

**TO** Celia Davison, Manager Planning, Central / South

**FROM** Vanessa Leddra Policy Planner, Central / South


**DATE** 3 March 2025

**SUBJECT** **Update requested to the Auckland Unitary Plan  
(Operative in Part 2016) (AUP)**



I request an update to the AUP as outlined below:

<b>Reason for update</b>	Extension to lapse date for designation.
<b>Chapter(s)</b>	Chapter K Designations
<b>Designation only</b>	
<b>Designation #1477</b>	<b>Lincoln Road Corridor (Auckland Transport)</b>
<b>Location:</b>	Lincoln Road Corridor Improvements, Henderson
<b>Lapse Date</b>	13 February 2025
<b>Purpose</b>	<b>Construction of improvements (including road widening) to Lincoln Road and local road connections and the ongoing operation and maintenance of the improvements.</b>
<b>Changes to text (shown in underline and strikethrough)</b>	Lapse date <del>13 February 2025</del> ..... 13 February <u>2032</u>
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	N/A
<b>Attachments</b>	Attachment A: Auckland Transport s184 application Attachment B: Commissioner's decision Attachment C: Planner's report Attachment D: updated text (strikethrough & underlined) Attachment E: Updated text (clean)

<b>Maps prepared by:</b> N/A Geospatial Specialist	<b>Text Entered by:</b> Sarah El Karamany Planning Technician
<b>Signature:</b>	<b>Signature:</b> 
<b>prepared by:</b> Vanessa Leddra Policy Planner	<b>Authorised by:</b> Craig Cairncross (Acting) Manager Planning - Central South

**Signature:**

*Meadra*

**Signature:**

*[Handwritten signature]*

**Attachment A: Auckland Transport s184  
application**



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20 December 2024

Plans and Places  
Auckland Council  
Private Bag 92300  
Auckland 1142  
Attn: Warren Maclennan, Manager Planning – Regional, North, West and Island – Plans and Places

Via email: [warren.maclennan@aucklandcouncil.govt.nz](mailto:warren.maclennan@aucklandcouncil.govt.nz)

## Section 184(2)(b) Application for Designation 1477 – Lincoln Road

Auckland Transport is the requiring authority for Designation 1477 in the Auckland Unitary Plan. The purpose of the designation is “Lincoln Road Corridor Improvements - the construction of improvements (including road widening) to Lincoln Road and local road connections and the ongoing operation and maintenance of the improvements” and it has a lapse date of 7 years from the date when it was confirmed by the Environment Court consent order (13 February 2025).

Pursuant to section 184(2)(b) of the Resource Management Act 1991 (RMA), Auckland Transport seeks to extend the lapse date of this designation by 7 years to 13 February 2032. Please accept this letter as our application under section 184(2)(b).

### 1. Designation details

The designation boundary is shown in yellow Figure 1 below.



Figure 1. Lincoln Road Designation 1477 (Yellow)



A copy of the designation is enclosed.

## 2. Statutory context

### **S184 Lapsing of designations which have not been given effect to**

- (1) A designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless –
- (a) It is given effect to before the end of that period; or
  - (b) The territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection; or
  - (c) The designation specified a different period when incorporated in the plan.
- (2) Where paragraph (b) or paragraph (c) of subsection (1) applies in respect of a designation, the designation shall lapse on the expiry of the period referred to in that paragraph unless –
- (a) It is given effect to before the end of the that period; or
  - (b) The territorial authority determines, on an application made within 3 months before that expiry, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection.

## 3. Assessment against section 184(2)(b)

In accordance with the requirements of section 184(2)(b) of the RMA, Auckland Transport has made substantial progress and effort towards giving effect to the designation and continues to do so. Details of this are provided in Table 1 below.

Table 1. Lincoln Road Progress

2018 - 2021	
<b>Economics Case Review</b>	<ul style="list-style-type: none"> <li>• A review was undertaken in 2019 to ensure the correct budget is allocated for affordable options.</li> <li>• Economics for project were updated by GHD to ensure the project was still viable.</li> </ul>
<b>Funding subsidy approval for detailed design</b>	<ul style="list-style-type: none"> <li>• Cost scope adjustment (CSA) was completed to increase the detailed design phase funding.</li> <li>• Waka Kotahi approved AT's CSA for additional subsidy for detailed design phase.</li> </ul>
<b>Minor Alteration to Designation</b>	<ul style="list-style-type: none"> <li>• Minor alteration to designation was submitted to AC for approval but later put on-hold due to internal review by AT.</li> </ul>
2021 - 2023	
<b>Revalidation of traffic modelling and options development</b>	<ul style="list-style-type: none"> <li>• Revalidation of traffic modelling was completed with a recommendation of short-term and long-term preferred options. Further BCR analysis was undertaken to choose short-term or long-term options moving to the detailed design.</li> </ul>



	<ul style="list-style-type: none"><li>The project team developed two additional options (Option 2 and Option 3) alongside the Do Minimum and Affordable options to address the shortcomings in traffic modelling.</li></ul>
<b>Detailed design work</b>	<ul style="list-style-type: none"><li>All utilities investigations, including Geotechnical and Pavement Investigations, were completed.</li><li>Updated topographical survey was delivered to capture recent changes in the geography due to new developments.</li><li>Construction cost estimate was updated to reflect recent market rates.</li><li>Departure from Standards applications delivered by GHD on the key design elements and approved by AT Design Review Panel.</li></ul>
<b>2024</b>	
<b>Northwest Rapid Transit – NZTA Lead</b>	<ul style="list-style-type: none"><li>Rapid Transit Station concept design complete.</li><li>Local Access Study completed, which outlines bus priority requirements within the Lincoln Rd corridor to support the NW rapid transit.</li></ul>
<b>2025</b>	
<b>Northwest Rapid Transit – NZTA Lead</b>	<ul style="list-style-type: none"><li>Consenting &amp; Pre implementation for rapid transit requirements (including station and station access).</li></ul>
<b>Northwest Rapid Transit Local Network Dependencies – AT Lead</b>	<ul style="list-style-type: none"><li>Develop a prioritised programme of interventions based on the outcomes of the Local Access Study to inform funding requirements and delivery timing. This study outlines bus priority requirements within the Lincoln Road Corridor to support the Northwest Rapid Transit Project.</li></ul>

In addition to the above, AT has acquired 15 properties (13 full acquisitions and 2 partials) since the designation has been in place. The majority of the full acquisitions are now complete, with 37 partial acquisitions still required.

A 7-year extension to the lapse date is sought in order to align with the likely (but not confirmed) delivery timeframes for the Northwest Rapid Transit Project. Timing for construction is not completely certain, as NZTA have funding to complete the Investment Case and to move to the next phase but there is no confirmed construction funding. If construction funding is confirmed the earliest work would start would be 2028 for the station/access. The wider improvements for Lincoln Rd will need to be prioritised and funded by AT through the RLTP process and AT would be looking to align delivery timing with NZTA, which would most likely be in 2030/31.

#### 4. Conclusion

Based on the above, there is no reason precluding Auckland Council from extending the lapse date of Designation 1477 by 7 years, in line with section 184(2)(b) of the RMA.

Please contact Kelly Durham on 021347383 or [kelly.durham@at.govt.nz](mailto:kelly.durham@at.govt.nz) if you have any queries about this application.



Ngā mihi | Kind regards,

A handwritten signature in black ink that reads 'Jane Small'.

Jane Small

**Group Manager Strategic Development Programmes & Property**

Enc. AUP Designation 1477

## **Attachment B: Commissioner's decision**



# Decision on application to extend the lapse period under section 184 of the Resource Management Act 1991

## Decision of Commissioner on an application to extend the lapse period of Designation 1477 Lincoln Road Corridor Improvements, Henderson in the Auckland Unitary Plan (Operative in Part).

The proposed extension to the lapse period of Designation 1477 Lincoln Road Corridor Improvements, Henderson by 7 years is **APPROVED**.

### Introduction

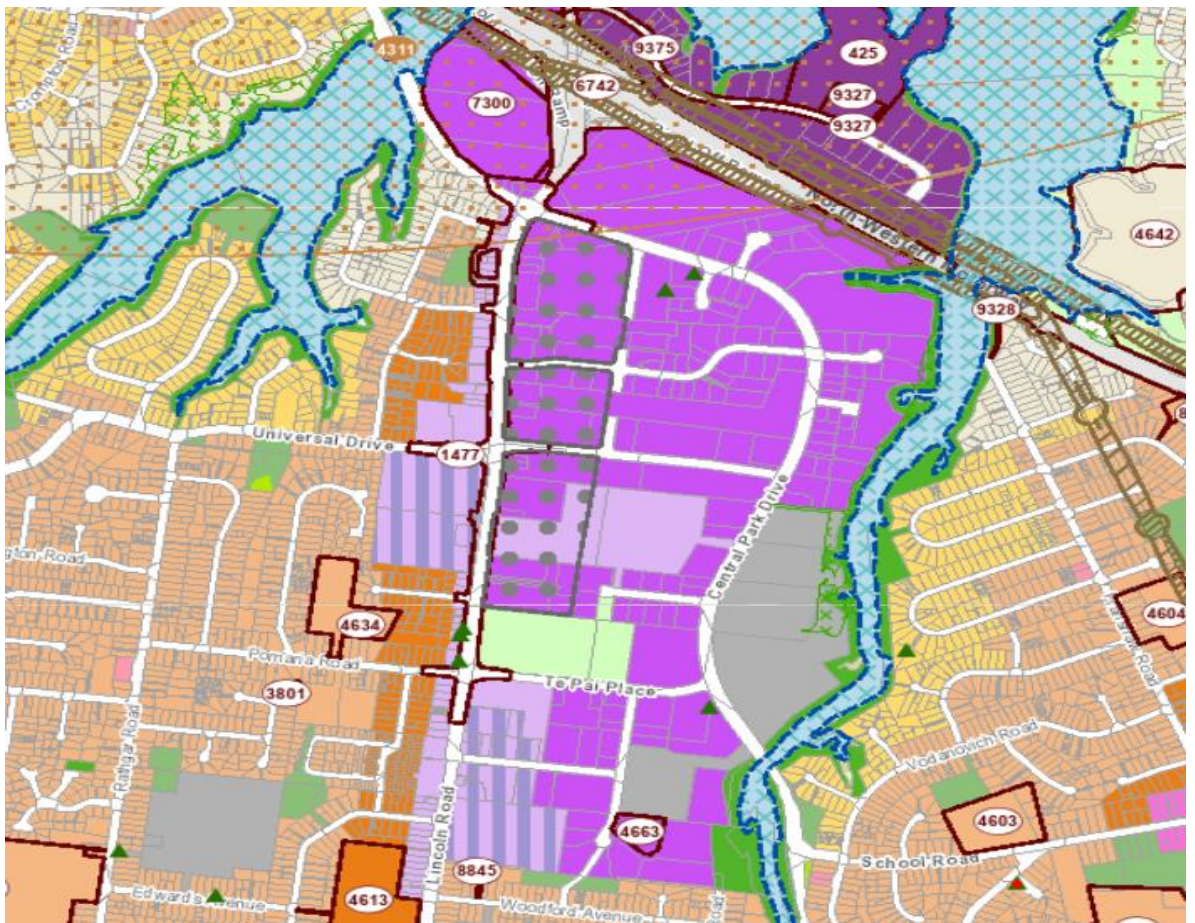
1. This recommendation is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioner Janine Bell (sitting alone) appointed and acting under delegated authority under section 34A of the Resource Management Act 1991 (“**the RMA**”).
2. The Council has received a request from Auckland Transport (AT) under section 184 of the RMA, dated 29 October 2021, to extend the lapse period of Designation 1477 Lincoln Road Corridor Improvements, Henderson, 7 years from 13 February 2025 to 13 February 2032.

### References

<b>Designation number</b>	1477
<b>Purpose</b>	Construction of improvements (including road widening) to Lincoln Road and local road connections and the ongoing operation and maintenance of the improvements.
<b>Location</b>	Lincoln Road, Henderson
<b>Date of request to extend lapse date:</b>	20 December 2024
<b>Requiring authority:</b>	Auckland Transport

3. Designation 1477 Lincoln Road Corridor Improvements covers 8.28 ha of land. The designation extends from the Northwestern Motorway [SH16] in the north [near Central Park Drive and Triangle Road] to south of the intersection with Pomaria Road and Te Pai Place. The designation is subject to 34 conditions covering a range of matters such as Outline Plan expectations including consultation plans and various environmental management plans; pre - construction and construction conditions, mana whenua engagement, safety audits, opportunities to review the designation, the Accidental Discovery Protocol, lighting, overland flow, landscaping/urban design, trees [new planting/works], a Community Facilities and Local Business Management Plan, operational noise and a pedestrian crossing.

4. AT's application letter outlines that substantial progress and effort towards giving effect to the designation has been made since 2018 and continues to do so. Details of this progress are provided in Table 1 of the application letter. In addition, AT has acquired 15 properties (13 full acquisitions and 2 partials) since the designation has been in place. The majority of the full acquisitions have been completed, with 37 partial acquisitions to be acquired.
5. A 7-year extension to the lapse date is sought in order to align with the likely (but not confirmed) delivery timeframes for the Northwest Rapid Transit Project. Timing for construction is not completely certain, as the New Zealand Transport Agency (NZTA) have funding to complete the Investment Case and to move to the next phase but there is no confirmed construction funding. If construction funding is confirmed the earliest work would start would be 2028 for the station/access. The wider improvements for Lincoln Rd will need to be prioritised and funded by AT through the RLTP process and AT would be looking to align delivery timing with NZTA, which would most likely be in 2030/31.
6. The designation is currently shown in the AUP maps as follows:



**Figure 1: Designation 1477 Lincoln Road Corridor Improvements – Henderson, between the Northwestern motorway [SH16] to the intersection with Pomaria Road and Te Pai Place in the south.**

7. The designation has a lapse date of 13 February 2025 in accordance with s184(1)(b) of the Resource Management Act 1991 (RMA).

## Relevant Statutory Provisions

8. Section 184 of the RMA, states:

*(1) A designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless—*

*(a) it is given effect to before the end of that period; or*

*(b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection; or*

*(c) the designation specified a different period when incorporated in the plan.*

*(2) Where paragraph (b) or paragraph (c) of subsection (1) applies in respect of a designation, the designation shall lapse on the expiry of the period referred to in that paragraph unless—*

*(a) it is given effect to before the end of that period; or*

*(b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection.*

*(3) A requiring authority may object, under section 357, to a decision not to fix a longer period for the purposes of subsection (1).*

## Assessment

9. Section 184 of the RMA states that a designation will lapse on the expiry of 5 years after the date of its inclusion in a plan unless it has been given effect to before the end of that period, or if the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and fixes a longer period.

10. In terms of s184(2)(b) the application has been made by Auckland Transport within 3 months before the expiry of the designation lapse period and sets out the progress and effort that has been made and continues to be made towards giving effect to the designation.

11. The application outlines the progress that has been made, and continue to be made, to give effect to the designation. A detailed description of the progress that has been made is provided on pages 2 and 4 of the application, dated 20 December 2024. In summary work this includes:

- Economic Case Review (2018-2021)
- Funding subsidy approval for detailed design (2018-2021)

- Revalidation of traffic modelling and options development (2021-2023)
  - Detailed design work (2021-2023)
  - Northwest Rapid Transit (led by NZTA) completion concept design and Local Access Study (2024)
  - Northwest Rapid Transit (led by NZTA) consenting and pre-implementation requirements for rapid transport (2025)
  - Northwest Rapid Transit Local Network dependencies (led by AT) – Prioritised programme for Local access Study to inform funding and delivering timing (2025)
  - Land acquisition of 15 properties.
12. The Council officers have reviewed the application and are satisfied that the requiring authority has made and continues to make substantial effort / progress towards giving effect to the designation and therefore recommends extending the lapse period by seven years to 13 February 2032.

### **Conclusion**

While the works provided for by the designation has not been completed, as set out in the application documents, substantial effort and progress has been made and continues to be made towards giving effect to the designation, including the acquisition of 15 properties required to undertake the corridor improvements. The additional seven years sought will enable a continuation of the progress already made towards giving effect to the designation. Therefore, the proposed extension to the lapse period of Designation 1477 Lincoln Road Corridor Improvements by seven years from 13 February 2025 to 13 February 2032 is considered to be appropriate.

### **Decision**

That pursuant to Section 184 of the Resource Management Act 1991 that the extension to the lapse period of Designation 1477 Lincoln Road Corridor Improvements from 13 February 2025 to 13 February 2032 is **approved**.

**Approved**

**Janine A. Bell**  
**Independent Hearing Commissioner**

**Signature :**



**Date: 21 February 2025**

## **Attachment C: Planner's report**

# Application to extend to lapse period under section 184 of the Resource Management Act 1991



**To:** Team Leader Central / South Planning

**From:** Vanessa Leddra, Policy Planner, Central /South Planning

**Date:** 17 February 2025

**Subject:** Extend the lapse period of Designation 1477 Lincoln Road Corridor Improvements, Henderson, in the Auckland Unitary Plan (Operative in Part).

<b>AUP Designation number</b>	1477
<b>Date of request to extend lapse date:</b>	20 December 2024
<b>Requiring authority:</b>	Auckland Transport

## Summary

Auckland Council received a request dated 20 December 2024 from Auckland Transport for an application under section 184(2) of the Resource Management Act 1991 (RMA), to extend the lapse period of Designation 1477 Lincoln Road Corridor Improvements, Henderson, by 7 years from 13 February 2025 to 13 February 2032.

Section 184 of the RMA describes that a designation will lapse five years after its inclusion in a plan unless:

- it has been given effect before the end of that period,
- a different lapse period is specified in the designation, or
- the territorial authority determines that **substantial progress or effort has been made towards giving effect to the designation** and fixes a longer period, provided that the requiring authority applies for an extended lapse period within the three months prior to the designation's lapse date.

## Recommendation

1. That the section 184(2)(b) application by Auckland Transport for the extension of the lapse date by 7 years to 13 February 2032 of Designation 1477 Lincoln Road Corridor Improvements, Henderson in the Auckland Unitary Plan (Operative in Part) be approved for the following reasons.

Auckland Transport has advised that substantial effort / progress has been made and continues to be made towards giving effect to the designation including:

- an economics case review from 2018-2021 to ensure the budget is allocated and confirmation from NZTA that an additional subsidy was approved
- Revalidation of traffic modelling and options development were undertaken during 2021-2023 and detailed design work undertaken.
- Rapid Transit Station concept design and Local Access Study which outlines bus priority requirements within the Lincoln Road corridor, were completed in 2024.
- Consenting and pre implementation for the Northwest rapid transit requirements were completed in 2025
- AT have acquired 15 properties since the designation has been in place.

## 1. Details of the Designation, Site and Surrounds

The purpose of Designation 1477 Lincoln Road Corridor Improvements is for “the construction of improvements (including road widening) to Lincoln Road and local road connections and the ongoing operation and maintenance of the improvements”. The designation covers 8.28 ha of land. The designation extends from the Northwestern Motorway [SH16] in the north [near Central Park Drive and Triangle Road] to south of the intersection with Pomaria Road and Te Pai Place. The designation is subject to 34 conditions covering a range of matters such as Outline Plan expectations including consultation plans and various environmental management plans; pre - construction and construction conditions, mana whenua engagement, safety audits, opportunities to review the designation, the Accidental Discovery Protocol, lighting, overland flow, landscaping/urban design, trees [new planting/works], a Community Facilities and Local Business Management Plan, operational noise and a pedestrian crossing.

Auckland Transport have advised that they have acquired 15 properties (13 full acquisitions and 2 partials) since the designation has been in place. AT also advise that the majority of the full acquisitions are complete, with 37 partial acquisitions still required.

The Lincoln Road Corridor upgrade [the designation site] is shown below in Figure 1.

**Figure 1** [source AT]



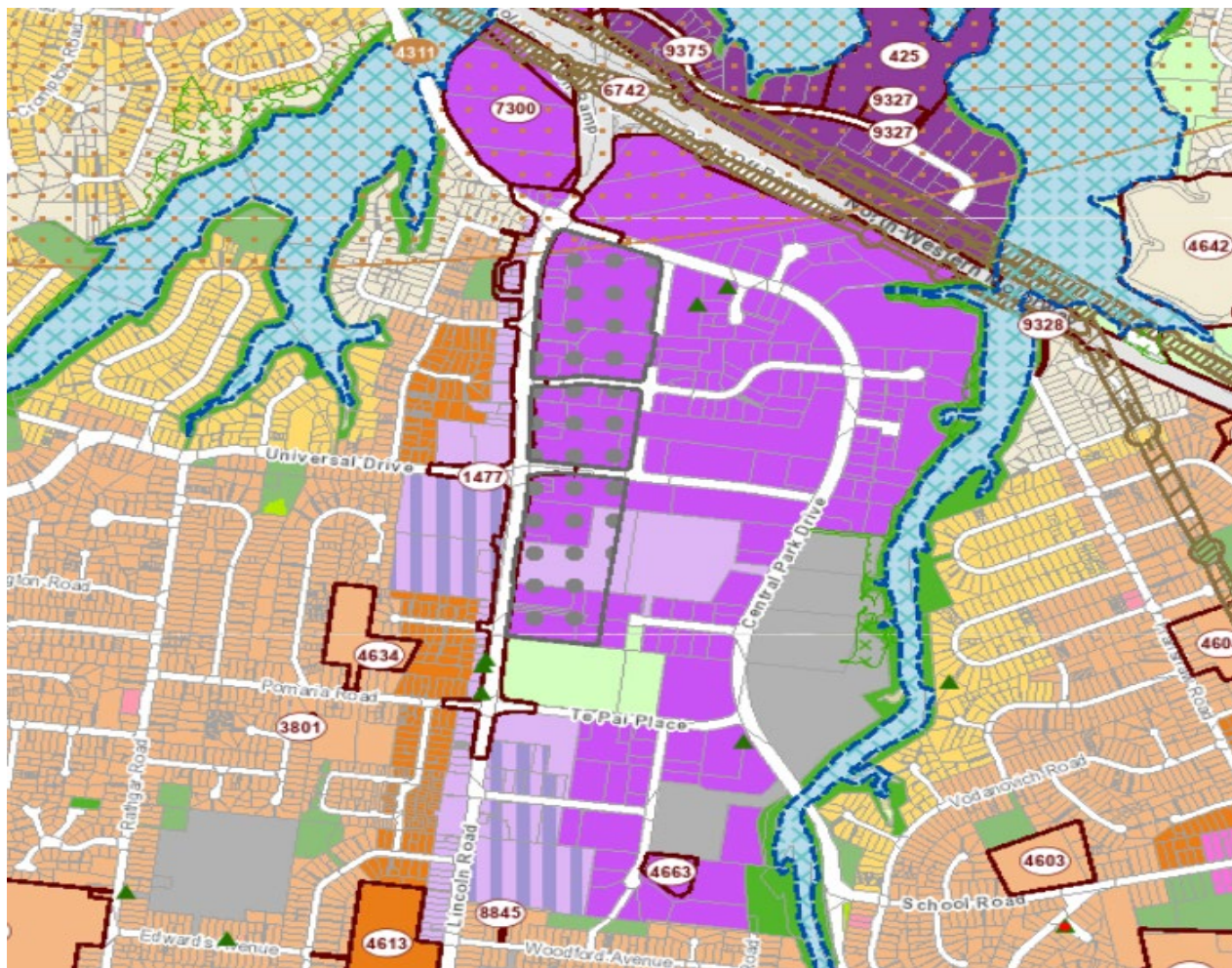
Designation 1447 has a lapse date of 13 February 2025.

Auckland Unitary Plan maps, shown at Figure 2 below, shows the subject site and the local zoning.

The areas along this part of Lincoln Road are substantially zoned Business - light industrial, mixed use or general. The Unitary Plan overlays affecting the designation are:

- Built Environment: Identified Growth Corridor
- Macroinvertebrate Community Index - Urban
- Lincoln sub precincts A and C

Figure 2 – Designation 1477 Lincoln Road Corridor Improvements – Henderson, between the North Western motorway [SH16] to the intersection with Pomaria Road and Te Pai Place in the south.



## 2. Auckland Transport’s Application to Extend the Lapse Date

On 20 December 2024, Auckland Transport applied under section 184(2)(b) of the Resource Management Act 1991 (RMA), to extend the lapse period of Designation 1477 Lincoln Road Corridor Improvements, Henderson, by 7 years from 13 February 2025 to 13 February 2032. AT advise that the designation date was confirmed by way of an Environment Court consent order. This request is provided as **Attachment A** to this report. The details of Designation 1477, inclusive of its conditions is provided as **Attachment B**.

## 3. Consideration of the Application

### 3.1 Section 184

Existing designations which have not yet been given effect to, can be extended under s184 of the Act. This section states, as follows:

#### ***184 Lapsing of designations which have not been given effect to***

*(1) A designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless—*



- (a) it is given effect to before the end of that period; or*
- (b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection; or*
- (c) the designation specified a different period when incorporated in the plan.*

*(2) Where paragraph (b) or paragraph (c) of subsection (1) applies in respect of a designation, the designation shall lapse on the expiry of the period referred to in that paragraph unless—*

- (a) it is given effect to before the end of that period; or*
- (b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection.*

*(3) A requiring authority may object, under section 357, to a decision not to fix a longer period for the purposes of subsection (1).*

### **3.2 Whether substantial progress or effort has and continues to be made (s184(2)(b))**

In order to determine whether an extension of a lapse date be granted, consideration must be given to whether substantial progress or effort has to have been made and be continuing towards giving effect to the designation.

Case law<sup>1</sup> has determined that what amounts to substantial progress or effort is a matter of fact and degree and will depend on the circumstances. It does not mean the work must be almost completed but that real or ongoing work and effort has been undertaken and not inactivity, or activity that is just intermittent.

For the subject application, a description of the progress that has been made and continues to be made, is provided on pages 2 and 3 of the application dated 20 December 2024 from Auckland Transport.

This includes:

Between 2018-2021 - Economics and Funding

- a review was undertaken to ensure the correct budget is allocated for affordable options and economics for the project were updated to ensure the project was still viable
- a cost scope adjustment [CSA] was completed to increase the detailed design phase funding.
- Waka Kotahi approved AT's CSA for additional subsidy for detailed design phase

Between 2021- 2023 - Revalidation of traffic modelling and options development

- Revalidation of traffic modelling was completed with a recommendation of short-term and long-term preferred options. Further analysis was undertaken to choose short-term or long-term options moving to the detailed design.
- Two additional options were developed alongside the do minimum and affordable option to address shortcomings in traffic modelling.

Detailed Design Work

- All utilities investigations were completed
- An updated topographical survey was delivered to capture recent changes in the geography due to new developments
- Construction cost estimate was updated to reflect recent market rates.

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<sup>1</sup> Source: Westlaw - A184.03 Substantial progress or effort

"Substantial progress or effort has been made ... and is continuing" does not mean that the work must be almost completed, since the provision contemplates continuing effort, but there must be real and ongoing work or effort, not inactivity, nor just activity that is intermittent to the extent that the work would be better described as starting again: *GUS Properties Ltd v Blenheim Borough* [24/5/76, Casey J, SC Christchurch M397/75](#). What will amount to substantial progress is a matter of degree and will depend on all the circumstances: *Ashburton BC v Clifford* [\[1969\] NZLR 927; \(1969\) 3 NZTCPA 173 \(CA\)](#).

- Changes on key design elements were approved by AT Design Review Panel

During 2024 Northwest Rapid Transit – with NZTA as Lead

- Rapid Transit Station concept design complete.
- Local Access Study completed, which outlines bus priority requirements within the Lincoln Rd corridor to support the NW rapid transit

2025 Northwest Rapid Transit – either NZTA or AT lead

- Consenting & Pre implementation for rapid transit requirements (including station and station access).
- Local Access study completed
- Develop a prioritised programme of interventions based on the outcomes of the Local Access Study to inform funding requirements and delivery timing. This study outlines bus priority requirements within the Lincoln Road Corridor to support the Northwest Rapid Transit Project.

A 7 year extension to the lapse date is sought by AT in order to align with the likely (but not confirmed) delivery timeframes for the Northwest Rapid Transit Project. Timing for construction is not completely certain, as NZTA have funding to complete the Investment Case and to move to the next phase but there is no confirmed construction funding. If construction funding is confirmed, the earliest work would start would be 2028 for the station/access. The wider improvements for Lincoln Rd will need to be prioritised and funded by AT through the RLTP process and AT would be looking to align delivery timing with NZTA, which would most likely be in 2030/31.

It is considered that the evidence that AT has set out in their application regarding the Lincoln Road improvements major upgrade can be considered as ongoing work and continues to be work in progress.

#### 4. Conclusion

I concur with the applicant's assessment that substantial progress and effort has been appropriately demonstrated by AT towards giving effect to the designation and is continuing to be made. The additional seven years sought will enable a continuation of the progress already made towards giving effect to the designation.

Therefore, the proposed extension to the lapse period of Designation 1477 Lincoln Road Corridor Improvements by seven years from 13 February 2025 to 13 February 2032 is considered to be appropriate.

#### 5. Recommendation

For the reasons outlined above, I recommend that the application for an extension to the lapse period of Designation 1477 Lincoln Road Corridor Improvements from 13 February 2025 to 13 February 2032 be approved.

**Attachment A: Letter dated 20 December 2024 from Auckland Transport for an application under section 184(2)(b) of the Resource Management Act 1991 (RMA), to extend the lapse period of Designation 1477 Lincoln Road Corridor Improvements.**

**Attachment B: Copy of designation 1477**

**Recommendation**            Vanessa Leddra  
**Prepared by:**                Policy Planner

Central / South Planning

**Signature :**



**Date :**

17 February 2025

**Approved for release:**

Section 184(2)(b) recommendation approved for release to a duty commissioner for determination.

Craig Cairncross  
Team Leader  
Central / South Planning

**Signature :**



**Date :**

18 February 2025

**Attachment D: updated text  
(~~strikethrough~~ & underlined)**

## 1477 Lincoln Road Corridor Improvements

Designation Number	1477
Requiring Authority	Auckland Transport
Location	Lincoln Road, Henderson
Rollover Designation	No
Legacy Reference	
Lapse Date	<del>7 years from the date when it was confirmed by the Environment Court consent order (13 February 2025)</del> <u>13 February 2032</u>

### Purpose

Lincoln Road Corridor Improvements - the construction of improvements (including road widening) to Lincoln Road and local road connections and the ongoing operation and maintenance of the improvements.

### Conditions

#### Definitions and Abbreviations

DEFINITIONS	
Best practicable option	<p>Has the meaning under the Resource Management Act 1991 as follows:</p> <p><b>Best practicable option</b>, in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to –</p> <ul style="list-style-type: none"> <li>(a) The nature of the discharge or emission and the sensitivity of the receiving environment to the adverse effects; and</li> <li>(b) The financial implications, and the effects on the environment, of that option when compared with other options; and</li> <li>(c) The current state of technical knowledge and the likelihood that the option can be successfully applied</li> </ul>
Directly Affected Parties	Owners and occupiers of land in the project area that have vehicle access from Lincoln Road or are within the proposed designation footprint (including Auckland Council Parks and Watercare).
Mana Whenua	Mana whenua for the purpose of this designation are considered to be the following (in alphabetical order), who at the time of the Notice of Requirement expressed a desire to be involved in the LRCI project:

	<p>(a) Ngāti Te Ata Waiohū</p> <p>(b) Ngāti Tamaoho</p> <p>(c) Ngāti Whātua o Kaipara</p> <p>(d) Ngāti Whātua o Orakei</p> <p>(e) Te Akitai Waiohū</p> <p>(f) Te Kawerau a Maki</p> <p>(g) Te Runanga o Ngāti Whātua</p>
Protected Premises and Facilities (PPFs)	<p>For noise, PPFs are defined in accordance with the New Zealand Standard for Road-Traffic Noise for New and Altered Roads 2010 (NZS 6806), as spaces inside buildings that are used for residential activities, marae, overnight medical care and teaching.</p> <p>For vibration, PPFs are dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).</p>
<b>ABBREVIATIONS</b>	
BPO	Best practicable option
CCP	Communication and Consultation Plan
CEMP	Construction Environmental Management Plan
CFLBMP	Community Facilities and Local Business Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
DUDLP	Detailed Urban Design and Landscape Plan
LRCI	Lincoln Road Corridor Improvements
NoR	Notice of Requirement
ONMP	Operational Noise Management Plan

RMA	Resource Management Act 1991
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## Designation Conditions

GENERAL CONDITIONS	
1.	<p>Except as modified by the conditions below, the LRCI Project shall be undertaken in general accordance with the plans and information provided by the Requiring Authority, unless amended by any plan or document listed below:</p> <ol style="list-style-type: none"> <li>1. Revised slip-lane arrangement plan (Z Energy) dated 18 May 2017.</li> <li>2. Revised designation plan for 311/313 Lincoln Road (80507651-0301-C706 Rev B and 80507651-0301-C705 Rev B).</li> <li>3. Access arrangement for 311/313 Lincoln Road (80507651-0301-SK004 Rev F).</li> <li>4. PaknSave TMP – Lincoln Road Sections 1 to 3, Revision C, dated 13 December 2017.</li> </ol> <p>Where there is inconsistency in the documents listed in the NoR or the documents listed above and the conditions, the conditions shall prevail.</p>
Lapse Date	
2.	<p>In accordance with section 184(1) of the RMA, this designation shall lapse if not given effect to within 7 years from the date on which it is confirmed.</p>
Outline Plans	
3.	<p>Prior to commencing any works pursuant to this designation, the Requiring Authority shall submit an Outline Plan(s) to the Auckland Council for the project in accordance with section 176A of the RMA. The Outline Plan(s) shall include the following plans:</p> <ol style="list-style-type: none"> <li>(a) A Communication and Consultation Plan (CCP);</li> <li>(b) A Construction Environmental Management Plan (CEMP);</li> <li>(c) A Construction Traffic Management Plan (CTMP);</li> <li>(d) A Detailed Urban Design and Landscape Plan (DUDLP);</li> <li>(e) An Operational Noise Management Plan (ONMP); and</li> <li>(f) A Community Facilities and Local Business Management Plan (CFLBMP).</li> </ol>

4.	All work shall be undertaken in accordance with the requirements of the plans listed in Condition 3(a) to (f) above. Where there are any inconsistencies between the contents of the above plans, then the provision that involves the least adverse effects on Directly Affected Parties shall apply.
5.	The plans listed in Condition 3(a) to (f) above shall include a process for amendment of the relevant plan in response to any contractor's requirements, without the need for a further Outline Plan provided that the amendments do not result in materially different or greater adverse effects, (including on Directly Affected Parties) to those generated by the original Outline Plan.
6.	Once finalised, the plans listed in Condition 3(a) to (f) above, including any amendments, will be provided in electronic format to all Directly Affected Parties and will also be available upon request to the public generally.

#### Designation Review

7.	<p>On an on-going basis as work stages are completed, as soon as reasonably practicable, and no later than 12 months from the date of the stage becoming operational, the Requiring Authority shall:</p> <p>(a) Confirm those areas of the designation that have been identified for temporary construction purposes;</p> <p>(b) Identify any other areas of the designation that are no longer necessary for the on-going operation or maintenance of the project or for on-going mitigation measures; and</p> <p>(c) Give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified in (a) and (b) above.</p>
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#### PRE-CONSTRUCTION CONDITIONS

##### Network Utility Operators

8.	<p>The Requiring Authority shall work collaboratively with Network Utility Operators:</p> <p>(a) During the development of the detailed design for Lincoln Road to provide for the ongoing operation and access to Network Utility operations; and</p> <p>(b) During the preparation and implementation of the Construction Methodology in relation to remedying or mitigating any adverse effects on existing infrastructure and Network Utility operations.</p>
9.	In the period before construction begins, the following activities undertaken by Network Utility Operators will not prevent or hinder the project, and can be



	<p>undertaken without seeking the Requiring Authority’s written approval under section 176(1)(b) of the RMA:</p> <ul style="list-style-type: none"> <li>(a) Maintenance and urgent repair works of existing Network Utilities;</li> <li>(b) Minor renewal works to existing Network Utilities necessary for the on-going provision or security of supply of Network Utility operations; and</li> <li>(c) Minor works such as new property service connections.</li> </ul> <p>For the avoidance of doubt, in this condition “existing Network Utilities” includes infrastructure operated by a Network Utility Operator which was:</p> <ul style="list-style-type: none"> <li>• In place at the time the NoR for the LRCI Project was served on Auckland Council; or</li> <li>• Undertaken in accordance with this condition or the section 176(1)(b) RMA process.</li> </ul>
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### Mana Whenua Engagement

<p>10.</p>	<p>The Requiring Authority shall undertake ongoing consultation and input of Mana Whenua into the design and construction of the project, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) Regular meetings between the Requiring Authority and Mana Whenua the frequency of meetings shall be agreed between the two parties;</li> <li>(b) Input into the preparation of the DUDLP (in accordance with Condition 21);</li> <li>(c) Involvement of Mana Whenua in removal and or replanting of any native tree species; and</li> <li>(d) Any other matters agreed between the Requiring Authority and the Mana Whenua consultation that is within the scope of the project.</li> </ul>
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### CONSTRUCTION CONDITIONS

#### Communication and Consultation Plan

<p>11.</p>	<p>A Communication and Consultation Plan (CCP) shall be included in the Outline Plan submitted to Auckland Council. The objective of the CCP is to ensure appropriate communication and consultation is undertaken with affected parties during the detailed design and project construction periods. The CCP shall include, but not be limited to:</p>
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	<ul style="list-style-type: none"><li>(a) A communications framework that details the Requiring Authority's communication methods, the frequency of communications and consultation and any other relevant communication matters;</li><li>(b) The Communication and Consultation Manager for the project including their contact details (phone, email and postal address);</li><li>(c) A summary of consultation undertaken between the Requiring Authority and Directly Affected Parties on the detailed design for the Lincoln Road improvements;</li><li>(d) A summary of the communication and consultation undertaken between the Requiring Authority and Network Utility Operators in accordance with Condition 8;</li><li>(e) Methods for communicating and consulting with owners and occupiers located adjacent to proposed construction works, including:<ul style="list-style-type: none"><li>(i) determining adequate notice periods for the commencement of construction activities and works that affect access to properties;</li><li>(ii) informing parties of the expected timing, duration and staging of works and regular updating of progress,</li></ul></li><li>(f) Methods for recording and managing queries, concerns and complaints during the project, including (as needed on a 24/7 basis) contact details and complaints procedures;</li><li>(g) Methods for communicating and consulting in advance about temporary traffic management measures to owners and occupiers located adjacent to proposed construction works, including the provision of suitable vehicle access to affected sites during construction works and provision of appropriate notice periods in cases when access will be reduced or unavailable;</li><li>(h) Methods for communicating and consulting with owners and occupiers located adjacent to proposed construction works regarding the management of work around vegetation to be retained, vegetation to be removed, and the transplanting of vegetation, where practicable;</li><li>(i) Methods for communicating and consulting with owners and occupiers located adjacent to the proposed construction works regarding the preparation of the CFLBMP required by Condition 31 and the co-ordination of that input with the preparation of CTMP (Condition 12), CEMP (Condition 14), and DUDLP (Condition 21);</li><li>(j) Methods to communicate any changes, made in accordance with Condition 5, to the management plans listed in Condition 3;</li></ul>
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	<p>(k) Methods to ensure ongoing communication with Mana Whenua who have expressed an interest through this process.</p> <p>Preparation of the CCP is to include a process to invite feedback from Directly Affected Parties, prior to the CCP being submitted to the Council as part of an Outline Plan. The CCP shall document the feedback received and the measures to be taken to address concerns, or reasons why specific comments cannot be addressed.</p>
<b>Construction Traffic Management Plan</b>	
<p>12.</p>	<p>A CTMP shall be included in the Outline Plan submitted to the Council. The objective of the CTMP is to ensure measures are in place that will avoid, remedy or mitigate the local and network-wide transportation effects of construction associated with the project. The temporary traffic management measures in the plan shall include:</p> <ul style="list-style-type: none"> <li>(a) Proposed operating speeds and traffic layouts during construction;</li> <li>(b) Proposed method of monitoring traffic speeds, safety and levels of congestion and steps to be taken to avoid significant adverse traffic effects, where practicable.</li> <li>(c) Provision for controlling construction access to the site, traffic control adjacent to the site, and the protection of the public;</li> <li>(d) How access for pedestrians and cyclists along the corridor and to properties will be maintained;</li> <li>(e) How safe vehicle access to properties will be maintained to the greatest extent possible while acknowledging that construction needs will likely result in temporarily reduced capacity or closure of vehicle access. In the first instance, reduced capacity, alternative temporary access or sharing access with adjacent sites (where possible) should be provided. Where there is no practicable alternative, temporary full closure must involve adequate notice in accordance with the time periods specified in Condition 11(g).</li> <li>(f) How construction workforce parking will be managed; and</li> <li>(g) How provision will be made for access of emergency vehicles at all times.</li> </ul> <p>Preparation of the CTMP is to include a process to invite feedback from directly affected parties, prior to the CTMP being submitted to the Council as an Outline Plan. The CTMP is to document the feedback received and the measures to be taken to address concerns, or reasons why specific comments cannot be addressed.</p>
<p>13.</p>	<p>A copy of the CTMP shall be kept on the site at all times during construction. All measures for the protection of the public and other personnel set out in the CTMP shall be maintained and complied with at all times until such time as the works are</p>

completed.

## Construction Environmental Management Plan

14. A CEMP shall be included in the Outline Plan submitted to Auckland Council. The objective of the CEMP is to provide for avoidance, remediation or mitigation of adverse effects associated with the construction of the project. The CEMP shall reflect the requirements of any resource consent issued by Auckland Council and as a minimum include:
- (a) A description of the proposed works and construction methodology;
  - (b) An optimised construction programme that minimises disruption as far as practicable along Lincoln Road within the Project area during the period 12-24 December, and including the period 1-26 December in particular in respect of the site and adjacent road environment at 202-224 Lincoln Road;
  - (c) An Erosion and Sediment Control Management Plan;
  - (d) A Dust Management Plan, including the proposed means of managing dust during construction taking into account the recommendations in section 5.2 of the Air Quality Report 31/05/2016 provided by the Requiring Authority with the Notice of Requirement, and how dust will be monitored throughout the construction period;
  - (e) A Construction Noise and Vibration Management Plan (CNVMP) to provide for the development and implementation of identified best practicable options to avoid, remedy or mitigate the adverse effects on receivers of noise and vibration resulting from construction. The CNVMP shall contain, but not be limited to:
    - i. The project noise and vibration criteria (including weekend and night time works) in accordance with the NZS 6803:1999 Acoustic Construction Noise and Guideline DIN4150-3 1999, Structural Vibration – Effects of vibration on structures, and taking into account the recommendations of the Noise and Vibration Report provided by the Requiring Authority with the Notice of Requirement for a weekday and Saturday night time noise limit of LAeq 55dB for residential receivers;
    - ii. A summary of construction noise and vibration assessments/predictions;
    - iii. General construction practices, management and mitigation;
    - iv. Noise management and mitigation measures specific to activities and/or receiving environments, such as temporary barriers or enclosures, selection of appropriate machinery, specific consideration of any night-time works, and preparation of site-specific construction noise management plans where required;

- v. Vibration management and mitigation measures specific to activities and/or receiving environments, including the process to be followed to prepare site-specific construction vibration management plans where required;
  - vi. Site specific CNVMPs shall describe site specific noise effects and/or vibration risks, mitigation measures, including consultation and notice processes with affected parties, and shall stipulate the required monitoring of noise or vibration levels. A site specific CNVMP may prescribe noise and vibration levels higher than those prescribed in condition 14(e)(i) provided they have been determined by a suitably qualified and experienced person as being the Best Practicable Option to manage noise and vibration effects. Any such site specific CNVMP may be for individual buildings or for groups, whichever is appropriate, and must be prepared by a suitably qualified person;
  - vii. Site specific CNVMPs must be submitted to the Council 5 working days prior to the noise being generated for certification that the proposed noise mitigation measures (BPO) are appropriate given the noise to be generated and the surrounding activities. Council may require additional mitigation measures where necessary to ensure BPO is achieved;
  - viii. Monitoring and reporting requirements;
  - ix. Procedures for handling complaints;
  - x. Procedures for review of the CNVMP throughout the project; and
  - xi. Methods for communication and consultation with affected parties, including procedures for giving advance notice where it is anticipated that there may be perceptible levels of vibration and/or noise levels will exceed relevant standards.
- (f) Construction lighting details and how the use of temporary construction floodlighting shall be located and directed to minimise potential glare effects on occupants of residential buildings;
  - (g) Details of the temporary stormwater management system that will be in place at all times during construction;
  - (h) How works around trees and on-site landscaping will be undertaken to retain vegetation in accordance with Condition 21;
  - (i) Details of on-site car parking management where works require the temporary removal of existing car parks. This may involve temporary re arrangement of car parks on site, agreement to share parking on adjacent sites or similar measures;
  - (j) Details as to the nature and extent of works in the Temporary designation area shown on the NoR plans. Generally, this area should not be used for stockpiling

	<p>of machinery or materials, while the use of hoardings and other screens should be kept to a minimum;</p> <p>(k) Details of works in the vicinity of hazardous substances facilities and how those works will be undertaken in a safe manner; and</p> <p>(l) Preparation of the CEMP is to include a process to invite feedback from directly affected parties, prior to the CEMP being submitted to the Council as part of an Outline Plan. The CEMP shall document the feedback received and the measures to be taken to address concerns, or reasons why specific comments cannot be addressed.</p>
<b>Safety audits</b>	
15.	Prior to the commencement of construction activities, the Requiring Authority shall provide a copy of a detailed design safety audit to Auckland Council.
15A.	A safety audit with respect to the operation of U-turn arrangements at the Universal Drive and Central Park Drive intersections with Lincoln Road shall be undertaken within three months of the issue of the certificate of practical completion.
<b>Accidental Discovery Protocol</b>	
16.	<p>In the event of an accidental discovery of archaeological material, the site manager must:</p> <p>(a) Cease work immediately within 10m of the discovery, and secure this area.</p> <p>(b) Notify the Council and Heritage New Zealand - Pouhere Taonga Regional archaeologist within one working day of the discovery.</p> <p>(c) Advise the NZ Police and Coroner if skeletal remains are uncovered.</p> <p>(d) Ensure that works within the secured area do not resume until all necessary statutory authorisations or consents have been obtained.</p>
17.	<p>If at any time during investigation, potential koiwi, archaeology or artefacts of Maori origin are discovered, the Requiring Authority will notify Mana Whenua.</p> <p><i>Advice note: Works affecting archaeological sites are subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014. An authority (consent) from Heritage New Zealand - Pouhere Taonga must be obtained for the work prior to commencement. It is an offence to damage or destroy a site for any purpose without an authority. The Heritage New Zealand Pouhere Taonga Act 2014 contains penalties for unauthorised site damage.</i></p>

## Overland Flow

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| 18. | Prior to construction commencing, detailed design shall include an assessment of overland flow and flooding effects of the design, and demonstrate that any flooding effects on sites outside the designation are avoided or mitigated by the design. |
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## Lighting

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| 19. | All street lighting will be designed to comply with AS/NZS 1158, and Auckland Transport's Code of Practice.   |
| 20. | The DUDLP required by Condition 21 shall include finalised proposed lighting specifications, locations, illumination levels, shielding and any relevant industry standards and demonstrate that lighting minimises light spill and glare for neighbouring residences, while being integrated with the public realm. |

## Landscape / Urban Design

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| 21. | <p>A detailed Urban Design and Landscape Plan (DUDLP) shall be included in the Outline Plan submitted to Auckland Council. The DUDLP shall be prepared by a suitably qualified person taking into account the principles of the Urban Design, Landscape and Visual Assessment report submitted with the NoR, updated where necessary to take account of best practice and any changes to the environment along Lincoln Road since the NoR was confirmed.</p> <p>The DUDLP must include details of:</p> <ul style="list-style-type: none"><li>(a) Locations for all tree and vegetation planting including number, sizes and species, consistent with Condition 22;</li><li>(b) Replacement planting on private properties as designed in consultation with and as approved by the landowner(s) of each private property;</li><li>(c) Replacement planting in Daytona Reserve of at least 3 Totara trees of PB 95 size, to be planted along the same alignment as the existing trees; and further planting in Te Pai Park as to be agreed with the Council;</li><li>(d) Design of the new public space at 308-310 Lincoln Road, incorporating replacement trees;</li><li>(e) Landscape treatment for the raised median buffer space beside the cycle lane and T3 lane and residual or new berm areas, complying with Condition 21 as necessary;</li><li>(f) Design of retaining walls and batters. Where retaining walls are greater than 1m in height and will face residential activities, then specific designs should be identified that minimise impacts on residential amenity, including privacy and</li></ul> |
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	<p>outlook, sunlight and daylight access and visual appearance, as well as minimising the height of the retaining wall where feasible.</p> <p>(g) Treatments of footpaths, pedestrian paths and cycle lane surfaces and alignments (including at vehicle crossings and pedestrian and cycle crossing points at intersections), to ensure the safety and convenience of pedestrians and cyclists, taking into account the location of other street elements and furniture. The design of T intersections should clearly signal to vehicle drivers that they are entering a low speed environment.</p> <p>(h) How the designs of (a) to (f) are compatible with the landscape treatment of the State Highway 16 Lincoln Road interchange, Te Pai Park and Daytona Reserve, as relevant.</p> <p>(i) How the detailed design addresses NZS 4121:2001 – ‘Design for Access and Mobility – Buildings and Associated Facilities’, RTS 14 – ‘Guidelines for facilities for blind and vision - impaired pedestrians, and the principles set out in the National Guidelines for Crime Prevention Through Design in NZ;</p> <p>(j) A consistent palette of options for replacement fencing and landscape strips on land not part of the permanent designation (as to be agreed with landowners), including any acoustic fencing that may be required by condition 32; and</p> <p>(k) Lighting details required by condition 19.</p>
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### Trees: New Planting

22.	<p>The DUDLP required by Condition 21 shall include details on the street tree planting, as follows:</p> <p>(a) As many suitable street trees as possible are to be planted in the raised median, remaining berm areas and where feasible in the footpaths in general accordance (including number and spacing) with the concept plan submitted with the NoR and as updated through the DUDLP Condition 21 taking into account the following factors:</p> <p>(i) The location of utilities and services and their protection from installation works and the on-going growth of trees. This could include possible relocation of services, if necessary;</p> <p>(ii) The design of engineered tree pits to ensure healthy growth of street trees, providing at least 20m<sup>3</sup> of soil per tree. This is likely to include the design of structural tree pits which extend beyond the footprint of the median strip or road berm. Techniques should include use of:</p> <ul style="list-style-type: none"> <li>• Soil cells, or;</li> <li>• Vault or rafting, or;</li> <li>• Structural Soils,</li> </ul>
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	<p>(iii) Pre-ordering appropriate nursery stock so that they can be trained to form an appropriate shape prior to installation within the median.</p> <p>(b) A maintenance plan setting out methods to maintain the trees in their establishment phase and once established, including irrigation, pruning and maintenance of ground cover and replacement of individual trees that do not thrive or are subsequently damaged;</p> <p>(c) Record of consultation with Watercare in respect of planting in proximity to their assets; and</p> <p>(d) The works arborist identified in Condition 24 to oversee the median tree planting works.</p>
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### Trees: Works

23.	Trees located within the (Temporary and Permanent) designation footprint may be removed, except for scheduled trees located within the road reserve outside 158 Lincoln Road (Himalayan Cedar) and 172 Lincoln Road (Rimu).
24.	Works in the driplines of trees (removal or alteration) is to occur under the supervision of a suitably experienced arborist ('Works Arborist') to be employed by the Requiring Authority for the duration of the project. The Works Arborist is to monitor, direct and supervise all tree removals and all works within the dripline of trees adjacent to the works site. The appointed Works Arborist must be experienced in tree protection systems and construction methodologies and be able to coordinate the site works to ensure that the approved tree protection methodology is correctly implemented.
25.	<p>Where works occur within the dripline of trees (for trees either located within or adjacent to the designation footprint), an on-site determination as to whether a tree can be viably retained or shifted shall be undertaken by the Works Arborist. The Works Arborist shall consider the following criteria (and provide a copy of the assessment in writing) when making his/her determination:</p> <p>(a) Whether or not there any design solutions which would allow for a tree or trees to be retained;</p> <p>(b) Species' known tolerance to root pruning/disturbance;</p> <p>(c) Overall condition of the tree (vigour/vitality);</p> <p>(d) Actual confirmed distance between the tree and the proposed works;</p> <p>(e) Any known previous root pruning/disturbance;</p>

	<p>(f) Numbers and diameters of roots which are required to be pruned; and</p> <p>(g) Size of the tree.</p>
26.	The removal of any vegetation shall be undertaken in a manner which avoids any unnecessary damage or disturbance to any retained vegetation and their root zones (for example sectional felling in conjunction with modern rigging techniques where required).
27.	Works around retained trees shall be according to best arboricultural practices, in accordance with section 9 of the Arboricultural report from Amenity Tree Consultants Limited, titled Lincoln Road Corridor Improvements, dated May 2016, including methods to prune roots where necessary and avoidance of stockpiling of construction material machinery etc. in drip lines.
28.	Measures are to be taken to ensure that all contractors, subcontractors, and workers engaged in all activities covered by this designation are advised of the tree protection measures required as conditions upon this designation, and operate in accordance with them.
29.	Ten days prior to any work occurring within the dripline of the three notable trees located outside the properties at 158 Lincoln Road (Himalayan Cedar) and 172 Lincoln Road (Rimu), and within the property of 170 Lincoln Road (Rimu), details of the proposed works will be submitted to the Council for certification. The works shall follow best arboricultural practice, to avoid/minimise root loss by using non-dig construction options, and damage to the tree. The design should allow for permeable surfaces beneath the dripline where practicable.
30.	<p>Regular monitoring reports and a completion report are to be submitted to the Council.</p> <p>The Requiring Authority shall prepare and submit to the Council's Consents Arborist and Monitoring Inspector compliance reports on a monthly basis throughout the course of the works. The compliance reports shall include:</p> <p>(a) A digital photographic record of the tree works undertaken from the appointed Works Arborist; and</p> <p>(b) Confirmation that the works to date have been in accordance with the conditions of this designation while under the direction of the Works Arborist.</p> <p>A completion report shall be provided by the Works Arborist to the Council's Resource Consents Arborist within one month of the finish of site works. The completion report shall confirm (or otherwise) that the works have been undertaken in accordance with the tree protection measures in the conditions and under the direction of the Works Arborist. The completion report shall also confirm</p>

	(or otherwise) that the impact on the protected trees has been no greater than that afforded under the conditions.
<b>Community Facilities and Local Business Management Plan</b>	
31.	<p>At least 3 months prior to the commencement of construction works, and prior to the submission to the Council of the Outline Plans listed in Condition 3, a Community Facilities and Local Business Management Plan (CFLBMP) shall be submitted to the Council and provided to stakeholders, for their information. The objective of the CFLBMP is to identify the potential effects of the construction works on local community facilities and local businesses, identify potential mitigation measures and how these will be implemented through the plans listed in Condition 3.</p> <p>The CFLBMP shall be developed in consultation with directly affected parties, local community facility operators and business owners. The CFLBMP shall document feedback received and the measures to be taken to address concerns, or reasons why specific feedback cannot be addressed.</p> <p>The CFLBMP shall identify the following:</p> <p>(a) Measures to avoid, remedy or mitigate (as far as reasonably practicable) disruption to access (including pedestrian, cycle, passenger transport and service/private vehicles) and operations for community facilities and local businesses as a result of construction activities;</p> <ul style="list-style-type: none"> <li>i. Temporary signage;</li> <li>ii. Provision of alternative car parking during construction;</li> <li>iii. Adequate notice of when and how construction will affect customer and delivery access in accordance with Condition 12(e); and</li> <li>iv. Timing and staging of the works during construction.</li> </ul> <p>(b) How the potential temporary loss of amenity for community facilities and businesses as a result of construction activities will be or have been mitigated through the CEMP.</p>
<b>Operational Noise</b>	
32.	<p>An Operational Noise Management Plan (ONMP) shall be prepared in accordance with NZS6806:2010 Acoustics - Road Traffic Noise - New and Altered Roads. The objective of the ONMP is to set out how the effects of road noise on PPFs existing prior to the designation being in place will be mitigated by the adoption of the Best Practicable Option.</p>

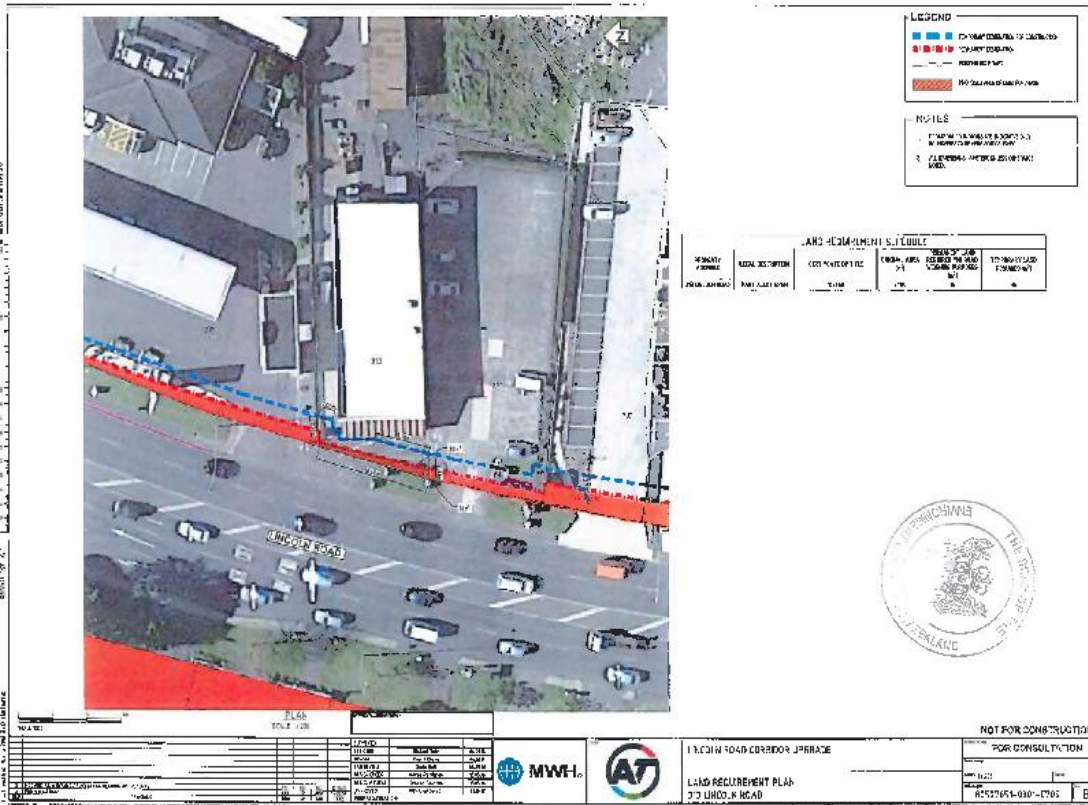
	<p>The ONMP shall:</p> <p>(a) identify how the Project will be designed and constructed so that using the best practicable option, predicted operational noise levels from the Project 10 years after opening; at the PPFs identified in Appendix D of the Styles Group report (Appendix D, "Table of Predicted Noise Levels", Operational Noise Assessment Report, June 2016); do not result in any upwards change to the specified "Noise Criteria Category" in Appendix D "Preferred Design Option" noise levels predicted by the acoustic modelling undertaken by Styles Group Acoustics and Vibration; and</p> <p>(b) detail the best practicable option for reducing noise levels for the PPFs in accordance with NZS6806:2010 and as agreed with the landowners where relevant.</p>
33.	An independent acoustic expert shall prepare the ONMP to be submitted with the Outline Plan required by Condition 32.

#### Universal Drive pedestrian crossing

34.	<p>Subject to being able to meet any safety and operational requirements identified by the safety audit undertaken for the detailed design for the project, the detailed design for the permanent replacement signalised pedestrian crossing on Universal Drive, adjacent to 202-224 Lincoln Road shown on Sheet 13 in Appendix 21 of the NoR shall be amended so that the southern leg of the crossing aligns approximately with the existing pedestrian route through 202-224 Lincoln Road.</p> <p>Advice note: In the event that the revised crossing design required by Condition 34 is not able to meet Auckland Transport's safety and operational requirements, the Requiring Authority shall, in consultation with the owner of 202-224 Lincoln Road, use its best endeavours to realign the pedestrian route through 202-224 Lincoln Road to align with the replacement signalised crossing on Universal Drive.</p>
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# Attachments

## Land Requirement Plan – 311/313 Lincoln Road (80507651-301-C706 Rev B and 80507651-0301-C705 Rev B)





PaknSave TMP – Lincoln Road Section 1 to 3, Revision C









Land requirement plans: these have been included to provide clarification. Blue line shows the extent of the temporary designation for construction (parts of which will be removed post-construction in accordance with Condition 7). Red line shows the permanent designation boundary post-construction).

## **Attachment E: Updated text (clean)**

## 1477 Lincoln Road Corridor Improvements

Designation Number	1477
Requiring Authority	Auckland Transport
Location	Lincoln Road, Henderson
Rollover Designation	No
Legacy Reference	
Lapse Date	13 February 2032

### Purpose

Lincoln Road Corridor Improvements - the construction of improvements (including road widening) to Lincoln Road and local road connections and the ongoing operation and maintenance of the improvements.

### Conditions

#### Definitions and Abbreviations

DEFINITIONS	
Best practicable option	<p>Has the meaning under the Resource Management Act 1991 as follows:</p> <p><b>Best practicable option</b>, in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to –</p> <ul style="list-style-type: none"> <li>(a) The nature of the discharge or emission and the sensitivity of the receiving environment to the adverse effects; and</li> <li>(b) The financial implications, and the effects on the environment, of that option when compared with other options; and</li> <li>(c) The current state of technical knowledge and the likelihood that the option can be successfully applied</li> </ul>
Directly Affected Parties	<p>Owners and occupiers of land in the project area that have vehicle access from Lincoln Road or are within the proposed designation footprint (including Auckland Council Parks and Watercare).</p>
Mana Whenua	<p>Mana whenua for the purpose of this designation are considered to be the following (in alphabetical order), who at the time of the Notice of Requirement expressed a desire to be involved in the LRCI project:</p>

	<p>(a) Ngāti Te Ata Waiohua</p> <p>(b) Ngāti Tamaoho</p> <p>(c) Ngāti Whātua o Kaipara</p> <p>(d) Ngāti Whātua o Orakei</p> <p>(e) Te Akitai Waiohua</p> <p>(f) Te Kawerau a Maki</p> <p>(g) Te Runanga o Ngāti Whātua</p>
Protected Premises and Facilities (PPFs)	<p>For noise, PPFs are defined in accordance with the New Zealand Standard for Road-Traffic Noise for New and Altered Roads 2010 (NZS 6806), as spaces inside buildings that are used for residential activities, marae, overnight medical care and teaching.</p> <p>For vibration, PPFs are dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).</p>
<b>ABBREVIATIONS</b>	
BPO	Best practicable option
CCP	Communication and Consultation Plan
CEMP	Construction Environmental Management Plan
CFLBMP	Community Facilities and Local Business Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
DUDLP	Detailed Urban Design and Landscape Plan
LRCI	Lincoln Road Corridor Improvements
NoR	Notice of Requirement
ONMP	Operational Noise Management Plan

RMA	Resource Management Act 1991
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## Designation Conditions

GENERAL CONDITIONS	
1.	<p>Except as modified by the conditions below, the LRCI Project shall be undertaken in general accordance with the plans and information provided by the Requiring Authority, unless amended by any plan or document listed below:</p> <ol style="list-style-type: none"> <li>1. Revised slip-lane arrangement plan (Z Energy) dated 18 May 2017.</li> <li>2. Revised designation plan for 311/313 Lincoln Road (80507651-0301-C706 Rev B and 80507651-0301-C705 Rev B).</li> <li>3. Access arrangement for 311/313 Lincoln Road (80507651-0301-SK004 Rev F).</li> <li>4. PaknSave TMP – Lincoln Road Sections 1 to 3, Revision C, dated 13 December 2017.</li> </ol> <p>Where there is inconsistency in the documents listed in the NoR or the documents listed above and the conditions, the conditions shall prevail.</p>
Lapse Date	
2.	<p>In accordance with section 184(1) of the RMA, this designation shall lapse if not given effect to within 7 years from the date on which it is confirmed.</p>
Outline Plans	
3.	<p>Prior to commencing any works pursuant to this designation, the Requiring Authority shall submit an Outline Plan(s) to the Auckland Council for the project in accordance with section 176A of the RMA. The Outline Plan(s) shall include the following plans:</p> <ol style="list-style-type: none"> <li>(a) A Communication and Consultation Plan (CCP);</li> <li>(b) A Construction Environmental Management Plan (CEMP);</li> <li>(c) A Construction Traffic Management Plan (CTMP);</li> <li>(d) A Detailed Urban Design and Landscape Plan (DUDLP);</li> <li>(e) An Operational Noise Management Plan (ONMP); and</li> <li>(f) A Community Facilities and Local Business Management Plan (CFLBMP).</li> </ol>

4.	All work shall be undertaken in accordance with the requirements of the plans listed in Condition 3(a) to (f) above. Where there are any inconsistencies between the contents of the above plans, then the provision that involves the least adverse effects on Directly Affected Parties shall apply.
5.	The plans listed in Condition 3(a) to (f) above shall include a process for amendment of the relevant plan in response to any contractor's requirements, without the need for a further Outline Plan provided that the amendments do not result in materially different or greater adverse effects, (including on Directly Affected Parties) to those generated by the original Outline Plan.
6.	Once finalised, the plans listed in Condition 3(a) to (f) above, including any amendments, will be provided in electronic format to all Directly Affected Parties and will also be available upon request to the public generally.

### Designation Review

7.	<p>On an on-going basis as work stages are completed, as soon as reasonably practicable, and no later than 12 months from the date of the stage becoming operational, the Requiring Authority shall:</p> <p>(a) Confirm those areas of the designation that have been identified for temporary construction purposes;</p> <p>(b) Identify any other areas of the designation that are no longer necessary for the on-going operation or maintenance of the project or for on-going mitigation measures; and</p> <p>(c) Give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified in (a) and (b) above.</p>
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### PRE-CONSTRUCTION CONDITIONS

#### Network Utility Operators

8.	<p>The Requiring Authority shall work collaboratively with Network Utility Operators:</p> <p>(a) During the development of the detailed design for Lincoln Road to provide for the ongoing operation and access to Network Utility operations; and</p> <p>(b) During the preparation and implementation of the Construction Methodology in relation to remedying or mitigating any adverse effects on existing infrastructure and Network Utility operations.</p>
9.	In the period before construction begins, the following activities undertaken by Network Utility Operators will not prevent or hinder the project, and can be

	<p>undertaken without seeking the Requiring Authority’s written approval under section 176(1)(b) of the RMA:</p> <p>(a) Maintenance and urgent repair works of existing Network Utilities;</p> <p>(b) Minor renewal works to existing Network Utilities necessary for the on-going provision or security of supply of Network Utility operations; and</p> <p>(c) Minor works such as new property service connections.</p> <p>For the avoidance of doubt, in this condition “existing Network Utilities” includes infrastructure operated by a Network Utility Operator which was:</p> <ul style="list-style-type: none"> <li>• In place at the time the NoR for the LRCI Project was served on Auckland Council; or</li> <li>• Undertaken in accordance with this condition or the section 176(1)(b) RMA process.</li> </ul>
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### Mana Whenua Engagement

<p>10.</p>	<p>The Requiring Authority shall undertake ongoing consultation and input of Mana Whenua into the design and construction of the project, including, but not limited to:</p> <p>(a) Regular meetings between the Requiring Authority and Mana Whenua the frequency of meetings shall be agreed between the two parties;</p> <p>(b) Input into the preparation of the DUDLP (in accordance with Condition 21);</p> <p>(c) Involvement of Mana Whenua in removal and or replanting of any native tree species; and</p> <p>(d) Any other matters agreed between the Requiring Authority and the Mana Whenua consultation that is within the scope of the project.</p>
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### CONSTRUCTION CONDITIONS

#### Communication and Consultation Plan

<p>11.</p>	<p>A Communication and Consultation Plan (CCP) shall be included in the Outline Plan submitted to Auckland Council. The objective of the CCP is to ensure appropriate communication and consultation is undertaken with affected parties during the detailed design and project construction periods. The CCP shall include, but not be limited to:</p>
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	<ul style="list-style-type: none"><li>(a) A communications framework that details the Requiring Authority's communication methods, the frequency of communications and consultation and any other relevant communication matters;</li><li>(b) The Communication and Consultation Manager for the project including their contact details (phone, email and postal address);</li><li>(c) A summary of consultation undertaken between the Requiring Authority and Directly Affected Parties on the detailed design for the Lincoln Road improvements;</li><li>(d) A summary of the communication and consultation undertaken between the Requiring Authority and Network Utility Operators in accordance with Condition 8;</li><li>(e) Methods for communicating and consulting with owners and occupiers located adjacent to proposed construction works, including:<ul style="list-style-type: none"><li>(i) determining adequate notice periods for the commencement of construction activities and works that affect access to properties;</li><li>(ii) informing parties of the expected timing, duration and staging of works and regular updating of progress,</li></ul></li><li>(f) Methods for recording and managing queries, concerns and complaints during the project, including (as needed on a 24/7 basis) contact details and complaints procedures;</li><li>(g) Methods for communicating and consulting in advance about temporary traffic management measures to owners and occupiers located adjacent to proposed construction works, including the provision of suitable vehicle access to affected sites during construction works and provision of appropriate notice periods in cases when access will be reduced or unavailable;</li><li>(h) Methods for communicating and consulting with owners and occupiers located adjacent to proposed construction works regarding the management of work around vegetation to be retained, vegetation to be removed, and the transplanting of vegetation, where practicable;</li><li>(i) Methods for communicating and consulting with owners and occupiers located adjacent to the proposed construction works regarding the preparation of the CFLBMP required by Condition 31 and the co-ordination of that input with the preparation of CTMP (Condition 12), CEMP (Condition 14), and DUDLP (Condition 21);</li><li>(j) Methods to communicate any changes, made in accordance with Condition 5, to the management plans listed in Condition 3;</li></ul>
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	<p>(k) Methods to ensure ongoing communication with Mana Whenua who have expressed an interest through this process.</p> <p>Preparation of the CCP is to include a process to invite feedback from Directly Affected Parties, prior to the CCP being submitted to the Council as part of an Outline Plan. The CCP shall document the feedback received and the measures to be taken to address concerns, or reasons why specific comments cannot be addressed.</p>
<b>Construction Traffic Management Plan</b>	
<p>12.</p>	<p>A CTMP shall be included in the Outline Plan submitted to the Council. The objective of the CTMP is to ensure measures are in place that will avoid, remedy or mitigate the local and network-wide transportation effects of construction associated with the project. The temporary traffic management measures in the plan shall include:</p> <ul style="list-style-type: none"> <li>(a) Proposed operating speeds and traffic layouts during construction;</li> <li>(b) Proposed method of monitoring traffic speeds, safety and levels of congestion and steps to be taken to avoid significant adverse traffic effects, where practicable.</li> <li>(c) Provision for controlling construction access to the site, traffic control adjacent to the site, and the protection of the public;</li> <li>(d) How access for pedestrians and cyclists along the corridor and to properties will be maintained;</li> <li>(e) How safe vehicle access to properties will be maintained to the greatest extent possible while acknowledging that construction needs will likely result in temporarily reduced capacity or closure of vehicle access. In the first instance, reduced capacity, alternative temporary access or sharing access with adjacent sites (where possible) should be provided. Where there is no practicable alternative, temporary full closure must involve adequate notice in accordance with the time periods specified in Condition 11(g).</li> <li>(f) How construction workforce parking will be managed; and</li> <li>(g) How provision will be made for access of emergency vehicles at all times.</li> </ul> <p>Preparation of the CTMP is to include a process to invite feedback from directly affected parties, prior to the CTMP being submitted to the Council as an Outline Plan. The CTMP is to document the feedback received and the measures to be taken to address concerns, or reasons why specific comments cannot be addressed.</p>
<p>13.</p>	<p>A copy of the CTMP shall be kept on the site at all times during construction. All measures for the protection of the public and other personnel set out in the CTMP shall be maintained and complied with at all times until such time as the works are</p>

completed.

## Construction Environmental Management Plan

14. A CEMP shall be included in the Outline Plan submitted to Auckland Council. The objective of the CEMP is to provide for avoidance, remediation or mitigation of adverse effects associated with the construction of the project. The CEMP shall reflect the requirements of any resource consent issued by Auckland Council and as a minimum include:
- (a) A description of the proposed works and construction methodology;
  - (b) An optimised construction programme that minimises disruption as far as practicable along Lincoln Road within the Project area during the period 12-24 December, and including the period 1-26 December in particular in respect of the site and adjacent road environment at 202-224 Lincoln Road;
  - (c) An Erosion and Sediment Control Management Plan;
  - (d) A Dust Management Plan, including the proposed means of managing dust during construction taking into account the recommendations in section 5.2 of the Air Quality Report 31/05/2016 provided by the Requiring Authority with the Notice of Requirement, and how dust will be monitored throughout the construction period;
  - (e) A Construction Noise and Vibration Management Plan (CNVMP) to provide for the development and implementation of identified best practicable options to avoid, remedy or mitigate the adverse effects on receivers of noise and vibration resulting from construction. The CNVMP shall contain, but not be limited to:
    - i. The project noise and vibration criteria (including weekend and night time works) in accordance with the NZS 6803:1999 Acoustic Construction Noise and Guideline DIN4150-3 1999, Structural Vibration – Effects of vibration on structures, and taking into account the recommendations of the Noise and Vibration Report provided by the Requiring Authority with the Notice of Requirement for a weekday and Saturday night time noise limit of LAeq 55dB for residential receivers;
    - ii. A summary of construction noise and vibration assessments/predictions;
    - iii. General construction practices, management and mitigation;
    - iv. Noise management and mitigation measures specific to activities and/or receiving environments, such as temporary barriers or enclosures, selection of appropriate machinery, specific consideration of any night-time works, and preparation of site-specific construction noise management plans where required;

- v. Vibration management and mitigation measures specific to activities and/or receiving environments, including the process to be followed to prepare site-specific construction vibration management plans where required;
  - vi. Site specific CNVMPs shall describe site specific noise effects and/or vibration risks, mitigation measures, including consultation and notice processes with affected parties, and shall stipulate the required monitoring of noise or vibration levels. A site specific CNVMP may prescribe noise and vibration levels higher than those prescribed in condition 14(e)(i) provided they have been determined by a suitably qualified and experienced person as being the Best Practicable Option to manage noise and vibration effects. Any such site specific CNVMP may be for individual buildings or for groups, whichever is appropriate, and must be prepared by a suitably qualified person;
  - vii. Site specific CNVMPs must be submitted to the Council 5 working days prior to the noise being generated for certification that the proposed noise mitigation measures (BPO) are appropriate given the noise to be generated and the surrounding activities. Council may require additional mitigation measures where necessary to ensure BPO is achieved;
  - viii. Monitoring and reporting requirements;
  - ix. Procedures for handling complaints;
  - x. Procedures for review of the CNVMP throughout the project; and
  - xi. Methods for communication and consultation with affected parties, including procedures for giving advance notice where it is anticipated that there may be perceptible levels of vibration and/or noise levels will exceed relevant standards.
- (f) Construction lighting details and how the use of temporary construction floodlighting shall be located and directed to minimise potential glare effects on occupants of residential buildings;
  - (g) Details of the temporary stormwater management system that will be in place at all times during construction;
  - (h) How works around trees and on-site landscaping will be undertaken to retain vegetation in accordance with Condition 21;
  - (i) Details of on-site car parking management where works require the temporary removal of existing car parks. This may involve temporary re arrangement of car parks on site, agreement to share parking on adjacent sites or similar measures;
  - (j) Details as to the nature and extent of works in the Temporary designation area shown on the NoR plans. Generally, this area should not be used for stockpiling

	<p>of machinery or materials, while the use of hoardings and other screens should be kept to a minimum;</p> <p>(k) Details of works in the vicinity of hazardous substances facilities and how those works will be undertaken in a safe manner; and</p> <p>(l) Preparation of the CEMP is to include a process to invite feedback from directly affected parties, prior to the CEMP being submitted to the Council as part of an Outline Plan. The CEMP shall document the feedback received and the measures to be taken to address concerns, or reasons why specific comments cannot be addressed.</p>
<b>Safety audits</b>	
15.	Prior to the commencement of construction activities, the Requiring Authority shall provide a copy of a detailed design safety audit to Auckland Council.
15A.	A safety audit with respect to the operation of U-turn arrangements at the Universal Drive and Central Park Drive intersections with Lincoln Road shall be undertaken within three months of the issue of the certificate of practical completion.
<b>Accidental Discovery Protocol</b>	
16.	<p>In the event of an accidental discovery of archaeological material, the site manager must:</p> <p>(a) Cease work immediately within 10m of the discovery, and secure this area.</p> <p>(b) Notify the Council and Heritage New Zealand - Pouhere Taonga Regional archaeologist within one working day of the discovery.</p> <p>(c) Advise the NZ Police and Coroner if skeletal remains are uncovered.</p> <p>(d) Ensure that works within the secured area do not resume until all necessary statutory authorisations or consents have been obtained.</p>
17.	<p>If at any time during investigation, potential koiwi, archaeology or artefacts of Maori origin are discovered, the Requiring Authority will notify Mana Whenua.</p> <p><i>Advice note: Works affecting archaeological sites are subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014. An authority (consent) from Heritage New Zealand - Pouhere Taonga must be obtained for the work prior to commencement. It is an offence to damage or destroy a site for any purpose without an authority. The Heritage New Zealand Pouhere Taonga Act 2014 contains penalties for unauthorised site damage.</i></p>

## Overland Flow

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| 18. | Prior to construction commencing, detailed design shall include an assessment of overland flow and flooding effects of the design, and demonstrate that any flooding effects on sites outside the designation are avoided or mitigated by the design. |
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## Lighting

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| 19. | All street lighting will be designed to comply with AS/NZS 1158, and Auckland Transport's Code of Practice.   |
| 20. | The DUDLP required by Condition 21 shall include finalised proposed lighting specifications, locations, illumination levels, shielding and any relevant industry standards and demonstrate that lighting minimises light spill and glare for neighbouring residences, while being integrated with the public realm. |

## Landscape / Urban Design

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| 21. | <p>A detailed Urban Design and Landscape Plan (DUDLP) shall be included in the Outline Plan submitted to Auckland Council. The DUDLP shall be prepared by a suitably qualified person taking into account the principles of the Urban Design, Landscape and Visual Assessment report submitted with the NoR, updated where necessary to take account of best practice and any changes to the environment along Lincoln Road since the NoR was confirmed.</p> <p>The DUDLP must include details of:</p> <ul style="list-style-type: none"><li>(a) Locations for all tree and vegetation planting including number, sizes and species, consistent with Condition 22;</li><li>(b) Replacement planting on private properties as designed in consultation with and as approved by the landowner(s) of each private property;</li><li>(c) Replacement planting in Daytona Reserve of at least 3 Totara trees of PB 95 size, to be planted along the same alignment as the existing trees; and further planting in Te Pai Park as to be agreed with the Council;</li><li>(d) Design of the new public space at 308-310 Lincoln Road, incorporating replacement trees;</li><li>(e) Landscape treatment for the raised median buffer space beside the cycle lane and T3 lane and residual or new berm areas, complying with Condition 21 as necessary;</li><li>(f) Design of retaining walls and batters. Where retaining walls are greater than 1m in height and will face residential activities, then specific designs should be identified that minimise impacts on residential amenity, including privacy and</li></ul> |
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	<p>outlook, sunlight and daylight access and visual appearance, as well as minimising the height of the retaining wall where feasible.</p> <p>(g) Treatments of footpaths, pedestrian paths and cycle lane surfaces and alignments (including at vehicle crossings and pedestrian and cycle crossing points at intersections), to ensure the safety and convenience of pedestrians and cyclists, taking into account the location of other street elements and furniture. The design of T intersections should clearly signal to vehicle drivers that they are entering a low speed environment.</p> <p>(h) How the designs of (a) to (f) are compatible with the landscape treatment of the State Highway 16 Lincoln Road interchange, Te Pai Park and Daytona Reserve, as relevant.</p> <p>(i) How the detailed design addresses NZS 4121:2001 – ‘Design for Access and Mobility – Buildings and Associated Facilities’, RTS 14 – ‘Guidelines for facilities for blind and vision - impaired pedestrians, and the principles set out in the National Guidelines for Crime Prevention Through Design in NZ;</p> <p>(j) A consistent palette of options for replacement fencing and landscape strips on land not part of the permanent designation (as to be agreed with landowners), including any acoustic fencing that may be required by condition 32; and</p> <p>(k) Lighting details required by condition 19.</p>
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### Trees: New Planting

22.	<p>The DUDLP required by Condition 21 shall include details on the street tree planting, as follows:</p> <p>(a) As many suitable street trees as possible are to be planted in the raised median, remaining berm areas and where feasible in the footpaths in general accordance (including number and spacing) with the concept plan submitted with the NoR and as updated through the DUDLP Condition 21 taking into account the following factors:</p> <p>(i) The location of utilities and services and their protection from installation works and the on-going growth of trees. This could include possible relocation of services, if necessary;</p> <p>(ii) The design of engineered tree pits to ensure healthy growth of street trees, providing at least 20m<sup>3</sup> of soil per tree. This is likely to include the design of structural tree pits which extend beyond the footprint of the median strip or road berm. Techniques should include use of:</p> <ul style="list-style-type: none"> <li>• Soil cells, or;</li> <li>• Vault or rafting, or;</li> <li>• Structural Soils,</li> </ul>
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	<p>(iii) Pre-ordering appropriate nursery stock so that they can be trained to form an appropriate shape prior to installation within the median.</p> <p>(b) A maintenance plan setting out methods to maintain the trees in their establishment phase and once established, including irrigation, pruning and maintenance of ground cover and replacement of individual trees that do not thrive or are subsequently damaged;</p> <p>(c) Record of consultation with Watercare in respect of planting in proximity to their assets; and</p> <p>(d) The works arborist identified in Condition 24 to oversee the median tree planting works.</p>
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### Trees: Works

23.	Trees located within the (Temporary and Permanent) designation footprint may be removed, except for scheduled trees located within the road reserve outside 158 Lincoln Road (Himalayan Cedar) and 172 Lincoln Road (Rimu).
24.	Works in the driplines of trees (removal or alteration) is to occur under the supervision of a suitably experienced arborist ('Works Arborist') to be employed by the Requiring Authority for the duration of the project. The Works Arborist is to monitor, direct and supervise all tree removals and all works within the dripline of trees adjacent to the works site. The appointed Works Arborist must be experienced in tree protection systems and construction methodologies and be able to coordinate the site works to ensure that the approved tree protection methodology is correctly implemented.
25.	<p>Where works occur within the dripline of trees (for trees either located within or adjacent to the designation footprint), an on-site determination as to whether a tree can be viably retained or shifted shall be undertaken by the Works Arborist. The Works Arborist shall consider the following criteria (and provide a copy of the assessment in writing) when making his/her determination:</p> <p>(a) Whether or not there any design solutions which would allow for a tree or trees to be retained;</p> <p>(b) Species' known tolerance to root pruning/disturbance;</p> <p>(c) Overall condition of the tree (vigour/vitality);</p> <p>(d) Actual confirmed distance between the tree and the proposed works;</p> <p>(e) Any known previous root pruning/disturbance;</p>



	<p>(f) Numbers and diameters of roots which are required to be pruned; and</p> <p>(g) Size of the tree.</p>
26.	The removal of any vegetation shall be undertaken in a manner which avoids any unnecessary damage or disturbance to any retained vegetation and their root zones (for example sectional felling in conjunction with modern rigging techniques where required).
27.	Works around retained trees shall be according to best arboricultural practices, in accordance with section 9 of the Arboricultural report from Amenity Tree Consultants Limited, titled Lincoln Road Corridor Improvements, dated May 2016, including methods to prune roots where necessary and avoidance of stockpiling of construction material machinery etc. in drip lines.
28.	Measures are to be taken to ensure that all contractors, subcontractors, and workers engaged in all activities covered by this designation are advised of the tree protection measures required as conditions upon this designation, and operate in accordance with them.
29.	Ten days prior to any work occurring within the dripline of the three notable trees located outside the properties at 158 Lincoln Road (Himalayan Cedar) and 172 Lincoln Road (Rimu), and within the property of 170 Lincoln Road (Rimu), details of the proposed works will be submitted to the Council for certification. The works shall follow best arboricultural practice, to avoid/minimise root loss by using non-dig construction options, and damage to the tree. The design should allow for permeable surfaces beneath the dripline where practicable.
30.	<p>Regular monitoring reports and a completion report are to be submitted to the Council.</p> <p>The Requiring Authority shall prepare and submit to the Council's Consents Arborist and Monitoring Inspector compliance reports on a monthly basis throughout the course of the works. The compliance reports shall include:</p> <p>(a) A digital photographic record of the tree works undertaken from the appointed Works Arborist; and</p> <p>(b) Confirmation that the works to date have been in accordance with the conditions of this designation while under the direction of the Works Arborist.</p> <p>A completion report shall be provided by the Works Arborist to the Council's Resource Consents Arborist within one month of the finish of site works. The completion report shall confirm (or otherwise) that the works have been undertaken in accordance with the tree protection measures in the conditions and under the direction of the Works Arborist. The completion report shall also confirm</p>

	(or otherwise) that the impact on the protected trees has been no greater than that afforded under the conditions.
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### Community Facilities and Local Business Management Plan

31.	<p>At least 3 months prior to the commencement of construction works, and prior to the submission to the Council of the Outline Plans listed in Condition 3, a Community Facilities and Local Business Management Plan (CFLBMP) shall be submitted to the Council and provided to stakeholders, for their information. The objective of the CFLBMP is to identify the potential effects of the construction works on local community facilities and local businesses, identify potential mitigation measures and how these will be implemented through the plans listed in Condition 3.</p> <p>The CFLBMP shall be developed in consultation with directly affected parties, local community facility operators and business owners. The CFLBMP shall document feedback received and the measures to be taken to address concerns, or reasons why specific feedback cannot be addressed.</p> <p>The CFLBMP shall identify the following:</p> <p>(a) Measures to avoid, remedy or mitigate (as far as reasonably practicable) disruption to access (including pedestrian, cycle, passenger transport and service/private vehicles) and operations for community facilities and local businesses as a result of construction activities;</p> <ul style="list-style-type: none"> <li>i. Temporary signage;</li> <li>ii. Provision of alternative car parking during construction;</li> <li>iii. Adequate notice of when and how construction will affect customer and delivery access in accordance with Condition 12(e); and</li> <li>iv. Timing and staging of the works during construction.</li> </ul> <p>(b) How the potential temporary loss of amenity for community facilities and businesses as a result of construction activities will be or have been mitigated through the CEMP.</p>
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### Operational Noise

32.	<p>An Operational Noise Management Plan (ONMP) shall be prepared in accordance with NZS6806:2010 Acoustics - Road Traffic Noise - New and Altered Roads. The objective of the ONMP is to set out how the effects of road noise on PPFs existing prior to the designation being in place will be mitigated by the adoption of the Best Practicable Option.</p>
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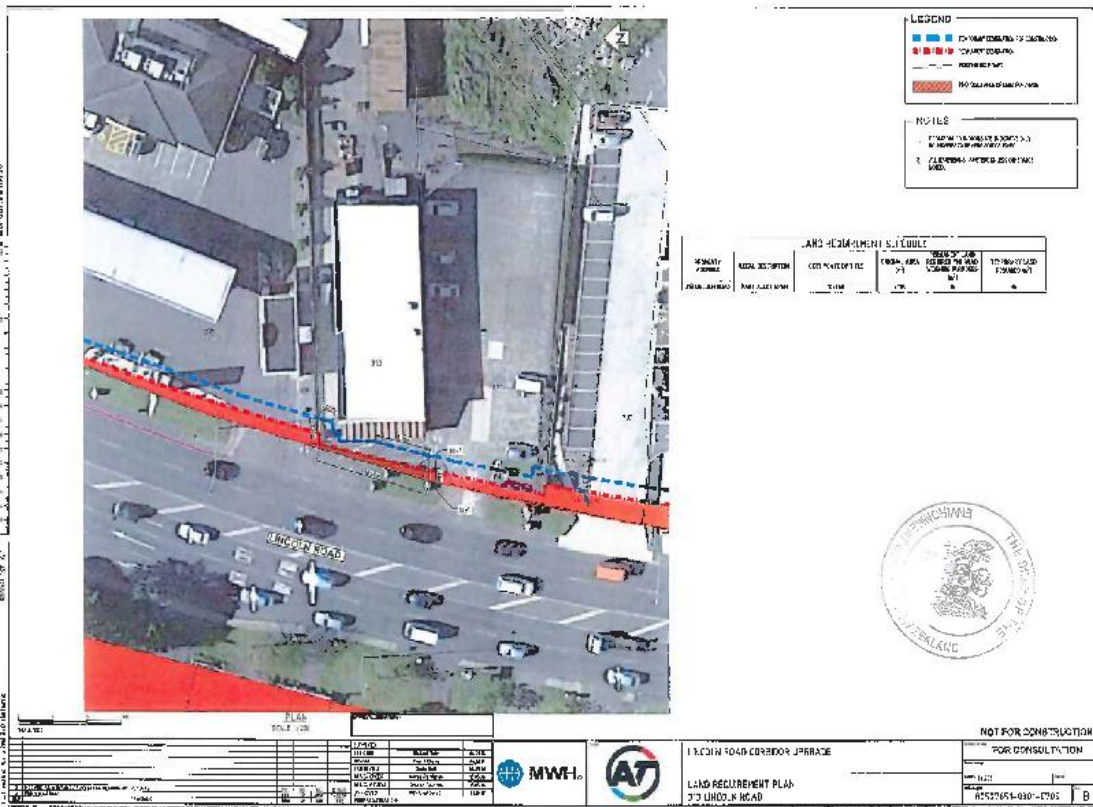
	<p>The ONMP shall:</p> <p>(a) identify how the Project will be designed and constructed so that using the best practicable option, predicted operational noise levels from the Project 10 years after opening; at the PPFs identified in Appendix D of the Styles Group report (Appendix D, "Table of Predicted Noise Levels", Operational Noise Assessment Report, June 2016); do not result in any upwards change to the specified "Noise Criteria Category" in Appendix D "Preferred Design Option" noise levels predicted by the acoustic modelling undertaken by Styles Group Acoustics and Vibration; and</p> <p>(b) detail the best practicable option for reducing noise levels for the PPFs in accordance with NZS6806:2010 and as agreed with the landowners where relevant.</p>
33.	An independent acoustic expert shall prepare the ONMP to be submitted with the Outline Plan required by Condition 32.

#### Universal Drive pedestrian crossing

34.	<p>Subject to being able to meet any safety and operational requirements identified by the safety audit undertaken for the detailed design for the project, the detailed design for the permanent replacement signalised pedestrian crossing on Universal Drive, adjacent to 202-224 Lincoln Road shown on Sheet 13 in Appendix 21 of the NoR shall be amended so that the southern leg of the crossing aligns approximately with the existing pedestrian route through 202-224 Lincoln Road.</p> <p>Advice note: In the event that the revised crossing design required by Condition 34 is not able to meet Auckland Transport's safety and operational requirements, the Requiring Authority shall, in consultation with the owner of 202-224 Lincoln Road, use its best endeavours to realign the pedestrian route through 202-224 Lincoln Road to align with the replacement signalised crossing on Universal Drive.</p>
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# Attachments

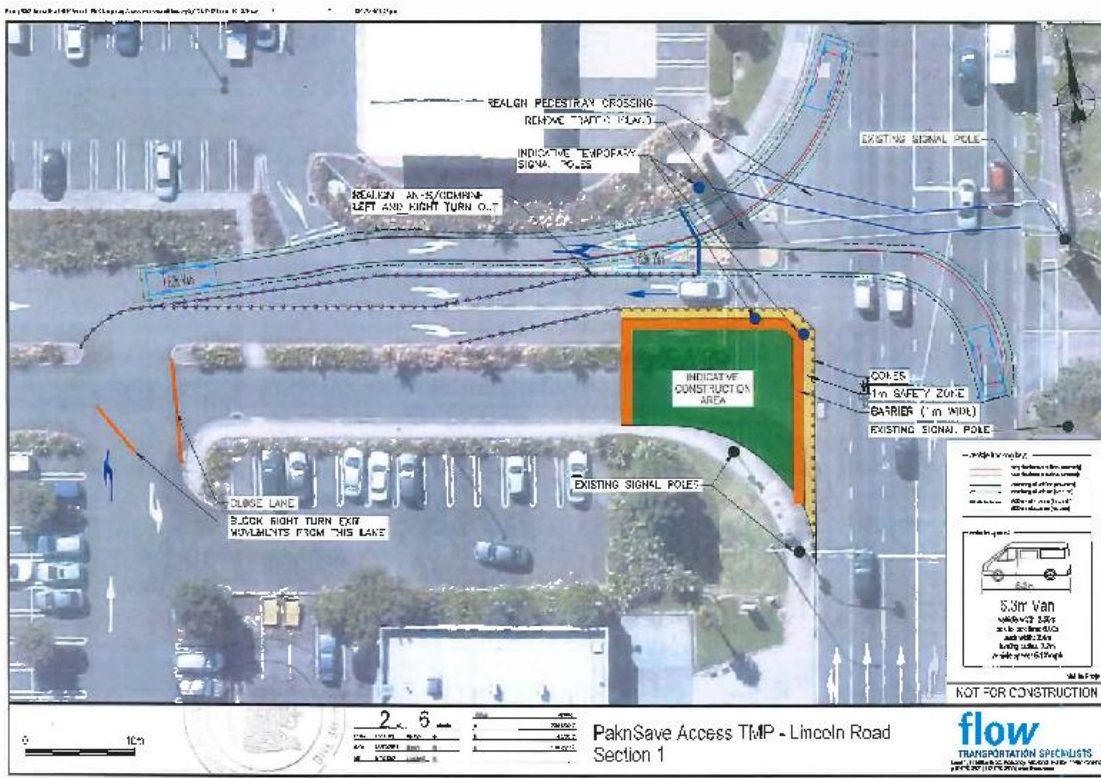
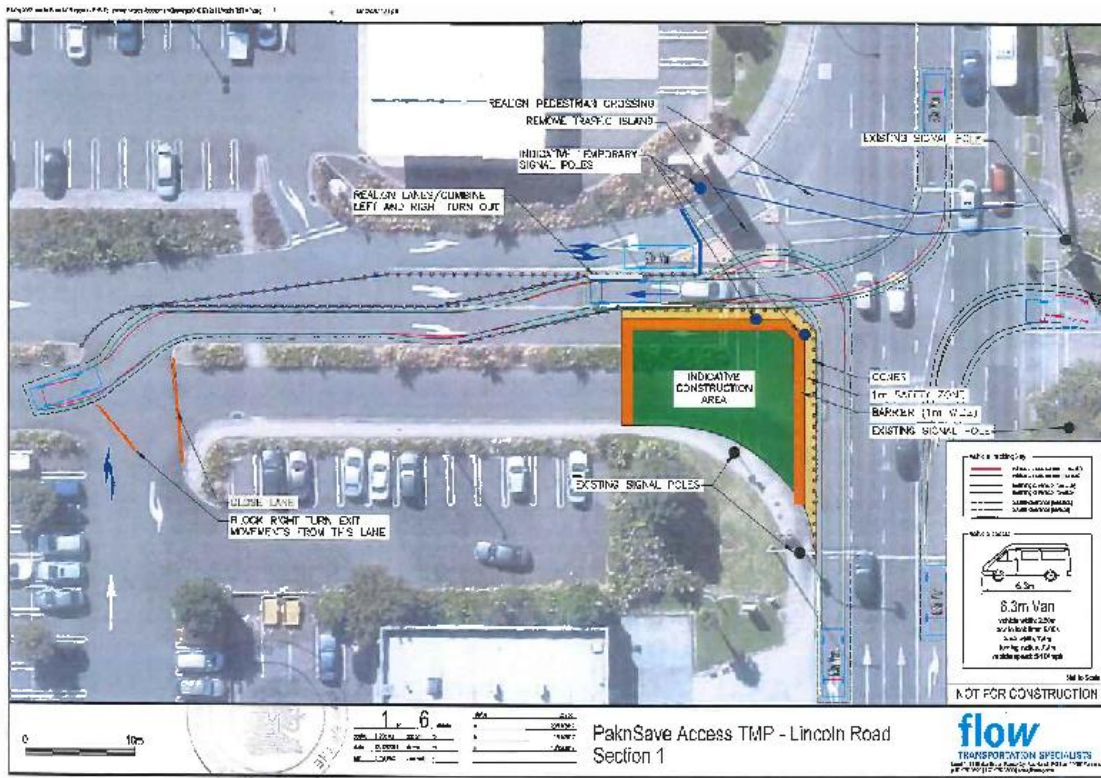
## Land Requirement Plan – 311/313 Lincoln Road (80507651-301-C706 Rev B and 80507651-0301-C705 Rev B)



Access arrangement for 311/313 Lincoln Road (80507651-0301- SK004 Rev F)



PaknSave TMP – Lincoln Road Section 1 to 3, Revision C









Land requirement plans: these have been included to provide clarification. Blue line shows the extent of the temporary designation for construction (parts of which will be removed post-construction in accordance with Condition 7). Red line shows the permanent designation boundary post-construction).