

Selwyn District Council
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**NOTICE OF DECISION OF NZ TRANSPORT AGENCY WAKA KOTAHI UNDER SECTION 172 OF THE
RESOURCE MANAGEMENT ACT 1991**

Thank you for your letter dated 20 May 2025 advising of the recommendation of the Selwyn District Councils Independent Hearing Commissioner (Commissioner O'Connell) in relation to the NZ Transport Agency Waka Kotahi (NZTA) Notice of Requirement for Package 1 which forms part of the wider Rolleston Access Improvements project.

Commissioner O'Connell's recommendation is that the Notice of Requirement should be **confirmed** subject to conditions. This recommendation was **adopted** by Council on 18 June 2025.

Pursuant to Section 172 of the Resource Management Act 1991, NZTA **accepts** Councils recommendation that the Notice of Requirement should be confirmed and **accepts in part** and **rejects in part** the Councils recommendations on conditions of the Notice of Requirement.

Table 1 below sets out:

- Councils recommended conditions which are rejected or partially accepted along with the reasons for NZTA's decision; and
- Other modifications that NZTA has made to the conditions for consistency, clarity and ease of implementation.

Only those recommended conditions that NZTA have modified are outlined in the table below (shown in **~~bold strikethrough~~** for deletions and **bold underline** for additions).

Complete clean sets of designation conditions as a result of the NZTA decision are attached to this letter as **Table 2**. The clean set of conditions in Table 2 includes the changes set out in the table below, formatting changes (including rearranging order of conditions), and minor non-substantive formatting and grammatical changes (such as capitalisations).

Yours sincerely,



Steve Baker
Principal Planner – Poutiaki Taiao / Environmental Planning
System Design, Transport Services
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Table 1 - Modifications made by NZTA to conditions recommended by the Commissioner and Council for Notice of Requirement Rolleston Access Improvements | Package 1

Condition number	Modifications made by NZTA to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and <u>underlined</u> and rejections are in bold and strikethrough)	Reason for modifications
Conditions – Management Plans		
1.	Each Outline Plan of Work(s) shall include a A Landscape Management Plan (LMP), shall be prepared by a suitably qualified and experienced person and <u>provided to Council prior to construction or with an Outline Plan of Works.</u> At a minimum the LMP shall include: a. Details of landscape maintenance activities for a minimum five-year period from practical completion. b. Procedures for replacing any plant specimens that fail to establish during the maintenance period, including timeframe for replacement and species substitution where required. c. Control measures for invasive weeds and pest species, with a schedule of monitoring and treatment. d. Details of the party responsible for implementing and monitoring the LMP, including reporting and review mechanisms. e. Detail of how the landscape treatments will align with and support sediment control and stormwater infrastructure during both construction and post-construction phases. f. Details of finished contour, grassing and/or landscaping of batter slopes.	Amendment by NZTA NZTA amends the Landscape Management Plan (LMP) condition to refer to provision of this prior to construction or with an Outline Plan of Works, noting that the level and type of detail required in the LMP will be influenced by the contractor. Based on the minor scale of the works and the level of detailed provided in the NOR, provision of the LMP with the associated detail set out in (a)-(f) prior to construction or with an Outline Plan of Work is appropriate.
2.	Each Outline Plan of Work(s) shall include a A Construction Noise and Vibration Management Plan (CNVMP), shall be prepared by a suitably qualified and experienced acoustic consultant and <u>provided to Council prior to construction or with an Outline Plan of Works.</u>	Amendment and partial rejection by NZTA NZTA amends the Construction Noise and Vibration Management Plan (CNVMP) condition to refer to provision of this prior to construction or with an Outline Plan of Works, noting that the level and type of detail

	<p>The objective of the CNVMP is to identify, require and enable the adoption of the best practicable option to minimise adverse construction noise and vibration effects as far as practicable.</p> <p>As a minimum, the CNVMP shall address:</p> <ol style="list-style-type: none"> Description of the construction methodology and equipment to be used, with a preference for using low noise and vibration generating equipment for the activity as far as practical. The construction noise and vibration limits. Those buildings within 20 metres of any activity associated with the upgrade works as well as any buildings located beyond 20 metres where construction vibration is predicted to exceed the vibration criteria in Table 1 of DIN 4150 3:2016, and a requirement to carry out preconstruction surveys of those buildings. Details of noise and vibration mitigation measures to be applied during different stages of construction, including any requirement for acoustically effective barriers. Identification of and contact details for the person(s) responsible for the implementation of the CNVMP on site. Neighbours consultation and engagement procedures. Procedures for ensuring that all contractors and operators on site are aware of the requirement to avoid noise and vibration effects on neighbouring sites as far as practicable. A procedure for responding to any noise and vibration complaints. A procedure for noise and vibration monitoring during the works and applying any corrective actions that may be required. The normal hours of operation being 7am until 6pm Monday to Saturday, with activities that generate minimal noise to occur between 7am and 7.30am. Where work is required outside normal hours of operation (i.e., outside the hours of 7am until 6pm, Monday to Saturday), provide detailed procedures to be followed and specific management measures to be employed. 	<p>required in the CNVMP will be influenced by the contractor.</p> <p>NZTA rejects proposed condition 2(c). Marshall Day Acoustics were engaged by NZTA to assess construction vibration effects and no parties were considered to be affected. As such, a pre-construction survey of buildings within 20m of any activity associated with the upgrade works is inappropriate. Additionally, 'any activity associated with the upgrade works' is interpretable as including all works associated with the Project, even works that do not result in any vibrational effects such as grass seeding, road painting and temporary fencing.</p> <p>Based on the minor scale of the works and the level of detail provided in the NOR, provision of the CNVMP with the associated detail as set out in (a)-(j) prior to construction or with an Outline Plan of Work is appropriate.</p>
3.	<p>Each Outline Plan of Work(s) shall include an Environmental Management Plan (EMP), <u>shall be</u> prepared by a suitably qualified and experienced person <u>and provided to Council prior to construction or with an Outline Plan of Works.</u></p> <p>The EMP shall be in accordance with the principles and requirements of the Selwyn District Council Engineering Code of Practice and address the following environmental elements</p> <ol style="list-style-type: none"> <u>details of the site or Project Manager and/or Project Liaison Manager including their contact details (phone and email address)</u> 	<p>Amendment by NZTA</p> <p>NZTA amends the Environmental Management Plan (EMP) condition to refer to provision of this prior to construction or with an Outline Plan of Works, noting that the level and type of detail required in the EMP will be influenced by the contractor and will be subject to NZTA's EMP requirements for works within the state highway designation.</p>

	<ul style="list-style-type: none"> b. the construction works programme, and the proposed hours of work; c. details of the proposed construction yards including temporary screening when adjacent to residential areas on Dunns Crossing Road; d. methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; e. methods for providing for the health and safety of the general public; f. procedures for incident management; g. measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; and h. procedures for responding to complaints about construction works. 	Based on the minor scale of the works and the level of detail provided in the NOR, provision of the EMP with the associated detail set out in (a)-(h) prior to construction or with an Outline Plan of Work is appropriate.
4.	<p>Each Outline Plan of Work(s) shall include a Network Integration Management Plan (NIMP), prepared by a suitably qualified and experienced person in collaboration with Selwyn District Council. The purpose of the NIMP is to ensure that the state highway improvements integrate effectively with the local road network. The NIMP shall include:</p> <ul style="list-style-type: none"> a. Final road tie-ins and alignment treatments for Dunns Crossing Road and Walkers Road; b. Road signage and wayfinding to support access to and from the local network; c. Intersection controls and any modifications to existing SDC infrastructure; and d. Confirmation of safe and convenient access for pedestrians and cyclists. 	<p>Reject additional condition.</p> <p>The proposed Network Integration Management Plan (NIMP) condition is not necessary nor appropriate in this instance.</p> <p>The reporting planner's recommendation states there may be '<i>potential congestion impacts on the local road network if adequate planning and mitigation are not incorporated. Specifically, delays at key intersections such as Levi Road/Weedons Road are projected to increase significantly by 2038 if supporting infrastructure upgrades do not proceed.</i>'. It is not the responsibility of NZTA to mitigate potential effects associated with the timing of local road infrastructure upgrades.</p> <p>Based on the scope of this Project and associated NOR, NZTA rejects this condition. A NIMP condition is more appropriate for large scale transport infrastructure projects that are reliant on upgrades to the surrounding transport network, which is not applicable to this Project.</p>
5.	<p>Each Outline Plan of Work(s) shall include a An Urban and Landscape Design Framework (ULDF), <u>shall be prepared by a suitably qualified and experienced and provided to Council prior to construction or with an Outline Plan of Works.</u></p> <p>The ULDF shall include:</p> <ul style="list-style-type: none"> a. Urban design principles guiding the layout and form of transport infrastructure; 	<p>Amendment by NZTA</p> <p>NZTA amends the Urban and Landscape Design Framework (ULDF) condition to refer to provision of this prior to construction or with an Outline Plan of Work(s).</p>

	<ul style="list-style-type: none"> b. Integration of walking and cycling infrastructure with existing and planned networks; c. Design strategies to enhance visual amenity at key interfaces, including the roundabout and subway; and d. How Crime Prevention Through Environmental Design (CPTED) principles are incorporated into public-facing infrastructure. 	A draft ULDF has already been provided to Selwyn District Council and a final ULDF will be provided to Selwyn District Council prior to construction or with an Outline Plan of Work(s).
Conditions – Temporary Traffic Management Measures		
6.	<p>Each Outline Plan of Work(s) shall include temporary traffic management measures during construction. The information provided shall include:</p> <ul style="list-style-type: none"> a. the staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently; b. details of traffic management activities proposed within each section of the project; c. the potential effects of traffic management activities and how these will be managed to ensure safety for all road users; d. a process for the development and submission of site specific traffic management plans; e. monitoring, auditing and reporting requirements; and f. training requirements for staff. <p><i>A Construction Traffic Management Plan (CTMP) shall be prepared prior to the start of construction. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. The Construction Traffic Management Plan shall include, but need not be limited to, the following:</i></p> <ul style="list-style-type: none"> <i>a. the staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;</i> <i>b. details of traffic management activities proposed within each section of the project;</i> <i>c. the potential effects of traffic management activities and how these will be managed to ensure safety for all road users;</i> <i>d. a process for the development and submission of site specific traffic management plans;</i> <i>e. monitoring, auditing and reporting requirements; and</i> <i>f. training requirements for staff.</i> 	<p>Reject condition</p> <p>NZTA reject the recommended condition and revert back to the volunteered condition below:</p> <p><i>A Construction Traffic Management Plan (CTMP) shall be prepared prior to the start of construction. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. The Construction Traffic Management Plan shall include, but need not be limited to, the following:</i></p> <ul style="list-style-type: none"> <i>a. the staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;</i> <i>b. details of traffic management activities proposed within each section of the project;</i> <i>c. the potential effects of traffic management activities and how these will be managed to ensure safety for all road users;</i> <i>d. a process for the development and submission of site specific traffic management plans;</i> <i>e. monitoring, auditing and reporting requirements; and</i> <i>f. training requirements for staff.</i>
Conditions – Construction-Phase Conditions		
7.	In the event of an accidental discovery of archaeological material, the site manager must:	Reject condition

	<p>a. Cease work immediately within 10m of the discovery and secure this area.</p> <p>b. Notify the SDC, the project archaeologist and the Heritage New Zealand Pouhere Taonga Regional archaeologist.</p> <p>c. Advise the NZ Police if skeletal remains are uncovered.</p> <p>d. Ensure that works within the secured area do not resume until Heritage New Zealand Pouhere Taonga gives approval for work to continue.</p> <p>e. If at any time during investigation, potential koiwi, archaeology or artefacts of Māori origin are discovered, the Requiring Authority will notify Mana Whenua.</p> <p><i>The Requiring Authority shall implement the Accidental Discovery Protocol (ADP) covering NZTA New Zealand Region 11 (Canterbury) in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project.</i></p>	<p>NZTA reject the recommended condition and revert back to the volunteered condition below:</p> <p><i>The Requiring Authority shall implement the Accidental Discovery Protocol (ADP) covering NZTA New Zealand Region 11 (Canterbury) in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project.</i></p>
8.	<p>All landscaping and planting shall be in general accordance with the Landscape Design Plan submitted with the Outline Plan of Works Section 10, Selwyn District Council Engineering Code of Practice, except for any subsequent material amendments to that document which will be agreed <u>submitted</u> through the an Outline Plan of Work(s).</p>	<p>Amendment by NZTA</p> <p>NZTA amends this condition to remove the duplication of the word 'the' in the latter part of the condition and remove reference to the Selwyn District Council Engineering Code of Practice, noting the Project is subject to NZTA state highway landscaping standards</p>

Table 2 – Final conditions confirmed by NZTA for Notice of Requirement Rolleston Access Improvements | Package 1

Condition number	Conditions
1.	<p>A Landscape Management Plan (LMP), shall be prepared by a suitably qualified and experienced person and provided to Council prior to construction or with an Outline Plan of Works. At a minimum the LMP shall include:</p> <ol style="list-style-type: none"> Details of landscape maintenance activities for a minimum five-year period from practical completion. Procedures for replacing any plant specimens that fail to establish during the maintenance period, including timeframe for replacement and species substitution where required. Control measures for invasive weeds and pest species, with a schedule of monitoring and treatment. Details of the party responsible for implementing and monitoring the LMP, including reporting and review mechanisms. Detail of how the landscape treatments will align with and support sediment control and stormwater infrastructure during both construction and post-construction phases. Details of finished contour, grassing and/or landscaping of batter slopes.
2.	<p>A Construction Noise and Vibration Management Plan (CNVMP), shall be prepared by a suitably qualified and experienced acoustic consultant and provided to Council prior to construction or with an Outline Plan of Works.</p> <p>The objective of the CNVMP is to identify, require and enable the adoption of the best practicable option to minimise adverse construction noise and vibration effects as far as practicable.</p> <p>As a minimum, the CNVMP shall address:</p> <ol style="list-style-type: none"> Description of the construction methodology and equipment to be used, with a preference for using low noise and vibration generating equipment for the activity as far as practical. The construction noise and vibration limits. Details of noise and vibration mitigation measures to be applied during different stages of construction, including any requirement for acoustically effective barriers. Identification of and contact details for the person(s) responsible for the implementation of the CNVMP on site. Neighbours consultation and engagement procedures. Procedures for ensuring that all contractors and operators on site are aware of the requirement to avoid noise and vibration effects on neighbouring sites as far as practicable. A procedure for responding to any noise and vibration complaints. A procedure for noise and vibration monitoring during the works and applying any corrective actions that may be required. The normal hours of operation being 7am until 6pm Monday to Saturday, with activities that generate minimal noise to occur between 7am and 7.30am. Where work is required outside normal hours of operation (i.e., outside the hours of 7am until 6pm, Monday to Saturday), provide detailed procedures to be followed and specific management measures to be employed.
3.	<p>An Environmental Management Plan (EMP), shall be prepared by a suitably qualified and experienced person and provided to Council prior to construction or with an Outline Plan of Works.</p> <p>The EMP shall address the following environmental elements (details of the site or Project Manager and/or Project Liaison Manager including their contact details (phone and email address));</p>

	<ul style="list-style-type: none"> a. the construction works programme, and the proposed hours of work; b. details of the proposed construction yards including temporary screening when adjacent to residential areas on Dunns Crossing Road; c. methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; d. methods for providing for the health and safety of the general public; e. procedures for incident management; f. measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; and g. procedures for responding to complaints about construction works.
4.	<p>An Urban and Landscape Design Framework (ULDF), shall be prepared by a suitably qualified and experienced and provided to Council prior to construction or with an Outline Plan of Works.. The ULDF shall include:</p> <ul style="list-style-type: none"> a. Urban design principles guiding the layout and form of transport infrastructure; b. Integration of walking and cycling infrastructure with existing and planned networks; c. Design strategies to enhance visual amenity at key interfaces, including the roundabout and subway; and d. How Crime Prevention Through Environmental Design (CPTED) principles are incorporated into public-facing infrastructure.
5.	<p>A Construction Traffic Management Plan (CTMP) shall be prepared prior to the start of construction. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. The Construction Traffic Management Plan shall include, but need not be limited to, the following:</p> <ul style="list-style-type: none"> a. the staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently; b. details of traffic management activities proposed within each section of the project; c. the potential effects of traffic management activities and how these will be managed to ensure safety for all road users; d. a process for the development and submission of site specific traffic management plans; e. monitoring, auditing and reporting requirements; and f. training requirements for staff.
6.	<p>The Requiring Authority shall implement the Accidental Discovery Protocol (ADP) covering NZTA New Zealand Region 11 (Canterbury) in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project.</p>
7.	<p>All landscaping and planting shall be in general accordance with the Landscape Design Plan submitted with the Outline Plan of Works, except for any material amendments to that document which will be submitted through an Outline Plan of Work(s).</p>