

### **Schedule 1**

The land affected is all that is shown and scheduled on the Designation Plan being Appendix A of the document titled "AEE Report: Notice of Requirement for Onion Road Realignment, Beca; 7 June 2018. The plan is titled Onion Road Realignment, Land Requirement Plan, Drawing No. 3413195-CK-032.

Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.

Pursuant to Section 184A(2)(c) of the RMA, the designation shall not lapse for a period of ten (10) years after it is included in the Operative Hamilton City District Plan.

### **Outline Plan of Works**

1. Prior to the commencement of any physical works relating to the Onion Road Realignment project, the Requiring Authority shall prepare and submit to Hamilton City Council as consent authority, an Outline Plan of Works pursuant to section 176A of the Resource Management Act 1991 ("RMA").

### **Construction Management Plan**

2. At least 20 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works), the Requiring Authority shall submit for certification a Construction Management Plan (CMP) to the Territorial Authority Chief Executive or nominee. Amongst other things, the CMP shall include but not be limited to the following matters:
  - a) The site manager who will act as the point of contact for the project;
  - b) Hours of construction, programming and timing of key construction phases;
  - c) Procedures for dealing with complaints;
  - d) Measures that will be used to ensure that vehicles leaving the site do not deposit soil or other debris off-site and any remedial measures to be undertaken if they do;
  - e) Detail how timeframes, progress and the potential effects of the project will be communicated with the owners/occupiers of 146 Ruffell Road, 100 Ruffell Road, 492 Onion Road and other residents in close proximity to the construction site;

The CMP shall be prepared by a suitably qualified and experienced person. The purpose of the CMP is to ensure that appropriate measures are in place to avoid, remedy or mitigate potential adverse effects associated with the construction and commissioning of the project.

### **Construction Noise and Vibration**

3. At least 20 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works), the Requiring Authority shall submit for certification a Construction Noise and Vibration Management Plan (CNVMP) to the Territorial Authority Chief Executive or nominee.

4. The CNVMP shall be prepared in accordance with NZS 6803:1999 *Acoustics – Construction Noise* (NZS 6803:1999), and include the procedures, methods and measures for the control of noise associated with all relevant construction works authorized by this designation, which shall be formulated to comply with noise criteria developed with regards to Table 2 of NZS 6803:1999.
5. The CNVMP shall include specific details relating to methods for the control of ground vibrations associated with all relevant Project construction works, which shall be formulated to comply with German Standard DIN 4150-3:1999 *Structural vibration – Effects of vibration on structures*.

#### **Erosion and Sediment Control Plan**

6. At least 20 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works), the Requiring Authority shall submit for certification an 'Erosion and Sediment Control Plan' (ESCP) to the Territorial Authority Chief Executive or nominee. The purpose of the ESCP shall be to minimise sediment discharge from the site to the extent practicable.

#### **Landscaping**

7. At least 20 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works), the Requiring Authority shall submit a detailed Landscape Plan to the Territorial Authority Chief Executive or nominee for certification. The plan shall be in general accordance with the "Notice of Requirement for Onion Road Realignment, Revision A, MAY 2018". The plan shall be prepared by a suitably experienced Landscape Architect. The detailed landscape planting plan shall include a technical specification and maintenance plan. The information provided with the landscape management plan shall include but not be limited to the following:
  - a) Planting design and treatment that reflects the character of the Koura Drive, the Waikato Expressway and Arthur Porter Drive;
  - b) Eco-sourced plant species, grades and spacing's;
  - c) Top soil, whether existing site topsoil or topsoil proposed for use on the site, shall be tested and remediated appropriately;
  - d) Maintenance requirements including:
    - i. Maintenance period (3 years defects liability period);
    - ii. Pest management;
    - iii. Plant stock management;
    - iv. Specimen trees and staking;
    - v. Mulching;
    - vi. Watering;
    - vii. Species replacement;
    - viii. Long term maintenance

8. The implementation of the landscape plan shall be supervised by a suitably qualified Landscape Architect to ensure earthworks construction activities do not impede the required planting outcomes. This will include supervision of matters such as soil compaction, landscape fill preparation, topsoil depth, topsoil quality, planting preparation, planting setout and on-going maintenance.

#### **Accidental Discovery**

9. In the event of an accidental discovery of suspected archaeological remains in the course of works, the following procedure must be implemented:
  - a) Contractors shall cease all work in the immediate vicinity of the suspected archaeological site and immediately notify the identified Project Manager;
  - b) The area of the suspected archaeological deposit or feature is to be made secure, ensuring that the area (and any objects contained within) remains undisturbed and meets health and safety requirements.
  - c) The Project Manager shall notify the local Heritage New Zealand Pouhere Taonga (HNZPT) representative, any relevant iwi representatives and city council representatives.
  - d) The archaeological remains will be investigated and recorded in accordance with archaeological best practice, and in line with the legal conditions of any authority granted by HNZPT.
  - e) Works can resume once the required investigation and recording are complete and iwi representatives and HNZPT give their agreement.

#### **Design Agreement**

10. At least 40 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works) the Requiring Authority shall submit to the Territorial Authority Chief Executive or nominee a set of detailed design drawings in respect of the Koura Drive intersection layout and the manner of integration between the Onion Road Realignment project with the E99a designation for 'Te Rapa Bypass/Waikato Expressway'. At that time, the Requiring Authority shall provide evidence that the requirements of the Transport Agency as road controlling authority for designation E99a have been satisfied.

#### **Traffic**

11. The detailed design drawings referred to in Condition 10 above shall include provision for the following:
  - a) Construction of standard industrial vehicle crossings, including bridges across swales if required, to enable safe and practical access for vehicular and active transport modes to the adjoining land. The crossings shall be compliant with the Regional Infrastructure Technical Specification (RITS) either from the designated road or adjoining roads. Any vehicle crossing shall not compromise the function or capacity of the stormwater swales.

- b) The design of the roading network shall include consideration of the balance between the need to raise sections of the road to enable appropriate linkage to Koura Drive with its accompanying intersection design and the need for access to adjoining land, including in respect of the layout and extent of stormwater swales, culverts and underground services;
- c) As a collector road, the Requiring Authority will ensure that the design includes provision of a service corridor in accordance with the Regional Infrastructure Technical Specifications (RITS).
- d) Provision for walking and cycling in general accordance with the walking and cycling plan provided in the NoR.
- e) A Stage 2 (Preliminary Design) and Stage 3 (Detailed Design) safety audit shall be carried out by an appropriately qualified traffic safety engineer and the findings of each safety audit shall be addressed to the satisfaction of the Hamilton City Council Chief Executive or nominee.
- f) At least 40 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works) the Requiring Authority shall submit to the Territorial Authority Chief Executive or nominee a record of consultation with adjacent landowners regarding the content of matters (a) to (c) and the outcomes of that consultation.

For the purposes of this condition, the term 'adjoining roads' means Ruffell Road and Onion Road.

For the purposes of this condition, the term 'adjoining' means next to and joined with or is contiguous to.

#### **Stormwater**

12. At least 40 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works) the Requiring Authority shall submit to the Territorial Authority Chief Executive or nominee a set of detailed design documents demonstrating the manner in which stormwater derived from within the designated corridor will be managed within the designation. The detailed design documents shall address the following matters:

- a) The way in which stormwater runoff from the Onion Road designation will be managed to address both peak flow attenuation and water quality treatment in compliance with the Regional Infrastructure Technical Specifications (RITS).
- b) Provision for addressing stormwater flows from the adjoining Deferred Industrial land. The Requiring Authority shall provide evidence of consultation with the adjacent landowner(s) in respect of development timing and intensity and the manner in which those predicted stormwater flows will be addressed;

For the purposes of this condition, the term 'adjoining' means next to and joined with or is contiguous to.

#### Advice Notes:

##### **A. Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011**

The subject site is listed on HCC's Selected Land Use Register (SLUR) Database based on information held on file – being the ***Preliminary Site Investigation (PSI) Report prepared by BECA (dated February 2018)***. As such, any one or more of the five regulated activities being done on the site are subject to the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (referred to as the NES). Resource consent must be obtained under the NES from HCC prior to the commencement of construction works if required.

As recommended by the PSI report, a Detailed Site Investigation is required to be done prior to any site development occurring, to establish if any potential soil contamination is present, to determine whether resource and to determine whether any controls or restrictions are required.

##### **B. Regional Consents**

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works. The detailed design plans for the roading infrastructure will need to demonstrate the manner in which the proposed stormwater drainage system provides attenuation for a 1% AEP storm and that peak stormwater flows will be attenuated to 80% of existing development peak flow in compliance with the Regional Infrastructure Technical Specification (RITS) and the WRC Stormwater guidelines.

##### **C. New Zealand Transport Agency**

The proposed designation subject to this notice of requirement lies directly adjacent to the New Zealand Transport Agency designation for the Te Rapa Section of the Waikato Expressway (E99a). It is therefore important that the detailed design drawings submitted with the Outline Plan of Works pursuant to section 176A of the Resource Management Act 1991, provides evidence that the Transport Agency requirements as road controlling authority for the State Highway network have been satisfied.

##### **D. Stormwater**

The intention of the Requiring Authority and Empire Corporation as adjoining landowner is that there will be an integrated stormwater solution designed to enable optimal servicing of both the Onion Road corridor and the adjoining Deferred Industrial land.

##### **E. Landowner Engagement**

The Requiring Authority acknowledges that the extent and layout of the Onion Road Realignment designation does have an impact on the ability for Empire Corporation (and subsequent landowners) to develop the entirety of the land for industrial purposes. Issues of land valuation and property impact will be taken into account during the land acquisition process, in accordance with the Resource Management Act 1991 and the Public Works Act 1981.

The Requiring Authority acknowledges the need to increase the supply of industrial land in the Te Rapa North area to cater for demand, and Empire Corporation's intent to develop land fronting Ruffell and Onion Roads in the short to medium term. A Council report on this issue was considered in March 2019 in response and approved to complete the Structure Plan for the Te Rapa North Industrial Zone.

The Requiring Authority will advance in a timely manner the design for the Onion Road carriageway and the survey of the extent of the designation, in acknowledgment that Empire Corporation wish to commence planning and design for the adjoining Deferred Industrial land to meet market demand.

The Requiring Authority will also investigate and advance the transfer of any surplus pieces of road reserve in the Onion Road locality no longer needed for roading purposes, as part of the above land acquisition process. In particular this relates to a piece of former Ruffell Road corridor located to the north-east of the Arthur Porter Drive / Ruffell Road roundabout.

The Requiring Authority will meet the costs to construct any swale crossings necessary to provide industrial vehicle access to adjoining consented industrial lots. The Requiring Authority will only be responsible for the costs of crossings up to 7.5 metres wide. The cost to provide standard industrial vehicular crossings, including any additional costs for crossing a swale, above that of a 7.5 metre width crossing shall be the landowner's responsibility.

