TRANSMISSION GULLY CONDITIONS

Compiled version

WELLINGTON CITY

GENERAL TERMS

Requiring authority

1 Transit New Zealand ("Transit") is the requiring authority responsible for the designation.

Description of the Proposed Work

2 The Proposed Work consists of the construction, operation and maintenance of a four lane motorway from State Highway 1 at Linden, through an inland route to MacKays Crossing, north of Paekakariki and associated works and activities.

Objectives of the Proposed Work

3 The objectives of the Proposed Work are as follows:

3.1 to assist in remedying projected future traffic problems on the existing State Highway One coastal route;

3.2 to provide an alternative strategic regional link for Wellington in the event of disruption from natural disaster;

3.3 to better connect the Wellington Region to the remainder of New Zealand and to better connect the various parts of the Wellington region together;

3.4 to maintain and improve a safe and efficient state highway system in the Wellington region.

Boundaries of the designation

4 The land which is subject to the designation within the Wellington City Council district boundaries is as follows:

4.1 those areas of land at Linden, to the east of Tremewan Street, incorporating part of the existing State Highway 1 and areas of land either side of the existing State Highway 1;

4.2 that part of a property (Certificate of Title Reference 20C/86) on the north western side, and towards the northern end of Takapu Road; and

4.3 those areas of land from the boundary between the districts of Wellington City Council and Porirua City Council east of the watercourse known as Cannons Creek, generally in a north-easterly direction to the north-eastern boundary between the districts of Wellington City Council and Porirua City Council,

1 See versions 1-3 for changes made at decision and appeal stage. I.e. version 1 is commissioners’ recommendations, version 2 reflects changes made in Transit’s decision, and version 3 reflects changes made by the Parramatta Residents Association and Wellington Regional Council decisions.
each as shown on Plan Nos. D001, 0002 and D003 (attached) as being within the proposed “Motorway Purposes” boundary and within the Wellington City Council District boundaries.

Properties subject to the designation

Those properties which are the subject of this designation are listed in Schedule 1A to this Designation Requirement and its terms and conditions and are generally identified in Figure 4.2 (attached).

Duration

In accordance with section 184(1)(c) of the Resource Management Act 1991, this designation shall lapse on the expiry of 15 years after the date on which it is included in the district plan unless:

- it is given effect to before the end of that period; or
- the designation period is extended in accordance with the provisions of section 184; or
- the designation lapses earlier by virtue of the district plan ceasing to be operative.

CONDITIONS

DETAILS OF FINAL DESIGN

Submission of information on final designs

Transit shall submit (and may submit in stages corresponding to any staged construction programme) to the Chief Executive of the Council, prior to commencing construction of the Proposed Work, information (including plans) detailing final designs (the “Outline of Final Design”) in general accordance with the AEE and plans submitted and showing:

- The programme for the carrying out of the proposed work (including staging details, if applicable);
- The location of the proposed motorway carriageway in relation to the designation boundaries
- The location and design of all interchanges, viaducts, toll plazas, bridges, underpasses and overpasses;
- The location and design of all acoustic fences, bunds and barriers;
- The extent, location and nature of major earthworks;
- The location and design of silt control structures;
- Landscaping proposed including details of landscape planting and treatment of batters;
- The design of lighting at any Toll Plazas and interchanges;
7.9 Ecological mitigation works;

7.10 Arrangements secured with other network utility operators along the route, covering those matters as raised both by and with the various of those operators, including but in no way limiting those of noise, dust, vibration and access.

The Outline of Final Design shall be prepared in consultation with the Wellington Regional Council.

8 The Chief Executive of the Council shall nominate a person who has the requisite skill and expertise to review the Outline of Final Design and certify that it complies with the conditions of this designation and Transit shall not commence construction of the Proposed Work until:

8.1 The Outline of Final Design; or

8.2 That part of the Outline of Final Design submitted in respect of a specific stage of the Proposed Work -

has been so certified and Transit shall amend the Outline of Final Design (or part thereof) as reasonably required by that nominated person. The Proposed Work will be carried out in general accordance with the approved Outline of Final Design.

ECOLOGICAL

Ecological mitigation

9 Land within the designation shown in attached Plan A shall be fenced off and retired from agricultural and other productive uses and activities prior to the commencement of construction works. For the balance of the designated area, the location of fencing shall be determined following consultations with affected landowners prior to the opening of the new road.

10 Transit shall submit for approval by a Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience, at least 6 months prior to the commencement of construction works, a management plan for all land to be fenced and retired in accordance with condition 9. The management plan shall be prepared in consultation with the Department of Conservation and the Wellington Regional Council. Transit shall amend the management plan as reasonably required by the said Council Officer or Consultant. Transit shall ensure that the management plan is complied with.

LANDSCAPING AND VISUAL MITIGATION

11 Landscaping associated with the Proposed Work as described in condition 12 below shall have as its objectives:

11.1 Providing a safe highway and aesthetically pleasing visual environment;

11.2 Assisting with the integration of the Proposed Work within the existing landscape;
11.3 Remedying or mitigating adverse effects of the Proposed Work.

**Landscape mitigation**

12 Transit shall submit to the Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience for approval prior to the construction of the Proposed Work information (including plans) detailing the final landscape design of that part of the route within the boundaries of the designation (the "Landscape Information"). The Landscape Information shall:

12.1 Detail landscape information in regard to the location and extent of landscape works.

12.2 Detail soft landscape works (eg type of vegetation to be used, earth mounding, ground shaping, location of any mature trees to be retained) and hard landscape works (eg lighting, design and location of fences, street furniture, acoustic barriers);

12.3 Specify the programme for undertaking the landscape development;

12.4 In respect of rural localities, show how the motorway will be integrated into the landscape by using vegetation compatible with existing local vegetation (for example grassing slopes where the road goes through pasture);

12.5 In respect of Linden, show how planting and shaping of fill batters will integrate the proposed motorway and Kenepuru link road into the surrounding landscape as viewed from adjacent local streets. The plants shall be compatible with the existing vegetation in the surrounding area.

13 Transit shall not commence construction works until it receives the written approval of the said Council Officer or Consultant to the information required to be submitted under condition 12 and Transit shall amend the Landscape Information as reasonably required by the said Council Officer or Consultant in order to obtain such approval.

14 Transit shall undertake and complete promptly all landscaping development in accordance with the Landscape Information approved by the said Council Officer or Consultant under condition 13 of this designation.

**LIGHTING**

15 Where lighting is used at interchanges (and toll plazas, if applicable), lighting shall be designed and located so that lighting levels shall not exceed 8 lux on the face of any dwelling.

**CONSTRUCTION EFFECTS MITIGATION - NOISE, DUST**

**Construction noise levels**

16 In respect of construction noise:

16.1 Where practicable, Transit shall ensure that construction works are carried out so that construction noise does not exceed the limits set out in Table 1 (page 10) of NZS 6803P:1984 (provided that the noise limits in Table 1 that
apply in relation to each element of the construction works shall be subject to the adjustments and exemptions in paragraph 6 of NZS 6803P:1984);

16.2 If it is impracticable to meet the noise limits set out in condition 16.1, then the limits for indoor noise levels set out in Table 3 of NZS 6803P:1984 shall apply (measured with windows and doors facing the construction works closed);

16.3 Provided that Transit shall not be in breach of condition 16.1 or 16.2 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

Construction Noise Management Plan

17 Prior to commencement of any construction activity on the site (excluding site investigation studies), Transit shall submit to the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite skill and experience for approval, a Construction Noise Management Plan. The purpose of the plan is to describe the method by which noise associated with the construction of the Work will be managed to comply with condition 16 above. In particular, the Construction Noise Management Plan shall identify:

17.1 The matters referred to in paragraph 2.1.1(a) to (e) of NZS 6803P:1984;

17.2 Methods of managing noise, including information to be included in tender documentation and information as to contractors’ obligations in assessing and controlling noise;

17.3 Noise monitoring methods, including details of methods, equipment, location and frequency (by reference to NZS 6803P:1984);

17.4 Contingency measures in the event of any incident of non-compliance; and

17.5 Procedures for handling any noise complaints.

18 Transit shall amend the Construction Noise Management Plan as reasonably required by the said Officer or Consultant in order to obtain approval.

19 Transit shall not commence construction of the works until the Construction Noise Management Plan is approved and it shall ensure that the approved Construction Noise Management Plan is complied with at all times during construction works.

Contract specifications on noise


Consultation

21 Prior to the commencement of construction of the Proposed Work, Transit shall use its best endeavours to notify owners and occupiers of all properties within 250 metres of the designation boundaries of:
21.1 the details of the construction programme; and

21.2 a single point of contact for any concerns or enquiries relating to the project, including a telephone and facsimile number;

provided that Transit shall be treated as complying with this condition notwithstanding that any such notice sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office box address or send by facsimile to the usual or last known facsimile number of that person is, without fault on the part of Transit, not received by that person.

22 For the period of construction works, Transit shall prepare a two monthly newsletter for circulation to the owners and occupiers of all properties within 250 metres of the designation boundaries. This newsletter shall, without limitation, include the following:

22.1 a statement of progress against the construction programme; and

22.2 an assessment of the management of dust and noise relative to management plans.

**Mitigation of dust nuisance including through Dust Management Plan**

23 In order to minimise dust nuisance, contract specifications shall require the contractor to minimise dust nuisance to adjacent properties, pedestrians and road traffic. For works adjacent to residential areas, this shall include:

23.1 Keeping exposed surfaces and stockpiles of earth moist; and

23.2 Covering truck loads.

24 Without limiting the preceding condition, prior to commencement of construction activities (excluding site investigation studies), Transit shall submit to the Council Officer or Consultant as nominated by the Council’s Chief Executive as having the requisite experience and expertise, for approval, a Dust Management Plan, the purpose of which is to set out methods of performance standards to ensure that any dust nuisance from construction of the Work is avoided or minimised. In particular, the Dust Management Plan shall specify:

24.1 Locations within the boundaries of the designated land and adjacent land, on nearby streets and other locations which will be assessment points;

24.2 Indicators of dust nuisance which, if observed at assessment points, may trigger remedial action;

24.3 Specific methods by which dust will be controlled including details of obligations to be imposed on contractors to comply with these conditions;

24.4 Monitoring, auditing, and reporting procedures;

24.5 Contingency measures to ensure that, in the event of any dust nuisance arising, immediate remedial measures are implemented;
24.6 Procedures for handling any dust complaints.

24.7 Arrangements secured with other network utility operators along the route.

25 Transit shall amend the Dust Management Plan as required by the said Council Officer or Consultant in order to obtain approval. Transit shall not commence work until the Dust Management Plan has been approved and Transit shall ensure that the approved Dust Management Plan is complied with at all times.

TRAFFIC NOISE MITIGATION

26 Transit shall ensure that measures are taken (including, as necessary, the construction of fences, bunds or other acoustic barriers) as will ensure that, in respect of dwellings existing at 12 July 1996 (being the date of the Notice of Requirement), exposure to traffic noise from the motorway will not exceed the levels set out in the applicable parts of Table 1 hereto at any time within 10 years of the new route becoming operative.

Ambient noise survey

27 Prior to the commencement of construction, Transit shall carry out a noise survey at selected locations identified by Transit over the whole of the route and approved by the Council Officer or consultant nominated by the Council’s Chief Executive as having the requisite skill and experience. The purpose of this survey shall be to determine current ambient sound levels for each of the selected locations.

Operational noise survey

28 The following operational traffic noise surveys shall be carried out:

28.1 Transit shall carry out, in accordance with the requirements of and to the satisfaction of the said Council Officer or Consultant, an operational traffic noise survey 6 to 12 months after the opening of the new road, to confirm compliance with the levels set out in condition 26.

28.2 Contemporaneously with the carrying out of the operational traffic noise survey referred to in condition 28.1, Transit shall, in consultation with the said Council Officer or consultant, monitor traffic flows on the new motorway. Thereafter, Transit shall carry out further traffic monitoring 5 years after the opening of the new route to determine likely traffic noise levels at that time.

28.3 If the noise levels in condition 26 are shown not to be met following the operational traffic noise survey referred to in condition 28.1, Transit shall carry out all necessary mitigation measures to ensure compliance.

28.4 If the further traffic monitoring carried out 5 years after the opening of the new route, as referred to in condition 28.2, indicates a likelihood that condition 26 will not be met at one or more locations, Transit shall carry out supplemental traffic noise surveys as necessary to demonstrate to the Council that condition 26 is met. If condition 26 is not met, Transit shall carry out necessary mitigation measures to ensure compliance.

28.5 Provided that Transit shall not be in breach of conditions 26 or 28 if in the opinion of the Council Officer or Consultant either the owner or occupier of the
affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

**PROTOCOL FOR DISCOVERY OF KOIWI, TAONGA OR OTHER ARTEFACT MATERIAL**

29 If koiwi, taonga or other artefact material is discovered in any area, Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop to allow a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.

**MILESTONES**

30 By the eleventh anniversary after the date on which this designation is included in the district plan, Transit shall have applied for any resource consents required from the Wellington Regional Council in respect of the Proposed Work.

**REPORTING**

31 On the second anniversary after the date on which this designation is included in the district plan, and every two years thereafter until the Proposed Work is completed, Transit shall provide to the Chief Executive of the Council a report setting out progress in giving effect to this designation.

32 Transit shall use its best endeavours to provide a copy of each report furnished in accordance with condition 31 to owners and occupiers of all properties within 250 metres of designation boundaries, provided that Transit shall be treated as complying with this requirement notwithstanding that any such report sent by prepaid post to the person at the usual or last known place of residence or business or post office box address, or sent by facsimile to the usual or last known facsimile number is, without fault on the part of Transit, not received by that person.

**ACCESS**

33 Transit shall provide access to properties separated by the motorway, in accordance with s 76 of the Transit New Zealand Act 1981.

**REGIONAL PARKS**

34 With regard to mitigation of effects on the regional parks and consultation, Transit acknowledges that works proposed for land within Belmont Regional Park will be subject to the Wellington Regional Council’s “Procedures for the Approval of Works in Wellington Regional Council Forest Lands, Water Collection Areas, Regional Parks and Recreational Areas 1994”.

35 With regard to preparation of the “Outline of Final Design” and of all management plans required as conditions of this designation, Transit shall consult with the Wellington Regional Council in relation to works proposed for land, which on the date that this designation is confirmed, is part of the Belmont Regional Park. This
consultation shall address, but is in no way limited to, issues of landscape, ecological mitigation, construction and traffic noise, dust and access for park users and park management.

**TABLE 1: TRAFFIC NOISE LEVELS (ALL MEASUREMENTS ARE Leq (24 HOUR))**

<table>
<thead>
<tr>
<th>Relevant Designation</th>
<th>Area</th>
<th>Measured ambient sound level</th>
<th>Design criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Wellington]</td>
<td>Zones 1, 2 &amp; 3 (Linden)</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA</td>
<td>65 dBA 65 dBA 62 dBA 62 dBA</td>
</tr>
<tr>
<td>[Wellington]</td>
<td>Zone 4 (Linden)</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA</td>
<td>Ambient Ambient Ambient</td>
</tr>
<tr>
<td>[All]</td>
<td>Balance of Transmission Gully Motorway</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA Less than 50 dBA</td>
<td>Ambient 70 dBA Ambient plus 3 dBA 62 dBA 55 dBA</td>
</tr>
</tbody>
</table>

**Notes to Table 1**

1. “Leq (24 hour)” has the meaning ascribed to it at page 8 of NZS 6801:1991, with a measurement time interval of 24 hours.

2. Zones 1 to 4 are the areas shown in Plan B attached.

3. The point at which noise levels are measured and/or assessed, and to which Table 1 limits apply, is 1 metre in front of the most exposed point on the facades of qualifying dwellings, and in accordance with the provisions of NZS6801:1991 Measurement of Sound.

4. If it is impracticable to meet the limits in Table 1 for those dwellings existing at 12 July 1996 then an internal noise design criterion (with windows closed on exposed walls) will apply to all living rooms (including kitchens) and bedrooms. The internal noise level criterion is either the level given in Table 1 minus 20 dBA, or 40 dBA Leq (24 hour), whichever is the higher.
EXTENSION OF ROADING DESIGNATION (WARSPITE AVENUE LINK) TO TRANSMISSION GULLY MOTORWAY (PORIRUA CITY COUNCIL)

CONDITIONS

Submission of Information on Final Designs

1 PCC shall submit to the Chief Executive of the Wellington City Council, prior to commencing construction of the proposed work, information (including plans) detailing final designs (the “Outline of Final Design”) in general accordance with the AEE and plans submitted and showing:

1.1 The programme for the carrying out of the proposed work (including staging details, if applicable);
1.2 The location of the proposed Limited Access Road carriageway in relation to the designation boundaries;
1.3 Landscaping proposed including details of landscape planting and treatment of batters.

Landscape Mitigation Works

2 Landscape plans shall be submitted for approval by the Chief Executive, Wellington City Council or its Consultant prior to the construction of the route. These landscape plans shall show the planting and shaping of fill batters within the designated corridor, to integrate the extension of the Warspite Avenue link road into the surrounding landscape. Planting shall be compatible with the existing vegetation in the surrounding area.

3 PCC shall undertake and complete promptly all landscaping in accordance with plans approved in accordance with condition 2.
PORIRUA CITY

GENERAL TERMS

Requiring authority
1 Transit New Zealand ("Transit") is the requiring authority responsible for the designation.

Description of the Proposed Work
2 The Proposed Work consists of the construction, operation and maintenance of a four lane motorway from State Highway 1 at Linden, through an inland route to MacKays Crossing, north of Paekakariki and associated works and activities.

Objectives of the Proposed Work
3 The objectives of the Proposed Work are as follows:

3.1 to assist in remedying projected future traffic problems on the existing State Highway One coastal route;

3.2 to provide an alternative strategic regional link for Wellington in the event of disruption from natural disaster;

3.3 to better connect the Wellington Region to the remainder of New Zealand and to better connect the various parts of the Wellington region together;

3.4 to maintain and improve a safe and efficient state highway system in the Wellington region.

Boundaries of the designation
4 The land which is subject to the designation within the Porirua City Council District boundaries is that land from the southern boundary of the district with the Wellington City Council district (north of Little Collins Avenue in Linden) to the district’s northern boundary with the Kapiti Coast District Council district (in the vicinity of the Wainui Saddle) as shown on Plan Nos. D001, D002, D003, D004, D005 and D006 (attached) as being within the proposed “Motorway Purposes” designation boundary and within the Porirua City Council District boundaries.

Properties subject to the designation
5 Those properties which are the subject of this designation are listed in Schedule 1B to this Designation Requirement and its terms and conditions and are generally identified in Figure 4.2 (attached).

Duration
6 In accordance with section 184(1)(c) of the Resource Management Act 1991, this designation shall lapse on the expiry of 15 years after the date on which it is included in the district plan unless:

• it is given effect to before the end of that period; or

• the designation period is extended in accordance with the provisions of section 184; or
• The designation lapses earlier by virtue of the district plan ceasing to be operative.

CONDITIONS

ADVANCE ECOLOGICAL AND LANDSCAPE PLANTING

7 Transit shall carry out ecological and landscape planting in advance of construction of the Proposed Works in accordance with conditions 10 and 17 of this designation.

DETAILS OF FINAL DESIGN

Submission of information on final designs

8 Transit shall submit (and may submit in stages corresponding to any staged construction programme) to the Chief Executive of the Council, prior to commencing construction of the Proposed Work, information (including plans) detailing final designs (the “Outline of Final Design”) in general accordance with the AEE and plans submitted and showing:

8.1 The programme for the carrying out of the proposed work (including staging details, if applicable);

8.2 The location of the proposed motorway carriageway in relation to the designation boundaries;

8.3 The location and design of all interchanges, viaducts, toll plazas, bridges, underpasses and overpasses;

8.4 The location and design of all acoustic fences, bunds and barriers;

8.5 The extent, location and nature of major earthworks;

8.6 The location and design of silt control structures;

8.7 Landscaping proposed including details of landscape planting and treatment of batters;

8.8 The design of lighting at any Toll Plazas and interchanges;

8.9 Ecological mitigation works;

8.10 Arrangements secured with other network utility operators along the route covering those matters as raised both by and with the various of those operators, including but in no way limiting those of noise, dust, vibration and access.

The Outline of Final Design shall be prepared in consultation with the Wellington Regional Council.

9 The Chief Executive of the Council shall nominate a person who has the requisite skill and expertise to review the Outline of Final Design and certify that it complies
with the conditions of this designation and Transit shall not commence construction of the Proposed Work until:

9.1 The Outline of Final Design; or

9.2 That part of the Outline of Final Design submitted in respect of a specific stage of the Proposed Work -

has been so certified (subject only to undertaking advance ecological or landscaping works as authorised by conditions 10 and 17 below); and Transit shall amend the Outline of Final Design (or part thereof) as reasonably required by that nominated person. The Proposed Work will be carried out in general accordance with the approved Outline of Final Design.

ECOLOGICAL

Advance ecological mitigation

10 In this designation:

10.1 "Advance ecological mitigation” in relation to each Retirement Area means each of the following actions as may be specified and provided for in the relevant Approved Management Plan:

10.1.1 Fencing off;

10.1.2 Retiring from pastoral farming and the appropriate control and management of other productive uses or activities, including retirement where appropriate;

10.1.3 Controlling pests in accordance with any relevant Regional Pest Management Strategy;

10.1.4 Planting (but excluding replanting for production purposes);

10.1.5 Methods and principles specified in Schedule 2 hereto so far as practicable in the absence of regional consents.

10.2 "Approved Management Plan” means a management plan certified as approved in accordance with Condition 14.2 and includes any amendments in accordance with Conditions 14A.

10.3 "Council Manager” means the Council officer or consultant nominated by the Chief Executive of the Council as having the requisite skills and experience.

10.4 "Maintenance Period” means the period of time in which the plants within a Retirement Area are to be actively maintained as specified in an Approved Management Plan.

10.5 "Retirement Area” means each area numbered 2 to 11 on attached Plans A, B, C and land within the designation shown in attached Plan D.
Prior to commencement of construction of the Proposed Work, Transit shall ensure that Advance Ecological Mitigation is undertaken for each of the Retirement Areas, in accordance with the relevant Approved Management Plan and to the reasonable satisfaction of the Council Manager.

Transit shall ensure that any Advance Ecological Mitigation required to be established and maintained and continued before, during or after the construction of the Proposed Work is so established and maintained and continued in accordance with the relevant Approved Management Plan.

**Further ecological mitigation**

The objectives of the Advance Ecological Mitigation shall be to:

13.1 Assist in filtering sediment runoff;

13.2 Assist, in conjunction with any works required under any regional resource consent secured, to avoid, remedy or mitigate erosion by intercepting precipitation and delaying overland runoff;

13.3 Mitigate for the loss of some native vegetation and areas of the stream bed;

13.4 Whenever practicable provide shelter to waterways to encourage the recovery of freshwater habitat;

13.5 Whenever practicable provide flora and fauna corridors; and

13.6 Assist (so far as practicable in the absence of regional consents) in implementation of the Regional Policy Statement for the Wellington Region and compliance with any relevant Wellington Regional Plan – in order to avoid, remedy or mitigate adverse ecological effects (particularly on the Pauatahanui Inlet and freshwater ecosystems which drain to the Pauatahanui Inlet).

In respect of each of the Retirement Areas, Transit shall:

14.1 Prepare a management plan in consultation with the Department of Conservation and the Wellington Regional Council within 6 months of Transit, (or the Crown) acquiring the land or a leasehold or other interest for each site which shall specify:

14.1.1 The Advance Ecological Mitigation for the Retirement Area in order to meet the objectives in Condition 13; and

14.1.2 The timetable for the Advance Ecological Mitigation to be undertaken;

14.1.3 The duration of any establishment period required prior to construction to ensure that any plantings made as part of the Advance Ecological Mitigation are largely self-sustaining (subject to maintenance);
14.1.4 The duration of any proposed Maintenance Period for any plants to be planted in the Retirement Area, and maintenance criteria; and

14.1.5 The nature of any measures in relation to the management of construction activities so as to avoid, remedy, or mitigate any adverse effect of those activities on the Advance Ecological Mitigation in the Retirement Area.

14.2 Submit each such management plan to the Council Manager, for certification that the management plan complies with the conditions of this designation including satisfying the objectives in Condition 13; and

14.3 Make such amendments as reasonably required by the Council Manager for the purpose of ensuring compliance with the conditions of this designation and satisfying the objectives in Condition 13, and re-submit that amended management plan for certification accordingly.

14A After an Approved Management Plan is in place in respect to any Retirement Area:

14A.1 Transit shall, if so requested by the Council Manager, following that Manager’s consultation with the Wellington Regional Council, make such amendments to the Approved Management Plan as reasonably required to satisfy objective 13.6 of Condition 13;

14A.2 Transit may, from time to time, in consultation with the Department of Conservation and the Wellington Regional Council prepare any amendments to that Approved Management Plan for that Retirement Area;

and conditions 14.1 to 14.3 shall apply to any such amendments, accordingly, as if the Approved Management Plan together with those amendments were together re-submitted for certification by the Council Manager.

14B Transit shall not commence construction of the Proposed Work in any area where Wellington Regional Council resource consents are required until all such necessary consents have been obtained.

WALKWAYS

15 Transit shall:

(a) Maintain the existing network of walkways shown in Plan E by the creation of four overpasses/underpasses (generally as shown on Plan E) to permit people/horses/cycles to cross the motorway at Duck Creek, and Duck Creek Saddle;

(b) Where necessary, relocate the existing walkways, in conjunction with the Regional Council and Department of Conservation (to maintain amenity values of these walkways).
LANDSCAPING AND VISUAL MITIGATION

16 Landscaping associated with the Proposed Work as described in conditions 17 and 18 below shall have as its objectives:

16.1 Providing a safe highway and aesthetically pleasing visual environment;

16.2 Assisting with the integration of the Proposed Work within the existing landscape;

16.3 Remedying or mitigating adverse effects of the Proposed Work.

Advance landscape mitigation

17 Transit shall not commence construction of the Proposed Work until the area shown on attached Plan F (part of property numbered 18, on figure 4.2 of the AEE) has been fenced off and planted prior to the commencement of construction works. Such fencing off and planting shall be to the reasonable satisfaction of the Council Manager.

Further landscape mitigation

18 Transit shall submit to the Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience for approval prior to the construction of the Proposed Work information (including plans) detailing the final landscape design of that part of the route within the boundaries of the designation (the "Landscape Information"). The Landscape Information shall:

18.1 Detail landscape information in regard to the location and extent of landscape works.

18.2 Detail soft landscape works (eg type of vegetation to be used, earth mounding, ground shaping, location of any mature trees to be retained) and hard landscape works (eg lighting, design and location of fences, street furniture, acoustic barriers);

18.3 Specify the programme for undertaking the landscape development;

18.4 In respect of rural localities, show how the motorway will be integrated into the landscape by using vegetation compatible with existing local vegetation (for example grassing slopes where the road goes through pasture);

18.5 In respect of Ranui Heights, show how planting and shaping of fill batters will integrate the proposed motorway and Kenepuru link road into the mostly rural landscape above the upper edges of the housing. The vegetation and planting shall be compatible with the existing vegetation in surrounding areas;

18.6 In respect of Eastern Porirua, show how views of the motorway will be integrated into the landscape. The vegetation shall be compatible with existing vegetation in the area;

18.7 In respect of Pauatahanui, show how the motorway interchange will be integrated (together with SH58) into the landscape by generally replicating the local hill slopes rather than being one uniform slope on the interchange.
embankments. The interchange embankments shall be planted with native shrubs or other species compatible with existing local vegetation;

18.8 In respect of Battle Hill Farm Forest Park, show how the integration of the motorway into the park landscape will be assisted by planting vegetation compatible to the existing local vegetation, and retaining as much of the existing vegetation and trees as reasonably practicable;

19 Transit shall not commence construction works until it receives the written approval of the said Council Officer or Consultant to the information required to be submitted under condition 18 and Transit shall amend the Landscape Information as reasonably required by the said Council Officer or Consultant in order to obtain such approval.

20 Transit shall undertake and complete promptly all landscaping development in accordance with the Landscape Information approved by the said Council Officer or Consultant under condition 19 of this designation.

21 Transit shall ensure that all other cut and fill batter slopes not covered in condition 18 shall be hydroseeded and grassed as soon as possible.

LIGHTING

22 Where lighting is used at interchanges (and toll plazas, if applicable), lighting shall be designed and located so that lighting levels shall not exceed 8 lux on the face of any dwelling.

CONSTRUCTION EFFECTS MITIGATION - NOISE, DUST

Construction noise levels

23 In respect of construction noise:

23.1 Where practicable, Transit shall ensure that construction works are carried out so that construction noise does not exceed the limits set out in Table 1 (page 10) of NZS 6803P:1984 (provided that the noise limits in Table 1 that apply in relation to each element of the construction works shall be subject to the adjustments and exemptions in paragraph 6 of NZS 6803P:1984);

23.2 If it is impracticable to meet the noise limits set out in condition 23.1, then the limits for indoor noise levels set out in Table 3 of NZS 6803P:1984 shall apply (measured with windows and doors facing the construction works closed);

23.3 Provided that Transit shall not be in breach of condition 23.1 or 23.2 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

Construction Noise Management Plan

24 Prior to commencement of any construction activity on the site (excluding site investigation studies and advance ecological and landscape works carried out in
accordance with conditions 10 and 17), Transit shall submit to the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite skill and experience for approval, a Construction Noise Management Plan. The purpose of the plan is to describe the method by which noise associated with the construction of the Work will be managed to comply with condition 23 above. In particular, the Construction Noise Management Plan shall identify:

24.1 The matters referred to in paragraph 2.1.1(a) to (e) of NZS 6803P:1984;
24.2 Methods of managing noise, including information to be included in tender documentation and information as to contractors’ obligations in assessing and controlling noise;
24.3 Noise monitoring methods, including details of methods, equipment, location and frequency (by reference to NZS 6803P:1984);
24.4 Contingency measures in the event of any incident of non-compliance; and
24.5 Procedures for handling any noise complaints.

25 Transit shall amend the Construction Noise Management Plan as reasonably required by the said Officer or Consultant in order to obtain approval.

26 Transit shall not commence construction of the works until the Construction Noise Management Plan is approved and it shall ensure that the approved Construction Noise Management Plan is complied with at all times during construction works.

**Contract specifications on noise**


**Consultation**

28 Prior to the commencement of construction of the Proposed Work, Transit shall use its best endeavours to notify owners and occupiers of all properties within 250 metres of the designation boundaries of:

28.1 the details of the construction programme; and

28.2 a single point of contact for any concerns or enquiries relating to the project, including a telephone and facsimile number;

provided that Transit shall be treated as complying with this condition notwithstanding that any such notice sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office box address or send by facsimile to the usual or last known facsimile number of that person is, without fault on the part of Transit, not received by that person.

29 For the period of construction works, Transit shall prepare a two monthly newsletter for circulation to the owners and occupiers of all properties within 250 metres of the designation boundaries. This newsletter shall, without limitation, include the following:
29.1 a statement of progress against the construction programme; and

29.2 an assessment of the management of dust and noise relative to management plans.

**Mitigation of dust nuisance including through Dust Management Plan**

30 In order to minimise dust nuisance, contract specifications shall require the contractor to minimise dust nuisance to adjacent properties, pedestrians and road traffic. For works adjacent to residential areas, this shall include:

30.1 Keeping exposed surfaces and stockpiles of earth moist; and

30.2 Covering tuck loads.

31 Without limiting the preceding condition, prior to commencement of construction activities (excluding site investigation studies and advance ecological and landscape works carried out in accordance with conditions 10 and 17), Transit shall submit to the Council Officer or Consultant as nominated by the Council’s Chief Executive as having the requisite experience and expertise, for approval, a Dust Management Plan, the purpose of which is to set out methods of performance standards to ensure that any dust nuisance from construction of the Work is avoided or minimised. In particular, the Dust Management Plan shall specify:

31.1 Locations within the boundaries of the designated land and adjacent land, on nearby streets and other locations which will be assessment points;

31.2 Indicators of dust nuisance which, if observed at assessment points, may trigger remedial action;

31.3 Specific methods by which dust will be controlled including details of obligations to be imposed on contractors to comply with these conditions;

31.4 Monitoring, auditing, and reporting procedures;

31.5 Contingency measures to ensure that, in the event of any dust nuisance arising, immediate remedial measures are implemented;

31.6 Procedures for handling any dust complaints.

31.7 Arrangements secured with other network utility operators along the route.

32 Transit shall amend the Dust Management Plan as required by the said Council Officer or Consultant in order to obtain approval. Transit shall not commence work until the Dust Management Plan has been approved and Transit shall ensure that the approved Dust Management Plan is complied with at all times.

**TRAFFIC NOISE MITIGATION**

33 Transit shall ensure that measures are taken (including, as necessary, the construction of fences, bunds or other acoustic barriers) as will ensure that, in respect of dwellings existing at 12 July 1996 (being the date of the Notice of Requirement), exposure to traffic noise from the motorway will not exceed the levels
set out in the applicable parts of Table 1 hereto at any time within 10 years of the new route becoming operative.

**Ambient noise survey**

34 Prior to the commencement of construction, Transit shall carry out a noise survey at selected locations identified by Transit over the whole of the route and approved by the Council Officer or consultant nominated by the Council’s Chief Executive as having the requisite skill and experience. The purpose of this survey shall be to determine current ambient sound levels for each of the selected locations.

**Operational noise survey**

35 The following operational traffic noise surveys shall be carried out:

35.1 Transit shall carry out, in accordance with the requirements of and to the satisfaction of the said Council Officer or Consultant, an operational traffic noise survey 6 to 12 months after the opening of the new road, to confirm compliance with the levels set out in condition 33.

35.2 Contemporaneously with the carrying out of the operational traffic noise survey referred to in condition 35.1, Transit shall, in consultation with the said Council Officer or Consultant, monitor traffic flows on the new motorway. Thereafter, Transit shall carry out further traffic monitoring 5 years after the opening of the new route to determine likely traffic noise levels at that time.

35.3 If the noise levels in condition 33 are shown not to be met following the operational traffic noise survey referred to in condition 35.1, Transit shall carry out all necessary mitigation measures to ensure compliance.

35.4 If the further traffic monitoring carried out 5 years after the opening of the new route, as referred to in condition 35.2, indicates a likelihood that condition 33 will not be met at one or more locations, Transit shall carry out supplemental traffic noise surveys as necessary to demonstrate to the Council that condition 33 is met. If condition 33 is not met, Transit shall carry out necessary mitigation measures to ensure compliance.

35.5 Provided that Transit shall not be in breach of conditions 33 or 35 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

**PROTOCOL FOR DISCOVERY OF KOIWI, TAONGA OR OTHER ARTEFACT MATERIAL**

36 If koiwi, taonga or other artefact material is discovered in any area, Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop to allow a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.
MILESTONES

37 By the fourth anniversary after the date on which this designation is included in the district plan, Transit shall have carried out and completed all land retirement and planting referred to in conditions 10 and 17.

38 By the eleventh anniversary after the date on which this designation is included in the district plan, Transit shall have applied for any resource consents required from the Wellington Regional Council in respect of the Proposed Work.

REPORTING

39 On the second anniversary after the date on which this designation is included in the district plan, and every two years thereafter until the Proposed Work is completed, Transit shall provide to the Chief Executive of the Porirua City Council a report setting out progress in giving effect to this designation.

40 Transit shall use its best endeavours to provide a copy of each report furnished in accordance with condition 39 to owners and occupiers of all properties within 250 metres of designation boundaries, provided that Transit shall be treated as complying with this requirement notwithstanding that any such report sent by pre-paid post to the person at the usual or last known place of residence or business or post office box address, or sent by facsimile to the usual or last known facsimile number is, without fault on the part of Transit, not received by that person.

ACCESS

41 Transit shall provide access to properties separated by the motorway, in accordance with s 76 of the Transit New Zealand Act 1981.

REGIONAL PARKS

42 With regard to mitigation of effects on the regional parks and consultation, Transit acknowledges that works proposed for land within Belmont Regional Park and Battle Hill Farm Forest Park will be subject to the Wellington Regional Council’s “Procedures for the Approval of Works in Wellington Regional Council Forest Lands, Water Collection Areas, Regional Parks and Recreational Areas 1994”.

43 With regard to preparation of the “Outline of Final Design” and of all management plans required as conditions of this designation, Transit shall consult with the Wellington Regional Council in relation to works proposed for land, which on the date that this designation is confirmed, is part of the Belmont Regional Park or Battle Hill Farm Forest Park. This consultation shall address, but is in no way limited to, issues of landscape, ecological mitigation, construction and traffic noise, dust and access for park users and park management.

44 (1) With regard to access to regional parks and WRC’s forestry plantations, Transit shall provide access for logging trucks to and from Battle Hill Farm Forest Park and the Akatarawa and Puketiro Forest Blocks in the same general location as the existing access.

(2) Any access point provided over or under the motorway shall:
(a) Permit the passage of vehicles with a maximum length of 25 metres;
(b) Have minimum dimensions of 5 metres wide and 6 metres high;
(c) Have a minimum curve radii of 19 metres;
(d) Be constructed of suitable material for all weather use by vehicles up to 55t gross weight at 16 daily trips; and
(e) Have a maximum grade of 5%.

(3) During construction of the motorway, access will be maintained for all vehicles as may be necessary for forestry management and harvest.

**TABLE 1: TRAFFIC NOISE LEVELS (ALL MEASUREMENTS ARE Leq (24 HOUR))**

<table>
<thead>
<tr>
<th>Relevant Designation</th>
<th>Area</th>
<th>Measured ambient sound level</th>
<th>Design criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Wellington] Zones 1, 2 &amp; 3 (Linden)</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA</td>
<td>65 dBA 65 dBA 62 dBA 62 dBA</td>
<td></td>
</tr>
<tr>
<td>[Wellington] Zone 4 (Linden)</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA</td>
<td>Ambient Ambient</td>
<td></td>
</tr>
<tr>
<td>[All] Balance of Transmission Gully Motorway</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA Less than 50 dBA</td>
<td>Ambient 70 dBA Ambient plus 3 dBA 62 dBA 55 dBA</td>
<td></td>
</tr>
</tbody>
</table>

**Notes to Table 1**

1 "Leg (24 hour)" has the meaning ascribed to it at page 8 of NZS 6801:1991, with a measurement time interval of 24 hours.

2 Zones 1 to 4 are the areas shown in **Plan G** attached.

3 The point at which noise levels are measured and/or assessed, and to which Table 1 limits apply, is 1 metre in front of the most exposed point on the facades of qualifying dwellings, and in accordance with the provisions of NZS6801:1991 Measurement of Sound.

4 If it is impracticable to meet the limits in Table 1 for those dwellings existing at 12 July 1996 then an internal noise design criterion (with windows closed on exposed walls) will apply to all living rooms (including kitchens) and bedrooms. The
internal noise level criterion is either the level given in Table 1 minus 20 dBA, or 40 dBA Leq (24 hour), whichever is the higher.

**SCHEDULE 2**

**ECOLOGICAL MEASURES**

1 This schedule identifies ecological issues, principles, objectives and methods in respect of the Proposed Work

**SEDIMENTATION CONTROL**

2 The management plan shall recognise the following principles:

2.1 The earthworks for the proposed motorway construction are major given that the route traverses ecologically sensitive catchments that drain into a marine inlet.

2.2 Discharge of sediments is likely to result from earthworks during motorway construction, and that in this regard, a number of resource consents will be required from the Wellington Regional Council.

2.3 Pauatahanui Inlet is highly significant in biological terms and as a regional landscape and its marine life-support system is vulnerable to the discharge of sediments into its contributory catchment waters.

3 In recognition of these principles, methods to control the discharge of sediments from construction into streams discharging into Pauatahanui Inlet shall have as their objective, the removal of sedimentation as far as practicable by the following points:

- The Junction of the eastern and western Horokiri Streams (Grid R26: 729137);
- The Boundary of Horokiri Wildlife Refuge - Horokiri Stream (Grid R26: 707108);
- The Boundary of Pauatahanui Wildlife Refuge - Ration Creek (Grid R26: 712103);
- The Boundary of Pauatahanui Wildlife Refuge - Pauatahanui St (Grid R27: 709094);
- The Boundary of Duck Creek (Grid R27: 694073).

4 Methods to achieve the objective set out in paragraph 3 above shall include:

**Programming**

5 Each contract package will be programmed in self-contained stages with bulk earthworks being carried out in a section or sections that can be substantially completed within one earthworks season (1 November to 31 May).
**Construction methods and techniques**

6 Specific construction methods and techniques to avoid or minimise the discharge of sediments to waterways discharging into Pauatahanui Inlet shall include:

- stream or watercourse diversions and culvert works shall be carried out in advance of main earthworks operations;
- retention ponds will be constructed to allow the settlement and removal of sediment. These ponds will be located and constructed in accordance with best construction practices and shall be cleaned out and maintained frequently, particularly during periods of rain. Sediment ponds shall be retained until adjacent work areas are protected against erosion;
- run off diversion channels in the form of contour or graded v-drains shall be constructed to protect areas from upslope run off and to direct sediment laden water to appropriate sedimentation retention systems;
- high cut batters shall be protected with erosion mats where appropriate;
- the top of batters in unconsolidated material will be rolled over to flatter slopes so as to decrease the velocity and impact of waterflows;
- where large cuts or fills are being developed which may be susceptible to erosion, benching and contour drainage facilities will be constructed as necessary;
- special measures shall be taken in the event of severe storm or cyclone warnings;
- temporary sediment barriers for small disturbed areas will be used. These will consist of silt fences made of filter fabric or in appropriate cases, stake hay bales.

**Planting**

7 All disturbed surfaces shall be hydroseeded as soon as practicable, and where appropriate, replanted, using suitable native species (of local genetic stock were practicable).

8 Native species shall be planted where practicable in all areas where planting is required to avoid, remedy or mitigate the adverse effects of construction of the Transmission Gully motorway;

9 Where practicable, and to mitigate for the loss of some native vegetation, Transit may elect to plant native species to connect isolated stands of existing native vegetation.

10 All planting shall be carried out in accordance with acceptable horticultural practices and planting shall be replaced where necessary.

11 Transit shall in appropriate cases acquire and plant parts of properties that are severed as a result of the construction of the route. (Such properties may include
parts of properties marked 14, 23B and 24 as shown in figure 4.2 of the AEE and as attached).

OTHER ECOLOGICAL ISSUES

Fish passage
12 The streams discharging into Pautahanui Inlet provide a valuable migratory passage for a number of native fish species. Transit will design all culverts in streams and tributaries so as to ensure continued fish passage in these streams.

Contaminants
13 The streams discharging into Pautahanui Inlet are highly sensitive to the spillage of contaminants such as diesel and oil, particularly at the proposed interchange at State Highway 58 (given the proximity of the interchange to the Inlet). For this reason, all diesel and oil (and other contaminants) used on the Proposed Work will be stored separately in bunded and sealed storage areas. The transportation and use of such contaminants will be strictly supervised and controlled to avoid spillages. Transit shall have damage control systems in place to deal with the possible accidental spillage of contaminants.
UPPER HUTT CITY

GENERAL TERMS

Requiring authority
1 Transit New Zealand ("Transit") is the requiring authority responsible for the designation.

Description of the Proposed Work
2 The Proposed Work consists of the construction, operation and maintenance of a four lane motorway from State Highway 1 at Linden, through an inland route to MacKays Crossing, north of Paekakariki and associated works and activities.

Objectives of the Proposed Work
3 The objectives of the Proposed Work are as follows:

3.1 to assist in remedying projected future traffic problems on the existing State Highway One coastal route;

3.2 to provide an alternative strategic regional link for Wellington in the event of disruption from natural disaster;

3.3 to better connect the Wellington Region to the remainder of New Zealand and to better connect the various parts of the Wellington region together;

3.4 to maintain and improve a safe and efficient state highway system in the Wellington region.

Boundaries of the designation
4 The land which is subject to the designation within the Upper Hutt City Council District is that area of land in the vicinity of the Wainui Saddle, between the boundaries of Porirua City and Kapiti Coast District Councils as shown on Plan No. D006 (attached) as being within the proposed “Motorway Purposes” designation boundaries and within the Upper Hutt City Council District boundaries.

Properties subject to the designation
5 Those properties which are the subject of this designation are listed in Schedule 1C to this Designation Requirement and its terms and conditions and are generally identified in Figure 4.2 (attached).

Duration
6 In accordance with section 184(1)(c) of the Resource Management Act 1991, this designation shall lapse on the expiry of 15 years after the date on which it is included in the district plan unless:

- it is given effect to before the end of that period; or

- the designation period is extended in accordance with the provisions of section 184; or

- the designation lapses earlier by virtue of the district plan ceasing to be operative.
CONDITIONS

DETAILS OF FINAL DESIGN

Submission of information on final designs

7 Transit shall submit (and may submit in stages corresponding to any staged construction programme) to the Chief Executive of the Council, prior to commencing construction of the Proposed Work, information (including plans) detailing final designs (the “Outline of Final Design”) in general accordance with the AEE and plans submitted and showing:

7.1 The programme for the carrying out of the proposed work (including staging details, if applicable);

7.2 The location of the proposed motorway carriageway in relation to the designation boundaries;

7.3 The location and design of all interchanges, viaducts, toll plazas, bridges, underpasses and overpasses;

7.4 The location and design of all acoustic fences, bunds and barriers;

7.5 The extent, location and nature of major earthworks;

7.6 The location and design of silt control structures;

7.7 Landscaping proposed including details of landscape planting and treatment of batters;

7.8 The design of lighting at any Toll Plazas and interchanges;

7.9 Ecological mitigation works;

7.10 Arrangements secured with other network utility operators along the route, covering those matters as raised both by and with the various of those operators, including but in no way limiting, those of noise, dust, vibration and access.

The Outline of Final Design shall be prepared in consultation with the Wellington Regional Council.

8 The Chief Executive of the Council shall nominate a person who has the requisite skill and expertise to review the Outline of Final Design and certify that it complies with the conditions of this designation and Transit shall not commence construction of the Proposed Work until:

8.1 The Outline of Final Design; or

8.2 That part of the Outline of Final Design submitted in respect of a specific stage of the Proposed Work -
has been so certified; and Transit shall amend the Outline of Final Design (or part thereof) as reasonably required by that nominated person. The Proposed Work will be carried out in general accordance with the approved Outline of Final Design.

**ECOLOGICAL**

**Ecological mitigation**

9 Land within the designation shown in attached Plan A shall be fenced off and retired from agricultural and other productive uses and activities prior to the commencement of construction works. For the balance of the designated area, the location of fencing shall be determined following consultations with affected landowners prior to the opening of the new road.

10 Transit shall submit for approval by a Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience, at least 6 months prior to the commencement of construction works, a management plan for all land to be fenced and retired in accordance with condition 9. The management plan shall be prepared in consultation with the Department of Conservation and the Wellington Regional Council. Transit shall amend the management plan as reasonably required by the said Council Officer or Consultant. Transit shall ensure that the management plan is complied with.

**LANDSCAPING AND VISUAL MITIGATION**

11 Landscaping associated with the Proposed Work as described in condition 12 below shall have as its objectives:

11.1 Providing a safe highway and aesthetically pleasing visual environment;

11.2 Assisting with the integration of the Proposed Work within the existing landscape;

11.3 Remediating or mitigating adverse effects of the Proposed Work.

**Further landscape mitigation**

12 Transit shall submit to the Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience for approval prior to the construction of the Proposed Work information (including plans) detailing the final landscape design of that part of the route within the boundaries of the designation (the ”Landscape Information”). The Landscape Information shall:

12.1 Detail landscape information in regard to the location and extent of landscape works.

12.2 Detail soft landscape works (eg type of vegetation to be used, earth mounding, ground shaping, location of any mature trees to be retained) and hard landscape works (eg lighting, design and location of fences, street furniture, acoustic barriers);

12.3 Specify the programme for undertaking the landscape development;
12.4 In respect of rural localities, show how the motorway will be integrated into the landscape by using vegetation compatible with existing local vegetation (for example grassing slopes where the road goes through pasture).

13 Transit shall not commence construction works until it receives the written approval of the said Council Officer or Consultant to the information required to be submitted under condition 12 and Transit shall amend the Landscape Information as reasonably required by the said Council Officer or Consultant in order to obtain such approval.

14 Transit shall undertake and complete promptly all landscaping development in accordance with the Landscape Information approved by the said Council Officer or Consultant under condition 13 of this designation.

**LIGHTING**

15 Where lighting is used at interchanges (and toll plazas, if applicable), lighting shall be designed and located so that lighting levels shall not exceed 8 lux on the face of any dwelling.

**CONSTRUCTION EFFECTS MITIGATION – NOISE, DUST**

**Construction noise levels**

16 In respect of construction noise:

16.1 Where practicable, Transit shall ensure that construction works are carried out so that construction noise does not exceed the limits set out in Table 1 (page 10) of NZS 6803P:1984 (provided that the noise limits in Table 1 that apply in relation to each element of the construction works shall be subject to the adjustments and exemptions in paragraph 6 of NZS 6803P:1984);

16.2 If it is impracticable to meet the noise limits set out in condition 16.1, then the limits for indoor noise levels set out in Table 3 of NZS 6803P:1984 shall apply (measured with windows and doors facing the construction works closed);

16.3 Provided that Transit shall not be in breach of condition 16.1 or 16.2 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

**Construction Noise Management Plan**

17 Prior to commencement of any construction activity on the site (excluding site investigation studies), Transit shall submit to the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite skill and experience for approval, a Construction Noise Management Plan. The purpose of the plan is to describe the method by which noise associated with the construction of the Work will be managed to comply with condition 16 above. In particular, the Construction Noise Management Plan shall identify:

17.1 The matters referred to in paragraph 2.1.1(a) to (e) of NZS 6803P:1984;
17.2 Methods of managing noise, including information to be included in tender documentation and information as to contractors’ obligations in assessing and controlling noise;

17.3 Noise monitoring methods, including details of methods, equipment, location and frequency (by reference to NZS 6803P:1984);

17.4 Contingency measures in the event of any incident of non-compliance; and

17.5 Procedures for handling any noise complaints.

18 Transit shall amend the Construction Noise Management Plan as reasonably required by the said Officer or Consultant in order to obtain approval.

19 Transit shall not commence construction of the works until the Construction Noise Management Plan is approved and it shall ensure that the approved Construction Noise Management Plan is complied with at all times during construction works.

**Contract specifications on noise**


**Consultation**

21 Prior to the commencement of construction of the Proposed Work, Transit shall use its best endeavours to notify owners and occupiers of all properties within 250 metres of the designation boundaries of:

21.1 the details of the construction programme; and

21.2 a single point of contact for any concerns or enquiries relating to the project, including a telephone and facsimile number;

provided that Transit shall be treated as complying with this condition notwithstanding that any such notice sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office box address or send by facsimile to the usual or last known facsimile number of that person is, without fault on the part of Transit, not received by that person.

22 For the period of construction works, Transit shall prepare a two monthly newsletter for circulation to the owners and occupiers of all properties within 250 metres of the designation boundaries. This newsletter shall, without limitation, include the following:

22.1 a statement of progress against the construction programme; and

22.2 an assessment of the management of dust and noise relative to management plans.
Mitigation of dust nuisance including through Dust Management Plan

23 In order to minimise dust nuisance, contract specifications shall require the contractor to minimise dust nuisance to adjacent properties, pedestrians and road traffic. For works adjacent to residential areas, this shall include:

23.1 Keeping expose surfaces and stockpiles of earth moist; and

23.2 Covering truck loads.

24 Without limiting the preceding condition, prior to commencement of construction activities (excluding site investigation studies), Transit shall submit to the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite experience and expertise, for approval, a Dust Management Plan, the purpose of which is to set out methods of performance standards to ensure that any dust nuisance from construction of the Work is avoided or minimised. In particular, the Dust Management Plan shall specify:

24.1 Locations within the boundaries of the designated land and adjacent land, on nearby streets and other locations which will be assessment points;

24.2 Indicators of dust nuisance which, if observed at assessment points, may trigger remedial action;

24.3 Specific methods by which dust will be controlled including details of obligations to be imposed on contractors to comply with these conditions;

24.4 Monitoring, auditing, and reporting procedures;

24.5 Contingency measures to ensure that, in the event of any dust nuisance arising, immediate remedial measures are implemented;

24.6 Procedures for handling any dust complaints.

24.7 Arrangements secured with other network utility operators along the route.

25 Transit shall amend the Dust Management Plan as required by the said Council Officer or Consultant in order to obtain approval. Transit shall not commence work until the Dust Management Plan has been approved and Transit shall ensure that the approved Dust Management Plan is complied with at all times.

TRAFFIC NOISE MITIGATION

26 Transit shall ensure that measures are taken (including, as necessary, the construction of fences, bunds or other acoustic barriers) as will ensure that, in respect of dwellings existing at 12 July 1996 (being the date of the Notice of Requirement), exposure to traffic noise from the motorway will not exceed the levels set out in the applicable parts of Table 1 hereto at any time within 10 years of the new route becoming operative.

Ambient noise survey

27 Prior to the commencement of construction, Transit shall carry out a noise survey at selected locations identified by Transit over the whole of the route and approved by
the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite skill and experience. The purpose of this survey shall be to determine current ambient sound levels for each of the selected locations.

**Operational noise survey**

28 The following operational traffic noise surveys shall be carried out:

28.1 Transit shall carry out, in accordance with the requirements of and to the satisfaction of the said Council Officer or Consultant, an operational traffic noise survey 6 to 12 months after the opening of the new road, to confirm compliance with the levels set out in condition 26.

28.2 Contemporaneously with the carrying out of the operational traffic noise survey referred to in condition 28.1, Transit shall, in consultation with the said Council Officer or Consultant, monitor traffic flows on the new motorway. Thereafter, Transit shall carry out further traffic monitoring 5 years after the opening of the new route to determine likely traffic noise levels at that time.

28.3 If the noise levels in condition 26 are shown not to be met following the operational traffic noise survey referred to in condition 28.1, Transit shall carry out all necessary mitigation measures to ensure compliance.

28.4 If the further traffic monitoring carried out 5 years after the opening of the new route, as referred to in condition 28.2, indicates a likelihood that condition 26 will not be met at one or more locations, Transit shall carry out supplemental traffic noise surveys as necessary to demonstrate to the Council that condition 26 is met. If condition 26 is not met, Transit shall carry out necessary mitigation measures to ensure compliance.

28.5 Provided that Transit shall not be in breach of this conditions 26 or 28 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in other to grant such permission.

**PROTOCOL FOR DISCOVERY OF KOIWI, TAONGA OR OTHER ARTEFACT MATERIAL**

29 If koiwi, taonga or other artefact material is discovered in any area, Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop to allow a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.

**MILESTONES**

30 By the eleventh anniversary after the date on which this designation is included in the district plan, Transit shall have applied for any resource consents required from the Wellington Regional Council in respect of the Proposed Work.
REPORTING

31 On the second anniversary after the date on which this designation is included in the district plan, and every two years thereafter until the Proposed Work is completed, Transit shall provide to the Chief Executive of the Council a report setting out progress in giving effect to this designation.

32 Transit shall use its best endeavours to provide a copy of each report furnished in accordance with condition 31 to owners and occupiers of all properties within 250 metres of designation boundaries, provided that Transit shall be treated as complying with this requirement notwithstanding that any such report sent by pre-paid post to the person at the usual or last known place of residence or business or post office box address, or sent by facsimile to the usual or last known facsimile number is, without fault on the part of Transit, not received by that person.

ACCESS

Transit shall provide access to properties separated by the motorway, in accordance with s 76 of the Transit New Zealand Act 1981.

TABLE 1: TRAFFIC NOISE LEVELS (ALL MEASUREMENTS ARE Leq (24 HOUR))

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<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA</td>
<td>65 dBA 65 dBA 62 dBA 62 dBA</td>
</tr>
<tr>
<td>[Wellington]</td>
<td>Zone 4 (Linden)</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA</td>
<td>Ambient Ambient</td>
</tr>
<tr>
<td>[All]</td>
<td>Balance of Transmission Gully Motorway</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA</td>
<td>Ambient 70 dBA Ambient plus 3 dBA 62 dBA 55 dBA</td>
</tr>
</tbody>
</table>

Notes to Table 1

1 “Leg (24 hour)” has the meaning ascribed to it at page 8 of NZS 6801:1991, with a measurement time interval of 24 hours.

2 Zones 1 to 4 are the areas shown in Plan B attached.

3 The point at which noise levels are measured and/or assessed, and to which Table 1 limits apply, is 1 metre in front of the most exposed point on the facades of
qualifying dwellings, and in accordance with the provisions of NZS6801:1991 Measurement of Sound.

4 If it is impracticable to meet the limits in Table 1 for those dwellings existing at 12 July 1996 then an internal noise design criterion (with windows closed on exposed walls) will apply to all living rooms (including kitchens) and bedrooms. The internal noise level criterion is either the level given in Table 1 minus 20 dBA, or 40 dBA Leq (24 hour), whichever is the higher.
KAPITI COAST DISTRICT

GENERAL TERMS

Requiring authority
1 Transit New Zealand ("Transit") is the requiring authority responsible for the designation.

Description of the Proposed Work
2 The Proposed Work consists of the construction, operation and maintenance of a four lane motorway from State Highway 1 at Linden, through an inland route to MacKays Crossing, north of Paekakariki and associated works and activities.

Objectives of the Proposed Work
3 The objectives of the Proposed Work are as follows:

3.1 to assist in remedying projected future traffic problems on the existing State Highway One coastal route;

3.2 to provide an alternative strategic regional link for Wellington in the event of disruption from natural disaster;

3.3 to better connect the Wellington Region to the remainder of New Zealand and to better connect the various parts of the Wellington region together;

3.4 to maintain and improve a safe and efficient state highway system in the Wellington region.

Boundaries of the designation
4 The land which is subject to the designation within the Kapiti Coast District Council district is that land from the southern boundary of the district with the Porirua City district (in the vicinity of the Wainui Saddle) to the North Island Main Trunk Railway line west of MacKays Crossing as shown on Plan Nos. D006 and D007 (attached) as being within the proposed "Motorway Purpose: designation boundary and within the Kapiti Coast District Council District boundaries.

Properties subject to the designation
5 Those properties which are the subject of this designation are listed in Schedule 1D to this Designation Requirement and its terms and conditions and are generally identified in Figure 4.2 (attached).

Duration
6 In accordance with section 184(1)(c) of the Resource Management Act 1991, this designation shall lapse on the expiry of 15 years after the date on which it is included in the district plan unless:

• it is given effect to before the end of that period; or

• the designation period is extended in accordance with the provisions of section 184; or
• the designation lapses earlier by virtue of the district plan ceasing to be operative.

CONDITIONS

DETAILS OF FINAL DESIGN

Submission of information on final designs

Transit shall submit (and may submit in stages corresponding to any staged construction programme) to the Chief Executive of the Council, prior to commencing construction of the Proposed Work, information (including plans) detailing final designs (the "Outline of Final Design") in general accordance with the AEE and plans submitted and showing:

7.1 The programme for the carrying out of the proposed work (including staging details, if applicable);

7.2 The location of the proposed motorway carriageway in relation to the designation boundaries;

7.3 The location and design of all interchanges, viaducts, toll plazas, bridges, underpasses and overpasses;

7.4 The location and design of all acoustic fences, bunds and barriers;

7.5 The extent, location and nature of major earthworks;

7.6 The location and design of silt control structures;

7.7 Landscaping proposed including details of landscape planting and treatment of batters;

7.8 The design of lighting at any Toll Plazas and interchanges;

7.9 Ecological mitigation works;

7.10 Arrangements secured with other network utility operators along the route, covering those matters as raised both by and with the various of those operators, including but in no limiting those of noise, dust, vibration and access.

The Outline of Final Design shall be prepared in consultation with the Wellington Regional Council.

8 The Chief Executive of the Council shall nominate a person who has the requisite skill and expertise to review the Outline of Final Design and certify that it complies with the conditions of this designation and Transit shall not commence construction of the Proposed Work until:

8.1 The Outline of Final Design; or
8.2 That part of the Outline of Final Design submitted in respect of a specific stage of the Proposed Work -

has been so certified; and Transit shall amend the Outline of Final Design (or part thereof) as reasonably required by that nominated person. The Proposed Work will be carried out in general accordance with the approved Outline of Final Design.

ECOLOGICAL

Ecological mitigation

9 Land within the designation shown in attached Plan A shall be fenced off and retired from agricultural and other productive uses and activities prior to the commencement of construction works. For the balance of the designated area, the location of fencing shall be determined following consultations with affected landowners prior to the opening of the new road.

10 Transit shall submit for approval by a Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience, at least 6 months prior to the commencement of construction works, a management plan for all land to be fenced and retired in accordance with condition 9. The management plan shall be prepared in consultation with the Department of Conservation and the Wellington Regional Council. Transit shall amend the management plan as reasonably required by the said Council Officer or Consultant. Transit shall ensure that the management plan is complied with.

LANDSCAPING AND VISUAL MITIGATION

11 Landscaping associated with the Proposed Work as described in conditions 12 and 13 below shall have as its objectives:

11.1 Providing a safe highway and aesthetically pleasing visual environment;

11.2 Assisting with the integration of the Proposed Work within the existing landscape;

11.3 Remedying or mitigating adverse effects of the Proposed Work.

Advance landscape mitigation

12 Transit shall not commence construction of the Proposed Work until the two areas shown on attached Plan B (parts of properties numbered 42B and 42C on figure 4.2 of the AEE) have been fenced off and planted prior to the commencement of construction of the works. Such fencing off and planting shall be to the reasonable satisfaction of a Council Officer or consultant nominated by the Chief Executive of the Council as having the requisite skills and experience.

Further landscape mitigation

13 Transit shall submit to the Council Officer or Consultant nominated by the Chief Executive of the Council as having the requisite skill and experience for approval prior to the construction of the Proposed Work information (including plans) detailing the final landscape design of that part of the route within the boundaries of the designation (the "Landscape Information"). The Landscape Information shall:
13.1 Detail landscape information in regard to the location and extent of landscape works.

13.2 Detail soft landscape works (eg type of vegetation to be used, earth mounding, ground shaping, location of any mature trees to be retained) and hard landscape works (eg lighting, design and location of fences, street furniture, acoustic barriers);

13.3 Specify the programme for undertaking the landscape development;

13.4 In respect of rural localities, show how the motorway will be integrated into the landscape by using vegetation compatible with existing local vegetation (for example grassing slopes where the road goes through pasture);

13.5 At Paekakariki, show how the interchange embankments shall be planted with native shrubs or other species compatible with existing local vegetation.

14 Transit shall not commence construction works until it receives the written approval of the said Council Officer or Consultant to the information required to be submitted under condition 13 and Transit shall amend the Landscape Information as reasonably required by the said Council Officer or Consultant in order to obtain such approval.

15 Transit shall undertake and complete promptly all landscaping development in accordance with the Landscape Information approved by the said Council Officer or Consultant under condition 14 of this designation.

**LIGHTING**

16 Where lighting is used at interchanges (and toll plazas, if applicable), lighting shall be designed and located so that lighting levels shall not exceed 8 lux on the face of any dwelling.

**CONSTRUCTION EFFECTS MITIGATION - NOISE, DUST**

**Construction noise levels**

17 In respect of construction noise:

17.1 Where practicable, Transit shall ensure that construction works are carried out so that construction noise does not exceed the limits set out in Table 1 (page 10) of NZS 6803P:1984 (provided that the noise limits in Table 1 that apply in relation to each element of the construction works shall be subject to the adjustments and exemptions in paragraph 6 of NZS 6803P:1984);

17.2 If it is impracticable to meet the noise limits set out in condition 17.1, then the limits for indoor noise levels set out in Table 3 of NZS 6803P:1984 shall apply (measured with windows and doors facing the construction works closed);

17.3 Provided that Transit shall not be in breach of condition 17.1 or 17.2 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying
out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

Construction Noise Management Plan

18 Prior to commencement of any construction activity on the site (excluding site investigation studies and advance landscape works carried out in accordance with condition 12, Transit shall submit to the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite skill and experience for approval a Construction Noise Management Plan. The purpose of the plan is to describe the method by which noise associated with the construction of the Work will be managed to comply with condition 17 above. In particular, the Construction Noise Management Plan shall identify:

18.1 The matters referred to in paragraph 2.1.1(a) to (e) of NZS 6803P:1984;
18.2 Methods of managing noise, including information to be included in tender documentation and information as to contractors’ obligations in assessing and controlling noise;
18.3 Noise monitoring methods, including details of methods, equipment, location and frequency (by reference to NZS 6803P:1984);
18.4 Contingency measures in the event of any incident of non-compliance; and
18.5 Procedures for handling any noise complaints.

19 Transit shall amend the Construction Noise Management Plan as reasonably required by the said Officer or Consultant in order to obtain approval.

20 Transit shall not commence construction of the works until the Construction Noise Management Plan is approved and it shall ensure that the approved Construction Noise Management Plan is complied with at all times during construction works.

Contract specifications on noise


Consultation

22 Prior to the commencement of construction of the Proposed Work, Transit shall use its best endeavours to notify owners and occupiers of all properties within 250 metres of the designation boundaries of:

22.1 the details of the construction programme; and
22.2 a single point of contact for any concerns or enquiries relating to the project, including a telephone and facsimile number,

provided that Transit shall be treated as complying with this condition notwithstanding that any such notice sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office box address or send
by facsimile to the usual or last known facsimile number of that person is, without fault on the part of Transit, not received by that person.

23 For the period of construction works, Transit shall prepare a two monthly newsletter for circulation to the owners and occupiers of all properties within 250 metres of the designation boundaries. This newsletter shall, without limitation, include the following:

23.1 a statement of progress against the construction programme; and

23.2 an assessment of the management of dust and noise relative to management plans.

**Mitigation of dust nuisance including through Dust Management Plan**

24 In order to minimise dust nuisance, contract specifications shall require the contractor to minimise dust nuisance to adjacent properties, pedestrians and road traffic. For works adjacent to residential areas, this shall include:

24.1 Keeping exposed surfaces and stockpiles of earth moist; and

24.2 Covering truck loads.

25 Without limiting the preceding condition, prior to commencement of construction activities (excluding site investigation studies and advance landscape works carried out in accordance with condition 12), Transit shall submit to the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite experience and expertise, for approval, a Dust Management Plan, the purpose of which is to set out methods of performance standards to ensure that any dust nuisance from construction of the Work is avoided or minimised. In particular, the Dust Management Plan shall specify:

25.1 Locations within the boundaries of the designated land and adjacent land, on nearby streets and other locations which will be assessment points;

25.2 Indicators of dust nuisance which, if observed at assessment points, may trigger remedial action;

25.3 Specific methods by which dust will be controlled including details of obligations to be imposed on contractors to comply with these conditions;

25.4 Monitoring, auditing, and reporting procedures;

25.5 Contingency measures to ensure that, in the event of any dust nuisance arising, immediate remedial measures are implemented;

25.6 Procedures for handling any dust complaints.

25.7 Arrangements secured with other network utility operators along the route.

26 Transit shall amend the Dust Management Plan as required by the said Council Officer or Consultant in order to obtain approval. Transit shall not commence work
until the Dust Management Plan has been approved and Transit shall ensure that the approved Dust Management Plan is complied with at all times.

**TRAFFIC NOISE MITIGATION**

**27** Transit shall ensure that measures are taken (including, as necessary, the construction of fences, bunds or other acoustic bafflers) as will ensure that, in respect of dwellings existing at 12 July 1996 (being the date of the Notice of Requirement), exposure to traffic noise from the motorway will not exceed the levels set out in the applicable parts of Table 1 hereto at any time within 10 years of the new route becoming operative.

**Ambient noise survey**

**28** Prior to the commencement of construction, Transit shall carry out a noise survey at selected locations identified by Transit over the whole of the route and approved by the Council Officer or Consultant nominated by the Council’s Chief Executive as having the requisite skill and experience. The purpose of this survey shall be to determine current ambient sound levels for each of the selected locations.

**Operational noise survey**

**29** The following operational traffic noise surveys shall be carried out:

**29.1** Transit shall carry out, in accordance with the requirements of and to the satisfaction of the said Council Officer or Consultant, an operational traffic noise survey 6 to 12 months after the opening of the new road, to confirm compliance with the levels set out in condition 27.

**29.2** Contemporaneously with the carrying out of the operational traffic noise survey referred to in condition 29.1, Transit shall, in consultation with the said Council Officer or Consultant, monitor traffic flows on the new motorway. Thereafter, Transit shall carry out further traffic monitoring 5 years after the opening of the new route to determine likely traffic noise levels at that time.

**29.3** If the noise levels in condition 27 are shown not to be met following the operational traffic noise survey referred to in condition 29.1, Transit shall carry out all necessary mitigation measures to ensure compliance.

**29.4** If the further traffic monitoring carried out 5 years after the opening of the new route; as referred to in condition 29.2, indicates a likelihood that condition 27 will not be met at one or more locations, Transit shall carry out supplemental traffic noise surveys as necessary to demonstrate to the Council that condition 27 is met. If condition 27 is not met, Transit shall carry out necessary mitigation measures to ensure compliance.

**29.5** Provided that Transit shall not be in breach of this conditions 27 or 29 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.
PROTOCOL FOR DISCOVERY OF KOIWI, TAONGA OR OTHER ARTEFACT MATERIAL

30 If koiwi, taonga or other artefact material is discovered in any area, Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop to allow a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.

MILESTONES

31 By the fourth anniversary after the date on which this designation is included in the district plan, Transit shall have carried out and completed all land retirement and planting referred to in condition 12.

32 By the eleventh anniversary after the date on which this designation is included in the district plan, Transit shall have applied for any resource consents required from the Wellington Regional Council in respect of the Proposed Work.

REPORTING

33 On the second anniversary after the date on which this designation is included in the district plan, and every two years thereafter until the Proposed Work is completed, Transit shall provide to the Chief Executive of the Porirua City Council a report setting out progress in giving effect to this designation.

34 Transit shall use its best endeavours to provide a copy of each report furnished in accordance with condition 33 to owners and occupiers of all properties within 250 metres of designation boundaries, provided that Transit shall be treated as complying with this requirement notwithstanding that any such report sent by pre-paid post to the person at the usual or last known place of residence or business or post office box address, or sent by facsimile to the usual or last known facsimile number is, without fault on the part of Transit, not received by that person.

ACCESS

35 Transit shall provide access to properties separated by the motorway, in accordance with s 76 of the Transit New Zealand Act 1981.

Table 1: traffic noise levels (all measurements are IEQ (24 hour))

<table>
<thead>
<tr>
<th>Relevant Designation</th>
<th>Area</th>
<th>Measured ambient sound level</th>
<th>Design criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Wellington] Zones 1, 2 &amp; 4 (Linden)</td>
<td>More than 70 dBA 67 – 70 dBA 59 – 67 dBA 50 – 59 dBA</td>
<td>65 dBA 65 dBA 62 dBA 62 dBA</td>
<td></td>
</tr>
</tbody>
</table>
## Notes to Table 1

1. “Leq (24 hour)” has the meaning ascribed to it at page 8 of NZS 6801:1991, with a measurement time interval of 24 hours.

2. Zones 1 to 4 are the areas shown in Plan C attached.

3. The point at which noise levels are measured and/or assessed, and to which Table 1 limits apply, is 1 metre in front of the most exposed point on the facades of qualifying dwellings, and in accordance with the provisions of NZS6801:1991 Measurement of Sound.

4. If it is impracticable to meet the limits in Table 1 for those dwellings existing at 12 July 1996 then an internal noise design criterion (with windows closed on exposed walls) will apply to all living rooms (including kitchens) and bedrooms. The internal noise level criterion is either the level given in Table 1 minus 20 dBA, or 40 dBA Leq (24 hour), whichever is the higher.
PORIRUA CITY COUNCIL (FOR “STATE HIGHWAY PURPOSES”)

GENERAL TERMS

Requiring authority
1 Transit New Zealand ("Transit") is the requiring authority responsible for the designation.

Description of the Work
2 The Proposed Work consists of the construction, operation and maintenance of a road which links the proposed Transmission Gully motorway with Kenepuru Drive and associated works and activities.

Objectives of the Proposed Work
3 The objectives of the Proposed Work to which this designation applies are as follows:

3.1 to provide for a proposed limited access road link between the proposed Transmission Gully motorway and Kenepuru Drive;

3.2 to assist in reducing the predicted traffic volumes on the local arterial network in Eastern Porirua and Whitby and SH58 around the Pauatahanui Inlet;

3.3 to better connect the various parts of the Wellington region together,

3.4 to maintain and improve a safe and efficient state highway system in the Wellington region.

Boundaries of the designation
4 The land which is subject to this designation is that area within the Porirua City Council district boundaries, north of the southern boundary of the district with Wellington City Council district (south-west of Ranui Heights), from Kenepuru Drive to State Highway 1 and from State Highway 1 to the proposed Transmission Gully Motorway designation corridor, more particularly shown on attached Plan No D001 as being within the proposed "State Highway Purposes (Transmission Gully - Kenepuru Link Road)" designation.

Properties subject to the designation
5 Those properties which are the subject of this designation are listed in Schedule 1E to this Designation Requirement and its terms and conditions and are generally identified in Figure 4.2 (attached).

Duration
6 In accordance with section 184(1)(c) of the Resource Management Act 1991, this designation shall lapse on the expiry of 15 years after the date on which it is included in the district plan unless:

- it is given effect to before the end of that period; or
- the designation period is extended in accordance with the provisions of section 184; or
• the designation lapses earlier by virtue of the district plan ceasing to be operative.

CONDITIONS

Submission of information on final designs

7 Transit shall submit (and may submit in stages corresponding to any staged construction programme) to the Chief Executive of the Porirua City Council, prior to commencing construction of the Proposed Work, information (including plans) detailing final designs (the “Outline of Final Design”) in general accordance with the AEE and plans submitted and showing:

7.1 The programme for the carrying out of the proposed work (including staging details, if applicable);

7.2 The location of the proposed link road in relation to the designation boundaries;

7.3 The location and design of interchanges, bridges, underpasses and overpasses;

7.4 The location and design of any acoustic fences, bunds and barriers;

7.5 The extent, location and nature of major earthworks;

7.6 The location and design of silt control structures;

7.7 Landscaping proposed including details of landscape planting and treatment of batters.

8 The Chief Executive of the Porirua City Council shall nominate a person who has the requisite skill and expertise to review the Outline of Final Design and certify that it complies with the conditions of this designation and Transit shall not commence construction of the Proposed Work until:

8.1 The Outline of Final Design; or

8.2 That part of the Outline of Final Design submitted in respect of a specific stage of the Proposed Work –

has been so certified and Transit shall amend the Outline of Final Design (or part thereof) as reasonably required by that nominated person. The Proposed Work will be carried out in general accordance with the approved Outline of Final Design.

Landscape mitigation works

9 Landscape plans shall be submitted for approval by the Chief Executive, Porirua City Council or Consultant prior to the construction of the route. These landscape plans shall show the planting and shaping of fill batters within the designated corridor, to integrate the Kenepuru link road into the surrounding landscape. Planting shall be compatible with the existing vegetation in the surrounding area.
Transit shall undertake and complete promptly all landscaping in accordance with plans approved in accordance with condition 9.

**Lighting**

Where lighting is used it shall be designed and located so that lighting levels shall not exceed 8 lux on the face of any dwelling.

**Construction Noise**

In respect of construction noise:

12.1 Where practicable, Transit shall ensure that construction works are carried out so that construction noise does not exceed the limits set out in Table 1 (page 10) of NZS 6803P:1984 (provided that the noise limits in Table 1 that apply in relation to each element of the construction works shall be subject to the adjustments and exemptions in paragraph 6 of NZS 6803P:1984);

12.2 If it is impracticable to meet the noise limits set out in condition 12.1, then the limits for indoor noise levels set out in Table 3 of NZS 6803P:1984 shall apply (measured with windows and doors facing the construction works closed);

12.3 Provided that Transit shall not be in breach of condition 12.1 or 12.2 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

A noise management plan shall be submitted to the Council Officer or Consultant nominated by the Chief Executive, Porirua City Council prior to construction of the link road showing how noise levels will be controlled to meet condition 12. Transit shall amend the noise management plan as reasonably required by the said Officer or consultant and shall not commence works prior to approval of the plan. Transit shall ensure that the plan is complied with at all times during construction works.

**Contract specifications on noise**

The contract specifications shall expressly require contractors to comply with section 16 of the Resource Management Act 1991 and the noise management plan.

**Consultation**

Prior to the commencement of construction of the Kenepuru Link Road, Transit shall use its best endeavours to notify owners and occupiers of all properties within 250 metres of the designation boundaries of:

15.1 the details of the construction programme; and

15.2 a single point of contract for any concerns or enquiries relating to the project, including a telephone and facsimile number;

provided that Transit shall be treated as complying with this condition notwithstanding that any such notice sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office box address or sent
by facsimile to the usual or last known facsimile number of that person is, without fault on the part of Transit, not received by that person.

16 For the period of construction works, Transit shall prepare a two monthly newsletter for circulation to the owners and occupiers of all properties within 250 metres of the designation boundaries. This newsletter shall, without limitation, include the following:

16.1 a statement of progress against the construction programme; and

16.2 an assessment of the management of dust and noise relative to management plans.

**Dust Mitigation**

17 In order to minimise dust nuisance, contract specifications shall require the contractor to minimise dust nuisance to adjacent properties, pedestrians and road traffic. For all works dust shall be kept to a minimum by:

17.1 keeping exposed surfaces and stockpiles of earth moist

17.2 covering truck loads.

**Traffic noise mitigation**

18 Measures shall be taken to ensure that no dwellings existing at 12 July 1996 (being the date of the Notice of Requirement) shall be exposed to traffic noise from the Kenepuru Link Road in excess of the levels set out in the applicable parts of Table 1 hereto at any time within 10 years of the new road becoming operative.

**Ambient noise survey**

19 Prior to the commencement of construction, Transit shall carry out a noise survey at selected locations identified by Transit, which locations shall be approved by the Council Officer or Consultant nominated by the Chief Executive, Porirua City Council as having the requisite skill and experience. The purpose of this survey shall be to determine current ambient sound levels for each of the selected locations.

**Operational noise survey**

20 The following operational traffic noise surveys shall be carried out:

20.1 Transit shall carry out, in accordance with the requirements of and to the satisfaction of the said Council Officer or Consultant, an operational traffic noise survey 6 to 12 months after the opening of the new road, to confirm compliance with the levels set out in condition 18.

20.2 Contemporaneously with the carrying out of the operational traffic noise survey referred to in condition 20.1, Transit shall, in consultation with the said Council Officer or Consultant, monitor traffic flows on the new motorway. Thereafter, Transit shall carry out further traffic monitoring 5 years after the opening of the new route to determine likely traffic noise levels at that time.

20.3 If the noise levels in condition 18 are shown not to be met following the operational traffic noise survey referred to in condition 20.1, Transit shall carry out all necessary mitigation measures to ensure compliance.
20.4 If the further traffic monitoring carried out 5 years after the opening of the new route, as referred to in condition 20.2, indicates a likelihood that condition 18 will not be met at one or more locations, Transit shall carry out supplemental traffic noise surveys as necessary to demonstrate to the Council that condition 18 is met. If condition 18 is not met, Transit shall carry out necessary mitigation measures to ensure compliance.

20.5 Provided that Transit shall not be in breach of condition 18 or 20 if in the opinion of the Council Officer or Consultant either the owner or occupier of the affected property does not permit Transit reasonable access for the carrying out of monitoring or mitigation measures or cannot after reasonable inquiry by Transit be located in order to grant such permission.

PROTOCOL FOR DISCOVERY OF KOIWI, TAONGA, OR OTHER ARTEFACT MATERIAL

21 If koiwi, taonga or other artefact material is discovered in any area Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop to allow a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.

Milestones

22 By the eleventh anniversary after the date on which this designation is included in the district plan, Transit shall have applied for any resource consents required from the Wellington Regional Council in respect of the Proposed Work.

Reporting

23 On the second anniversary after the date on which this designation is included in the district plan, and every two years thereafter until the Proposed Work is completed, Transit shall provide to the Chief Executive of the Porirua City Council a report setting out progress in giving effect to this designation.

24 Transit shall use its best endeavours to provide a copy of each report furnished in accordance with condition 23 to owners and occupiers of all properties within 250 metres of designation boundaries, provided that Transit shall be treated as complying with this requirement notwithstanding that any such report sent by pre-paid post to the person at the usual or last known place of residence or business or post office box address, or sent by facsimile to the usual or last known facsimile number is, without fault on the part of Transit, not received by that person.
**TABLE 1: TRAFFIC NOISE LEVELS (ALL MEASUREMENTS ARE LEQ (24 HOUR))**

<table>
<thead>
<tr>
<th>Area</th>
<th>Measured ambient sound level</th>
<th>Design criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kenepuru Link</td>
<td>More than 70 dBA</td>
<td>Ambient</td>
</tr>
<tr>
<td></td>
<td>67 – 70 dBA</td>
<td>70 dBA</td>
</tr>
<tr>
<td></td>
<td>59 – 67 dBA</td>
<td>Ambient plus 3 dBA</td>
</tr>
<tr>
<td></td>
<td>50 – 59 dBA</td>
<td>62 dBA</td>
</tr>
<tr>
<td></td>
<td>Less than 50 dBA</td>
<td>55 dBA</td>
</tr>
</tbody>
</table>

**Notes to Table 1**

1. "Leq (24 hour)" has the meaning ascribed to it at page 8 of NZS 6801:1991, with a measurement time interval of 24 hours.

2. The point at which noise levels are measured and/or assessed, and to which Table 1 limits apply, is 1 metre in front of the most exposed point on the facades of qualifying dwellings, and in accordance with the provisions of NZS6801:1991 Measurement of Sound.

3. If it is impracticable to meet the limits in Table 1 for those dwellings existing at 12 July 1996 then an internal noise design criterion (with windows closed on exposed walls) will apply to all living rooms (including kitchens) and bedrooms. The internal noise level criterion is either the level given in Table 1 minus 20 dBA, or 40 dBA Leq (24 hour), whichever is the higher.