) Site specific planting and screening measures developed in agreement consultation with affected property owners; and
- q) All plant species used in the LMP shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Hamilton City District Plan;
- ~~q) Planting Maintenance and establishment requirements over a five year period following planting and reinstatement of road verges.~~

~~9.5 The Requiring Authority shall provide the LMP to the following stakeholders at least 30 working days prior to submitting it to Territorial Authority Chief Executive or nominee:~~

- ~~a) Affected property owners and occupiers~~
- ~~b) Tamahere Community Committee;~~
- ~~) Waikato Regional Airport;~~
- ~~) Hamilton Southern Links Tangata Whenua Working Group~~
- ~~) Mangakotukutuku Stream Care Group;~~
- ~~) <additional parties to be confirmed through the hearing process>~~

~~9.6 If the Requiring Authority has not received any comments from the stakeholders noted in condition 9.5 within 20 working days of providing them the LMP the Requiring Authority may consider that the stakeholder concerned has no comments.~~

~~9.7 The Requiring Authority shall include any comments from the stakeholders noted in condition 9.5 along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the Territorial Authority.~~

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Maintenance and Monitoring of Landscape Management Plan(s)

Monitoring of Landscape Management Plan(s)

11.121 The NZTA/HCC ~~Requiring Authority~~NZ Transport Agency shall undertake an inspection at one year and again at ~~two~~five years after the implementation of the LMP(s) in accordance with ~~e~~Ccondition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to ~~Waipa/Waikato District Council~~Territorial Authority Hamilton City Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be

implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ECOLOGICAL MANAGEMENT AND RESTORATION PLAN

~~Conditions 12.1 to 12.2 have not been assessed by the Reporting Team due to lack of information regarding the effects on ecology.~~

12. Ecological Management and Restoration Plan

~~12.1 The requiring authority shall develop an **Ecological Management and Restoration Plan** (EMRP). This EMRP shall be prepared by an appropriately qualified ecologist/s and provide for the management of Long Tailed Bat habitats within the designation. The Southern Links Taangata Whenua Working Group and the Department of Conservation shall be consulted in the preparation of the EMRP. The EMRP shall be submitted to the Waipa/Waikato District Council for certification acting in a technical certification capacity, at least 40 working days prior to the commencement of works. The EMRP shall include, but may not be limited to, the following matters:~~

~~a) Details of a comprehensive nocturnal surveys/Long Tailed Bat monitoring programme in order to confirm occupancy at the following and other potential (including non-indigenous) habitats along the Southern Links Roding Corridor route:~~

~~— along the Waikato River margins at Tamahere from the Southern Links crossing point north to (and including) the oak tree stand noted as a long tailed bat roost north of the airport runway (both Waipa and Waikato).~~

~~— in the gully system on properties fronting Tamahere Drive directly affected by the Southern Links designation (Waikato DC only).~~

~~— in the remnant kahikatea stands generally located in the area bounded by Middle Road, Narrows Road and Raynes Road, and adjacent to State Highway 3 in the vicinity of Penniket Road (Waipa DC only).~~

~~Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats;~~

~~b) In the event of detection of Long Tailed Bats within the road corridor, or the detection of bat commuting routes affected by the road corridor, the requiring authority shall develop a Long-Tailed Bat Management Plan. This plan shall include, but may not be limited to, the following:~~

~~i. Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;~~

~~ii. Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;~~

~~iii. Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);~~

~~iv. The establishment of buffer zones along the southern links route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;~~

- ~~v. Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;~~
 - ~~vi. Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Southern Links network at all locations where bats are detected;~~
 - ~~vii. Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the project or its vicinity that do not require removal;~~
 - ~~viii. Procedures for implementing, monitoring and review of the EMRP.~~
- ~~e) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of biodiversity values or natural habitat along the Southern Links network as a result of its construction. These details shall include, but may not be limited to the following:~~
- ~~i. The nature of any restorative planting to be undertaken (timing, species, source of planting material, extent and location);~~
 - ~~ii. The nature of any weed and/or pest control considered appropriate (timing, extent and location); and~~
 - ~~iii. The nature and extent of stock proof fencing that is to be established along the margins of restoration areas.~~
- ~~12.2 If appropriate the ERMP required under this condition can be developed as a combined document with the ERMP required by condition (insert final condition reference) of the NZTA Southern Links designation in the Waikato District, and/or the required by (insert final condition reference) of the Hamilton City Council designation for the Southern Links Arterial Routes.~~

ARCHAEOLOGY

1312 Archaeology Site Management Plan

- 12.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)
- 12.2 Prior to the commencement of construction the NZ Transport Agency shall provide to the Hamilton City Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.
- 12.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist under the direction of the NZ Transport Agency and then submitted for certification to the Hamilton City Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.
- 12.4 The HSAMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:

- a) Measures that will be taken to protect or avoid archaeological sites (or in situ archaeological remains) from damage during construction;
- b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;
- c) Areas where monitoring of construction works by an archaeologist will be required;
- d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
- e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
- f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
- g) Provision for any revisions required to the HASMP during the course of the Project; and
- h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.

12.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, an Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Hamilton City Council Chief Executive or nominee. The Policy shall describe the on-going management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.

13.1 The Requiring Authority shall give at least 4 weeks written notice of the date that the construction contractor intends to commence earthworks or construction activity, to:

- a) The Project archaeologist to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of the construction; and
- b) The Territorial Authority;
- c) The Hamilton Southern Links Tangata Whenua Working Group to enable them to:
 - i. allocate a representative to liaise with the Project archaeologist and who will be actively involved in the archaeological work associated with the Project;
 - ii. clarify with the contractor the location of the archaeological sites and the procedures that will be observed;
 - iii. provide the names of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the project;
 - iv. undertake any appropriate cultural ceremonies on the archaeological sites; and
 - v. arrange for the inspection of the earthworks in the vicinity of the archaeological sites.

13.1 Prior to the commencement of construction the NZTA Requiring Authority shall provide to the Waipa/Waikato District Council Territorial Authority evidence that Archaeological Authorities have been obtained from the Heritage New Zealand Historic Places Trust as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZTA Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.

13.2 The CMP shall include an Archaeological Site Management Plan (ASMP) prepared under the direction of the NZTA in consultation with the Southern Links Taangata Whenua Working Group and the NZHPT. The ASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. In particular, the ASMP shall describe:

- f) Measures that will be taken to protect archaeological sites from damage during construction;

- ~~g) — Mitigation measures in the form of archaeological investigation and recording;~~
 - ~~h) — Areas where monitoring of construction works by an archaeologist will be required;~~
 - ~~i) Accidental Discovery Protocols to be followed if archaeological sites, human remains or taonga (Maori artefacts) are encountered during construction works;~~
 - ~~j) The roles and responsibilities associated with managing the archaeological aspects of the Project;~~
 - ~~k) — Provision for training contractors in the archaeological requirements of the Project;~~
 - ~~l) Provision for any revisions required to the ASMP during the course of the Project; and~~
 - ~~m) — Reporting requirements.~~
- ~~13.2 — No later than 4 weeks prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Archaeological Site Management Plan (ASMP), prepared by a suitably qualified archaeologist, to the Territorial Authority Chief Executive or nominee for certification.~~
- ~~13.3 — The ASMP shall be prepared in consultation with the Hamilton Southern Links Tangata Whenua Working Group and with Heritage New Zealand. The objective of the ASMP is to describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. As a minimum, the ASMP shall include the following:~~
- ~~a) — Measures to be taken to protect archaeological sites or the parts of archaeological sites from damage during construction. Wherever possible this should take the form of a physical barrier and such a barrier should be placed with an appropriate buffer zone of not less than 10 m;~~
 - ~~b) — Roles and responsibilities associated with managing the archaeological aspects of the Project;~~
 - ~~c) — Provisions for training for staff and contractors in the archaeological requirements of the Project;~~
 - ~~d) — Provision for any revisions required to the ASMP during the course of the Project. Any required revisions to the ASMP shall not be implemented by the Requiring Authority until approved in writing by Territorial Authority Chief Executive or nominee. The Territorial Authority shall respond to the request for a revision to the ASMP within 2 weeks or another time period agreed between all parties;~~
 - ~~e) — Twenty working days prior to the Requiring Authority providing the ASMP or any revisions in accordance with condition 1.3(d) to Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised ASMP detailing:

 - ~~i. — Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
 - ~~ii. — Where feedback has been provided, how it has been incorporated into the ASMP; and~~
 - ~~iii. — Where feedback has been provided but not been incorporated into the ASMP, the reasons why not.~~~~
- ~~13.4 — All site records in the national NZAA database are updated to reflect the information gathered during the project to date and that they are updated as new information comes to hand.~~
- ~~13.5 — Conservation Plans shall be prepared for the long-term management of those archaeological sites (part or whole) that remain unaffected by the construction of the project once construction is completed. These Conservation plans shall:~~
- ~~a) — Not be limited to the surface visible remains but recognise the importance of sub-surface deposits);~~
 - ~~b) — Be prepared by a suitably qualified archaeologist; and~~
 - ~~c) — Submitted to the Territorial Authority Chief Executive or nominee for certification.~~
- ~~13.6 — No later than 4 weeks prior to the Requiring Authority providing the Conservation Plans to the Territorial Authority, a draft version of the plan will be provided to the Hamilton Southern Links Tangata Whenua~~

~~Working Group and to Heritage New Zealand for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised Conservation Plans detailing:~~

- ~~a) Whether any feedback has been provided by the Hamilton Southern Links Tangata Whenua Working Group and Heritage New Zealand;~~
- ~~b) Where feedback has been provided, how it has been incorporated into the Conservation plans; and~~
- ~~c) Where feedback has been provided but not been incorporated into the Conservation Plans, the reasons why not.~~

~~13.7 Direct effects in the Whatakoruru Paa (S14/47) are avoided during construction other than the removal of the standing pines trees on the paa. These should be felled and removed in a manner that causes a minimum of adverse effects on the area affected by the tree and with no adverse effects on the part of the paa unaffected by the trees. Consistent with proposed condition 13.5 a Conservation Plan must be prepared for the paa S14/47. HCC Designation 111~~

NETWORK UTILITY INFRASTRUCTURE

4413 Network Infrastructure Generally

~~14.13.1~~ The ~~NZTA-NZ Transport Agency~~ 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 to ensure:

- ~~a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and~~
- ~~b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.~~

~~13.2 During the design phase of the Project the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:~~

- ~~a) Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and~~
- ~~b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.~~

~~13.3 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the NZ Transport Agency shall, subject to reasonable planned interruption, either:~~

- ~~a) Protect the utility from any activity which may interfere with the proper functioning of the services; or~~
- ~~b) seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or~~
- ~~c) seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.~~

~~14.3 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Network Utilities Management Plan (NUMP). The NUMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council at least 40 working days prior to construction activities being undertaken for certification.~~

~~14.4 The NZ Transport Agency shall adhere to the relevant requirements of the NUMP at all appropriate times during the Project. The objective of the NUMP shall be to ensure that the enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.~~

~~14.5 The NUMP shall be prepared in consultation with network utility operators who have network utilities that traverse, or are in close proximity to, the designation. The NUMP shall include as a minimum:~~

- ~~a) Cross references to the Communication and Consultation Plan for the methods that will be used to liaise with all network utility operators who have existing network utilities that traverse, or are in close proximity to, the designation;~~
- ~~b) Measures to be used to accurately identify the location of existing network utilities, and the measures for the protection, support, relocation and/or reinstatement of existing network utilities;~~
- ~~c) Methods to be used to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities (and their priority designations) which traverse, or are close proximity to, the designation, and the restrictions in place in relation to those existing network utilities. This shall include:

 - ~~i) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to network utilities;~~
 - ~~ii) Plans identifying the locations of the network utilities (and their designations) and appropriate physical indicators on the ground showing specific surveyed locations;~~~~
- ~~d) Measures to be used to ensure the continued operation of network utility and the security of supply of the services by network utility operators at all times;~~
- ~~e) Measures to be used to enable network utility operators to access existing network utilities for maintenance at all reasonable times on an ongoing basis during construction, and to access network utilities for emergency and urgent repair works at all times during the construction;~~
- ~~f) Contingency management plans for reasonably foreseeable circumstances in respect of the relocation and rebuild of network utilities during the construction;~~
- ~~g) Earthworks management (including depth and extent of earthworks and temporary and permanent stabilisation measures), for earthworks in close proximity to network utilities;~~
- ~~h) Vibrations management and monitoring for works in close proximity to network utilities;~~
- ~~i) Emergency management procedures in the event of any emergency involving network utilities;~~
- ~~j) The process for providing as-built drawings showing the relationship of the relocated network utilities to the Southern Links network to network utility operators and the timing for providing these drawings; and~~
- ~~k) The methods to provide for the integrity of KiwiRail's assets and to avoid adverse effects on KiwiRail operations as a result of the Project.~~

15 Airport Aviation Infrastructure

~~15.1 During the design phase of the project the NZTA shall liaise with Waikato Regional Airport Ltd (or its successor) in relation to any part of the works within the designation where existing and/or future airport aviation infrastructure may be affected, and make reasonable and relevant changes requested by Waikato Regional Airport Ltd to the relevant design plans and construction methodologies to ensure that such aviation infrastructure is not adversely affected.~~

~~15.2 The final design of the project shall incorporate, but not be limited to, the following measures:~~

- ~~(i) Signage at appropriate locations adjacent to airport flight paths cautioning drivers about low flying aircraft~~
- ~~(ii) Location of the east-west state highway route as far to the north (within the designation) as practicable from the main airport runway

 - ~~e) Consideration of the extent of highway lighting with regards to airport approach paths. Where highway lighting is required within approach paths the highway lighting must be shielded to avoid the lighting creating a distraction to the pilots of aircraft on approach to runways at the airport. In this regard the NZTA shall liaise with the New Zealand Civil Aviation Authority (or its successor) at the time of detailed design to ensure relevant compliance standards for light shielding at the time are complied with.~~~~

~~15.3 Prior to any physical works commencing on the part of the Southern Links network that potentially affects airport aviation infrastructure, the NZTA shall obtain a letter from Waikato Regional Airport Ltd (or~~

~~its successor) that confirms that the works have been designed to the satisfaction of Waikato Regional Airport Ltd (or its successor).~~

~~The Reporting Team suggesting that the Requiring Authorities work with the Waikato Regional Airport Ltd to develop a condition for an Airport Operation Management Plan.~~

~~16~~ ~~Te Awa Cycleway~~

~~16.1 The shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway. 20.1 The Requiring Authority shall undertake best endeavours at the time of detailed design to retain the existence and health of the protected trees listed as T36.1 (Pin Oak), T36.3 (Pin Oak) and T36.4 (Pine) in the Hamilton City Proposed District Plan (Decisions Version – 2014).~~

~~18.14~~ Consultation with Waikato - Tainui

~~18.14.1~~ When required to consult with taangata whenua by the ~~e~~Conditions of this designation the ~~NZTA Requiring Authority~~ ~~NZ Transport Agency~~ shall, through its Chief Executive ~~Officer~~ or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working ~~Group~~ (~~Group~~) (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:

- a) Each hapu is represented by the recognised/appointed person or persons;
- b) Administration of liaison/coordination occurs in a timely manner;
- c) Any actions/direction or information from the ~~TWWG~~ ~~Group~~/representatives has a common voice for Iwi on all liaison/coordination matters.

~~21.14.2~~ The ~~TWWG~~ shall comprise of representatives of the following:

- a) Ngati Hauaa;
- b) Ngati Koroki Kahukura;
- c) Ngati Wairere;
- d) Ngati Maahanga;
- e) ~~NZTA Requiring Authority~~ ~~The NZ Transport Agency~~; and
- f) ~~Waipa/Waikato District Council~~ ~~Territorial Authority~~ ~~Hamilton City Council~~.

~~The Requiring Authorities may wish to consider the inclusion of the following condition or similar wording. This condition is based on a condition agreed to by the Transport Agency and the Reporting Team for the Hamilton Section of the Waikato Expressway.~~

~~18.3~~ ~~The Requiring Authority shall:~~

- a) ~~Within six months of confirmation of the designations, prepare in consultation with the TWWG a Waikato-Tainui Mitigation Plan (WTMP). The objective of the WTMP is to specify and record a range of reasonable and tangible mitigation measures to address the mitigation recommendations included in the Hamilton Southern Links Taangata Whenua Effects Assessment Report (TWEAR) dated January 2014.~~
- b) ~~No less than six weeks prior to the Requiring Authority providing the WTMP to the Territorial Authority, a draft version of the WTMP will be provided to the TWWG for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised WTMP detailing:~~
 - i. ~~Whether any feedback has been provided by the TWWG; and~~

- ~~ii. Where feedback has been provided, how it has been incorporated into the WTMP; and~~
- ~~iii. Where feedback has been provided but not been incorporated into the WTMP, the reasons why not.~~
- ~~e) Once the WTMP is finalised, submit a copy of the WTMP to the Territorial Authority for its information.~~
- ~~d) The Requiring Authority must implement the WTMP throughout the duration of the project.~~

15 Dust Management Plan

~~15.1 Prior to the commencement of construction, the Requiring Authority NZ Transport Agency shall prepare a Dust Management Plan (DMP). The Requiring Authority NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.~~

~~15.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority Hamilton City Council at least 40 working days prior to construction activities being undertaken for certification.~~

~~15.3 As a minimum the DMP shall include the following details:~~

- ~~a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;~~
- ~~b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;~~
- ~~c) Procedures for responding to process malfunctions and accidental dust discharges;~~
- ~~d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;~~
- ~~e) Continuous monitoring of meteorology;~~
- ~~f) Monitoring of construction vehicle maintenance;~~
- ~~g) Complaints investigation, monitoring and reporting;~~
- ~~h) The identification of staff and contractors' responsibilities; and~~
- ~~i) Appropriate DMP review procedures.~~

~~4 Should dust resulting from the enabling works and construction of the Project generate a complaint, the Requiring Authority shall within five working days of receipt of the complaint provide a written report to the Territorial Authority. The report shall specify:~~

- ~~a) The cause or likely cause of the event and any factors that influenced its severity;~~
- ~~b) The nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and~~
- ~~c) The steps to be taken in future to prevent recurrence of similar events.~~

16 Contaminated Soil Management Plan

~~16.1 Prior to the commencement of construction, the Requiring Authority NZ Transport Agency shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The Requiring Authority NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.~~

16.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the [Territorial Authority Hamilton City Council for certification](#) at least 40 working days prior to construction activities being undertaken [certification](#).

16.3 As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
- c) The soil validation testing that will be undertaken;
- d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
- e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
- f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i. Assist with identification of unknown contaminated material;
 - ii. Stop work or isolate the area once any such material is identified;
- g) The measures to be undertaken to:
 - i. Protect the health and safety of workers and the public;
 - ii. Control stormwater runoff and runoff;
 - iii. Remove or manage any contaminated soil;
 - iv. Remediate any required sites; and
- h) The measures to be undertaken to:
 - i. Identify any suspected asbestos;
 - ii. Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii. Handle any asbestos containing material.

16.4 ~~A Suitably Qualified and Experienced Practitioner shall supervise the implementation of The the measures required in eCondition 2016.3 above shall also include appointment of a Suitably Qualified and Experienced Practitioner to implement the actions identified in the CSMP.~~

16.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the [Territorial Authority Hamilton City Council](#) documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the [Requiring Authority NZ Transport Agency](#).

Advice note: *A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).*

17 Hazardous Substances Management Plan

17.1 Prior to the commencement of construction, the [Requiring Authority NZ Transport Agency](#) shall prepare a Hazardous Substances Management Plan (HSMP). The [Requiring Authority NZ Transport Agency](#) shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and

construction of the Project on human health and the environment which may result from the use of hazardous substances.

17.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the ~~Territorial Authority Hamilton City Council for certification~~ at least 40 working days prior to construction activities being undertaken ~~for certification~~.

17.3 As a minimum the ~~CSMP~~-HSMP shall include the following details:

- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
- b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
- c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
- ~~d) Confirmation that there shall be no storage of explosives on the Project site;~~
- ~~e)d) Procedures to notify and report to the ~~Territorial Authority Hamilton City Council~~ within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and~~
- ~~f)e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.~~

18 ROAD LIGHTING

Construction Lighting

18.1 The ~~requiring authority~~-NZ Transport Agency shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

18.2 Lighting shall be designed and screened ~~to minimise the amount of lighting overspill and illumination of existing residential buildings, and shall to~~ ensure that:

- a) All carriageway lighting is designed in accordance with "Road Lighting Standard AS/NZS1158"; and
- b) All other lighting is designed in accordance with the relevant rules of the ~~Operative Hamilton District City Plan~~.

19 Administration

19.1 The ~~NZ Transport Agency~~ shall pay to the ~~Waipa-Hamilton District City~~ Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

~~B Section 177 of the RMA~~

~~The NZTA is reminded of the requirements under section 177 of the RMA in respect of the Southern Links roading designation overlapping the North Island Main Trunk Railway Line designation and the Waikato Regional Airport Ltd designation.~~

CB Authority under the ~~Historic Places Act 1993~~ Heritage New Zealand Pouhere Taonga Act 2014

The NZTA ~~Requiring Authority~~ NZ Transport Agency will need to obtain an authority from the Heritage New Zealand Historic Places Trust to destroy, damage or modify any archaeological sites in accordance with the ~~Historic Places Act 1993~~ Heritage New Zealand Pouhere Taonga Act 2014.

DC Consultation and Liaison with Regional and Local Agencies

The ~~Requiring Authority~~ NZ Transport Agency should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

ED Taangata Whenua Contact Details

Contact details for the hapu listed ~~above~~ in Condition 14.2 can be obtained through the office of Waikato-Tainui.

**ANNEXURE E – NZTA 181 HAMILTON DESIGNATION CONDITIONS
(CLEAN)**

NZ Transport Agency

Conditions to apply to Alteration to Designation in Hamilton City (NZTA 181 Hamilton)

1 General Conditions

- 1.1 Except as modified by the Conditions below and subject to final design, the Project works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (NZ Transport Agency) in its Notice of Requirement (NoR) and the supporting documents, namely:
- a) *Southern Links: Notice of Requirement* by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - b) *Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information* (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013;
 - c) *Southern Links – Scheme Assessment Report Drawings 1000-8000 series*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
 - d) The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information; and
 - e) Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012;
 - f) Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014;
 - g) Southern Links Peacockes North/South Layout Plan and Long Section, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-3102 Revision C, updated 02/07/14; and
 - h) Southern Links Cobham Drive Layout Plan and Long Section, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-4101 Revision C, updated 02/07/14.
- 1.1A These conditions shall only apply to works in the altered designation in the vicinity of the Cobham Bridge identified on the following plans:
- a) Cobham Bridge Designation and Land Requirements, prepared by AECOM New Zealand Ltd and Opus, ref 60164546-C-20-4501, Revision C, dated 06/08/13;
 - b) Peacockes North/South Designation and Lane Requirements, prepared by AECOM New Zealand Ltd and Opus, ref 60164546-C-20-3501, Revision C, dated 06/08/13; and
 - c) Peacockes North/South Designation and Lane Requirements, prepared by AECOM New Zealand Ltd and Opus, ref 60164546-C-20-3502, Revision C, dated 06/08/13.
- 1.2 Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.
- 1.3 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of twenty (20) years after it is included in the Operative and Proposed Hamilton City District Plans.
- 1.4 Any reference in these Conditions to legislation or a Standard includes any later legislation or standard that amends or replaces it.
- 1.5 In these conditions:
- a) "The Project" shall mean The Southern Links Project **[insert definition]**; and
 - b) "Local road" shall mean a road that is not a State highway or private road.
- Management Plans General**
- 1.6 All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these Conditions.

- 1.7 The following Management Plans must be submitted to the Hamilton City Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:
- a) Construction Management Plan;
 - b) Construction Noise and Vibration Management Plan;
 - c) Communication and Consultation Plan;
 - d) Concept Landscape Management Plan;
 - e) Landscape Management Plan;
 - f) Heritage and Archaeological Site Management Plan;
 - g) Dust Management Plan;
 - h) Contaminated Soil Management Plan;
 - i) Hazardous Substances Management Plan; and
 - j) Traffic Management Plan.
- 1.8 The Hamilton City Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed, within 10 working days of receipt of the Management Plan by the Hamilton City Council.
- 1.9 If, within the time allowed in Condition 1.8, the Hamilton City Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.
- 1.10 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Hamilton City Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.
- 1.11
- a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Hamilton City Council to determine a process of resolution.
 - b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
 - c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Hamilton City Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note:** The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.*
- 1.12 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

2. Construction Management Plan

- 2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZ Transport Agency shall submit for certification a Construction Management Plan (CMP) to the Hamilton City Council Chief Executive or nominee. The objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP. For the avoidance of doubt, the NZ Transport Agency may prepare a CMP in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for

certification in accordance with this Condition prior to any construction activity commencing on a particular stage.

2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following:

- a) Details of the site or Project manager, including their contact details (phone, facsimile (if any), postal address, email address);
- aa) Details of the contact person required by Condition 8.1 including name, phone number, email and postal address;
- b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or Project manager and the contact person required by Conditions 1A.1 and 8.1;
- bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
- c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
- cc) Environmental incident and emergency management procedures;
- d) 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;
- dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation;
- e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
- f) Procedures for controlling sediment runoff;
- ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
- g) 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;
- h) 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;
- i) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;
- j) Means of ensuring the safety of the general public; and
- k) Procedures for receiving and responding to complaints.

2.3 Any changes proposed to the CMP shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Hamilton City Council's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

2A.1 Upon receiving a complaint during construction, the NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt;
- c) Respond to the complaint in accordance with any relevant Management Plan , which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures;

- 2A.2 A record of all complaints received shall be kept by the NZ Transport Agency. This record shall include:
- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
 - b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
 - c) Known construction activities at the time and in the vicinity of the concern or complaint;
 - d) Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;
 - e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.
- 2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every three months (or as otherwise agreed) to the Hamilton City Council Chief Executive or nominee.
- 2A.4 Where a complaint remains unresolved or a dispute arises, the Hamilton City Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Hamilton City Council Chief Executive or nominee must determine whether a review of the CMP or other relevant Management Plan is required to address this complaint. The Hamilton City Council Chief Executive or nominee shall advise the NZ Transport Agency of its recommendation within 10 working days of receiving the records of complaint.

3 Outline Plan

- 3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Hamilton City Council agrees that a Management Plan(s) listed in Condition 11.6 or relevant part(s) of the Management Plan(s) contains adequate details to satisfy section 176A of the RMA, then the Management Plan(s) or relevant part(s) of the Management Plan(s) 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 176A(2)(c) RMA.

NOISE AND VIBRATION

4. Operational Noise

- 4.1 For the purposes of Conditions 4.1-4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
 - b) Noise Assessment – means the Noise Assessment prepared in accordance with Condition 4.2.
 - c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
 - d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.2 a) The NZ Transport Agency shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Hamilton City Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the NZ Transport Agency shall submit to the Council Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment

process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The NZ Transport Agency shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.

- b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified (29 January 2014).
- 4.3 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to Condition 4.4, shall include, as a minimum, the following:
- a) Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.4 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:
- a) If the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Hamilton City Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - b) If changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.5 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.6 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.7
- a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the NZ Transport Agency shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
 - b) If the owner(s) of the Category C Building approves the NZ Transport Agency's access to the property within 12 months of the date of the NZ Transport Agency's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the NZ Transport Agency shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 4.8 Where a Category C Building is identified, the NZ Transport Agency shall be deemed to have complied with Condition 4.7 above where:
- a) The NZ Transport Agency (through its acoustics specialist) has visited the building; or
 - b) The owner of the Category C Building approved the NZ Transport Agency's access, but the NZ Transport Agency could not gain entry for some reason (such as entry denied by a tenant); or
 - c) The owner of the Category C Building did not approve the NZ Transport Agency's access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the NZ Transport Agency's letter (sent pursuant to Condition 4.7(a) within that period)); or

- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Category C Building, the NZ Transport Agency shall not be required to implement any Building-Modification Mitigation at that Category C Building.

- 4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the NZ Transport Agency shall give written notice to the owner of each Category C Building:
 - a) Advising of the options available for Building-Modification Mitigation to the building; and
 - b) Advising that the owner has three months within which to decide whether to accept Building Modification Mitigation for the building, and if the NZ Transport Agency has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.
- 4.10 Once an agreement on Building-Modification Mitigation is reached between the NZ Transport Agency and the owner of an affected building, the mitigation shall be implemented (including the NZ Transport Agency obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the NZ Transport Agency and the owner.
- 4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the NZ Transport Agency shall be deemed to have complied with Condition 4.10 above where:
 - a) The NZ Transport Agency has completed Building-Modification Mitigation to the Category C Building; or
 - b) The owner of the Category C Building did not accept the NZ Transport Agency's offer to implement Building- Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the NZ Transport Agency within that period); or
 - c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The NZ Transport Agency shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.

5 Construction Noise and Vibration

Construction Noise and Vibration Management Plan

- 5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit no later than 40 working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Hamilton City Council for certification by the Hamilton City Council's Chief Executive Officer or nominee.
- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.

5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Occupied PPFs (as defined in NZS 6806.2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

5.4 The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	At all times	2.0 mm/s ppv	10.0 mm/s ppv	

Receiver	Details	Category A	Category B	Location
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table B: Construction Vibration Criteria

- 5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall address the following aspects with regard to managing the adverse effects of construction noise and vibration:
- a) Identification of affected dwellings and other sensitive locations where vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;
 - b) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;
 - c) Mitigation options, including alternative strategies where full compliance with the noise criteria in Table A above and/or the vibration criteria in Table B above cannot practicably be achieved;
 - d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works.
- 5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the Hamilton City Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

Advice Note: *It is accepted that the noise and vibration limits in Conditions 5.3 and 5.4 may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 A Traffic Management Plan (*TMP*) shall be prepared in accordance with the NZ Transport Agency *Code of Practice for Temporary Traffic Management* and in consultation with the Chief Executive or nominee, Hamilton City Council. The *TMP* shall be submitted to the Hamilton City Council Chief Executive or nominee, for certification that the *TMP* satisfies this Condition no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The *TMP* shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the *TMP* shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent

practicable.

- b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance of all access points to the Project site, and all key State highway and arterial local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State highway network.
 - h) Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (*Bulk HCVs*)
 - i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.
 - j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.
 - k) Measures to ensure that any staging of construction works will adequately avoid, remedy or mitigate traffic-related adverse effects.
- 6.3 When requesting certification of the TMP, the NZ Transport Agency shall provide the Hamilton City Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(j), any effects on that Territorial Authority's road network and measures to address such effects.

7 General Construction Traffic

- 7.1 The NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
- a) On Sundays; or
 - b) On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

8 Construction Communication and Consultation

Contact Person

- 8.1 The NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.

Communication and Consultation Plan

- 8.2 The NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Project.

- 8.3 This Plan shall be submitted to Hamilton City Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.
- 8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Project.
- 8.5 The Communication and Consultation Plan shall as a minimum include:
- a) A communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising), and any other relevant communication matters;
 - b) The Communication and Consultation and Property Liaison Manager for the Project, including their contact details (phone, email and postal address);
 - c) How stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;
 - d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;
 - e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;
 - f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works;
- 8.6 The Communication and Consultation Plan will be made publicly available (once certified) on the NZ Transport Agency's website.

Advice Note: *The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.*

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

- 9.1 No later than twenty (20) working days prior to the commencement of any stage of construction (excluding site investigations), the NZ Transport Agency shall submit a Concept Landscape Management Plan (CLMP), to Hamilton City Council Chief Executive or nominee for certification.
- 9.1A The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses. The CLMP shall include:
- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers;
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces;
 - d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.

9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.

9.2A The CLMP shall be prepared in accordance with:

- a) The NZ Transport Agency's 'P39 Standard Specification for Highway Landscape Treatments' (2013); and
- b) 'Bridging the Gap', NZTA Urban Design Guidelines (2013).

Landscape Management Plan

9.3 The NZ Transport Agency shall develop the certified CLMP into a Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the NZ Transport Agency shall submit for certification the LMP, to the Hamilton City Council Chief Executive or nominee.

9.3A The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of the Project, or a particular stage of works.

9.4 The LMP(s) shall be prepared in consultation with the Hamilton City Council by a suitably qualified and experienced landscape architect and shall include at least the following:

- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
- b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation planting to be undertaken;
- c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
- d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
- e) The outcomes of consultation with the Hamilton City Council regarding landscape proposals along local roads;
- f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
- g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
- h) Measures to integrate cut and fill batters with the existing topography;
- i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
- j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
- k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
- l) A planting specification, including planting and mulching techniques;
- m) Planting maintenance requirements over a five year period following planting and reinstatement of road verges and gullies;
- n) An implementation programme for all remedial and mitigation measures;
- o) Post-construction monitoring measures;
- p) Site specific planting and screening measures developed in consultation with affected property owners;

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Maintenance and Monitoring of Landscape Management Plan(s)

- 11.1 The NZ Transport Agency shall undertake an inspection at one year and again at ~~two~~ five years after the implementation of the LMP(s) in accordance with Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to Hamilton City Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ARCHAEOLOGY

12 Archaeology

- 12.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)
- 12.2 Prior to the commencement of construction the NZ Transport Agency shall provide to the Hamilton City Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.
- 12.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist under the direction of the NZ Transport Agency and then submitted for certification to the Hamilton City Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.
- 12.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:
- a) Measures that will be taken to protect or avoid archaeological sites (or insitu archaeological remains) from damage during construction;
 - b) Mitigation measures in the form of archaeological investigation and recording, which shall include

but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;

- c) Areas where monitoring of construction works by an archaeologist will be required;
- d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
- e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
- f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
- g) Provision for any revisions required to the HASMP during the course of the Project; and
- h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.

12.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Hamilton City Chief Executive or nominee. The Policy shall describe the on-going management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.

NETWORK UTILITY INFRASTRUCTURE

13 Network Infrastructure Generally

13.1 The NZ Transport Agency 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 to ensure:

- a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and
- b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.

13.2 During the design phase of the Project the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:

- a) Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and
- b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.

13.3 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the NZ Transport Agency shall, subject to reasonable planned interruption, either:

- a) Protect the utility from any activity which may interfere with the proper functioning of the services; or
- b) seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or
- c) seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

14 Consultation with Waikato - Tainui

- 14.1 When required to consult with taangata whenua by the Conditions of this designation the NZ Transport Agency shall, through its Chief Executive or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:
- a) Each hapu is represented by the recognised/appointed person or persons;
 - b) Administration of liaison/coordination occurs in a timely manner;
 - c) Any actions/direction or information from the TWWG representatives has a common voice for Iwi on all liaison/coordination matters.
- 14.2 The TWWG shall comprise of representatives of the following:
- a) Ngati Hauaa;
 - b) Ngati Koroki Kahukura;
 - c) Ngati Wairere;
 - d) Ngati Maahanga;
 - e) The NZ Transport Agency; and
 - f) Hamilton City Council.

15 Dust Management Plan

- 15.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Dust Management Plan (DMP). The NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.
- 15.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Hamilton City Council at least 40 working days prior to construction activities being undertaken for certification.
- 15.3 As a minimum the DMP shall include the following details:
- a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;
 - b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
 - c) Procedures for responding to process malfunctions and accidental dust discharges;
 - d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
 - e) Continuous monitoring of meteorology;
 - f) Monitoring of construction vehicle maintenance;
 - g) Complaints investigation, monitoring and reporting;
 - h) The identification of staff and contractors' responsibilities; and
 - i) Appropriate DMP review procedures.

16 Contaminated Soil Management Plan

- 16.1 Prior to the commencement of construction, the NZ Transport Agency shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during

the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

- 16.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the Hamilton City Council for certification at least 40 working days prior to construction activities being undertaken.
- 16.3 As a minimum the CSMP shall include the following details:
- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
 - b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
 - c) The soil validation testing that will be undertaken;
 - d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
 - e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
 - f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i. Assist with identification of unknown contaminated material;
 - ii. Stop work or isolate the area once any such material is identified;
 - g) The measures to be undertaken to:
 - i. Protect the health and safety of workers and the public;
 - ii. Control stormwater runoff and runoff;
 - iii. Remove or manage any contaminated soil;
 - iv. Remediate any required sites; and
 - h) The measures to be undertaken to:
 - i. Identify any suspected asbestos;
 - ii. Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii. Handle any asbestos containing material.
- 16.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of the measures required in Condition 16.3 above.

- 16.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Hamilton City Council documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the NZ Transport Agency.

Advice note: *A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).*

17 Hazardous Substances Management Plan

- 17.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Hazardous Substances Management Plan (HSMP). The NZ Transport Agency shall adhere to the relevant

requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.

17.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Hamilton City Council for certification at least 40 working days prior to construction activities being undertaken.

17.3 As a minimum the HSMP shall include the following details:

- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
- b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
- c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
- d) Procedures to notify and report to the Hamilton City Council within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and
- e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.

18 ROAD LIGHTING

Construction Lighting

18.1 The NZ Transport Agency shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

18.2 Lighting shall be designed and screened to ensure that:

- a) All carriageway lighting is designed in accordance with "Road Lighting Standard AS/NZS1158"; and
- b) All other lighting is designed in accordance with the relevant rules of the Operative Hamilton City District Plan.

19 Administration

19.1 The NZ Transport Agency shall pay to the Hamilton City Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Authority under the Heritage New Zealand Pouhere Taonga Act 2014

The NZ Transport Agency will need to obtain an authority from the Heritage New Zealand to destroy, damage or modify any archaeological sites in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

C Consultation and Liaison with Regional and Local Agencies

The NZ Transport Agency should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and

Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

D Taangata Whenua Contact Details

Contact details for the hapu listed in Condition 14.2 can be obtained through the office of Waikato-Tainui.

**ANNEXURE F – SECTION 42A REPORT, TABLE 28.1
REQUIRING AUTHORITIES' RESPONSE**

ANNEXURE F

S42A REPORT, TABLE 28-1¹: SUMMARY OF OUTSTANDING MATTERS AND REQUIRING AUTHORITIES' RESPONSE

This Annexure contains Table 28-1 from the s42A Report. It adds a new column which summarises where the response from the Requiring Authority can be found.

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
Whether the Chinaman's Hill designation should be considered as part of the future environment when considering the effects of the Southern Links project (Section 8.2).	The future status of the Chinaman's Hill designation and whether it is likely to be uplifted if the Southern Links designations were to be confirmed.	<p>The NZ Transport Agency proposes to uplift the majority of the Chinaman's Hill designation if the Southern Links designations were to be confirmed. However, parts of the Chinaman's Hill designation will be retained for future road safety works expected to be needed within the next 10 years, as explained in more detail in Barry Dowsett's EIC, paras [63]-[68] and [78]-[80].</p> <p>The Transport Agency proposes that a new condition (along the following lines) be added to NZTA Waipa 168 designation to confirm what will be uplifted and by when:</p> <p style="padding-left: 40px;">"Within 12 months of the Southern Links designation being confirmed, the NZ Transport Agency shall, pursuant to section 182(1) of the RMA, give notice of those parts of the Chinaman's Hill Designation that will be uplifted."</p> <p>The Transport Agency clarifies that the Chinaman's Hill designation should not be considered as part of the future environment when considering the effects of the Southern Links project. See Grant Eccles rebuttal (planning) evidence, para [118].</p>
Operational noise (Section 10.5.1)	(a) The change in noise level that could be expected at the receivers and submitters once the Southern Links is operational. ²	(a) For much of the Project area, noise level changes once the Project is operational will range from a 2 to 5 dB $L_{Aeq(24h)}$ increase. For the quieter areas, there may be a

¹ Hamilton Southern Links NoRs Section 42A Report dated 30 May 2014, prepared by MWH. Table 28-1 in Section 28, pages 157-162.

² Sub-paragraphs used (to replace the Reports' bullet points) in order to cross-refer more easily to sub-paragraphs in Requiring Authorities' Response.

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<p>(b) Matters identified in Section 10.5.3. [Therein further comment was requested on:</p> <ul style="list-style-type: none"> (a) <i>Each noise receiver location or I.D.;</i> (b) <i>Classification of receiver e.g. residential, education facility, health facility, business/industrial, etc.;</i> (c) <i>Predicted "do-nothing" and existing ambient noise level;</i> (d) <i>Selected mitigation, or stipulate "do-minimum";</i> (e) <i>Predicted noise level with either the selected mitigation (if applicable) or "do-minimum";</i> (f) <i>A comparison of the predicted "do nothing" noise level against the predicted noise level with either the selected mitigation or "do minimum" e.g. 2, 0, -3 etc.]</i> 	<p>noise level increase of 10dB $L_{Aeq(24h)}$. Vince Dravitzki EIC, paras [219]-[225]. Further detail on noise level changes for specific submitters is provided in the section of Mr Dravitzki's evidence "Comments on submissions", paras [106]-[215].</p> <p>(b) With respect to the list of matters identified in Section 10.5.3, the Requiring Authorities consider that the noise contour diagrams in the Noise Assessment provide adequate information to determine predicted noise levels for the purposes of this designation process. It is not appropriate to provide the level of detail sought by Mr Vossart until the future noise assessment is undertaken (as required by proposed condition 4.2). Refer Vince Dravitzki EIC, paras [238]-[243]; Stephen Chiles EIC, paras [41]-[42].</p>
Operational vibration (Section 10.5.2)	Development of a specific condition to ensure an appropriate road surface is adopted for the Project.	<p>The Requiring Authorities do not agree that a specific condition regarding the road surface for the Project is appropriate or necessary. Mr Vossart agrees that a specific designation condition is not necessary (page 5 of Mr Vossart's Noise and Vibration Review).</p> <p>The HCC NOR states than an asphalt surface will be used on the arterial carriageway for that section of the Project (Section 8.3 of the AEE).</p> <p>In their role as road controlling authorities, the Requiring Authorities have comprehensive road surface monitoring and maintenance processes already in place to ensure a smooth road surface, thereby avoiding adverse operational vibration effects of the Project. Peter Cenek EIC, paras [64], [104]-[106]; Stephen Chiles EIC, paras [28]-[30], para [43].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
<p>Traffic and transport effects of staged implementation (Section 11.6.1).</p>	<p>(a) The proposed staging of construction of the Project.</p> <p>(b) Whether there are any potential adverse effects associated with any proposed staging of construction.</p> <p>(c) How any potential adverse effects of the proposed staging will be adequately avoided, remedied or mitigated.</p>	<p>(a) Staging will be based on the principle of connecting key nodes on strategic network and on creating a connected strategic network. HCC will take into account the delivery of the Peacocke Structure Plan: Shaun Lion Cachet EIC, paras [163]-[178].</p> <p>(b) Most effects of staging are expected to be positive. Any localised adverse effects at the interface of a new stage and the existing network will be minor. Shaun Lion Cachet EIC, paras [172]-[173]; Tony Denton, paras [63]-[67]; Barry Dowsett, [80]-[83].</p> <p>(c) Potential effects of staging can be considered and taken into account both at detailed design stage and during construction under the Traffic Management Plan. Shaun Lion Cachet EIC, paras [173]-[178].</p> <p>The Requiring Authorities propose that their condition be clarified by including a new provision in condition 6.2 requiring the TMP to also describe:</p> <p style="padding-left: 40px;">"Measures to ensure that any staging of construction works will appropriately avoid, remedy or mitigate traffic-related adverse effects".</p>
<p>Construction traffic effects (Section 11.6.3).</p>	<p>Scale of potential construction traffic effects and how the proposed mitigation will adequately avoid, remedy or mitigate those potential effects.</p>	<p>Potential effects of construction traffic on the network is considered to be minimal and within the realm of being safely and efficiently managed under a typical Traffic Management Plan. Shaun Lion-Cachet EIC, paras [179]-[183].</p> <p>Proposed condition 6 requires a construction Traffic Management Plan (<i>TMP</i>).</p> <p>Proposed condition 8 requires a construction Communication and Construction Plan.</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
Effects on property access and connectivity (Section 11.6.4).	The effects of the Project on access including walking and cycling (e.g. a reduction in level of service) and connectivity (e.g. property and community severance), and how the effects are proposed to be avoided, remedied or mitigated.	<p>During the design stage of the Project, consideration was given to ensure that property access and connectivity was appropriately achieved. Dave van Staden EIC, paras [72]-[75], [77]-[78], [80], [84], [91]-[92].</p> <p>Effects on property access and connectivity – proposed condition 6.2 a).</p> <p>In response to submissions, proposed condition 18 (NZTA 168 Waipa) requires the Transport Agency to consider providing underpasses in two specific locations when preparing the final design of the Project.</p>
Road design standards (Section 11.6.5).	<p>(a) The extent to which the Project meets acceptable or best practice design standards and clarification of the road design standards to be adopted.</p> <p>(b) Inclusion of appropriate design standards as conditions.</p>	<p>(a) Various design standards will be complied with. These are set out in Annexure A of David van Staden's EIC. See also Dave van Staden's EIC, paras [94]-[97].</p> <p>(b) Such a condition is not necessary or proposed by the Requiring Authorities. The Preliminary Design Philosophy Statement (PDS) provides the starting point for following design phases. It is common for the PDS to be reviewed at the start of a design phase based on design standards and best practice current at the time of design. Any changes or updates are then discussed and agreed moving forward. A designation condition should not be set around the standards. Formal independent audit procedures will ensure that current standards and best practice are applied. See Dave van Staden rebuttal, para [22].</p>
Severance of local roads and communities (Section 11.7.5).	The nature and demand of local community movements (all modes) in and across the areas potentially affected by severance of the local road network, and how any potential adverse effects are proposed to be appropriately avoided, remedied or mitigated.	Access to the local road network will be largely retained (except for severances of Narrows Road and Middle Road). The effect of severance in the Tamahere community will in part be mitigated by landscaping mitigation. Linda Chamberlain EIC, paras [31.5] and [32.5]; Grant Eccles planning EIC, para [107]; Shaun Lion-Cachet EIC, paras [33]-[42].

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
<p>Tamahere Interchange (Section 11.8.2)</p>	<p>(a) Whether it is intended for the Tamahere interchange ramps to remain open or to be closed.</p> <p>(b) If the interchange ramps are to be closed, how adverse effects on affected parties will be avoided, remedied or mitigated.</p> <p>(c) If it is not proposed to close the interchange ramps, what effects are anticipated and how will any associated potential adverse effects be appropriately avoided, remedied or mitigated.</p>	<p>(a) Closure of the Tamahere interchange ramps is not sought as part of this Project. Any closure would need to be determined in the future via a publicly notified alteration to designation process under the Resource Management Act 1991, which would involve the public and Waikato and Waipa District Councils. Barry Dowsett EIC, paras [72]-[75], paras [84]-[85]. See proposed Advice Note F.</p> <p>(b) The effects of removing the ramps are discussed in Shaun Lion-Cachet's EIC, paras [70]-[74] and [79]-[85]; and Grant Eccles consultation and alternatives EIC, para [101].</p> <p>(c) The effect of not closing the ramps is discussed in the EIC of Dave van Staden EIC, paras [69]-[71].</p> <p>This issue is further addressed in the rebuttal evidence of Barry Dowsett, para [69] and Shaun Lion-Cachet, paras [7] to [12] and Annexure A.</p>
<p>Pedestrian and cyclist facilities at Cobham Bridge (Section 11.10.2)</p>	<p>(a) Nature of connectivity that is intended at this junction and on either side of the bridge.</p> <p>(b) Inclusion of specific condition to provide for the retention of the current grade separated connections in this location.</p>	<p>(a) The intention of the design is to retain the grade separated paths beneath the Cobham Bridge. Dave van Staden EIC, paras [98]-[99] and Annexure B.</p> <p>(b) The Transport Agency acknowledges that this had been raised in the original HCC submission and a response to it had been missed. The HCC evidence (Mr Ryan at paras 18-22) suggested either new condition wording or to update the relevant drawing/s to address the issue. This matter is now addressed in the rebuttal evidence of David van Staden, paras [9] to [11] and Annexures A and B, and relevant plans are now referred to in Condition 1.1 of the HCC s168A NOR.</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
Scheduled trees (Section 12.6)	The current value and health of the scheduled trees (T36.1 English Oak, T36.2 Pin Oak and T36.3 Pin Oak)) by way of an arborist report, to enable further assessment of their removal to be undertaken.	<p>An arborist report has been prepared by John Wakeling (dated 5 June 2014) and is appended to Adrian Morton's EIC as Annexure C. That report notes that tree T36.2 has been removed. Mr Wakeling concludes that the remaining three trees are healthy and the Project may have a significant effect on their viability.</p> <p>To mitigate these potential effects, proposed condition 17 (HCC s168A designation) requires HCC to undertake best endeavours at the time of detailed design to retain the existence and health of protected trees (T36.1, T36.3, and T36.4). If removal is required, this will be mitigated by the extensive landscape mitigation planting. See Adrian Morton EIC, para [199].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
Archaeology (Section 13.5.1)	<p>(a) An expanded assessment of the affected archaeological sites against the assessment criteria for heritage in the PWRPS.</p> <p>(b) An assessment of all relevant pre-1900 buildings³ by a suitably qualified built heritage expert and a subsequent assessment of the effects of the project on the properties, noting the potential for archaeological items to be present at the sites of these buildings.</p> <p>(c) Correcting any inaccurate data outlined within the Archaeological Assessment.</p> <p>(d) Clarifying what archaeological sites were updated and on what specific database.</p> <p>(e) Further information and assessment to confirm the following sites, which appear to be within or immediately adjacent to the proposed designation, are not affected by project:</p>	<p>(a) The assessment is provided at paras [86], [48]-[56] and Annexure C of Nick Cable's EIC.</p> <p>(b) A built heritage assessment of the Glenhope Homestead has been prepared by Ian Bowman, and was lodged as voluntary further information on 3 June 2014. This built heritage assessment is summarised in the Ian Bowman EIC. Mr Bowman concludes that the effects of relocation of the Glenhope Homestead can be adequately mitigated by the proposed conditions. Ian Bowman EIC, para [46]. The farm building located on the former Brookfield farm on Raynes Road is not a recognised heritage building and merits consideration only as a pre-1900 archaeological site. Therefore, a built heritage assessment of the farm building is unnecessary. The building is assessed as being of low significance in the Archaeological Assessment. Nick Cable EIC, para [84]; Ian Bowman EIC, para [44].</p> <p>(c) The inaccurate data is corrected at paras [87]-[88] of Nick Cable's EIC.</p> <p>(d) Information on what archaeological sites were updated and on what databases is found at paras [68]-[74] and [89] of Nick Cable's EIC.</p> <p>(e) The further information requested on which sites are affected by the Project is contained in paras [90]-[93] of Nick Cable's EIC.</p>

³ Namely the Glenhope Homestead and its associated buildings and the Brookfield farm building.

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<ul style="list-style-type: none"> • S14/260, S14/261, S14/291, S14/302, S14/320, S14/326, S14/327 <p>(f) Further information and assessment on the values of the individual horticultural sites (garden soils) to be affected by the project where this has not already been done.</p> <p>(g) Further information and assessment from a suitably qualified expert on these pre-1900 buildings affected by the proposed designations.</p>	<p>(f) The further information requested on the horticultural sites is found at paras [68]-[74] and [92]-[93] of Nick Cable's EIC.</p> <p>(g) The further information requested is addressed at paras [54]-[55] and [94] of Nick Cable's EIC.</p> <p>Condition 13 requires a Heritage and Archaeological Site Management Plan.</p>
Ecology Assessment TWWG comments (Section 14.5)	How the matters raised in the TWEAR regarding the Ecological Assessment ⁴ are to be addressed.	This is addressed in Attachment 1 attached.
Ecology (Section 14.6.1)	<p>(a) Site specific botanical and fauna information of all potentially affected ecological features, including photos and detailed maps of key habitats within each affected site.</p> <p>(b) Quantification of the spatial extent of areas of habitat and vegetation types within the Project footprint, and how they relate to habitats and vegetation within the wider ecological district and threatened environments context. For example, detailed mapping of the river crossing east of the Hamilton Gardens. This would be helpful in determining whether effects on this SNA can be avoided, or otherwise the extent of mitigation that would be required.</p>	<p>(a) Detailed assessment of stream habitats will be provided as part of the consenting process. The information requested is at para [135] and Annexure 2 of John Turner's EIC.</p> <p>(b) The information requested is provided at paras [136]-[138] and Annexure 2 of John Turner's EIC.</p>

⁴ NoR AEE Appendix L.

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<p>(c) Identification of any areas of wetland vegetation which may lie in the gully floors along the line of the designation.</p> <p>(d) Analysis of the ecological value of potentially lost habitat, including ecologically significant habitat for at risk or threatened fauna, against what is remaining with the relevant ecological district and national threatened environment category.</p> <p>(e) A more detailed description of the local avifauna is required in order to clarify potential impacts. For example, information on whether shags or other species have roost sites along the river which may be affected by construction of the crossings.</p> <p>(f) The Ecological Assessment does not provide a detailed site by site assessment of ecological significance in terms of each of the eleven criteria of Appendix Three in the Operative and/or Proposed Regional Policy Statement, thus it is difficult to determine why a feature is, or is not, ecologically significant in the analysis provided in section 4 of the Assessment.</p> <p>(g) It is unclear if any legally protected land (for example, reserves either held by the Crown or Council or privately protected by covenant) would be affected by the Project.</p>	<p>(c) The information requested is provided at para [139] and Annexure 2 of John Turner's EIC.</p> <p>(d) The information requested is provided at paras [26]-[43], [73]-[83], [96]-[100] and [140]-[141] and Annexures 1 and 2 of John Turner's EIC.</p> <p>(e) Common introduced and native bird species were observed in the habitat impacted by the Project footprint. No shag nesting or roosting sites were found. See John Turner EIC, para [141] and Annexure 2.</p> <p>(f) Site-specific surveys have assessed the ecological significance of each site against the relevant criteria of the Proposed RPS. See John Turner EIC, para [142] and Annexure 2.</p> <p>(g) See Grant Eccles (planning) rebuttal evidence, paras [119] to [122]..</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<p>(h) A significant amount of further information is required in order to assess the potential effects on long-tailed bats, especially in consideration of the cumulative effects of other roading projects underway in the region (e.g. Huntly bypass, Ngaruawahia Expressway, Cambridge bypass, Hamilton Expressway) and other infrastructure developments.</p> <p>(i) Further detail, based on sound scientific evidence, on how potential effects on key behavioural and habitat requirements of bats will be appropriately avoided, remedied, mitigated and monitored for is also required.</p>	<p>(h) There are uncertainties concerning effects on long-tailed bats and the effectiveness of mitigation. Avoidance of known or likely bat habitat was a key consideration during the design of the Project. See John Turner EIC, paras [66]-[70], [84]-[95], [101]-[106], [109], and [143] and Annexure 1.</p> <p>(i) See above, response.</p> <p>HCC's proposed condition 12 requires the development of an Ecological Monitoring and Management Plan (EMMR). The NZTA's proposed Condition 12 requires the development of an Ecological Management and Restoration Plan (EMRP).</p> <p>Both provide for development of measures to avoid, remedy and mitigate effects on long-tailed bats.</p> <p>The difference in the conditions reflects the fact that habitat loss from gullies, the riparian margins of the Waikato River and stands of mature trees will be less within the NZ Transport Agency designation. Importantly, the NZ Transport Agency designation is further away from the critical bat habitat within the City boundary and will not be accompanied by infill development which is likely to further compound effects on long-tailed bats.</p> <p>See John Turner EIC, paras [23] and [106].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
<p>Drainage and flooding (Section 18.6)</p>	<p>(a) In terms of stormwater, flooding and drainage, what effects should be addressed through the NoR process and what effects can be confidently deferred to regional resource consent processes.</p> <p>(b) The potential flooding effects associated with the Project on affected properties and associated land uses.</p> <p>(c) Whether the treatment devices proposed for the Peacocke Structure Plan area are sized to accommodate the Peacocke Structure Plan area and not just the road corridor.</p> <p>(d) Whether the treatment devices proposed for the Peacocke Structure Plan area incorporate the requirements in the Peacocke Structure Plan for Low Impact or Water Sensitive Design.</p> <p>(e) The impacts of the proposed designations on existing flood protection schemes and how these effects are to be adequately avoided, remedied or mitigated.</p>	<p>(a) See AEE section 3.4.3, page 18. Also see Grant Eccles EIC paras [114 -121] under heading "What is addressed at the resource consent stage in future?"</p> <p>It is practical and necessary to defer these aspects to the future consent process so that a holistic assessment can be carried out. See Chris Hardy EIC, paras [66] and [81.4].</p> <p>(b) These effects will be identified as part of future consenting processes. See Chris Hardy EIC, paras [66]-[68] and [81.1].</p> <p>(c) Yes. The proposed wetland treatment within Hamilton City include an allowance for upstream development. Other aspects of the treatment train will have to be combined with the road system. See Chris Hardy EIC, para [81.2].</p> <p>(d) Yes. The proposed wetland treatment within Hamilton City includes an allowance for upstream development. See Chris Hardy EIC, paras [70] and [81.2].</p> <p>(e) Impacts on existing flood protection schemes will be addressed as part of future consenting processes. See Chris Hardy EIC, paras [80] and [81.3].</p> <p>See also Chris Hardy rebuttal, para [26].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
<p>Glare and Light Spill (Section 19.5)</p>	<p>Lighting effects including those from vehicles and road lighting, confirmation as to whether any construction lighting is required and proposed measures to address these effects.</p>	<p>The measures to address lighting effects are proposed conditions 24.1 (construction lighting) and 24.2 (operational lighting) (e.g. NZTA 168 Waipa). Any road lighting required is capable of directing the light to minimise light spill. See Adrian Morton EIC, paras [114], [116] and [169].</p> <p>Construction lighting effects with regard to airport aviation activities are addressed via Condition 15.2(vii).</p> <p>Generally, hours of construction will apply. Where night time construction is required for critical elements (such as large concrete pours at bridges or other structures, or connections or tie ins on busy roads), temporary night lighting may need to be installed. Any potential effects will be managed via the CMP process and Condition 25.1. See Dave van Staten rebuttal, paras [18] to [21]..</p>
<p>Airport Operation (Section 20.7)</p>	<p>(a) Storm water design and location to ensure avoidance of standing water ponds that might attract birds which create a hazard to aviation close to the airport and any conditions proposed to address this matter.</p> <p>(b) Information on any requirements for centreline lighting and how this would affect the highway design.</p>	<p>(a) No further information regarding stormwater pond design can be provided at this stage of the Project. However, proposed condition 15.2(v) requires the final design of the Project to incorporate measures to avoid stormwater ponds in the airport locality that could attract birds. See Dave Park EIC, paras [56]–[58].</p> <p>(b) The last two sentences of page 15 of the Aviation Impact Assessment (Appendix M to the AEE) provide detail regarding the requirements for centreline lighting. In addition, Dave Park's EIC, paras [61]–[62] provides more information regarding the positioning of a centreline light above the highway on a gantry if the lights cannot be located on either side of the State highway. Proposed conditions 15.1 and 15.3 will enable this matter to be further considered at the detailed design stage of the Project.</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<p>(c) Potential construction effects and proposed mitigation measures.</p> <p>(d) Comment on any compliance issues associated with the Transport Agency's proposed designation condition 15.3 and whether similar conditions have been imposed on other designations.</p> <p>(e) The need to include a condition requiring the development of an Airport Operation Management Plan in consultation with the WRAL to ensure any adverse effects on the airport from the construction and operation of the Southern Links network in the vicinity of the airport are appropriately avoided, remedied or mitigated.</p>	<p>(c) Potential construction effects will be avoided or mitigated by proposed conditions 15.1 and 15.2(vii), which require the Construction Management Plan to specifically address adverse effects on aviation safety. See Dave Park EIC, paras [59] and [70].</p> <p>(d) Proposed condition 15.3 requires that the Transport Agency obtains a letter from WRAL confirming the works have been designed to its satisfaction before physical works can commence in areas that may affect aviation infrastructure. This condition is considered to be valid because it is framed as a condition precedent; it stipulates that physical works on part of the network cannot proceed until an event has occurred, i.e. the letter confirming WRAL's approval of the design. The High Court has held that such a condition is legally valid, even though it involves the action of a third party. A similar example can be found in condition 5 of WRAL's own designation for the Southern High Intensity Approach Lights (DN66), which requires a letter from the Transport Agency confirming its approval to the design before physical works can commence. .</p> <p>(d) The Transport Agency and Mr Park do not consider that a condition requiring an Airport Operation Management Plan is necessary, as the issues that such a Plan would address are now adequately covered by the proposed conditions (see conditions 15.1, 15.2 and 15.3). See Dave Park EIC, paras [65]-[68] and Grant Eccles EIC, paras [258-259]. WRAL's planning advisor, Mr John Olliver, also does not consider such a Management Plan to be necessary. See John Olliver evidence, para [3.6].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
Network Utilities (Section 21.5)	The appropriateness of including conditions relating the management of network utilities prior to the commencement of constructing. Such conditions could relate to identifying activities that can be undertaken by network utility operators without the need to obtain the written approval of the Requiring Authorities under section 176(1)(b) of the RMA.	<p>Conditions to manage potential effects on network utilities are appropriate. Proposed condition 14 requires the Requiring Authorities to liaise with network utility operators before and during construction.</p> <p>Potential effects on network utilities are minor, as discussed in Grant Eccles planning EIC, paras [138]-[141].</p> <p>Engagement and liaison between the Transport Agency and network utility operators is discussed in Barry Dowsett's EIC, paras [86]-[89].</p> <p>The Requiring Authorities do not propose to include a condition "identifying activities" that could be undertaken without the RA's written approval under s176(1)(b) because it is not necessary, it is unreasonable (to endeavour to list all such activities) and it would not allow for future innovations in work practices or requirements.</p>
Tāngata whenua (Section 22.5)	How the mitigation recommendations set out in Section 27 of the TWEAR are to be addressed and what additional conditions are to be proposed in terms of the mitigation recommendations that are relevant to the designations.	<p>Mr Eccles sets out how the mitigation recommendations from the TWEAR have been addressed in Attachment 1.</p> <p>No additional conditions are proposed, and the Requiring Authorities do not agree with the s42A authors that a condition requiring a Waikato-Tainui Management Plan is necessary. The Southern Links Tangata Whenua Working Group approved the conditions originally proposed by the Requiring Authorities and agreements have been made regarding ongoing consultation, Grant Eccles planning EIC, paras [310]-[312]. See also proposed Condition 21 regarding consultation with tangata whenua.</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
<p>Social Impact Assessment (Section 23.6)</p>	<p>(a) Update the Social Impact Assessment⁵ (SIA) to take into account the 2013 census data and provide comment on any relevant changes to the findings of the SIA in light of this new information.</p> <p>(b) Further information in support of the statement in the SIA that says that most of the schools will benefit from improved accessibility as a consequence of the project. This information should include the catchment areas of the schools identified in Table 6.2 of the SIA and the likely modes of transport used and the likely routes used to travel to and from the schools. This information should also be provided in respect of the churches identified in Table 6.1.</p> <p>(c) Whether the future work identified in Section 12 of the SIA has been undertaken and if so how this has been incorporated into the assessment of effects and proposed mitigation measures.</p>	<p>(a) Linda Chamberlain disagrees that the 2013 census data should be considered because she considers that the demographic study undertaken as part of the SIA is more robust than the 2013 census. Chamberlain EIC, para [56]. Ms Chamberlain also considers that updating the SIA is unnecessary because it is unlikely to materially alter the SIA conclusions, as the population profile in the Project area is relatively stable.</p> <p>(b) Further information regarding improved accessibility for schools and churches is not considered necessary. Accessibility was not raised as an issue by local schools. Linda Chamberlain EIC, para [58]; Grant Eccles planning EIC, paras [293]–[299].</p> <p>(c) The future work identified in sections 10 and 12 of the SIA are to be undertaken as part of ongoing engagement with affected landowners and the development of the suite of management and mitigation plans required by the proposed conditions. See Linda Chamberlain EIC, para [60]; Grant Eccles planning EIC, paras [300]–[304].</p>

⁵ AEE NoR Appendix J.

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<p>(d) If this future work has not been undertaken, whether the requiring authorities are proposing to undertake the work and if so when, and how the outcomes of this work will be used, especially if additional effects are identified and require mitigation.</p> <p>(e) In terms of the recommendations identified in Section 10 of the SIA, that the Requiring Authorities provide information on:</p> <ul style="list-style-type: none"> • if and when these recommendations will be adopted and implemented; and • which recommendations the Requiring Authorities consider should be developed into designation conditions. 	<p>(d) The Requiring Authorities propose designation conditions requiring:</p> <ul style="list-style-type: none"> • A Pre-Construction Communication and Consultation Plan to be prepared and adopted following confirmation of the designations (proposed conditions 1A.3–1A.7); • The appointment of a Communication, Consultation and Property Acquisition Manager immediately following confirmation of the designations (proposed condition 1A.1); • The formation of community liaison groups to function throughout the lapse period (proposed conditions 1A.9–1A.16). • A Communication and Consultation Plan to be implemented for the duration of construction of the Project (proposed conditions 8.2–8.7). <p>(e) See response to (c) above. Linda Chamberlain EIC, para [59]; Grant Eccles planning EIC, paras [286]-[385].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
	<p>(f) In terms of the Social Impact Monitoring Plan identified in Section 10 of the SIA, that Requiring Authorities provide information on:</p> <ul style="list-style-type: none"> • The outcomes the SIMP is designed to achieve. • The circumstances when a SIMP will be required. • What the SIMP will include and the matters it will address. • If monitoring identifies adverse social effects what actions will be taken to remedy or mitigate them. <p>(g) Provision of a draft SIMP.</p> <p>(h) Provisions of a designation condition requiring the preparation of a SIMP and in drafting the proposed condition Requiring Authorities include the matters identified in Section 23.5.2 of this Report.</p> <p>(i) Further information about the availability of funding for the early purchase of properties subject to the NoRs and how this could be addressed in the Property Acquisition and Management Plan to provide greater certainty regarding property acquisition for affected parties.</p> <p>(j) Provisions of a designation condition requiring the preparation of a Property Acquisition and Management Plan and in drafting the proposed condition Requiring Authorities include the matters identified in Section 2.3.5.2 above.</p>	<p>(f) The Requiring Authorities' position is that a Social Impact Monitoring Plan (<i>SIMP</i>) is not required, given the development of conditions relating to the Construction Management Plan, Communication and Consultation Plan, Construction Noise and Vibration Management Plan, Landscape Management Plan and a complaints system. These conditions will effectively perform a similar function to a SIMP. See Linda Chamberlain EIC, para [62]; Grant Eccles planning EIC, para [305].</p> <p>(g) Not to be provided. See response to (f) above.</p> <p>(h) Not to be provided. See response to (f) above.</p> <p>(i) There is limited funding available for the Requiring Authorities' early purchase of properties, as explained in Amanda Hampton's EIC, paras [16]-[17], [22]-[24], [42]-[44] and [47]-[48] and Tony Denton's EIC, paras [40]-[44] and [60]-[62]. As explained below, the Requiring Authorities do not agree that a Property Acquisition and Management Plan is necessary or appropriate.</p> <p>(j) The Requiring Authorities do not consider a Property Acquisition and Management Plan is necessary or appropriate. See Linda Chamberlain EIC, para [63]-[65]; Amanda Hampton EIC, paras [35]-[44] and [50]; Tony Denton EIC, paras [60]-[62].</p>

Effect/Matter and reference	Effect/Matters to be addressed	Requiring Authorities' Response
		<p>The proposed conditions regarding ongoing liaison and consultation with the affected community will provide an effective forum to provide further information on the Requiring Authorities' acquisition strategy generally. See Amanda Hampton EIC, para [41]; Grant Eccles planning EIC, paras [306]–[309].</p> <p>As an update, the Requiring Authorities now propose a new condition requiring the provision of a Property Acquisition and Management Engagement Practice (PAMEP) document. The objective is to provide greater clarity for affected landowners on how they can engage with the Requiring Authorities on matters regarding property acquisition and management. That condition has been included in the proposed condition sets relating to HCC 168A and the Transport Agency (Waipa and Waikato). Refer rebuttal evidence (planning) of Grant Eccles.</p>
Lapse period (Section 26.3)	Justification for including the construction period when determining the lapse period, and if the construction period does not need to be included in the lapse period whether the lapse period could be shortened to 15 years.	<p>A 20 year lapse period is necessary and appropriate for the Project to enable the design and construction phases, detailed design (including seeking further resource consents), and construction of the Project. This is discussed in section 10 of the AEE. See Barry Dowsett EIC, paras [47]–[62] and [90]–[91]; Grant Eccles planning EIC, paras [281]–[287]; Tony Denton EIC, para [68].</p> <p>The construction period should not be viewed as a dispensable portion of the 20 year lapse for the Project. There is not sufficient certainty regarding construction timeframes to be sure that a 15 year lapse would be sufficient. See Grant Eccles planning EIC, paras [282]–[284].</p> <p>Lapse issues are also addressed in the rebuttal evidence of Barry Dowsett and Grant Eccles (planning).</p>

ATTACHMENT 1

SUMMARY OF TWEAR MITIGATION RECOMMENDATIONS AND HOW THEY ARE ADDRESSED IN THE NOTICES OF REQUIREMENT

This Table responds to the matters raised in Table 28-1 with regards to section 14.5 and 22.5 from the s42A Report, and adds a new column which summarises where the response from the Requiring Authority can be found.

No.	TWEAR Mitigation Recommendation	Where/how is the TWEAR Mitigation Recommendation addressed?
1	That consultation with Waikato Tainui and the TWWG continues in all facets of this project.	Both HCC and the NZ Transport Agency have processes and agreements in place outside of the RMA process to ensure that such consultation will occur. Additionally, the proposed designation conditions require consultation with taangata whenua in the preparation of the following plans: <ul style="list-style-type: none"> • Concept/Landscape Management Plan(s) • Ecological Management and Monitoring Plan (HCC) • Ecological Restoration and Management Plan (Transport Agency) • Heritage and Archaeological Site Management Plan.
2	Further dialogue between the TWWG and the requiring authorities is required in order to determine the extent of Waahi Tapu (archaeological) impact. Sites that are not avoidable or subject to alteration will be recognised and mitigated appropriately between the TWWG and the requiring authorities	The Southern Links Tangata Whenua Working Group (TWWG) is to be consulted during the preparation of the Heritage and Archaeological Site Management Plan, which for the most part will cover maaori sites.
3	TWWG are partners in any management plans proposed for each of the sites of significance in particular the maaori sites.	See response to 2 above.
4	Further dialogue between the TWWG and the requiring authorities around the design of gully bridges (including the Mangakotukutuku Gully bridge) takes place.	Ongoing consultation with taangata whenua in the period between now and the detailed design phase will ensure such dialogue takes place.

No.	TWEAR Mitigation Recommendation	Where/how is the TWEAR Mitigation Recommendation addressed?
5	All road surface water runoff shall be treated prior to it entering into any major waterway namely the Waikato River, Mangakotukutuku Stream and the Nukuhau Stream in particular. TWWG preference is that a wetland system should be incorporated unless it can be demonstrated that there is a more efficient method of treating the water run-off.	The NORs allow for areas where stormwater wetland areas can be established. The detailed design aspects to be addressed at resource consent stage.
6	Drainage detail is discussed further with the TWWG at the appropriate design stage in order to give effect to the principles of the Vision and Strategy for the Waikato River.	To be addressed at detailed design stage.
7	Any new bridge built within the scope of the Hamilton Southern links project involves the TWWG input into the urban and aesthetic design of those bridges namely the bridges identified in section 3.4 of the Typical Underpass Bridges report in the Scheme Assessment. The TWWG is involved in the naming of any new bridge and any other such new road, expressway or street that may evolve as a result of this project.	Taangata whenua involvement in naming of roads and bridges will be facilitated by the Requiring Authorities at the time of construction.
8	Key principles of the Waikato Tainui Iwi Environmental Plan Tai Tumu, Tai Pari, Tai Ao are provided for within the scope of this project when resource consents are sought as the project nears construction phase.	To be addressed at the detailed design stage. The applications for resource consent/s in the future will need to have regard to Tai Tumu, Tai Pari, Tai Ao.
9	That consultation with tangata whenua occurs if/when staging options for the Southern Links network are being formulated by the requiring authorities.	This will be addressed through ongoing consultation with taangata whenua.
10	Where bridges and drains are proposed for building, the TWWG seek to be included in fish removal processes alongside respective experts.	To form content of resource consent applications/conditions in the future.

No.	TWEAR Mitigation Recommendation	Where/how is the TWEAR Mitigation Recommendation addressed?
11	Taangata whenua are involved in the compilation of future ecological reports alongside respective consultants who win tenders to undertake this work.	To form content of resource consent applications/conditions in the future.
12	<p>The TWWG recommend that the ecological mitigation required for the Southern Links project be undertaken as part of a whole of catchment ecological restoration strategy.</p> <p>Advice Note: The requiring authority recognises the desire of taangata whenua for restoration of the Waikato River environment outside of the Southern Links designation, in a manner that gives effect to the Vision and Strategy for the Waikato River.</p>	The EMMP (HCC) and EMRP (Transport Agency) cater for this recommendation.
13	Water take from the Waikato River and or its tributaries have not been clarified within the scope of the project to date. Taangata whenua seek further consultation with NZTA and HCC around water take matters pertaining to this project. The TWWG acknowledge that this will likely be unable to take place until closer to the time of detailed design of the network.	To be undertaken as part of consultation to inform resource consent applications/conditions in the future.
14	NZTA and HCC agree to enter into a long term partnership agreement for the Southern links Project.	Discussions in this regard are continuing between taangata whenua and the Requiring Authorities. Both HCC and the Transport Agency are committed to maintaining a relationship with taangata whenua in the period between confirmation of the designations and construction.
15	Appropriate fish / eel passes are implemented to aid migration of these species.	To form content of resource consent applications/conditions at the detailed design stage in the future.
16	Retention of relic trees are retained to ensure safe and appropriate roosting sites for bats and birds and that appropriate trees are strategically planted to future proof the Bats roosting future.	Through the development of the EMMP (HCC) and EMRP (Transport Agency).

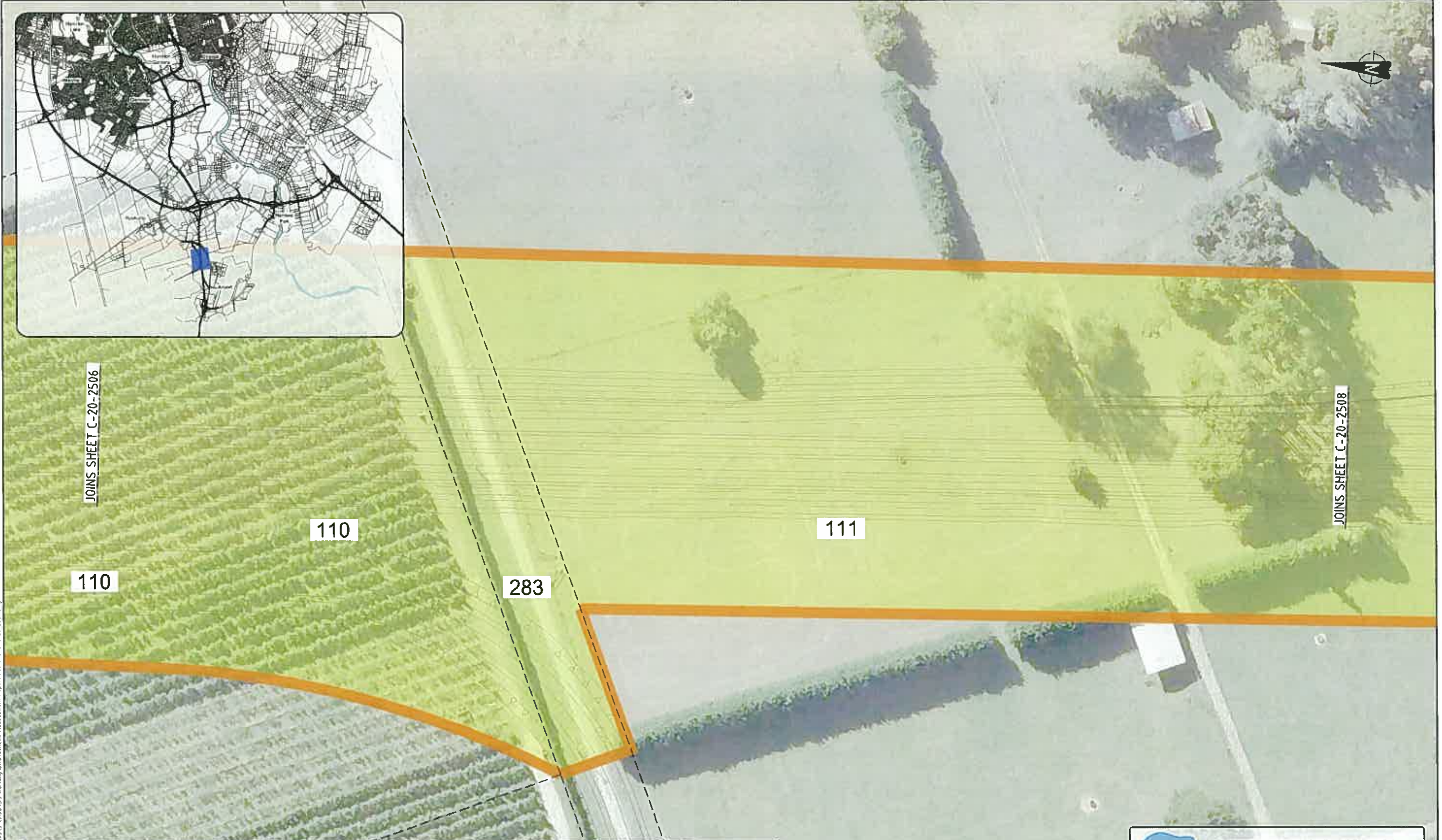
No.	TWEAR Mitigation Recommendation	Where/how is the TWEAR Mitigation Recommendation addressed?
17	All native trees that are unable to be avoided are felled in whole lengths and relocated to a site identified by the TWWG for cultural purposes.	This matter is not appropriately addressed through conditions on the designations. It is more properly addressed with taangata whenua through ongoing engagement prior to and during construction of the network.
18	The relocation of Mokokoko and Mudfish are done so appropriately alongside tangata whenua. Any aquatic casualties during relocation is to firstly, be recorded and secondly, the taaonga is to be presented to the TWWG kaumaatua (or their representative) to undertake the appropriate process of burying tuupuna (ancestors) or kaitiaki (guardians).	To form content of resource consent applications/conditions in the future.
19	That all reasonable steps have been explored to look at a "Whole-of-catchment" approach where natural resources such as gullies, streams, rivers, lakes, wetlands and forests are to be affected.	Such an approach is not excluded from the EMMP and EMRP conditions proposed by HCC and the Transport Agency respectively.
20	That the requiring authorities take all reasonable steps to involve the wider community in ecological restorative components of the project.	The EMMP and EMRP conditions require consultation and collaboration with a range of parties, including community ecological advocacy groups. The conditions that are proposed to attach to the designations achieve the intent of this recommendation.

**ANNEXURE G – UPDATED LAND REQUIREMENT PLANS FOR
INGRAM PROPERTY**



JOINS SHEET C-20-2506

JOINS SHEET C-20-2508



REF	LAND OWNER	LEGAL DESCRIPTION	LAND REQ	PURPOSE
110	Ronald Samward Keill Ingram, Carolyn Therese Ingram - SA03/13A & SA 328/42	Lot 2 & 3 DPS 15142 etc	142823 sq.m	State Highway
111	Dallis Thora Sturtevant, Brian George Conway Elwood, Margaret Susan Sturtevant Peat - SA18A/733	Pt Lot 1 DP 12792	87341 sq.m	State Highway
283	Waipa District Council	Road		State Highway

	WATER TREATMENT WETLANDS
	STORMWATER OUTFALL
	PROPERTY BOUNDARIES
	PROPOSED DESIGNATION BOUNDARY
	REQUIRED LAND

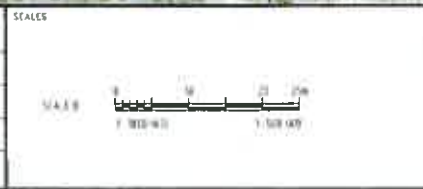
FOR INFORMATION ONLY

This drawing is confidential and shall only be used for the purposes of this project.

REV	DATE	DESCRIPTION	APPD
1	11 05 14	Designation Boundary & Required Land Updated	CE
2	30 05 13	General Updates	DJM
3		For Information	

THE SIGNING OF THIS TITLE BLOCK CONFIRMS THE DESIGN AND DRAFTING OF THIS PROJECT HAVE BEEN PREPARED AND CHECKED IN ACCORDANCE WITH THE AECOM QUALITY ASSURANCE SYSTEM TO ISO 9001:2000

DESIGNED	DP	CHECKED	GE
DRAWN	KC	CHECKED	DVS
APPROVED		DATE	



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NZ TRANSPORT AGENCY
WAKA KOTAHU

Hamilton City Council
Te Kaunhera o Kirikiriroa

Southern Links

North / South State Highway 3
Designation & Land Requirements

Sheet 7 of 17

A1 STATUS For Information Only DRAWING NO 60164546-C-20-2507 REV C



JOINS SHEET C-20-2513

	WATER TREATMENT WETLANDS
	STORMWATER OUTFALL
	PROPERTY BOUNDARIES
	PROPOSED DESIGNATION BOUNDARY
	REQUIRED LAND

REF	LAND OWNER	LEGAL DESCRIPTION	LAND REQ	PURPOSE
110	Ronald Samward Keill Ingram, Carolyn Therese Ingram - SA03/13A & SA 328/42	Lot 2 & 3 DPS 15142 etc	140190 sq.m	State Highway

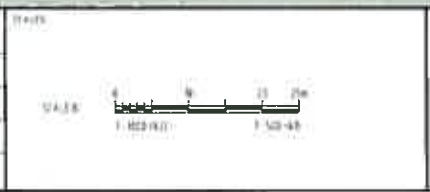
FOR INFORMATION ONLY

This drawing is confidential and shall only be used for the purposes of this project

No	By	DATE	DESCRIPTION	APPD
C	KC	03/07/14	Designation Boundary & Required Land Updated	GE
E	KC	30/05/13	General Updates	DJM
A			For Information	

THE SIGNING OF THIS TITLE BLOCK CONFIRMS THE DESIGN AND DRAFTING OF THIS PROJECT HAVE BEEN PREPARED AND CHECKED IN ACCORDANCE WITH THE AECOM QUALITY ASSURANCE SYSTEM TO ISO 9001:2000

DESIGNED	DP	CHECKED	GE
DRAWN	KL	CHECKED	DVS
APPROVED		DATE	



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Hamilton City Council
Te Kauhēra o Kiriākirā

Southern Links

Ohaupo Road
Designation & Land Requirements

Sheet 13 of 17

A1 STATUS For Information Only DRAWING NO 60164546-C-20-2513 REV C

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**ANNEXURE H - HCC 168A HCC DESIGNATION CONDITIONS
(CLEAN)**

Hamilton City Council

Conditions to apply to Notice of Requirement in Hamilton City (HCC 168A)

1 General Conditions

- 1.1 Except as modified by the Conditions below and subject to final design, the Project works shall be undertaken generally in accordance with the information provided by the Hamilton City Council (HCC) in its Notice of Requirement (NoR) and the supporting documents, namely:
- a) *Southern Links: Notice of Requirement* by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - b) *Southern Links: Assessment of Environmental Effects and Supporting Information* (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013;
 - c) *Southern Links – Scheme Assessment Report Drawings 1000-8000 series*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
 - d) The Requiring Authorities' response dated 17 December 2013 to the Territorial Authorities' s92 request for further information;
 - e) Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012;
 - f) Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014.
 - g) Southern Links Peacockes North/South Layout Plan and Long Section, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-3102 Revision C, updated 02/07/14.
 - h) Southern Links Cobham Drive Layout Plan and Long Section, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-4101 Revision C, updated 02/07/14.
- 1.2 Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.
- 1.3 Pursuant to Section 184A(2)(c) of the RMA, the designation shall not lapse for a period of twenty (20) years after it is included in the Operative and Proposed Hamilton City District Plans.
- 1.4 Any reference in these Conditions to legislation or a Standard includes any later legislation or standard that amends or replaces it.
- 1.5 In these conditions:
- a) "The Project" means that part of the Southern Links network project subject to Hamilton City Council's Notice of Requirement (Designation 111) to be constructed and operated within the Peacocke Structure Plan Area and environs.

Management Plans General

- 1.6 All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these Conditions.
- 1.7 The following Management Plans must be submitted to the Territorial Authority Chief Executive or nominee for certification that they are consistent with the conditions of the designation:
- a) Pre-Construction Communication and Consultation Plan;
 - b) Construction Management Plan;
 - c) Construction Noise and Vibration Management Plan;

- d) Traffic Management Plan;
 - e) Communication and Consultation Plan;
 - f) Concept Landscape Management Plan;
 - g) Landscape Management Plan;
 - h) Heritage and Archaeological Site Management Plan;
 - i) Dust Management Plan;
 - j) Contaminated Soil Management Plan;
 - k) Hazardous Substances Management Plan;
 - l) Traffic and Network Road Management Plan; and
 - m) Environmental Monitoring and Management Plan.
- 1.8 The Territorial Authority shall ensure that any Management Plan submitted for certification is so certified and the Requiring Authority informed in writing within ten (10) working days of receipt of the Management Plan by the Territorial Authority.
- 1.9 If, within the time allowed in Condition 1.7, the Territorial Authority has neither certified a Management Plan, nor advised the Requiring Authority in writing that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.
- 1.10 Any changes proposed to a certified Management Plan shall be confirmed in writing by the Requiring Authority and certified in writing by the Territorial Authority's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.
- 1.11 At all times during construction, the Requiring Authority shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

1A Pre-construction

Communication, Consultation and Property Liaison Manager

- 1A.1 Within three months of the confirmation of the designation the Requiring Authority shall appoint a Communication, Consultation and Property Liaison Manager to implement the Pre-construction Communication and Consultation Plan (*PCCP*) (Condition 1A.3 to 1A.7) and Communication and Consultation Plan (Condition 8.1 to 8.6). The Communication, Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Project for the duration of the Project.
- 1A.2 The Communication, Consultation and Property Liaison Manager's contact details shall be listed in the *PCCP* and on the HCC website.

Pre-Construction Communication and Consultation Plan

- 1A.3 The Requiring Authority shall prepare a *PCCP*. The *PCCP* shall be submitted to the Territorial Authority Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the *PCCP* has been prepared in accordance with this Condition.
- 1A.4 The *PCCP* shall be implemented and complied with within 18 months from the confirmation of the Designation until the commencement of the construction of the Project.
- 1A.5 The objective of the *PCCP* is to set out a framework to:
- a) Inform the community of Project progress and likely commencement of construction works;
 - b) Obtain feedback and inputs from affected parties and stakeholders regarding the development of relevant Management Plans;

- c) Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.

1A.6 The PCCP shall, as a minimum:

- a) Inform the community of Project progress and likely commencement of construction works and programme;
- b) Include a communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation methods to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 18.1) and the Community Liaison Group(s) (refer to Condition 1A.8) and any other relevant communication matters;
- c) Details of the Communication, Consultation and Property Liaison Manager for the pre-construction period (Condition 1A.2) including their contact details (phone, email and postal address).

1A.7 The PCCP will be made publicly available (once certified) on HCC's website.

Community Liaison Groups

1A.8 Within three months of the confirmation of the designation the Requiring Authority shall, in consultation with the Territorial Authority, establish a Community Liaison Group for Peacocke Structure Plan area (HCC Designation 111).

1A.9 The Requiring Authority will invite the Group to meet at least annually until the commencement of construction and then at appropriate intervals for the duration of the construction phase. Should a majority of Group members decline or not respond to an invitation to meet, the Requiring Authority is not required to hold that meeting.

1A.10 Once construction has commenced the Requiring Authority will provide an update at least every three months (or as otherwise agreed) to the Group on Project progression.

1A.11 The Requiring Authority shall provide a venue for meetings of the Community Liaison Group.

Property acquisition and management engagement

1A.12 Within three months of the confirmation of the designation, the Requiring Authority shall provide to the Council Chief Executive or nominee and affected landowners access to a document outlining the Requiring Authority's property acquisition and management engagement practice (*PAMEP*).

The objective of the PAMEP is to provide clarity for affected landowners on how they can engage with the Requiring Authority on matters regarding property acquisition and management.

The PAMEP shall, as a minimum:

- a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 1A.2).
- b) Identify timeframes within which the Requiring Authority will respond to enquiries.
- c) Describe the process which the Requiring Authority will follow for responding to specific:
 - a. Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;
 - b. Requests from landowners to use land that is within the designation footprint but not yet acquired by the Requiring Authority; and
 - c. Complaints regarding the maintenance of properties acquired by the Requiring Authority.

2. Construction Management Plan

2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the Requiring Authority shall submit for certification a Construction Management Plan (*CMP*) to the Territorial Authority Chief Executive or nominee. The objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP. For the avoidance of doubt, the Requiring Authority may prepare a CMP in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for

certification in accordance with this Condition prior to any construction activity commencing on a particular stage.

2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following:

- (a) Details of the site or Project manager, including their contact details (phone, facsimile (if any), postal address, email address);
- (aa) Details of the contact person required by Condition 8.1 including name, phone number, email and postal address;
- (b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or Project manager and the contact person required by Conditions 1A.1 and 8.1;
- (bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
- (c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
- (cc) Environmental incident and emergency management procedures;
- (d) 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;
- (e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
- (f) 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;
- (ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
- (g) 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;
- (h) 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;
- (i) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;
- (j) Means of ensuring the safety of the general public; and
- (k) Procedures for receiving and responding to complaints.

2.3 Any changes proposed to the CMP shall be confirmed in writing by the Requiring Authority and certified in writing by the Territorial Authority's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

2A.1 Upon receiving a complaint during construction, the Requiring Authority shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt; and

- c) Respond to the complaint in accordance with any relevant Management Plan, which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures.

2A.2 A record of all complaints received shall be kept by the Requiring Authority. This record shall include:

- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
- b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
- c) Known construction activities at the time and in the vicinity of the concern or complaint;
- d) Any other activities in the area unrelated to the Project construction that may have contributed to complaint such as non- Project construction, fires, traffic accidents or unusually dusty conditions generally; and
- e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.

2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every three months (or as otherwise agreed) to the Territorial Authority Chief Executive or nominee.

3. [This condition deliberately left blank]

NOISE AND VIBRATION

4. Operational Noise

4.1 For the purposes of Conditions 4.1 - 4.12 the following terms will have the following meanings:

- a) BPO – means the Best Practicable Option.
- b) Noise Assessment – means the Noise Assessment prepared in accordance with Condition 4.2.
- c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
- d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
- e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
- f) Structural Mitigation – has the same meaning as in NZS 6806:2010.

4.2 a) The Requiring Authority shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the Requiring Authority shall submit to the Territorial Authority Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The Requiring Authority shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.

- b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified (29 January 2014).

4.3 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to Condition 4.4, shall include, as a minimum, the following:

- a) noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.4 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:
- a) if the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Hamilton City Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - b) if changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.5 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.6 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.7
- a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the Requiring Authority shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
 - b) If the owner(s) of the Category C Building approves the Requiring Authority access to the property within 12 months of the date of the Requiring Authority's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 4.8 Where a Category C Building is identified, the Requiring Authority shall be deemed to have complied with Condition 4.7 above where:
- a) The Requiring Authority (through its acoustics specialist) has visited the building; or
 - b) The owner of the Category C Building approved the Requiring Authority's access, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or
 - c) The owner of the Category C Building did not approve the Requiring Authority access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the Requiring Authority letter (sent pursuant to Condition 4.7(a) within that period)); or
 - d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- If any of (b) to (d) above apply to a particular Category C Building, the Requiring Authority shall not be required to implement any Building-Modification Mitigation at that Category C Building.
- 4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the Requiring Authority shall give written notice to the owner of each Category C Building:
- a) Advising of the options available for Building-Modification Mitigation to the building; and

- b) Advising that the owner has three months within which to decide whether to accept Building-Modification Mitigation for the building, and if the Requiring Authority has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.
- 4.10 Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of an affected building, the mitigation shall be implemented (including the Requiring Authority obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.
- 4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the Requiring Authority shall be deemed to have complied with Condition 4.10 above where:
- a) The Requiring Authority has completed Building-Modification Mitigation to the Category C Building; or
- b) The owner of the Category C Building did not accept the Requiring Authority offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the Requiring Authority within that period); or
- c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The Requiring Authority shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.

5. Construction Noise and Vibration

Construction Noise and Vibration Management Plan

- 5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the Requiring Authority shall submit no later than forty (40) working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Territorial Authority by HCC's Chief Executive Officer or nominee for certification.
- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZTA, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.
- 5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Occupied PPFs (as defined in NZS 6806.2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

- 5.4 The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table B: Construction Vibration Criteria

- 5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall address the following aspects with regard to managing the adverse effects of construction noise and vibration:
- Identification of affected dwellings and other sensitive locations where vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;
 - Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;

- c) Mitigation options, including alternative strategies where full compliance with the noise criteria in Table A above and/or the vibration criteria in Table above cannot practicably be achieved;
 - d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works.
- 5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the HCC Chief Executive or nominee at least five (5) working days in advance of the relevant works being carried out and implemented.

Advice Note: *It is accepted that the noise and vibration limits in Conditions 5.3 and 5.4 may not be met at all times, but that the Requiring Authority will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 A Traffic Management Plan (*TMP*), shall be prepared in accordance with the NZTA *Code of Practice for Temporary Traffic Management* and in consultation with the Territorial Authority Chief Executive or nominee. The *TMP* shall be submitted to the Territorial Authority Chief Executive or nominee, for certification that the plan satisfies this condition no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The *TMP* shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the *TMP* shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance of all access points to the Project site, and all key state highway and arterial local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State Highway network.
 - h) Measures to ensure that any staging of construction works will adequately avoid, remedy or mitigate traffic-related adverse effects.

7 General Construction Traffic

- 7.1 The Requiring Authority shall ensure there is no off-site Project-related Bulk HCV traffic:
- 7.1.1 on Sundays; or
 - 7.1.2 on public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

8 Construction Communication and Consultation

Contact Person

- 8.1 The Requiring Authority shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.

Communication and Consultation Plan

- 8.2 The Requiring Authority shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Project.
- 8.3 This Plan shall be submitted to Territorial Authority Chief Executive or nominee, no later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.
- 8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Project.
- 8.5 The Communication and Consultation Plan shall as a minimum include:
- a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising), and any other relevant communication matters;
 - b) The Communication, Consultation and Property Liaison Manager for the Project including their contact details (phone, email and postal address);
 - c) How stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;
 - d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;
 - e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours; and
 - f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works.
- 8.6 The Communication and Consultation Plan will be made publicly available (once certified) on HCC's website.

Advice Note: The Pre-Construction and Communication and Consultation Plan required under Condition 1A will continue to work alongside the Communication and Consultation Plan required under this Condition.

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

- 9.1 No later than twenty (20) working days prior to the commencement of any stage of construction (excluding site investigations), the Requiring Authority shall submit a Concept Landscape Management Plan (*CLMP*), to Territorial Authority Chief Executive or nominee for certification. The CLMP shall be developed in consultation with the Southern Links Tangata Whenua Working Group (*TWWG*).
- 9.1A The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses. The CLMP shall include:
- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers.
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces.
 - d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.
- 9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.

Landscape Management Plan

- 9.3 The Requiring Authority shall develop the certified CLMP into a Landscape Management Plan (*LMP*). No later than 12 months after commencement of earthworks, the Requiring Authority shall submit for certification the LMP, to the Territorial Authority Chief Executive or nominee.
- 9.3A The LMP will identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of the Project or a particular stage of the Project.
- 9.4 The LMP(s) shall be prepared, in consultation with TWWG, by a suitably qualified and experienced landscape architect and shall include at least the following:
- a) The proposed landscape and urban design theme to be adopted;
 - b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Monitoring Plan required by Condition 12), and the type and density of planting to be undertaken;
 - c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
 - d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
 - e) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
 - f) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
 - g) Measures to integrate cut and fill batters with the existing topography;
 - h) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;

- i) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
- j) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
- k) A planting specification, including planting and mulching techniques;
- l) Planting maintenance requirements over a five year period following planting and reinstatement of road verges and gullies;
- m) An implementation programme for all remedial and mitigation measures;
- n) Post-construction monitoring measures;
- o) Site specific planting and screening measures developed in consultation with affected property owners; and
- (q) All plant species used in the Landscape Management Plan shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Hamilton City District Plan.

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Maintenance and Monitoring of Landscape Management Plan(s)

- 11.1 The Requiring Authority shall undertake an inspection at one year and again at ~~two~~ five years after the implementation of the LMP(s) in accordance with Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to Territorial Authority Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented.

ECOLOGICAL MANAGEMENT AND MONITORING PLAN

12. Ecological Management and Monitoring Plan

- 12.1 The Requiring Authority shall, in consultation with the TWWG, Waikato Regional Council, HCC (as Territorial Authority), the Waikato River Authority, the Director-General of Conservation, the Mangakotukutuku Stream Care Group Incorporated, the Riverlea Environment Society and the NZ Transport Agency develop an Ecological Management and Monitoring Plan (*EMMP*). The EMMP shall be prepared by an appropriately qualified and experienced ecologist/s.
- 12.2 The EMMP shall be submitted to HCC's Chief Executive or nominee, for certification. The EMMP must be submitted for certification within three years after the date on which Hamilton City Council's designation is included in the Operative or Proposed HCC District Plan or at least forty (40) working days prior to the commencement of works, whichever event occurs earlier in time.

The EMMP will include performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives specified below.

The objectives of the EMMP shall be to demonstrate how the Requiring Authority will aim to achieve no net loss of terrestrial, wetland and stream biodiversity values. It will provide details on how monitoring, management and mitigation the significant adverse effects of construction activities and Project operation is to be undertaken including but not limited to effects on:

- a) Long-Tailed Bats, with the aim of enhancing long-tailed bat habitat within the city boundary;
- b) Avifauna, with the aim of enhancing the extent and quality of habitat for native species;
- c) Lizards, with the aim of enhancing the extent and quality of habitat for native species ; and
- d) Indigenous vegetation, aquatic and wetland values, with the aim of restoring indigenous vegetation to the gullies and margins of the Waikato River in accordance with objectives and policies of the Hamilton Gully Reserves Management Plan (2007) as these relate to biodiversity, with the species and composition of vegetation restored reflecting as far as possible the natural ecosystems that were likely to be originally representative of gully systems and riparian margins of the Waikato River as defined in Clarkson & Clarkson (1997)¹.

12.3 The EMMP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:

- a) Ecological management;
 - i) Vegetation and habitat management;
 - ii) Management of effects on long-tailed bats, avifauna, and lizards;
- b) Ecological monitoring; and
- c) Habitat restoration on the basis of a minimum 1:1 restoration ratio for areas of gully, bat habitat and river margin affected by the designation. The area to be restored based on this ratio shall be a minimum of 13ha. Gully habitat restoration proposed by the EMMP shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system. Third Revised Edition. Hamilton City Council (or an updated version).

12.4 The EMMP shall include:

- a) Identification of areas and timeframes for establishment of advance restoration / mitigation planting, as far as practicable ahead of construction activities taking into account land ownership, accessibility and the timing of available funding;
- b) Identification of areas and timeframes for establishment of incremental restoration / mitigation planting to be undertaken as property is acquired by or vested in HCC through the Public Works Act or the Resource Management Act;
- c) Provision for the coordination of construction works and environmental protection and restoration programmes;
- d) Provision for the engagement of suitably qualified and experienced ecologists to develop appropriate procedures to manage effects on long-tailed bats, avifauna, and lizards, where habitats are affected;
- e) The nature of any weed and / or pest control considered appropriate (timing, extent and location) in restoration / mitigation planting areas;
- f) The nature and extent of stock proof fencing (if required) that is to be established around the boundaries of restoration / mitigation planting areas; and
- g) Provisions, where practicable, for the salvage of elements of indigenous flora and fauna that is being destroyed as a result of the construction of the Project and its translocation to appropriate restoration areas.

¹ Clarkson, B. R. & Clarkson, B. D. (July 1997 – revised April 2000). Indigenous Vegetation Types of Hamilton City. A report prepared for the Ministry of the Environment. Landcare Research.

- 12.5 The EMMP provisions for Long-Tailed Bat Management shall include, but not be limited to, the following:
- a) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;
 - b) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;
 - c) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
 - d) The establishment of buffer zones and hop overs along the Project route in advance of construction (where feasible), during and after construction to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
 - e) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
 - f) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Project network at all locations where bats are detected;
 - g) Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the Project or its vicinity that do not require removal; and
 - h) Monitoring of long-tailed bats shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats.
- 12.6 The EMMP will outline the aquatic surveys to be undertaken by a suitably qualified and experienced ecologist/s prior to lodgement of resource consent applications with the Regional Council. These shall include, but will not be limited to:
- a) Fish surveys of waterways (including drains and wetlands) using a recognised protocol prior to stream crossing design to determine the fish community and therefore likely fish passage and fish recovery requirements where culverts are to be installed; and times when instream works are to be avoided so as not to adversely impact on peak periods of fish migration and spawning; and
 - b) Surveys to determine aquatic quality and character of habitats impacted by stream crossings where instream habitats will be impacted (e.g. culverts) so that an appropriate methodology can be used to mitigate loss of ecological value that has not already been accounted for by advanced mitigation restoration (e.g. presence of mudfish)
- 12.7 The Requiring Authority may review the EMMP at any time to make provision for the future grant of resource consents required to authorise components of the Project, and any staging of construction of the Project network, within Hamilton City. The Requiring Authority shall consult with the TWWG, Waikato Regional Council, HCC (as Territorial Authority), the Waikato River Authority, the Director-General of Conservation, the Mangakotukutuku Stream Care Group Incorporated, the Riverlea Environment Society and the NZ Transport Agency in preparing any review to the EMMP. The Requiring Authority shall submit any review of the EMMP to HCC's Chief Executive for certification.

ARCHAEOLOGY

13 Heritage and Archaeological Site Management Plan

- 13.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the Requiring Authority's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation footprint and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work).
- 13.2 Prior to the commencement of construction the Requiring Authority shall provide to HCC evidence that Archaeological Authorities have been obtained from as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.
- 13.3 Following consultation with Heritage New Zealand and the TWWG, a Heritage and Archaeological Site Management Plan (*HASMP*) prepared by a suitably qualified and experienced archaeologist and then submitted for certification to HCC's Chief Executive or nominee at least forty (40) days prior to the commencement of any earthworks or construction activity.
- 13.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation in conjunction with any conditions required in compliance with any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:
- a) Measures that will be taken to protect or avoid archaeological sites (or insitu archaeological remains) from damage during construction;
 - b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the Requiring Authority's Designation;
 - c) Areas where monitoring of construction works by an archaeologist will be required;
 - d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
 - e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
 - f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
 - g) Provision Monitoring for any revisions required to the HASMP during the course of the Project; and
 - h) Reporting requirements.
- 13.5 Following consultation with Heritage New Zealand and the TWWG, a Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to HCC's Chief Executive or nominee. The Policy shall describe the ongoing management of those remaining archaeological sites (part or whole) once construction is completed.

14 Network Infrastructure Generally

- 14.1 During the design phase of the Project, the Requiring Authority shall give reasonable notice and make all reasonable endeavours to:
- a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.

- 14.2 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the Requiring Authority shall, subject only to reasonable planned interruption, either:
- a) Protect the utility from any activity which may interfere with the proper functioning of the services; or
 - b) Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or
 - c) Seek to repair or replace, at the Requiring Authority's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

15 Te Awa Cycleway

- 15.1 The Requiring Authority shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.

16. Traffic and Road Network Management Plan

- 16.1 As part of the outline plan, the Requiring Authority shall submit a Traffic and Network Management Plan, to be certified by the Territorial Authority Chief Executive or nominee, which explains:
- a) The intersection design philosophy as a part of a whole-route approach to road and intersection management and operation.
 - b) The localised traffic impacts together with accompanying mitigation measures required as a direct or indirect result of road closures, diversions, new intersection arrangements and other measures needed to accommodate the Project;
 - c) The provision of cycle infrastructure and the design of cycle features and whether they are consistent with current best practice guidelines;
 - d) The provision of pedestrian infrastructure and whether the design of pedestrian infrastructure is consistent with current best practice guidelines;
 - e) The merits of including bus service infrastructure features such as, but not limited to:
 - i) Bus priority detection equipment at all signalised intersections along the route;
 - ii) Bus stopping lay-bys at appropriate locations along the route;
 - iii) Passenger waiting facilities and shelters with bus information as part of the final road design; and
 - f) The provision of pedestrian and cyclist connectivity to and from Hamilton Gardens and along the Waikato River and Peacocke gully system.)
 - g) The provision of pedestrian and cyclist connectivity from areas west of the Peacocke North-South Major Arterial to areas east of the arterial in the vicinity of the Glenview Club.

17 Protected Trees

- 17.1 The Requiring Authority shall undertake best endeavours at the time of detailed design to retain the existence and health of the protected trees listed as T36.1 (Pin Oak), T36.3 (Pin Oak) and T36.4 (Pine) in the Hamilton City Proposed District Plan (Decisions Version - 2014).

18 Consultation with Waikato - Tainui

- 18.1 When required to consult with taangata whenua by the Conditions of this designation the Requiring Authority shall, through its Chief Executive or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a TWWG. Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:
- a) Each hapu is represented by the recognised/appointed person or persons;

- b) Administration of liaison/coordination occurs in a timely manner;
- c) Any actions/direction or information from the TWWG representatives has a common voice for Iwi on all liaison/coordination matters.

18.1 The TWWG shall comprise of representatives of the following:

- a) Ngati Hauaa;
- b) Ngati Koroki Kahukura;
- c) Ngati Wairere;
- d) Ngati Maahanga;
- e) Requiring Authority.

19 Dust Management Plan

19.1 Prior to the commencement of construction, the Requiring Authority shall prepare a Dust Management Plan (*DMP*). The Requiring Authority shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.

19.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority at least 40 working days prior to construction activities being undertaken for certification.

19.3 As a minimum the DMP shall include the following details:

- a) Mitigation measures to be implemented during construction to minimise dust emissions;
- b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
- c) Procedures for responding to process malfunctions and accidental dust discharges;
- d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
- e) Continuous monitoring of meteorology;
- f) Monitoring of construction vehicle maintenance;
- g) Complaints investigation, monitoring and reporting;
- h) The identification of staff and contractors' responsibilities; and
- i) Appropriate DMP review procedures.

20 Contaminated Soil Management Plan

20.1 Prior to the commencement of construction, the Requiring Authority shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (*CSMP*). The Requiring Authority shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

20.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority for certification at least forty (40) working days prior to construction activities being undertaken.

20.3 As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;

- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
- c) The soil validation testing that will be undertaken;
- d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
- e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
- f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material;
 - ii) Stop work or isolate the area once any such material is identified;
- g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil;
 - iv) Remediate any required sites; and
- h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii) Handle any asbestos containing material.

20.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of the measures required in Condition 20.3 above.

20.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Territorial Authority documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the Requiring Authority.

Advice note: A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).

21 Hazardous Substances Management Plan

21.1 Prior to the commencement of construction, the Requiring Authority shall prepare a Hazardous Substances Management Plan (*HSMP*). The Requiring Authority shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.

21.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Territorial Authority for certification at least forty (40) working days prior to construction activities being undertaken.

21.3 As a minimum the HSMP shall include the following details:

- e) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;

- f) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
- g) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
- h) Procedures to notify and report to the Territorial Authority within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and
- i) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.

22 Road Lighting

Construction Lighting

- 22.1 The Requiring Authority shall implement procedures at all times to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

- 22.2 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing dwelling, and shall ensure that:
- a) All carriageway lighting is designed in accordance with “Road Lighting Standard AS/NZS1158”; and
 - b) All other lighting is designed in accordance with the relevant rules of the District Plan.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Authority under the Heritage New Zealand Pouhere Taonga Act 2014

The Requiring Authority will need to obtain an authority from the Heritage New Zealand to destroy, damage or modify any archaeological sites in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

C Consultation and Liaison with Regional and Local Agencies

The Requiring Authority should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council and Waipa District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

D Taangata Whenua Contact Details

Contact details for the hapu listed above can be obtained through the office of Waikato-Tainui.

**ANNEXURE I - NZTA 168 WAIPA DESIGNATION CONDITIONS
(CLEAN)**

NZ Transport Agency (proposed as of 8/7/14)

Conditions to apply to Notice of Requirement in Waipa District (NZTA 168 Waipa)

1 General Conditions

- 1.1 Except as modified by the Conditions below and subject to final design, the Project works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (*NZ Transport Agency*) in its Notice of Requirement (*NoR*) and the supporting documents, namely:
- a) *Southern Links: Notice of Requirement* by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - b) *Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information* (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013;
 - c) *Southern Links – Scheme Assessment Report Drawings 1000-8000 series*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
 - d) The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information;
 - e) Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012;
 - f) Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014;
 - g) Southern Links North/South State High Concept Landscape Plan, prepared by AECOM New Zealand Ltd and Opus, drawing number 23165305-E-20-2002 Revision C, updated 07/07/14;
 - h) Southern Links Ohaupo Road Designation and Land Requirements Plan, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-2513 Revision C, updated 03/07/14; and
 - i) Southern Links North/South State Highway 3 Designation and Land Requirements Plan, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-2507 Revision C, updated 11/06/14.
- 1.2 Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.
- 1.2 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of twenty (20) years after it is included in the Operative and Proposed Waipa District Plans.
- 1.3 Any reference in these Conditions to legislation or a Standard includes any later legislation or standard that amends or replaces it.
- 1.4 In these conditions:
- a) "The Project" shall mean the Southern Links Project **[insert definition]**; and
 - b) "Local road" shall mean a road that is not a State highway or private road.

Management Plans General

- 1.5 All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these Conditions.
- 1.6 The following Management Plans must be submitted to the Waipa District Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:
- a) Pre-Construction Communication and Consultation Plan;
 - b) Construction Management Plan;

- c) Construction Noise and Vibration Management Plan;
 - d) Communication and Consultation Plan;
 - e) Concept Landscape Management Plan;
 - f) Landscape Management Plan;
 - g) Heritage and Archaeological Site Management Plan;
 - h) Ecological Management and Restoration Plan;
 - i) Dust Management Plan;
 - j) Contaminated Soil Management Plan;
 - k) Hazardous Substances Management Plan; and
 - l) Traffic Management Plan.
- 1.7 The Waipa District Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed, within 10 working days of receipt of the Management Plan by the Waipa District Council.
- 1.8 If, within the time allowed in Condition 1.8, the Waipa District Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.
- 1.9 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Waipa District Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.
- 1.10 a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Waipa District Council to determine a process of resolution.
- b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Waipa District Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note:** The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.*
- 1.11 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

1A Pre-Construction

Communication, Consultation and Property Liaison Manager

- 1A.1 Within three months of the confirmation of the designation the NZ Transport Agency shall appoint a Communication, Consultation and Property Liaison Manager to implement the Pre-Construction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.8) and Communication and Consultation Plan (Condition 8.1 to 8.7). The Communication, Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Project for the duration of the Project.
- 1A.2 The Communication, Consultation and Property Liaison Manager's contact details shall be listed in the PCCP and on the NZ Transport Agency's website and the Waipa District Council website.

Pre-Construction Communication and Consultation Plan

- 1A.3 The NZ Transport Agency shall prepare a PCCP. This PCCP shall be submitted to the Waipa District Council Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the PCCP has been prepared in accordance with this Condition.
- 1A.4 The PCCP shall be implemented and complied with within 18 months from the confirmation of the Designation until the commencement of the construction of the Project.
- 1A.5 The objective of the PCCP is to set out a framework to:
- a) Inform the community of Project progress and likely commencement of construction works;
 - b) Obtain feedback and input from affected parties and stakeholders regarding the development of relevant management plans;
 - c) Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.
- 1A.6 The PCCP shall, as a minimum:
- a) Inform the community of Project progress and likely commencement of construction works and programme;
 - b) Include a communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation methods to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 20.1) and the Community Liaison Group(s) (refer to Condition 1A.8) and any other relevant communication matters;
 - c) Details of the Communication, Consultation and Property Liaison Manager for the pre-construction period (Condition 1A.2) including their contact details (phone, email and postal address).
- 1A.7 The PCCP will be made publicly available (once certified) on the NZ Transport Agency's website and the Waipa District Council's website.

Community Liaison Groups

- 1A.8 Within three months of the confirmation of the designation the NZ Transport Agency shall, in consultation with the Waipa District Council, establish one Community Liaison Group for each of the following localities:
- a) Southern Sector Airport; and
 - b) Western Sector Collins/Houchens Road.
- 1A.9 The membership of the Community Liaison Group(s) shall include representative(s) of the NZ Transport Agency and be open to all affected parties including, but not limited to the following:
- a) Representative(s) for and/or affected property owners and occupiers;
 - b) [additional group members to be confirmed through the hearing process]
- 1A.10 The NZ Transport Agency will invite each of the Groups to meet at least annually until the commencement of construction and then at agreed intervals for the duration of the construction phase. Should a majority of each Group members decline or not respond to an invitation to meet, the NZ Transport Agency is not required to hold that meeting.
- 1A.11 Once construction has commenced the NZ Transport Agency will provide an update at least every three months (or as otherwise agreed) to the Groups on compliance with the designation conditions.
- 1A.12 The NZ Transport Agency shall provide a local venue for meetings of the Community Liaison Groups.

Property acquisition and management engagement

- 1A.13 Within three months of the confirmation of the designation, the Requiring Authority shall provide to the Council Chief Executive or nominee and affected landowners access to a document outlining the Requiring Authority's property acquisition and management engagement practice (PAMEP). The objective of the PAMEP is to provide clarity for affected landowners on how they can engage with the

Requiring Authority on matters regarding property acquisition and management. The PAMEP shall, as a minimum:

- a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 1A.2).
- b) Identify timeframes within which the NZ Transport Agency will respond to enquiries.
- c) Describe the process which the NZ Transport Agency will follow for responding to specific:
 - i. Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;
 - ii. Requests from landowners to use land that is within the designation footprint but not yet acquired by the NZ Transport Agency; and
 - iii. Complaints regarding the maintenance of properties acquired by the NZ Transport Agency.

2. Construction Management Plan

- 2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZ Transport Agency shall submit for certification a Construction Management Plan (*CMP*) to the Waipa District Council Chief Executive or nominee. The objective of the *CMP* is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the *CMP*. For the avoidance of doubt, the NZ Transport Agency may prepare a *CMP* in relation to each individual stage of its programme of works, provided that in each case it shall submit a *CMP* for certification in accordance with this Condition prior to any construction activity commencing on a particular stage.
- 2.2 The *CMP*(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following:
 - a) Details of the site or Project manager, including their contact details (phone, facsimile (if any), postal address, email address);
 - aa) Details of the contact person required by Condition 8.1 including name, phone number, email and postal address;
 - b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or Project manager and the contact person required by Conditions 1A.1 and 8.1;
 - bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
 - c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
 - cc) Environmental incident and emergency management procedures;
 - d) 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;
 - dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation;
 - e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
 - f) Procedures for controlling sediment runoff;
 - ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
 - g) 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;
 - h) 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;

- i) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;
- j) Means of ensuring the safety of the general public;
- k) Procedures for receiving and responding to complaints.

2.3 Any changes proposed to the CMP shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Waipa District Council's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. Complaints Management

2A.1 Upon receiving a complaint during construction, the NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt;
- c) Respond to the complaint in accordance with any relevant Management Plan, which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures;

2A.2 A record of all complaints received shall be kept by the NZ Transport Agency. This record shall include:

- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
- b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
- c) Known construction activities at the time and in the vicinity of the concern or complaint;
- d) Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;
- e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.

2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every three months (or as otherwise agreed) to the Waipa District Council Chief Executive or nominee.

2A.4 Where a complaint remains unresolved or a dispute arises, the Waipa District Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Waipa District Council Chief Executive or nominee must determine whether a review of the CMP or other relevant Management Plan is required to address this complaint. The Waipa District Council Chief Executive or nominee shall advise the NZ Transport Agency of its recommendation within 10 working days of receiving the records of complaint.

3 Outline Plan

3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Waipa District Council agrees that a Management Plan(s) listed in Condition 1.7 or relevant part(s) of the Management Plan(s) contains adequate details to satisfy section 176A of the RMA, then the Management Plan(s) or relevant part(s) of the Management Plan(s) 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 176A(2)(c) RMA.

NOISE AND VIBRATION

4. Operational Noise

- 4.1 For the purposes of Conditions 4.2 - 4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
 - b) Noise Assessment – means the Noise Assessment prepared in accordance with Condition 4.2.
 - c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
 - d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.2
- a) The NZ Transport Agency shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Waipa District Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the NZ Transport Agency shall submit to the Council Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The NZ Transport Agency shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.
 - b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified (29 January 2014).
- 4.3 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to Condition 4.4, shall include, as a minimum, the following:
- a) Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.4 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:
- a) If the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Waipa District Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - b) If changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.5 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.6 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not

in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').

- 4.7 a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the NZ Transport Agency shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
- b) If the owner(s) of the Category C Building approves the NZ Transport Agency's access to the property within 12 months of the date of the NZ Transport Agency's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the NZ Transport Agency shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 4.8 Where a Category C Building is identified, the NZ Transport Agency shall be deemed to have complied with Condition 4.7 above where:
- a) The NZ Transport Agency (through its acoustics specialist) has visited the building; or
- b) The owner of the Category C Building approved the NZ Transport Agency's access, but the NZ Transport Agency could not gain entry for some reason (such as entry denied by a tenant); or
- c) The owner of the Category C Building did not approve the NZ Transport Agency's access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the NZ Transport Agency's letter (sent pursuant to Condition 4.7(a) within that period)); or
- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- If any of (b) to (d) above apply to a particular Category C Building, the NZ Transport Agency shall not be required to implement any Building-Modification Mitigation at that Category C Building.
- 4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the NZ Transport Agency shall give written notice to the owner of each Category C Building:
- a) Advising of the options available for Building-Modification Mitigation to the building; and
- b) Advising that the owner has three months within which to decide whether to accept Building Modification Mitigation for the building, and if the NZ Transport Agency has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.
- 4.10 Once an agreement on Building-Modification Mitigation is reached between the NZ Transport Agency and the owner of an affected building, the mitigation shall be implemented (including the NZ Transport Agency obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the NZ Transport Agency and the owner.
- 4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the NZ Transport Agency shall be deemed to have complied with Condition 4.10 above where:
- a) The NZ Transport Agency has completed Building-Modification Mitigation to the Category C Building; or
- b) The owner of the Category C Building did not accept the NZ Transport Agency's offer to implement Building- Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the NZ Transport Agency within that period); or
- c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The NZ Transport Agency shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.

5 Construction Noise and Vibration

Construction Noise and Vibration Management Plan

- 5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit no later than 40 working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Waipa District Council for certification by the Waipa District Council's Chief Executive Officer or nominee.
- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.
- 5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Occupied PPFs (as defined in NZS 6806.2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

- 5.4 The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table B: Construction Vibration Criteria

5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall address the following aspects with regard to managing the adverse effects of construction noise and vibration:

- a) Identification of affected dwellings and other sensitive locations where vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat. It shall also include the dwelling at 194 Houchens Road;
- b) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;
- c) Mitigation options, including alternative strategies where full compliance with the noise criteria in Table A above and/or the vibration criteria in Table B above cannot practicably be achieved;
- d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works. Critical dwellings shall include but not be limited to the dwelling at 194 Houchens Road.

5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the Waipa District Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

Advice Note: *It is accepted that the noise and vibration limits in Conditions 5.3 and 5.4 may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 A Traffic Management Plan (*TMP*) shall be prepared in accordance with the NZ Transport Agency *Code of Practice for Temporary Traffic Management* and in consultation with the Chief Executive or nominee, Waipa District Council. The *TMP* shall be submitted to the Waipa District Council Chief Executive or nominee, for certification that the *TMP* satisfies this Condition no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The *TMP* shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the *TMP* shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance of all access points to the Project site, and all key State highway and arterial local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State highway network.
 - h) Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (Bulk HCVs).
 - i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.
 - j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.
 - k) Measures to ensure that any staging of construction works will adequately avoid, remedy or mitigate traffic-related adverse effects.
- 6.3 When requesting certification of the *TMP*, the NZ Transport Agency shall provide the Waipa District Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(j), any effects on that Territorial Authority's road network and measures to address such effects.

7 General Construction Traffic

- 7.1 The NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
- a) On Sundays; or
 - b) On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

8 Construction Communication and Consultation

Contact Person

- 8.1 The NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.

Communication and Consultation Plan

- 8.2 The NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Project.
- 8.3 This Plan shall be submitted to Waipa District Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.
- 8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Project.
- 8.5 The Communication and Consultation Plan shall as a minimum include:
- a) A communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising .), and any other relevant communication matters;
 - b) The Communication and Consultation and Property Liaison Manager for the Project, including their contact details (phone, email and postal address);
 - c) How stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;
 - d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;
 - e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;
 - f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works.
- 8.6 The Communication and Consultation Plan will be made publicly available (once certified) on the NZ Transport Agency's website.

Advice Note: *The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.*

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

- 9.1 No later than twenty (20) working days prior to the commencement of any stage of construction (excluding site investigations), the NZ Transport Agency shall submit a Concept Landscape Management Plan (CLMP), to Waipa District Council Chief Executive or nominee for certification.
- 9.1A The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses. The CLMP shall include:

- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers;
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces;
 - d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.
- 9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.
- 9.2A The CLMP shall be prepared in accordance with:
- a) NZTA's 'P39 Standard Specification for Highway Landscape Treatments' (2013); and
 - b) 'Bridging the Gap', NZTA Urban Design Guidelines (2013).
- 9.2B The CLMP shall have regard to Policy 12.3 (Natural Character) of the Proposed Waikato Regional Policy Statement as it existed at July 2014.
- 9.2C The NZ Transport Agency shall provide the CLMP to the following stakeholders at least 30 working days prior to submitting it to Waipa District Council Chief Executive or nominee:
- a) Waikato Regional Airport Limited;
 - b) Southern Links Taangata Whenua Working Group; and
 - c) Department of Conservation.
- 9.2D If the NZ Transport Agency has not received any comments from the stakeholders noted in Condition 9.2C within 20 working days of providing them the CLMP the NZ Transport Agency may consider that the stakeholder concerned has no comments.
- 9.2E The NZ Transport Agency shall include any comments from the stakeholders noted in Condition 9.2C along with an explanation of where and why any comments have not been incorporated into the CLMP(s) prior to submitting the CLMP to the Waipa District Council.

Landscape Management Plan

- 9.3 The NZTA NZ Transport Agency shall develop the certified CLMP into a Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the NZ Transport Agency shall submit for certification the LMP, to the Waipa District Council Chief Executive or nominee.
- 9.3A The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of the Project, or a particular stage of works.
- 9.4 The LMP(s) shall be prepared in consultation with the Waipa District Council by a suitably qualified and experienced landscape architect and shall include at least the following:
- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
 - b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Restoration Plan required by Condition 12), and the type and density of planting to be undertaken;
 - c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
 - d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;

- e) The outcomes of consultation with the Waipa District Council regarding landscape proposals along local roads;
 - f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
 - g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
 - h) Measures to integrate cut and fill batters with the existing topography;
 - i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
 - j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
 - k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
 - l) A planting specification, including planting and mulching techniques;
 - m) Planting maintenance requirements over a five year period following planting and reinstatement of road verges and gullies;
 - n) An implementation programme for all remedial and mitigation measures;
 - o) Post-construction monitoring measures;
 - p) Site specific planting and screening measures developed in consultation with affected property owners;
 - q) All plant species used in the LMP shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the, Waipa District Plan;
 - r) Evidence of consultation with the Titanium Park Joint Venture Limited (TPJV) with regard to landscape and urban design treatments at the State Highway 3/21 intersection. The objective of the consultation shall be to achieve consistency, as far as practicable, between the design treatments of the State highway works and the adjacent TPJV Western Precinct development; and
 - s) Replacement of the existing hedge that runs along the boundary of 2/3400 Ohaupo Road and Ohaupo Road that provides screening of the road from the dwelling on 1/3400 Ohaupo Road. The hedge replacement shall be of suitable species to ensure the visual screening is reinstated to at least the extent that existed prior to removal of the hedge. The owners of 1/3400 Ohaupo Road¹ shall be consulted during the design of the replacement hedge.
- 9.5 The NZ Transport Agency shall provide the LMP to the following stakeholders at least 30 working days prior to submitting it to Waipa District Council Chief Executive or nominee:
- a) Waikato Regional Airport Limited;
 - b) Southern Links Taangata Whenua Working Group; and
 - c) Department of Conservation; and
 - d) The owners of 1/3400 Ohaupo Road..
- 9.6 If the NZ Transport Agency has not received any comments from the stakeholders noted in Condition 9.5 within 20 working days of providing them the LMP the NZ Transport Agency may consider that the stakeholder concerned has no comments.
- 9.7 The NZ Transport Agency shall include any comments from the stakeholders noted in Condition 9.5 along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the Waipa District Council.

¹ At the time of the NZ Transport Agency's decision to confirm the designation, 1/3400 Ohaupo Road was owned by Ronald and Carol Ingram.

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Maintenance and Monitoring of Landscape Management Plan(s)

- 11.1 The NZ Transport Agency shall undertake an inspection at one year and again at five years after the implementation of the LMP(s) in accordance with Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to Waipa District Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ECOLOGICAL MANAGEMENT AND RESTORATION PLAN**12. Ecological Management and Restoration Plan**

- 12.1 The NZ Transport Agency shall develop an Ecological Management and Restoration Plan (EMRP). This EMRP shall be prepared by an appropriately qualified and experienced ecologist/s and the Plan's purpose shall be to avoid, remedy, or mitigate adverse ecological effects associated with the Project on terrestrial, wetland and perennial stream habitats. The Southern Links Taangata Whenua Working Group, the Department of Conservation, Waikato Regional Council and the Waipa District Council shall be consulted in the preparation of the EMRP. The EMRP shall be submitted to the Waipa District Council for certification acting in a technical certification capacity, at least 40 working days prior to the commencement of works.
- 12.2 The objectives of the EMRP shall be to demonstrate how the NZ Transport Agency will aim to achieve no net loss of terrestrial, wetland and stream biodiversity values. It will provide details of how monitoring, management and mitigation of the significant adverse effects of construction activities and Southern Links network operation on associated biodiversity values is to be undertaken, including but not limited to effects on, long tailed bats.
- 12.3 The EMRP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:
- a) Vegetation and habitat restoration and enhancement;
 - b) Management of significant effects on long tailed bats, avifauna, and lizards; and
 - c) Ecological monitoring.
- 12.4 Habitat creation, restoration or enhancement shall be on the basis of a minimum 1:1 ratio to mitigate for areas of gully, bat habitat and river margin lost to the Project footprint. The areas of habitat to be created, restored or enhanced based on the 1:1 shall be a minimum of 6.5ha. Where habitat creation, restoration or enhancement are undertaken within gullies or along the river margins it shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system Third Revised Edition. Hamilton City Council (or an updated version), Options for habitat restoration, enhancement and protection shall include consideration of Sites 8, 10 and 11 identified in Annexure 2 of Mr John Turner EIC.

12.5 The EMRP shall include, but may not be limited to, the following matters:

- a) Details of a comprehensive nocturnal surveys/Long Tailed Bat monitoring programme in order to confirm occupancy at the following and other potential (including non-indigenous) habitats along the Southern Links Rooding Corridor route:
 - i) along the Waikato River margins at Tamahere from the Southern Links crossing point north to (and including) the oak tree stand noted as a long tailed bat roost north of the airport runway; and
 - ii) in the remnant mature tree stands generally located in the area bounded by Middle Road, Narrows Road and Raynes Road, and adjacent to State Highway 3 in the vicinity of Penniket Road

Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats;

- b) In the event of detection of Long Tailed Bats within the road corridor, or the detection of bat commuting routes affected by the road corridor, the NZ Transport Agency shall develop a Long Tailed Bat Management Plan. This plan shall include, but may not be limited to, the following:
 - i) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;
 - ii) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;
 - iii) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
 - iv) The establishment of buffer zones along the southern links route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
 - v) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
 - vi) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Southern Links network at all locations where bats are detected;
 - vii) Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the Project or its vicinity that do not require removal;
 - viii) Procedures for implementing, monitoring and review of the EMRP.
- c) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of biodiversity values or natural habitat along the Southern Links network as a result of its construction. These details shall include, but may not be limited to the following:
 - i) The nature of any restorative planting to be undertaken (timing, species, source of planting material, extent and location);

- ii) The nature of any weed and/or pest control considered appropriate (timing, extent and location); and
 - iii) The nature and extent of stock proof fencing that is to be established along the margins of restoration areas.
- 12.6 If appropriate the EMRP required under this Condition can be developed as a combined document with the EMRP required by Condition 12 of the NZ Transport Agency Southern Links designation in the Waikato District, and/or the Environmental Management and Monitoring Plan (*EMMP*) required by Condition 12 of the Hamilton City Council designation for the Southern Links Arterial Routes.

ARCHAEOLOGY

13 Archaeology

- 13.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)
- 13.2 Prior to the commencement of construction, the NZ Transport Agency shall provide to the Waipa District Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.
- 13.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist and conservation architect under the direction of the NZ Transport Agency and then submitted for certification to the Waipa District Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.
- 13.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites and heritage buildings within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:
- a) Measures that will be taken to protect or avoid archaeological sites (or in situ archaeological remains) from damage during construction;
 - b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;
 - c) Areas where monitoring of construction works by an archaeologist will be required;
 - d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
 - e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
 - f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
 - g) Provision for any revisions required to the HASMP during the course of the Project; and
 - h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.

- 13.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, an Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Waipa District Chief Executive or nominee. The Policy shall describe the on-going management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.
- 13.6 Specifically with regards to the Glenhope Homestead, the HASMP shall include requirements for:
- a) The preparation of a pre-relocation comprehensive photographic record of the interior and exterior of the building with a floor plan of the building identifying the location and viewpoint of photographs identified; and the wider setting of the building, including the garden and trees, and the adjacent woolshed and two worker's cottages. A detailed site plan detailing these elements as well as paths, the road entrance, driveways and any other built objects should also be drawn up with the location and viewpoint of photographs identified.
 - b) Copies of all relevant records to be given to Heritage New Zealand and Council.
 - c) The preparation of a detailed dwelling condition report prior to the start and conclusion of any relocation works.
 - d) Identification of the alternative site within the bounds of the original 350 acre farm to which the dwelling will be relocated and the works that will be undertaken at that site to recreate the setting (as far as practicable) of the original Glenhope site.
- 13.7 In addition to the relevant provisions of the HASMP, a Dwelling Conservation Plan shall be prepared for Glenhope Homestead by a suitably qualified and experienced conservation architect to identify and rank individual heritage spaces and fabric of the dwelling, describe appropriate policies to ensure heritage values of the dwelling are maintained throughout construction and operation of the Project and provide a dwelling relocation methodology, including treatment of brickwork chimneys. A copy of the Dwelling Conservation Plan shall be provided to Heritage New Zealand.

NETWORK UTILITY INFRASTRUCTURE

14 Network Infrastructure Generally

- 14.1 The NZ Transport Agency 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 to ensure:
- a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and
 - b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.
- 14.2 During the design phase of the Project, the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:
- a) Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.
- 14.3 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the NZ Transport Agency shall, subject to reasonable planned interruption, either:
- a) Protect the utility from any activity which may interfere with the proper functioning of the services; or
 - b) Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or

- c) Seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

15 Airport Aviation Infrastructure

- 15.1 During the design phase of the Project the NZ Transport Agency shall liaise with Waikato Regional Airport Ltd (or its successor) in relation to any part of the works within the designation where existing and/or future airport aviation infrastructure may be affected, and make reasonable and relevant changes requested by Waikato Regional Airport Ltd to the relevant design plans and construction methodologies to ensure that such aviation infrastructure is not adversely affected.
- 15.2 The final design of the Project shall incorporate, but not be limited to, the following measures:
- a) Signage at appropriate locations adjacent to airport flight paths cautioning drivers about low flying aircraft;
 - b) Location of the east-west state highway route as far to the north (within the designation) as practicable from the main airport runway;
 - c) Consideration of the extent of highway lighting with regards to airport approach paths. Where highway lighting is required within approach paths the highway lighting must be shielded to avoid the lighting creating a distraction to the pilots of aircraft on approach to runways at the airport. In this regard the NZTA shall liaise with the New Zealand Civil Aviation Authority (or its successor) at the time of detailed design to ensure relevant compliance standards for light shielding at the time are complied with;
 - d) Provision of vehicular access for maintenance and emergency purposes to the part of the airport high intensity lighting bank north of the east-west state highway route from the local road network;
 - e) Avoidance of stormwater ponds that create a continuous area of standing water (i.e. not drained within 48 hours) in the airport locality that could attract birds into aircraft flight paths of a number that will create an aviation hazard;
 - f) For planting located within any part of the network subject to the Hamilton Airport Obstacle Limitation Surface as set out in the Waipa District Plan, the use of species (developed as part of the Landscape Management Plan required by Condition 9.4) that at their full mature height will not protrude through the height restrictions imposed by the Obstacle Limitation Surface, and that are not recognised as having characteristics that are highly attractive to birds;
 - g) Procedures (developed as part of the Construction Management Plan required by Condition 2.2) to be followed during the construction and management of all works associated with the Project to address adverse effects on aviation safety. These procedures shall include, but not be limited to:
 - i) Ensuring the maximum height above ground level of any construction related equipment does not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Waipa District Plan;
 - ii) Measures to ensure construction related equipment does not produce glare into the eyes of aircraft pilots;
 - iii) Control of dust emissions including the use of suppressants as required;
 - iv) The orientation, intensity, location and times of use of any temporary floodlighting and construction lighting;
 - v) Temporary traffic management to ensure that airport access is maintained for passengers and emergency vehicles at all times; and
 - vi) Methods for communicating construction matters relevant to aviation activities to the airport operator.

- 15.3 Prior to any physical works commencing on the part of the Southern Links network that potentially affects airport aviation infrastructure:
- a) The NZ Transport Agency shall provide to WRAL (or its successor) an Aviation Safety Review report based on the detailed design of the Project, prepared by a suitably qualified and experienced practitioner agreed to by the Transport Agency and WRAL; and
 - b) The NZ Transport Agency shall obtain a letter from Waikato Regional Airport Ltd (or its successor) that confirms that the works have been designed to the satisfaction of Waikato Regional Airport Ltd (or its successor).

16 Te Awa Cycleway

- 16.1 The NZ Transport Agency shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.

17 Detailed Drainage Design

- 17.1 During the preparation of the detailed stormwater design plans for the Project, the NZ Transport Agency shall pay particular attention to the design of stormwater devices and methods on 99 Raynes Road² to ensure that existing drainage issues on the property are not made worse by the Project, and that the health of the covenanted kahikatea stand on the property is not adversely affected. In consultation with the owners of 99 Raynes Road, the detailed drainage design shall, where practicable, incorporate or complement existing field drainage works on the property.
- 17.2 Subject to the requirements of future resource consents required to authorise stormwater discharges, diversions and associated structures, the NZ Transport Agency shall ensure that the detailed stormwater design for the part of the Project located within the Nukuhau and Nukuhau North Drainage Areas shall be independently peer reviewed. Specific attention shall be paid to the capacity of the designed drainage network to cater for existing stormwater flows and those from the Project without worsening drainage issues on properties within the drainage areas, and on the property at 133 Raynes Road³.

18. Underpasses

- 18.1 Following consultation with the owners of the properties specified in this Condition, the NZ Transport Agency shall consider in the final design of the Project incorporating underpasses of a standard sufficient for their intended use at the following locations:
- a) Under the east-west State highway route to connect 217 Collins Road⁴ with the severance area adjoining the North Island Main Trunk Rail Line to the east of the State highway route; and
 - b) Under the north-south State highway route to connect 2/3400 Ohaupo Road with the severance area between the Penniket Road re-alignment and the north-south State highway route, unless that severance area is identified use for another Project purpose.

19 Railway Crossing Design

- 19.1 Prior to detailed design being commenced, the NZ Transport Agency shall enter into discussions with KiwiRail (or its successor, if any) in relation to developing a Project Agreement covering the final design and construction of the Project in the vicinity of the Collins Road level crossing and the bridge over the railway corridor to the south of Collins Road.

² At the time of the NZ Transport Agency's decision to confirm the designation, 99 Raynes Road was owned by John and Heather Healey.

³ At the time of the NZ Transport Agency's decision to confirm the designation, 133 Raynes Road was owned by Diane Sharpe and RK Sharpe Estate.

⁴ At the time of the NZ Transport Agency's decision to confirm the designation, 217 Collins Road was owned by Shanghai Pengxin New Zealand Ltd.

20 Consultation with Waikato - Tainui

20.1 When required to consult with taangata whenua by the Conditions of this designation the NZ Transport Agency shall, through its Chief Executive or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:

Each hapu is represented by the recognised/appointed person or persons;

- a) Administration of liaison/coordination occurs in a timely manner;
- b) Any actions/direction or information from the TWWG Group/representatives has a common voice for Iwi on all liaison/coordination matters.

20.2 The TWWG shall comprise of representatives of the following:

- a) Ngati Hauaa;
- b) Ngati Koroki Kahukura;
- c) Ngati Wairere;
- d) Ngati Maahanga;
- e) NZ Transport Agency; and
- f) Waipa District Council.

21 Dust Management Plan

21.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Dust Management Plan (DMP). The NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.

21.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council at least 40 working days prior to construction activities being undertaken for certification.

21.3 As a minimum the DMP shall include the following details:

- a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;
- b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
- c) Procedures for responding to process malfunctions and accidental dust discharges;
- d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
- e) Continuous monitoring of meteorology;
- f) Monitoring of construction vehicle maintenance;
- g) Complaints investigation, monitoring and reporting;
- h) The identification of staff and contractors' responsibilities; and
- i) Appropriate DMP review procedures.

22 Contaminated Soil Management Plan

22.1 Prior to the commencement of construction, the NZ Transport Agency shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during

the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

22.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council for certification at least 40 working days prior to construction activities being undertaken.

22.3 As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
- c) The soil validation testing that will be undertaken;
- d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
- e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
- f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material;
 - ii) Stop work or isolate the area once any such material is identified;
- g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil;
 - iv) Remediate any required sites; and
- h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii) Handle any asbestos containing material.

22.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of the measures required in Condition 22.3 above.

22.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Waipa District Council documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the NZ Transport Agency.

Advice note: *A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).*

23 Hazardous Substances Management Plan

23.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Hazardous Substances Management Plan (HSMP). The NZ Transport Agency shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be

to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.

- 23.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Waipa District Council for certification at least 40 working days prior to construction activities being undertaken.
- 23.3 As a minimum the HSMP shall include the following details:
- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
 - b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
 - c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
 - d) Procedures to notify and report to the Waipa District Council within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and
 - e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.

24 Road Lighting

Construction Lighting

- 24.1 The NZ Transport Agency shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

- 24.2 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing dwellings, and shall ensure that:
- a) All carriageway lighting is designed in accordance with "Road Lighting Standard AS/NZS1158"; and
 - b) All other lighting is designed in accordance with the relevant rules of the Operative Waipa District Plan.

25 Roothing improvement at SH3/21 Intersection

- 25.1 The Requiring Authority shall develop and construct a roundabout or equivalent access solution (hereafter, 'rooding improvement') in the vicinity of the SH3/21 intersection, which shall include approaches and connections to the existing State highways and connectivity for the Titanium Park Western Precinct. The design of the rooding improvement shall be finalised after consultation with Titanium Park Joint Venture. The rooding improvement shall be constructed as soon as reasonably practicable once full funding for its design and construction has been obtained via the National Land Transport Programme (NLTP) or external funding sources or a combination of both. The rooding improvement shall include an access leg into the Western Precinct that is consistent with full provision of the Project's SH3/21 interchange.
- 25.2 The rooding improvement shall be subject only to the following conditions, modified to match the scale of the work:
- a) 2 - Construction Management Plan;
 - b) 2A - Complaints Management;
 - c) 4 - Operational Noise;
 - d) 5 - Construction Noise and Vibration;
 - e) 7 - General Construction Traffic;

- f) 9 - Landscape Management Plans;
- g) 14 - Network Infrastructure General;
- h) 22 - Dust Management;
- i) 23 - Contaminated Soil Management;
- j) 24 - Hazardous Substances Management Plan; and
- k) 25 - Road Lighting.

26 Chinaman's Hill Designation

- 26.1 Within 12 months of the Southern Links designation being confirmed, the NZ Transport Agency shall, pursuant to s182(1) of the RMA, give notice of those parts of the Chinaman's Hill Designation that will be uplifted.

27 Administration

- 27.1 The NZ Transport Agency shall pay to the Waipa District Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Section 177 of the RMA

The NZ Transport Agency is reminded of the requirements under section 177 of the RMA in respect of the Southern Links roading designation overlapping the North Island Main Trunk Railway Line designation and the Waikato Regional Airport Ltd designation.

C Authority under the Heritage New Zealand Pouhere Taonga Act 2014

The NZ Transport Agency will need to obtain an authority from the Heritage New Zealand to destroy, damage or modify any archaeological sites in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

D Consultation and Liaison with Regional and Local Agencies

The NZ Transport Agency should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

E Taangata Whenua Contact Details

Contact details for the hapu listed in Condition 20.2 can be obtained through the office of Waikato-Tainui.

**ANNEXURE J - NZTA 168 WAIKATO DESIGNATION CONDITIONS
(CLEAN)**

NZ Transport Agency (proposed as of 8/7/14)

Conditions to apply to Notice of Requirement in Waikato District (NZTA 168 Waikato)

1 General Conditions

- 1.1 Except as modified by the Conditions below and subject to final design, the Project works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (NZTA) in its Notice of Requirement and the supporting documents, namely:
- a) *Southern Links: Notice of Requirement (NoR)* by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - b) *Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information* (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013;
 - c) *Southern Links – Scheme Assessment Report Drawings 1000-8000 series*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus.
 - d) The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information;
 - e) Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012; and
 - f) Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014.
- 1.2 Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.
- 1.2 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of twenty (20) years after it is included in the Operative and Proposed Waikato District Plans.
- 1.3 Any reference in these Conditions to legislation or a Standard includes any later legislation or standard that amends or replaces it.
- 1.4 In these conditions:
- a) "The Project" shall mean The Southern Links Project **[insert definition]**; and
 - b) "Local road" shall mean a road that is not a State highway or private road.

Management Plans General

- 1.5 All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these Conditions.
- 1.6 The following Management Plans must be submitted to the Waikato District Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:
- a) Pre-Construction Communication and Consultation Plan;
 - b) Construction Management Plan;
 - c) Construction Noise and Vibration Management Plan;
 - d) Communication and Consultation Plan;
 - e) Concept Landscape Management Plan;
 - f) Landscape Management Plan;
 - g) Heritage and Archaeological Site Management Plan;

- h) Ecological Management and Restoration Plan;
 - i) Dust Management Plan;
 - j) Contaminated Soil Management Plan;
 - k) Hazardous Substances Management Plan; and
 - l) Traffic Management Plan.
- 1.8 The Waikato District Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed within 10 working days of receipt of the Management Plan by the Waikato District Council.
- 1.7 If, within the time allowed in Condition 1.8, the Waikato District Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.
- 1.8 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Waikato District Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.
- 1.9
- a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Waikato District Council to determine a process of resolution.
 - b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
 - c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Waikato District Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.*
- 1.10 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

1A Pre-Construction

Communication, Consultation and Liaison Manager

- 1A.1 Within three months of the confirmation of the designation the NZ Transport Agency shall appoint a Communication, Consultation and Property Liaison Manager to implement the Pre-Construction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.8) and Communication and Consultation Plan (Condition 8.1 to 8.7). The Communication, Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Project for the duration of the Project.
- 1A.2 The Communication, Consultation and Property Liaison Manager's contact details shall be listed in the PCCP and on the NZ Transport Agency's website and the Waikato District Council website.

Pre-Construction Communication and Consultation Plan

- 1A.3 The NZ Transport Agency shall prepare a PCCP. This PCCP shall be submitted to the Waikato District Council Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the PCCP has been prepared in accordance with this Condition.
- 1A.4 The PCCP shall be implemented and complied with from within 18 months from the confirmation of the Designation until the commencement of the construction of the Project.

- 1A.5 The objective of the PCCP is to set out a framework to:
- a) Inform the community of Project progress and likely commencement of construction works;
 - b) Obtain feedback and input from affected parties and stakeholders regarding the development of relevant management plans;
 - c) Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.
- 1A.6 The PCCP shall, as a minimum:
- a) Inform the community of Project progress and likely commencement of construction works and programme;
 - b) Include a communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation methods to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 17.1) and the Community Liaison Group(s) (refer to Condition 1A.8) and any other relevant communication matters;
 - c) Details of the Communication, Consultation and Property Liaison Manager for the pre-construction period (Condition 1A.2) including their contact details (phone, email and postal address).
- 1A.7 The PCCP will be made publicly available (once certified) on the NZ Transport Agency's website and the Waikato District Council's website.

Community Liaison Groups

- 1A.8 Within three months of the confirmation of the designation the NZ Transport Agency shall, in consultation with the Waikato District Council, establish one Community Liaison Group for each of the following localities:
- a) Eastern Sector Tamahere.
- 1A.9 The membership of the Community Liaison Group(s) shall include representative(s) of the NZ Transport Agency and be open to all affected parties including, but not limited to the following:
- a) Representative(s) for and/or affected property owners and occupiers;
 - b) Tamahere Community Committee;
 - c) Riverside Golf Club;
 - d) St Stephens Church; and
 - e) [additional group members to be confirmed through the hearing process].
- 1A.10 The NZ Transport Agency will invite each of the Groups to meet at least annually until the commencement of construction and then at agreed intervals for the duration of the construction phase. Should a majority of each Group members decline or not respond to an invitation to meet, the NZ Transport Agency is not required to hold that meeting.
- 1A.11 Once construction has commenced the NZ Transport Agency will provide an update at least every three months (or as otherwise agreed) to the Groups on compliance with the designation conditions .
- 1A.12 The NZ Transport Agency shall provide a local venue for meetings of the Community Liaison Groups.

Property Acquisition and Management Engagement

- 1A.13 Within three months of the confirmation of the designation, the NZ Transport Agency shall provide to the Council Chief Executive or nominee and affected landowners access to a document outlining the NZ Transport Agency's property acquisition and management engagement practice (*PAMEP*). The objective of the PAMEP is to provide clarity for affected landowners on how they can engage with the NZ Transport Agency on matters regarding property acquisition and management. The PAMEP shall, as a minimum:
- a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 1A.2).
 - b) Identify timeframes within which the NZ Transport Agency will respond to enquiries.

- c) Describe the process which the NZ Transport Agency will follow for responding to specific:
 - i) Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;
 - ii) Requests from landowners to use land that is within the designation footprint but not yet acquired by the NZ Transport Agency; and
 - iii) Complaints regarding the maintenance of properties acquired by the NZ Transport Agency.

2. Construction Management Plan

- 2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZ Transport Agency shall submit for certification a Construction Management Plan (*CMP*) to the Waikato District Council Chief Executive or nominee. The objective of the *CMP* is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the *CMP*. For the avoidance of doubt, the NZ Transport Agency may prepare a *CMP* in relation to each individual stage of its programme of works, provided that in each case it shall submit a *CMP* for certification in accordance with this Condition prior to any construction activity commencing on a particular stage.
- 2.2 The *CMP*(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following:
 - a) Details of the site or Project manager, including their contact details (phone, facsimile (if any), postal address, email address);
 - aa) Details of the contact person required by Condition 8.1 including name, phone number, email and postal address;
 - b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or Project manager and the contact person required by Conditions 1A.1 and 8.1;
 - bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
 - c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
 - cc) Environmental incident and emergency management procedures;
 - d) 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;
 - dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation;
 - e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
 - f) Procedures for controlling sediment runoff;
 - ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
 - g) 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;
 - h) 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;
 - i) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;
 - j) Means of ensuring the safety of the general public;

- k) Procedures for receiving and responding to complaints.
- 2.3 Any changes proposed to the CMP shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Waikato District Council's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.
- 2A. Complaints Management**
- 2A.1 Upon receiving a complaint during construction, the NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:
- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
 - b) Acknowledge receipt of the complaint within 24 hours of receipt;
 - c) Respond to the complaint in accordance with any relevant Management Plan , which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures;
- 2A.2 A record of all complaints received shall be kept by the NZ Transport Agency. This record shall include:
- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
 - b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
 - c) Known construction activities at the time and in the vicinity of the concern or complaint;
 - d) Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;
 - e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.
- 2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every three months (or as otherwise agreed) to the Waikato District Council Chief Executive or nominee.
- 2A.4 Where a complaint remains unresolved or a dispute arises, the Waikato District Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Waikato District Council Chief Executive or nominee must determine whether a review of the CMP or other relevant Management Plan is required to address this complaint. The Waikato District Council Chief Executive or nominee shall advise the NZ Transport Agency of its recommendation within 10 working days of receiving the records of complaint.

3 Outline Plan

- 3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Waikato District Council agrees that a Management Plan(s) listed in Condition 1.7 or relevant part(s) of the Management Plan(s) contains adequate details to satisfy section 176A of the RMA, then the Management Plan(s) or relevant part(s) of the Management Plan(s) 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 176A(2)(c) RMA.

NOISE AND VIBRATION

4. Operational Noise

- 4.1 For the purposes of Conditions 4.1-4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
 - b) Noise Assessment – means the Noise Assessment prepared in accordance with Condition 4.2.
 - c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels

- established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
- d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.2 a) The NZ Transport Agency shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Waikato District Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the NZ Transport Agency shall submit to the Council Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The NZ Transport Agency shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.
- b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified (29 January 2014).
- 4.3 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to Condition 4.4, shall include, as a minimum, the following:
- a) Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.4 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either:
- a) If the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Waikato District Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - b) If changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.5 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.6 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.7 a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the NZ Transport Agency shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
- b) If the owner(s) of the Category C Building approves the NZ Transport Agency's access to the property within 12 months of the date of the NZ Transport Agency's letter (sent pursuant to

Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the NZ Transport Agency shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.

4.8 Where a Category C Building is identified, the NZ Transport Agency shall be deemed to have complied with Condition 4.7 above where:

- a) The NZ Transport Agency (through its acoustics specialist) has visited the building; or
- b) The owner of the Category C Building approved the NZ Transport Agency's access, but the NZ Transport Agency could not gain entry for some reason (such as entry denied by a tenant); or
- c) The owner of the Category C Building did not approve the NZ Transport Agency's access to the property within the time period set out in Condition [4.7(b)] (including where the owner(s) did not respond to the NZ Transport Agency's letter (sent pursuant to Condition [4.7(a)] within that period)); or
- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Category C Building, the NZ Transport Agency shall not be required to implement any Building-Modification Mitigation at that Category C Building.

4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the NZ Transport Agency shall give written notice to the owner of each Category C Building:

- a) Advising of the options available for Building-Modification Mitigation to the building; and
- b) Advising that the owner has three months within which to decide whether to accept Building Modification Mitigation for the building, and if the NZ Transport Agency has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.

4.10 Once an agreement on Building-Modification Mitigation is reached between the NZ Transport Agency and the owner of an affected building, the mitigation shall be implemented (including the NZ Transport Agency obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the NZ Transport Agency and the owner.

4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the NZ Transport Agency shall be deemed to have complied with Condition 4.10 above where:

- a) The NZ Transport Agency has completed Building-Modification Mitigation to the Category C Building; or
- b) The owner of the Category C Building did not accept the NZ Transport Agency's offer to implement Building Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the NZ Transport Agency within that period); or
- c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

4.12 The NZ Transport Agency shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.

5 Construction Noise and Vibration

Construction Noise and Vibration Management Plan

5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit no later than 40 working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Waikato District Council for certification by the Waikato District Council's Chief Executive Officer or nominee.

- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.
- 5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Occupied PPFs (as defined in NZS 6806.2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

- 5.4 The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	At all times	2.0 mm/s ppv	10.0 mm/s ppv	

Receiver	Details	Category A	Category B	Location
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table B: Construction Vibration Criteria

- 5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall address the following aspects with regard to managing the adverse effects of construction noise and vibration:
- Identification of affected dwellings and other sensitive locations where vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat. It shall also include the dwelling at 157A Tamahere Drive;
 - Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;
 - Mitigation options, including alternative strategies where full compliance with the noise criteria in Table A above and/or the vibration criteria in Table B above cannot practicably be achieved;
 - Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works. Critical dwellings shall include but not be limited to the dwelling at 157A Tamahere Drive.
- 5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the Waikato District Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

Advice Note: *It is accepted that the noise and vibration limits in Conditions 5.3 and 5.4 may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 A Traffic Management Plan (TMP) shall be prepared in accordance with the NZ Transport Agency *Code of Practice for Temporary Traffic Management* and in consultation with the Chief Executive or nominee, Waipa District Council. The TMP shall be submitted to the Waikato District Council Chief Executive or nominee, for certification that the TMP satisfies this Condition no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).

- 6.2 The TMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the TMP shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance of all access points to the Project site, and all key State highway and arterial/local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State highway network.
 - h) Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (*Bulk HCVs*).
 - i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.
 - j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.
 - k) Measures to ensure that any staging of construction traffic works will adequately avoid, remedy or mitigate traffic-related adverse effects.
- 6.3 When requesting certification of the TMP, the NZ Transport Agency shall provide the Waikato District Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(j), any effects on that Territorial Authority's road network and measures to address such effects.

7 General Construction Traffic

- 7.1 The NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
- a) On Sundays; or
 - b) On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

8 Construction Communication and Consultation

Contact Person

- 8.1 The NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.

Communication and Consultation Plan

- 8.2 The NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Project.
- 8.3 This Plan shall be submitted to Waikato District Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.
- 8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Project.
- 8.5 The Communication and Consultation Plan shall as a minimum include:
- a) A communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising), and any other relevant communication matters;
 - b) The Communication and Consultation and Property Liaison Manager for the Project, including their contact details (phone, email and postal address);
 - c) How stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;
 - d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;
 - e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;
 - f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works.
- 8.6 The Communication and Consultation Plan will be made publicly available (once certified) on the NZ Transport Agency's website.

Advice Note: *The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.*

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

- 9.1 No later than twenty (20) working days prior to the commencement of any stage of construction (excluding site investigations), the NZ Transport Agency shall submit a Concept Landscape Management Plan (CLMP), to Waikato District Council Chief Executive or nominee for certification.
- 9.1A The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses . The CLMP shall include:
- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers;
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces;

- d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.
- 9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.
- 9.2A The CLMP shall be prepared in accordance with:
- a) NZTA's 'P39 Standard Specification for Highway Landscape Treatments' (2013);
 - b) 'Bridging the Gap', NZTA Urban Design Guidelines (2013).
- 9.2B The CLMP shall have regard to Policy 12.3 (Natural Character) of the Proposed Waikato Regional Policy Statement as it existed at July 2014.
- 9.2C The NZ Transport Agency shall provide the CLMP to the following stakeholders at least 30 working days prior to submitting it to Waikato District Council Chief Executive or nominee:
- a) Tamahere Community Committee;
 - b) Southern Links Taangata Whenua Working Group;
 - c) Department of Conservation; and
 - d) The owners of 157A Tamahere Drive.
- 9.2D If the NZ Transport Agency has not received any comments from the stakeholders noted in Condition 9.2C within 20 working days of providing them the CLMP the NZ Transport Agency may consider that the stakeholder concerned has no comments.
- 9.2E The NZ Transport Agency shall include any comments from the stakeholders noted in Condition 9.2C along with an explanation of where and why any comments have not been incorporated into the CLMP(s) prior to submitting the CLMP, to the Waikato District Council.

Landscape Management Plan

- 9.3 The NZ Transport Agency shall develop the certified CLMP into a Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the NZ Transport Agency shall submit for certification the LMP, to the Waikato District Council Chief Executive or nominee.
- 9.3A The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of the Project, or a particular stage of works.
- 9.4 The LMP(s) shall be prepared in consultation with the Waikato District Council by a suitably qualified and experienced landscape architect and shall include at least the following:
- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
 - b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Restoration Plan required by Condition 12), and the type and density of planting to be undertaken;
 - c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
 - d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
 - e) The outcomes of consultation with the Waikato District Council regarding landscape proposals along local roads;
 - f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;

- g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
 - h) Measures to integrate cut and fill batters with the existing topography;
 - i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
 - j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
 - k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
 - l) A planting specification, including planting and mulching techniques;
 - m) Planting maintenance requirements over a five year period following planting and reinstatement of road verges and gullies;
 - n) An implementation programme for all remedial and mitigation measures;
 - o) Post-construction monitoring measures.
 - p) Site specific planting and screening measures developed in consultation with affected property owners;
 - (q) All plant species used in the LMP shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Waikato District Plan;
 - (r) The preparation of a detailed planting plan for the area adjacent to the frontage of 157A Tamahere Drive in consultation with the owners¹ of that property. The planting plan shall incorporate suitable species to ensure that the visual screening provided by any existing vegetation that is removed is reinstated to at least the extent that existed prior to removal of the vegetation.
- 9.5 The NZ Transport Agency shall provide the LMP to the following stakeholders at least 30 working days prior to submitting it to Waikato District Council Chief Executive or nominee:
- a) Tamahere Community Committee;
 - b) Southern Links Taangata Whenua Working Group; and
 - c) Department of Conservation.
- 9.6 If the NZ Transport Agency has not received any comments from the stakeholders noted in Condition 9.5 within 20 working days of providing them the LMP the NZ Transport Agency may consider that the stakeholder concerned has no comments.
- 9.7 The NZ Transport Agency shall include any comments from the stakeholders noted in Condition 9.5 along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the Waikato District Council.

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

¹ At the time of the NZ Transport Agency's decision to confirm the designation, 157A Tamahere Drive was owned by Martin and Debra Swann.

11 Monitoring and Monitoring of Landscape Management Plan(s)

- 11.1 The NZ Transport Agency shall undertake an inspection at one year and again at five years after the implementation of the LMP(s) in accordance with Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to Waikato District Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ECOLOGICAL MANAGEMENT AND RESTORATION PLAN

12. Ecological Management and Restoration Plan

- 12.1 The NZ Transport Agency shall develop an Ecological Management and Restoration Plan (*EMRP*). This EMRP shall be prepared by an appropriately qualified and experienced ecologist/s and the Plan's purpose shall be to avoid, remedy, or mitigate adverse ecological effects associated with the Project on terrestrial, wetland and perennial stream habitats. The Southern Links Taangata Whenua Working Group, the Department of Conservation, Waikato Regional Council and the Waikato District Council shall be consulted in the preparation of the EMRP. The EMRP shall be submitted to the Waikato District Council for certification acting in a technical certification capacity, at least 40 working days prior to the commencement of works.
- 12.2 The objectives of the EMRP shall be to demonstrate how the NZ Transport Agency will aim to achieve no net loss of terrestrial, wetland and stream biodiversity values. It will provide details of how monitoring, management and mitigation of the significant adverse effects of construction activities and Southern Links network operation on associated biodiversity values is to be undertaken, including but not limited to effects on, long tailed bats.
- 12.3 The EMRP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:
- a) Vegetation and habitat restoration and enhancement;
 - b) Management of significant effects on long tailed bats, avifauna, and lizards; and
 - c) Ecological monitoring.
- 12.4 Habitat creation, restoration or enhancement shall be on the basis of a minimum 1:1 ratio to mitigate for areas of gully, bat habitat and river margin lost to the Project footprint. The areas of habitat to be created, restored or enhanced based on the 1:1 shall be a minimum of 6.5ha. Where habitat creation, restoration or enhancement are undertaken within gullies or along the river margins it shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system Third Revised Edition. Hamilton City Council (or an updated version), Options for habitat restoration, enhancement and protection shall include consideration of Sites 8, 10 and 11 identified in Annexure 2 of Mr John Turner EIC.
- 12.5 The EMRP shall include, but may not be limited to, the following matters:
- a) Details of a comprehensive nocturnal surveys/Long Tailed Bat monitoring programme in order to confirm occupancy at the following and other potential (including non-indigenous) habitats along the Southern Links Roding Corridor route:
 - i) along the Waikato River margins at Tamahere from the Southern Links crossing point north to (and including) the oak tree stand noted as a long tailed bat roost north of the airport runway; and
 - ii) in the gully system on properties fronting Tamahere Drive and Day Road directly affected by the Southern Links designation.

Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April) and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats;

- b) In the event of detection of Long Tailed Bats within the road corridor, or the detection of bat commuting routes affected by the road corridor, the NZ Transport Agency shall develop a Long Tailed Bat Management Plan. This plan shall include, but may not be limited to, the following:
 - i) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;
 - ii) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat and artificial bat houses), with artificial roosts installed as far in advance of construction as possible where bat roosts have been shown to have a reasonable likelihood of occurring along the alignment;
 - iii) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
 - iv) The establishment of buffer zones along the southern links route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
 - v) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
 - vi) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Southern Links network at all locations where bats are detected;
 - vii) Specific minimum standards as determined by a recognised bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the Project or its vicinity that do not require removal;
 - viii) Procedures for implementing, monitoring and review of the EMRP.
- c) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of biodiversity values or natural habitat along the Southern Links network as a result of its construction. These details shall include, but may not be limited to the following:
 - i) The nature of any restorative planting to be undertaken (timing, species, source of planting material, extent and location);
 - ii) The nature of any weed and/or pest control considered appropriate (timing, extent and location); and
 - iii) The nature and extent of stock proof fencing that is to be established along the margins of restoration areas.

12.6 If appropriate the EMRP required under this Condition can be developed as a combined document with the EMRP required by Condition 12 of the NZ Transport Agency Southern Links designation in the Waipa District, and/or the Environmental Management and Monitoring Plan (*EMMP*) required by Condition 12 of the Hamilton City Council designation for the Southern Links Arterial Routes.

ARCHAEOLOGY**13 Archaeology**

- 13.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)
- 13.2 Prior to the commencement of construction the NZ Transport Agency shall provide to the Waikato District Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.
- 13.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist under the direction of the NZ Transport Agency and then submitted for certification to the Waikato District Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.
- 13.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:
- a) Measures that will be taken to protect or avoid archaeological sites (or in situ archaeological remains) from damage during construction;
 - b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;
 - c) Areas where monitoring of construction works by an archaeologist will be required;
 - d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
 - e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
 - f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
 - g) Provision for any revisions required to the HASMP during the course of the Project; and
 - h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.
- 13.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, an Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Waikato District Chief Executive or nominee. The Policy shall describe the ongoing management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.

NETWORK UTILITY INFRASTRUCTURE

14 Network Infrastructure Generally

- 14.1 The NZ Transport Agency 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 to ensure:
- a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and
 - b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.
- 14.2 During the design phase of the Project the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:
- a) Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.
- 14.3 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the NZ Transport Agency shall, subject to reasonable planned interruption, either:
- a) Protect the utility from any activity which may interfere with the proper functioning of the services; or
 - b) seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or
 - c) seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

15 Te Awa Cycleway

- 15.1 The NZ Transport Agency shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.

16 Underpasses

- 16.1 Following consultation with the owners of the properties specified in this Condition, the NZ Transport Agency shall consider in the final design of the Project incorporating an underpass of a standard sufficient for its intended use at the following location:
- a) Under the east-west State highway route to connect the northern portion of the Narrows Golf Course to the southern portion of the course, if required.

17 Consultation with Waikato - Tainui

- 17.1 When required to consult with taangata whenua by the \Conditions of this designation the NZ Transport Agency shall, through its Chief Executive or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:
- a) Each hapu is represented by the recognised/appointed person or persons;
 - b) Administration of liaison/coordination occurs in a timely manner;
 - c) Any actions/direction or information from the TWWG representatives has a common voice for Iwi on all liaison/coordination matters.

17.2 The TWWG shall comprise of representatives of the following:

- a) Ngati Hauaa;
- b) Ngati Koroki Kahukura;
- c) Ngati Wairere;
- d) Ngati Maahanga;
- e) The NZ Transport Agency; and
- f) Waikato District Council.

18 Dust Management Plan

18.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Dust Management Plan (DMP). The NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.

18.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Waikato District Council at least 40 working days prior to construction activities being undertaken for certification.

18.3 As a minimum the DMP shall include the following details:

- a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;
- b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
- c) Procedures for responding to process malfunctions and accidental dust discharges;
- d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
- e) Continuous monitoring of meteorology;
- f) Monitoring of construction vehicle maintenance;
- g) Complaints investigation, monitoring and reporting;
- h) The identification of staff and contractors' responsibilities; and
- i) Appropriate DMP review procedures.

19 Contaminated Soil Management Plan

19.1 Prior to the commencement of construction, the NZ Transport Agency shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.

19.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the Waikato District Council for certification at least 40 working days prior to construction activities being undertaken.

19.3 As a minimum the CSMP shall include the following details:

- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
- b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;

- c) The soil validation testing that will be undertaken;
 - d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
 - e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
 - f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material;
 - ii) Stop work or isolate the area once any such material is identified;
 - g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil;
 - iv) Remediate any required sites; and
 - h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii) Handle any asbestos containing material.
- 19.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of the measures required in Condition 19.3 above.
- 19.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Waikato District Council documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the NZ Transport Agency.

Advice note: *A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).*

20 Hazardous Substances Management Plan

- 20.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Hazardous Substances Management Plan (HSMP). The NZ Transport Agency shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.
- 20.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Waikato District Council for certification at least 40 working days prior to construction activities being undertaken.
- 20.3 As a minimum the HSMP shall include the following details:
- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
 - b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;

- c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
- d) Procedures to notify and report to the Waikato District Council within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and
- e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.

21 Road Lighting

Construction Lighting

- 21.1 The NZ Transport Agency shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

- 21.2 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing dwellings, and shall ensure that:
- a) All carriageway lighting is designed in accordance with “Road Lighting Standard AS/NZS1158”; and
 - b) All other lighting is designed in accordance with the relevant rules of the Operative Waikato District Plan.

22 Administration

- 22.1 The NZ Transport Agency shall pay to the Waikato District Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes

A Regional Consents

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Authority under the Heritage New Zealand Pouhere Taonga Act 2014

The NZ Transport Agency will need to obtain an authority from the Heritage New Zealand to destroy, damage or modify any archaeological sites in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

C Consultation and Liaison with Regional and Local Agencies

The NZ Transport Agency should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

D Taangata Whenua Contact Details

Contact details for the hapu listed above in Condition 20.2 can be obtained through the office of Waikato-Tainui.

E Tamahere Interchange – South Facing Ramps (NZTA

It is anticipated that any future closure of the south facing ramps at the existing Tamahere Interchange will require an Alteration to Designation pursuant to s181 of the RMA. The requiring authority will not make any such application without first consulting with the Tamahere community on any proposed closure of the south facing ramps.

**ANNEXURE K - NZTA 168 HAMILTON DESIGNATION CONDITIONS
(CLEAN)**

NZ Transport Agency (proposed as of 8/7/14)

Conditions to apply to Notice of Requirement in Hamilton City (NZTA 168 Hamilton)

1 General Conditions

- 1.1 Except as modified by the Conditions below and subject to final design, the Project works shall be undertaken generally in accordance with the information provided by the NZ Transport Agency (*NZ Transport Agency*) in its Notice of Requirement (*NoR*) and the supporting documents, namely:
- a) *Southern Links: Notice of Requirement* by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
 - b) *Southern Links: Assessment of Environmental Effects (AEE) and Supporting Information* (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013;
 - c) *Southern Links – Scheme Assessment Report Drawings 1000-8000 series*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
 - d) The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information; and
 - e) Hamilton Southern Links Concept Drainage Design, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012; and
 - f) Southern Links Preliminary Design Philosophy Statement, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014.
- 1.2 Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.
- 1.2 Pursuant to Section 184(1)(c) of the RMA, the designation shall not lapse for a period of twenty (20) years after it is included in the Operative and Proposed Hamilton City Plan.
- 1.3 Any reference in these Conditions to legislation or a Standard includes any later legislation or standard that amends or replaces it.
- 1.4 In these conditions:
- a) "The Project" shall mean The Southern Links Project **[insert definition]**; and
 - b) "Local road" shall mean a road that is not a State highway or private road.

Management Plans General

- 1.5 All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these Conditions.
- 1.6 The following Management Plans must be submitted to the Hamilton City Council Chief Executive or nominee for certification that they are consistent with the conditions of the designation:
- a) Pre-Construction Communication and Consultation Plan;
 - b) Construction Management Plan;
 - c) Construction Noise and Vibration Management Plan;
 - d) Communication and Consultation Plan;
 - e) Concept Landscape Management Plan;
 - f) Landscape Management Plan;
 - g) (Heritage and) Archaeological Site Management Plan;
 - h) Dust Management Plan;

- i) Contaminated Soil Management Plan;
 - j) Hazardous Substances Management Plan; and
 - k) Traffic Management Plan.
- 1.7 The Hamilton City Council shall ensure that any Management Plan submitted for certification is so certified and the NZ Transport Agency informed, within 10 working days of receipt of the Management Plan by the Hamilton City Council.
- 1.8 If, within the time allowed in Condition 1.8, the Hamilton City Council has neither certified a Management Plan, nor advised the NZ Transport Agency that it considers part or all of the Management Plan does not satisfy the relevant condition, then that Management Plan shall be deemed certified.
- 1.9 Any changes proposed to a certified Management Plan shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Hamilton City Council's Chief Executive or nominee within 5 working days of receipt of written confirmation, prior to implementation of those changes.
- 1.10 a) In the event of any dispute or disagreement arising as to any element of a Management Plan, that matter shall be referred in the first instance to the NZ Transport Agency Regional Highway Manager and to the Chief Executive, Hamilton City Council to determine a process of resolution.
- b) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- c) The independent appropriately qualified expert shall be appointed within 10 working days of the NZ Transport Agency or Hamilton City Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note:** The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.*
- 1.11 At all times during construction, the NZ Transport Agency shall ensure that a copy of the latest certified version of the Management Plans is kept on site at all times and all key personnel are made aware of each Plan's contents.

1A Pre-Construction

Communication, Consultation and Property Liaison Manager

- 1A.1 Within three months of the confirmation of the designation the NZ Transport Agency shall appoint a Communication, Consultation and Property Liaison Manager to implement the Pre-construction Communication and Consultation Plan (PCCP) (Condition 1A.3 to 1A.8) and Communication and Consultation Plan (Condition 8.1 to 8.7). The Communication, Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for persons affected by or interested in the Project for the duration of the Project.
- 1A.2 The Communication, Consultation and Property Liaison Manager's contact details shall be listed in the PCCP and on the NZ Transport Agency's website and the Hamilton City Council website.

Pre-Construction Communication and Consultation Plan

- 1A.3 The NZ Transport Agency shall prepare a PCCP. This PCCP shall be submitted to the Hamilton City Council Chief Executive or nominee, within 12 months of the Designation being confirmed, for certification that the PCCP has been prepared in accordance with this Condition.
- 1A.4 The PCCP shall be implemented and complied with within 18 months from the confirmation of the Designation until the commencement of the construction of the Project.
- 1A.5 The objective of the PCCP is to set out a framework to:
- a) Inform the community of Project progress and likely commencement of construction works;

- b) Obtain feedback and input from affected parties and stakeholders regarding the development of relevant management plans;
 - c) Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations.
- 1A.6 The PCCP shall, as a minimum:
- a) Inform the community of Project progress and likely commencement of construction works and programme;
 - b) Include a communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation methods to be used (particularly with regards to communicating and consulting with taangata whenua (refer to Condition 14.1) and the Community Liaison Group(s) (refer to Condition 1A.8) and any other relevant communication matters;
 - c) Details of the Communication, Consultation and Property Liaison Manager for the pre-construction period (Condition 1A.2) including their contact details (phone, email and postal address).
- 1A.7 The PCCP will be made publicly available (once certified) on the NZ Transport Agency's website and the Hamilton City Council's website.

Community Liaison Groups

- 1A.8 Within three months of the confirmation of the designation the NZ Transport Agency shall, in consultation with the Hamilton City Council, establish one Community Liaison Group for each of the following localities:
- a) Kahikatea Drive/Greenwood Street corner.
- 1A.9 The membership of the Community Liaison Group(s) shall include representative(s) of the NZ Transport Agency and be open to all affected parties including, but not limited to the following:
- a) Representative(s) for and/or affected property owners and occupiers;
 - b) **[additional group members to be confirmed through the hearing process]**.
- 1A.10 The NZ Transport Agency will invite the Group to meet at least annually until the commencement of construction and then at agreed intervals for the duration of the construction phase. Should a majority of the Group members decline or not respond to an invitation to meet, the NZ Transport Agency is not required to hold that meeting.
- 1A.11 Once construction has commenced the NZ Transport Agency will provide an update at least every three months (or as otherwise agreed) to the Group on compliance with the designation conditions and Management Plans **[which plans to be confirmed through the hearing process]** and any material changes to these plans.
- 1A.12 The NZ Transport Agency shall provide a local venue for meetings of the Community Liaison Group.

2. Construction Management Plan

- 2.1 No later than forty (40) working days prior to the commencement of any stage of construction activity (excluding site investigations), the NZ Transport Agency shall submit for certification a Construction Management Plan (CMP) to the Hamilton City Council Chief Executive or nominee. The objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP. For the avoidance of doubt, the NZ Transport Agency may prepare a CMP in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for certification in accordance with this Condition prior to any construction activity commencing on a particular stage.
- 2.2 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following:
- (a) Details of the site or Project manager, including their contact details (phone, facsimile (if any), postal address, email address);

- (aa) Details of the contact person required by Condition 8.1 including name, phone number, email and postal address;
 - (b) The location of large notice boards that clearly identify the name, phone number and address for service of the site or Project manager and the contact person required by Conditions 1A.1 and 8.1;
 - (bb) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
 - (c) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures and anticipated traffic diversion effects;
 - (cc) Environmental incident and emergency management procedures;
 - (d) 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;
 - (dd) Measures for ensuring all storage of materials associated with the construction works are contained within the boundary of the designation;
 - (e) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
 - (f) Procedures for controlling sediment runoff;
 - (ff) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
 - (g) 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;
 - (h) 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;
 - (i) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;
 - (j) Means of ensuring the safety of the general public;
 - (k) Procedures for receiving and responding to complaints.
- 2.3 Any changes proposed to the CMP shall be confirmed in writing by the NZ Transport Agency and certified in writing by the Hamilton City Council's Chief Executive Officer or nominee, prior to the implementation of any changes proposed.

2A. **Complaints Management**

- 2A.1 Upon receiving a complaint during construction, the NZ Transport Agency shall instigate a process to address concerns or complaints received about adverse effects. This shall:
- a) Identify of the nature of the complaint, and the location, date and time of the alleged event(s);
 - b) Acknowledge receipt of the complaint within 24 hours of receipt;
 - c) Respond to the complaint in accordance with any relevant Management Plan , which may include monitoring of the activity by a suitably qualified and experienced expert and implementation of mitigation measures,;
- 2A.2 A record of all complaints received shall be kept by the NZ Transport Agency. This record shall include:
- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
 - b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;

- c) Known construction activities at the time and in the vicinity of the concern or complaint;
 - d) Any other activities in the area unrelated to the Southern Links network construction that may have contributed to complaint such as non- Southern Links network construction, fires, traffic accidents or unusually dusty conditions generally;
 - e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.
- 2A.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every three months (or as otherwise agreed) to the Hamilton City Council Chief Executive or nominee.
- 2A.4 Where a complaint remains unresolved or a dispute arises, the Hamilton City Council Chief Executive or nominee will be provided with all records of the complaint and how it has been dealt with and addressed and whether the NZ Transport Agency considers that any other steps to resolve the complaint are required. Upon receiving records of the complaint the Hamilton City Council Chief Executive or nominee must determine whether a review of the CMP or other relevant Management Plan is required to address this complaint. The Hamilton City Council Chief Executive or nominee shall advise the NZ Transport Agency of its recommendation within 10 working days of receiving the records of complaint.

3 Outline Plan

- 3.1 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Hamilton City Council agrees that a Management Plan(s) listed in Condition 1.7 or relevant part(s) of the Management Plan(s) contains adequate details to satisfy section 176A of the RMA, then the Management Plan(s) or relevant part(s) of the Management Plan(s) 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 176A(2)(c) RMA.

NOISE AND VIBRATION

4. Operational Noise

- 4.1 For the purposes of Conditions 4.1-4.12 the following terms will have the following meanings:
- a) BPO – means the Best Practicable Option.
 - b) Noise Assessment – means the Noise Assessment prepared in accordance with Condition 4.2.
 - c) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
 - d) NZS 6806:2010 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - e) PPFs – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) Structural Mitigation – has the same meaning as in NZS 6806:2010.
- 4.2
- a) The NZ Transport Agency shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Hamilton City Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than 6 months prior to construction starting, the NZ Transport Agency shall submit to the Council Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The NZ Transport Agency shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 4.3–4.11 below.
 - b) The Noise Assessment shall only consider those PPF's existing on the date the Notice of Requirement was publicly notified (29 January 2014).

- 4.3 The detailed design of the Structural Mitigation measures of the Selected Options (the “Detailed Mitigation Options”) shall be undertaken by a suitably qualified acoustics specialist prior to construction of the Project, and, subject to Condition 4.4, shall include, as a minimum, the following:
- a) Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
 - b) Low-noise road surfaces in general accordance with the Noise Assessment.
- 4.4 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options either
- a) If the design of the Structural Mitigation measure could be changed and would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Hamilton City Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or
 - b) If changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but the Council confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.
- 4.5 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction.
- 4.6 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPF's which following implementation of all the Structural Mitigation included in the Detailed Mitigation Options are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LA_{eq} (24h) inside habitable spaces ('Category C Buildings').
- 4.7
- a) Prior to commencement of construction of the Project in the vicinity of a Category C Building, the NZ Transport Agency shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
 - b) If the owner(s) of the Category C Building approves the NZ Transport Agency's access to the property within 12 months of the date of the NZ Transport Agency's letter (sent pursuant to Condition 4.7(a)), then no more than 12 months prior to commencement of construction of the Project, the NZ Transport Agency shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 4.8 Where a Category C Building is identified, the NZ Transport Agency shall be deemed to have complied with Condition 4.7 above where:
- a) The NZ Transport Agency (through its acoustics specialist) has visited the building; or
 - b) The owner of the Category C Building approved the NZ Transport Agency's access, but the NZ Transport Agency could not gain entry for some reason (such as entry denied by a tenant); or
 - c) The owner of the Category C Building did not approve the NZ Transport Agency's access to the property within the time period set out in Condition 4.7(b) (including where the owner(s) did not respond to the NZ Transport Agency's letter (sent pursuant to Condition 4.7(a) within that period)); or
 - d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Category C Building, the NZ Transport Agency shall not be required to implement any Building-Modification Mitigation at that Category C Building.

- 4.9 Subject to Condition 4.8, within six months of the assessment required under Condition 4.7(b), the NZ Transport Agency shall give written notice to the owner of each Category C Building:
- a) Advising of the options available for Building-Modification Mitigation to the building; and
 - b) Advising that the owner has three months within which to decide whether to accept Building-Modification Mitigation for the building, and if the NZ Transport Agency has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.
- 4.10 Once an agreement on Building-Modification Mitigation is reached between the NZ Transport Agency and the owner of an affected building, the mitigation shall be implemented (including the NZ Transport Agency obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the NZ Transport Agency and the owner.
- 4.11 Subject to Condition 4.8, where Building-Modification Mitigation is required, the NZ Transport Agency shall be deemed to have complied with Condition 4.10 above where:
- a) The NZ Transport Agency has completed Building-Modification Mitigation to the Category C Building; or
 - b) The owner of the Category C Building did not accept the NZ Transport Agency's offer to implement Building- Modification Mitigation prior to the expiry of the timeframe stated in Condition 4.9(b) above (including where the owner did not respond to the NZ Transport Agency within that period); or
 - c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
- 4.12 The NZ Transport Agency shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least 10 years after the opening of the Project to the public.

5 Construction Noise and Vibration

Construction Noise and Vibration Management Plan

- 5.1 Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the NZ Transport Agency shall submit no later than 40 working days prior to the commencement of any stage of construction activity, a Construction Noise and Vibration Management Plan (CNVMP) to the Hamilton City Council for certification by the Hamilton City Council's Chief Executive Officer or nominee.
- 5.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZ Transport Agency, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project construction works.
- 5.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise criteria for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Occupied PPFs (as defined in NZS 6806.2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB

Day	Time	L _{Aeq(15min)}	L _{AFmax}
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

5.4 The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced expert shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified experts. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table B: Construction Vibration Criteria

5.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall address the following aspects with regard to managing the adverse effects of construction noise and vibration:

- a) Identification of affected dwellings and other sensitive locations where vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;
 - b) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;
 - c) Mitigation options, including alternative strategies where full compliance with the noise criteria in Table A above and/or the vibration criteria in Table B above cannot practicably be achieved;
 - d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works.
- 5.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 5.3 and/or 5.4, or where measurements show that compliance is not being achieved, the NZ Transport Agency shall prepare schedules to the CNVMP. These schedules shall be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation. Once prepared, the schedules shall be provided to the Hamilton City Council Chief Executive or nominee at least 5 working days in advance of the relevant works being carried out, and implemented.

Advice Note: *It is accepted that the noise and vibration limits in Conditions 5.3 and 5.4 may not be met at all times, but that the NZ Transport Agency will adopt the Best Practicable Option to achieve compliance.*

CONSTRUCTION TRAFFIC

6 Traffic Management Plan

- 6.1 A Traffic Management Plan (*TMP*) shall be prepared in accordance with the NZ Transport Agency *Code of Practice for Temporary Traffic Management* and in consultation with the Chief Executive or nominee, Hamilton City/ Council. The *TMP* shall be submitted to the Hamilton City Council Chief Executive or nominee, for certification that the *TMP* satisfies this Condition no later than forty (40) working days prior to the commencement of any stage during construction activity (excluding site investigations).
- 6.2 The *TMP* shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular, the *TMP* shall describe:
- a) Measures to maintain existing vehicle access to roads and property to the greatest extent practicable.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of 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;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance of all access points to the Project site, and all key State highway and arterial local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable

and reasonable operating conditions on local roads and on the State highway network.

- h) Routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) shifting bulk materials (such as earth fill or pavement materials or water) (*Bulk HCVs*)
 - i) Measures to ensure that any construction vehicles leaving the land on which the works are being carried out do not deposit soil or other debris on existing roads, and the remedial measures to be taken should that occur.
 - j) The use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads.
 - k) Measures to ensure that any staging of construction works will adequately avoid, remedy or mitigate traffic-related adverse effects.
- 6.3 When requesting certification of the TMP, the NZ Transport Agency shall provide the Hamilton City Council with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the NZ Transport Agency has adequately consulted with that Territorial Authority in relation to Condition 6.2(j), any effects on that Territorial Authority's road network and measures to address such effects.

7 General Construction Traffic

- 7.1 The NZ Transport Agency shall ensure there is no off-site Project-related Bulk HCV traffic:
- a) On Sundays; or
 - b) On public holidays or after 4.00 pm on working days prior to long weekends.
- 7.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

8 Construction Communication and Consultation

Contact Person

- 8.1 The NZ Transport Agency shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries on the construction works.

Communication and Consultation Plan

- 8.2 The NZ Transport Agency shall prepare a Communication and Consultation Plan which shall be implemented and complied with for the duration of the construction of the Project.
- 8.3 This Plan shall be submitted to Hamilton City Council Chief Executive or nominee, no later than 40 working days prior to the commencement of any stage of construction activity (excluding site investigations), for certification.
- 8.4 The objective of the Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, and affected parties during the construction of the Project.
- 8.5 The Communication and Consultation Plan shall as a minimum include:
- a) A communications framework that details the NZ Transport Agency's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising), and any other relevant communication matters;
 - b) The Communication and Consultation and Property Liaison Manager for the Project, including their contact details (phone, email and postal address);
 - c) How stakeholders and persons affected by the Project will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;

- d) Methods for communicating in advance temporary traffic management measures and permanent changes to road networks and layouts to affected parties, transport operators and the general public;
 - e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with concerns raised about such hours;
 - f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works;
- 8.6 The Communication and Consultation Plan will be made publicly available (once certified) on the NZ Transport Agency's website.

Advice Note: *The Pre-Construction and Communication and Consultation Plan required by Condition 1A will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.*

LANDSCAPE MANAGEMENT

9. Landscape Management Plans

Concept Landscape Management Plan

- 9.1 No later than twenty (20) working days prior to the commencement of any stage of construction (excluding site investigations), the NZ Transport Agency shall submit a Concept Landscape Management Plan (CLMP), to Hamilton City Council Chief Executive or nominee for certification.
- 9.1A The objective of the CLMP is to provide the overview of the landscape and urban design approach, which will subsequently be developed into the detailed LMP as the Project design progresses. The CLMP shall include:
- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers;
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces;
 - d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.
- 9.2 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.
- 9.2A The CLMP shall be prepared in accordance with:
- a) The NZ Transport Agency's 'P39 Standard Specification for Highway Landscape Treatments' (2013); and
 - b) 'Bridging the Gap', NZTA Urban Design Guidelines (2013).

Landscape Management Plan

- 9.3 The NZ Transport Agency shall develop the certified CLMP into a Landscape Management Plan (LMP). No later than 12 months after commencement of earthworks, the NZ Transport Agency shall submit for certification the LMP, to the Hamilton City Council Chief Executive or nominee.
- 9.3A The LMP shall identify the specific urban design and landscape measures to be implemented and maintained as part of the Project in order to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of the Project, or a particular stage of works.

- 9.4 The LMP(s) shall be prepared in consultation with the Hamilton City Council by a suitably qualified and experienced landscape architect and shall include at least the following:
- a) The proposed landscape and urban design theme to be adopted for the entire length of the Southern Links Network, including for overbridges, underbridges and noise barriers;
 - b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation planting to be undertaken;
 - c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
 - d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
 - e) The outcomes of consultation with the Hamilton City Council regarding landscape proposals along local roads;
 - f) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
 - g) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
 - h) Measures to integrate cut and fill batters with the existing topography;
 - i) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
 - j) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
 - k) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
 - l) A planting specification, including planting and mulching techniques;
 - m) Planting maintenance requirements over a five year period following planting and reinstatement of road verges and gullies;
 - n) An implementation programme for all remedial and mitigation measures;
 - o) Post-construction monitoring measures;
 - p) Site specific planting and screening measures developed in consultation with affected property owners; and
 - q) All plant species used in the LMP shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Hamilton City District Plan.

10 Implementation of Landscape Management Plan(s)

- 10.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:
- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
 - b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 24 months after the issue of the Certificate.

11 Maintenance and Monitoring of Landscape Management Plan(s)

- 11.1 The NZ Transport Agency shall undertake an inspection at one year and again at five years after the implementation of the LMP(s) in accordance with Condition 10.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcomes of each inspection shall be forwarded to Hamilton City Council Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented. Provision is to be made for remedial works to be undertaken, when planting becomes practicable, if the inspections identify that any significant areas of planting have not become established.

ARCHAEOLOGY

12 Archaeology

- 12.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 in relation to the NZ Transport Agency's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (N.B. This may require permission from landowners adjacent to the designation and an authority from Heritage NZ for any in-ground investigation work.)
- 12.2 Prior to the commencement of construction the NZ Transport Agency shall provide to the Hamilton City Council evidence that Archaeological Authorities have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the NZ Transport Agency shall provide evidence that Archaeological Authorities are not necessary.
- 12.3 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, a Heritage and Archaeological Site Management Plan (HASMP) shall be prepared by a suitably qualified and experienced archaeologist under the direction of the NZ Transport Agency and then submitted for certification to the Hamilton City Council Chief Executive or nominee. The HASMP must be submitted for certification at least 8 weeks prior to the commencement of any earthworks or construction activity.
- 12.4 The HASMP shall describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation in conjunction with any conditions required in any archaeological authority issued by Heritage New Zealand. In particular, the HASMP shall describe:
- a) Measures that will be taken to protect or avoid archaeological sites (or in situ archaeological remains) from damage during construction;
 - b) Mitigation measures in the form of archaeological investigation and recording, which shall include but not be limited to the site specific archaeological investigation recommendations set out in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02/12/13 as they relate to the NZ Transport Agency's Designation;
 - c) Areas where monitoring of construction works by an archaeologist will be required;
 - d) Protocols to be followed if cultural sites, human remains or taonga (Maori artefacts) are encountered during construction works;
 - e) The roles and responsibilities associated with managing the archaeological aspects of the Project;
 - f) Provision for training contractors in the operational guidelines, procedures and protocols pertaining to the archaeological aspects of the Project;
 - g) Provision for any revisions required to the HASMP during the course of the Project; and
 - h) Reporting requirements, including updates to the national NZAA archaeological site database as new information comes to hand.

- 12.5 Following consultation with Heritage New Zealand and the Taangata Whenua Working Group, an Archaeological Site Conservation Policy shall be prepared by a suitably qualified and experienced archaeologist and then submitted for certification to the Hamilton City Council Chief Executive or nominee. The Policy shall describe the on-going management of those remaining archaeological sites (part or whole) identified within the designation once construction is completed.

NETWORK UTILITY INFRASTRUCTURE

13 Network Infrastructure Generally

- 13.1 The NZ Transport Agency 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 to ensure:
- a) Interruptions to supply, or adverse effects on network utility infrastructure during construction, are appropriately avoided remedied or mitigated; and
 - b) Any services requiring relocation are relocated with the minimum disruption to the operation of these networks during construction of the Project.
- 13.2 During the design phase of the Project the NZ Transport Agency shall give reasonable notice and make all reasonable endeavours to:
- a) Liaise with all relevant network operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure with the designated area is not adversely affected.
- 13.3 To ensure that there are no interruptions to supply, or adverse effects on network utility infrastructure, the NZ Transport Agency shall, subject to reasonable planned interruption, either:
- a) Protect the utility from any activity which may interfere with the proper functioning of the services; or
 - b) seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or
 - c) seek to repair or replace, at the NZ Transport Agency's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

14 Consultation with Waikato - Tainui

- 14.1 When required to consult with taangata whenua by the Conditions of this designation the NZ Transport Agency shall, through its Chief Executive or nominee, contact the Waikato-Tainui Environment Manager, or successor, to convene a Hamilton Southern Links Taangata Whenua Working (TWWG). Waikato Tainui will appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:
- a) Each hapu is represented by the recognised/appointed person or persons;
 - b) Administration of liaison/coordination occurs in a timely manner;
 - c) Any actions/direction or information from the TWWG representatives has a common voice for Iwi on all liaison/coordination matters.
- 14.2 The TWWG shall comprise of representatives of the following:
- a) Ngati Hauaa;
 - b) Ngati Koroki Kahukura;
 - c) Ngati Wairere;
 - d) Ngati Maahanga;

- e) The NZ Transport Agency; and
- f) Hamilton City Council.

15 Dust Management Plan

- 15.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Dust Management Plan (DMP). The NZ Transport Agency shall adhere to the relevant requirements of the DMP at all appropriate times during the Project. The purpose of the DMP shall be to ensure that the enabling works and construction of the Project are undertaken in a manner to ensure no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity values of a party beyond the designation boundary.
- 15.2 The DMP shall be provided to the Chief Executive Officer or nominee of the Hamilton City Council at least 40 working days prior to construction activities being undertaken for certification.
- 15.3 As a minimum the DMP shall include the following details:
 - a) Mitigation measures to be implemented during construction to minimise dust emissions, with specific reference to properties within 100m of the designation boundary;
 - b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
 - c) Procedures for responding to process malfunctions and accidental dust discharges;
 - d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
 - e) Continuous monitoring of meteorology;
 - f) Monitoring of construction vehicle maintenance;
 - g) Complaints investigation, monitoring and reporting;
 - h) The identification of staff and contractors' responsibilities; and
 - i) Appropriate DMP review procedures.

16 Contaminated Soil Management Plan

- 16.1 Prior to the commencement of construction, the NZ Transport Agency shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The NZ Transport Agency shall adhere to the relevant requirements of the CSMP at all appropriate times during the Project. The purpose of the CSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works for and construction of the Project on human health and the environment which may result from the disturbance of contaminated soil/material.
- 16.2 The CSMP shall be provided to the Chief Executive Officer or nominee of the Hamilton City Council for certification at least 40 working days prior to construction activities being undertaken.
- 16.3 As a minimum the CSMP shall include the following details:
 - a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has carried out;
 - b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
 - c) The soil validation testing that will be undertaken;
 - d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
 - e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
 - f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:

- i. Assist with identification of unknown contaminated material;
 - ii. Stop work or isolate the area once any such material is identified;
 - g) The measures to be undertaken to:
 - i. Protect the health and safety of workers and the public;
 - ii. Control stormwater runoff and runoff;
 - iii. Remove or manage any contaminated soil;
 - iv. Remediate any required sites; and
 - h) The measures to be undertaken to:
 - i. Identify any suspected asbestos;
 - ii. Identify the type of asbestos and confirm the appropriate means by which it shall be removed;
 - iii. Handle any asbestos containing material.
- 16.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of the measures required in Condition 16.3 above.
- 16.5 At the completion of the construction of the Project, a validation report will be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guidelines and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and submitted to the Chief Executive Officer or nominee of the Hamilton City Council documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the NZ Transport Agency.

Advice note: A Suitably Qualified and Experienced Practitioner has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).

17 Hazardous Substances Management Plan

- 17.1 Prior to the commencement of construction, the NZ Transport Agency shall prepare a Hazardous Substances Management Plan (HSMP). The NZ Transport Agency shall adhere to the relevant requirements of the HSMP at all appropriate times during the Project. The purpose of the HSMP shall be to avoid, remedy or mitigate the adverse effects of the enabling works and construction of the Project on human health and the environment which may result from the use of hazardous substances.
- 17.2 The HSMP shall be provided to the Chief Executive Officer or nominee of the Hamilton City Council for certification at least 40 working days prior to construction activities being undertaken.
- 17.3 As a minimum the HSMP shall include the following details:
- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
 - b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
 - c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
 - d) Procedures to notify and report to the Hamilton City Council within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and
 - e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.

18 ROAD LIGHTING**Construction Lighting**

- 18.1 The NZ Transport Agency shall implement procedures at all times during construction to manage lightspill (if any) to residences from any night lighting that is required on the site.

Operational Lighting

- 18.2 Lighting shall be designed and screened to ensure that:
- a) All carriageway lighting is designed in accordance with “Road Lighting Standard AS/NZS1158”; and
 - b) All other lighting is designed in accordance with the relevant rules of the Operative Hamilton City Plan.

19 Administration

- 19.1 The NZ Transport Agency shall pay to the Hamilton City Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Advisory Notes**A Regional Consents**

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Authority under the Heritage New Zealand Pouhere Taonga Act 2014

The NZ Transport Agency will need to obtain an authority from the Heritage New Zealand to destroy, damage or modify any archaeological sites in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

C Consultation and Liaison with Regional and Local Agencies

The NZ Transport Agency should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Hamilton City Council, Waipa District Council and Waikato District Council (or their successors) with regard to programming and planning commencement of construction and provide a timetabled construction plan.

D Taangata Whenua Contact Details

Contact details for the hapu listed in Condition 14.2 can be obtained through the office of Waikato-Tainui.

ANNEXURE L – DESIGNATION CONDITIONS SUMMARY TABLE

ANNEXURE L

SOUTHERN LINKS PROJECT – PROPOSED DESIGNATION CONDITIONS (as of 8 July 2014)

Subject matter of condition	NZTA 168 Waipa Condition No.	NZTA 168 Waikato Condition No.	NZTA 168 HCC Condition No.	HCC 168A HCC Condition No.	NZTA 181 HCC Condition No.
General conditions	1.1 – 1.5	1.1 – 1.5	1.1 – 1.5	1.1 – 1.5	1.1 – 1.5
Management Plans	1.6 – 1.12	1.6 – 1.12	1.6 – 1.12	1.6 – 1.11	1.6 – 1.12
Pre-Construction Community, Construction and Property Liaison Manager	1A.1 – 1A.2	1A.1 – 1A.2	1A.1 – 1A.2	1A.1 – 1A.2	X
Pre-Construction Community and Construction Plan (PCCP)	1A.3 – 1A.7	1A.3 – 1A.7	1A.3 – 1A.7	1A.3 – 1A.7	X
Community Liaison Groups	1A.8 – 1A.12	1A.8 – 1A.12	1A.8 – 1A.12	1A.8 – 1A.11	X
Property Acquisition and Management Engagement Practice (PAEMP)	1A.13	1A.14	X	1A.12	X
Construction Management Plan (CMP)	2.1 – 2.3	2.1 – 2.3	2.1 – 2.3	2.1 – 2.3	2.1 – 2.3
Complaints Management	2A.1 – 2A.4	2A.1 – 2A.4	2A.1 – 2A.4	2A.1 – 2A.3	2A.1 – 2A.4
Outline Plan	3	3	3	X [deliberately left blank]	3
Operational Noise	4.1 – 4.12	4.1 – 4.12	4.1 – 4.12	4.1 – 4.12	4.1 – 4.12
Construction Noise and Vibration	5.1 – 5.6	5.1 – 5.6	5.1 – 5.6	5.1 – 5.6	5.2 – 5.6
Traffic Management Plan (TMP)	6.1 – 6.2	6.1 – 6.2	6.1 – 6.2	6.1 – 6.2	6.1 – 6.3
General Construction Traffic	7.1 – 7.2	7.1 – 7.2	7.1 – 7.2	7.1 – 7.2	7.1 – 7.2
Construction Communication and Consultation	8.1 – 8.6	8.1 – 8.6	8.1 – 8.6	8.1 – 8.6	8.1 – 8.6

Subject matter of condition	NZTA 168 Waipa Condition No.	NZTA 168 Waikato Condition No.	NZTA 168 HCC Condition No.	HCC 168A HCC Condition No.	NZTA 181 HCC Condition No.
Concept Landscape Management Plan	9.1 – 9.2E	9.1 – 9.2E	9.1 – 9.2A	9.1 – 9.2	9.1 – 9.2A
Landscape Management Plan (LMP)	9.3 – 9.7	9.3 – 9.7	9.3 – 9.4	9.3 – 9.4	9.3 – 9.4
Implementation of LMPs	10	10	10	10	10
Maintenance and monitoring of LMPs	11	11	11	11	11
Ecological Management and Restoration Plan (EMRP)	12.1 – 12.2	12.1 – 12.2	X	12.1 – 12.7 [called an Ecological Management and Monitoring Plan (EMMP)]	X
Archaeology	13.1 – 13.6	13.1 – 13.5	12.1 – 12.5	13	12.1 – 12.5
Network utility infrastructure	14.1 - 14.3	14.1 -14.3	13.1 -13.3	14	13.1 – 13.3
Airport aviation infrastructure	15.1 – 15.3	X	X	X	X
Te Awa Cycleway	16	15	X	15	X
Detailed drainage design	17.1 – 17.2	X	X	X	X
Underpasses	18	16	X	X	X
Traffic and Network Management Plan	X	X	X	16	X
Protected Trees	X	X	X	17	X
Railway crossing design	19	X	X	X	X
Consultation with Waikato - Tainui	20.1 – 20.2	17.1 – 17.2	14.1 – 14.2	18.1 – 18.2	14.1 – 14.2
Dust Management Plan (DMP)	21.1 – 21.3	181.1 – 18.3	151.1 – 15.3	19	15.1 – 15.3
Contaminated Soil	22.1 – 22.5	19.1 – 19.5	16.1 – 16.5	20	16.1 – 16.5

Subject matter of condition	NZTA 168 Waipa Condition No.	NZTA 168 Waikato Condition No.	NZTA 168 HCC Condition No.	HCC 168A HCC Condition No.	NZTA 181 HCC Condition No.
Management Plan (CSMP)					
Hazardous Substances Management Plan (HSMP)	23.1 – 23.3	20.1 – 20.3	17.1 – 17.3	21	17.1 – 17.3
Road Lighting	24.1 – 24.2	21.1 -21.2	18.1 – 18.2	22.1 - 22.2	18.1 – 18.2
Roading improvement at SH3/21 intersection	25	X	X	X	X
Chinaman’s Hill Designation	26	X	X	X	X
Administration	27	22	19	X	19
Advice Notes	Yes	Yes	Yes	Yes	Yes