

Western Link Road - Conditions of Designation

(1998 COMMISSIONERS' CONDITIONS INCORPORATING ADDITIONS/AMENDMENTS FROM DECLARATION OF THE ENVIRONMENT COURT OF 21 AUGUST 2006)

The following set of Conditions shall apply in lieu of those specified in Appendix 2 to the Notice of Requirement.

GENERAL TERMS

Requiring Authority

1. Kapiti Coast District Council is the Requiring Authority responsible for the designation.

Description of the Proposed Work

2. Proposed Work consists of the construction, operation and maintenance of a new road within the Kapiti Coast District Council district from the intersection of Poplar Avenue and State Highway 1 to a point on State Highway 1 some 600 metres south of its intersection with Peka Peka Road, and associated works and activities.

Objectives of the Proposed Work

3. The Objectives of the Proposed Work are:
 - To achieve long term improvement in accessibility by road, through and within Kapiti;
 - To enhance the performance of State Highway 1 to cater for through traffic;
 - To enhance local accessibility into and between Raumati South and Waikanae; and
 - To enhance safety and convenience for all road users, including pedestrians and cyclists.

Land Area to be Designated

4. The land which is subject to the designation is that land within the Kapiti Coast District Council District shown hatched on plans entitled "Proposed Road Designation", being Figure 2 of the Notice of Requirement - Sheets 1 to 10 inclusive (refer Appendix 3 attached).

Properties subject to the Designation

5. The properties which are the subject of this designation are those listed in the "Schedule of Land Affected by Proposed Designation", as listed in Appendix 1 to the Notice of Requirement also as shown on Figure 2 of the Notice of Requirement - Sheets 1 – 10 inclusive (refer Appendices 3 & 4 attached) together with the modification by way of addition as referred to at

Section 23 page 185 of the Determination by the Hearing Commissioners appointed by Kapiti Coast District Council dated 15 September 1998.

Duration

6. In accordance with section 184(1)(c) of the Resource Management Act 1991, this designation shall lapse on the expiry of 15 years after the date on which it is included in the District Plan unless:
- It is given effect to before the end of that period; or
 - The designation period is extended in accordance with the provisions of section 184; or
 - The designation lapses earlier by virtue of the District Plan ceasing to be operative.

CONDITIONS

Final Design

7. The final design of the proposed road shall be generally in accordance with, and consistent with, the standards adopted in, the "Kapiti Urban Roading Project, Western Link Road, Preliminary Design Drawings", being Opus International Consultants job number 5/403/7, code 5 5 04, sheets 1 to 10 (Stage 1, Raumati Road to Te Moana Road) and sheets 21 to 36 (Stages 2/3, Mazengarb Road to SH1 North and SH1/Poplar Avenue to Raumati Road), except that the road shall be constructed on a lowered vertical alignment in the vicinity of the Waikanae Christian Holiday Park and through the Takamore area as shown on Opus Drawing "Lower Vertical Alignment", Sheet 2 dated 13/6/01 File 30E024.18. Subject to conditions 42A to 42D inclusive, the horizontal alignment of the carriageway through the Takamore area shall be in accordance with Exhibit 35A produced to the Environment Court by the Requiring Authority.

Landscape and Ecological Mitigation Works

8. In the final design of each stage of the road the Requiring Authority shall make provision for:
- (a) Landscape treatment with the objectives of:
- Assisting with the integration of the proposed road within the landscape of the area
 - Remediating or mitigating adverse effects of the road
 - Providing for the integration of safe and aesthetically pleasing amenities for pedestrians and cyclists within the area of the designation; and
- (b) Ecological treatment with the objectives of:
- Assisting with the integration of the proposed road within the existing ecology of the area

- Remedying or mitigating adverse effects of the road
- Recognising the potential to provide habitat within the designation area to create and maintain ecological connections or migration routes for indigenous fauna and flora.
- Mitigating damage to the integrity of the Takamore and Waikanae Christian Holiday Park wetlands.

9. All landscape treatment shall be designed and established to, as far as practicable;

(a) conserve and enhance the natural qualities of the landscape in and adjacent to the designated area; and

(b) subject to condition 9(c) below, ensure that the final scope and design of work within the designated area is in accord with the concepts illustrated on the figures entitled 'Indicative Landscape Treatment' being Figure 4 of the Notice of Requirement in sheets I&2 (refer Appendix 3 attached). For the purposes of this Condition, the principles applying to residential areas illustrated by the figure entitled *Kapiti Road to Mazengarb Road* shall be deemed to apply to the generally urbanised southern part of the route, that is from Poplar Avenue to Mazengarb Road, and the principles illustrated by the figure entitled *Otaihanga Road to Waikanae River* shall be deemed to apply to the generally rural northern end, that is from Mazengarb Road to the junction with State Highway 1; and

(c) ensure compliance with the following mitigation principles;

- selecting horizontal and vertical road alignments which minimise the height of cut and fill batters
- shaping cut and fill batters in such a way as to resemble as far as possible the existing natural landforms of the area and to blend them into surrounding landforms
- revegetating all earthworks and construction areas with grass and appropriate native species for slope stabilisation and amenity purposes and maintaining all planting until established
- using mounding for noise reduction and planting for visual screening where appropriate
- creating an attractive road environment with the planting of trees and massed groups of shrubs and ground cover species where appropriate.
- ensuring that the mitigation measures in respect of the Takamore and Waikanae Christian Holiday Park wetlands generally conform to the landscape measures described in the evidence of Boyden Evans, Linda Kirkmeester, and Vaughan Keesing given before the Environment Court except to the extent that such measures are otherwise inconsistent with the decisions of the Environment Court or any other express condition of the designation.

- ensuring that the road, both during construction and once constructed, minimises effects on water flows in the Takamore and Waikanae Christian Holiday Park wetlands
 - using linkages between severed areas of wetlands in the Takamore and Waikanae Christian Holiday Park areas to enable ready movement of liquid and/or fauna between the severed segments.
10. All planting shall be sourced from the Foxton Ecological District.
 11. The road shall be designed, constructed and operated so as to avoid the drainage of stormwater from the road to St Andrew's Pond.
 12. Planting shall be established between the wetland known as 'Osborne's swamp' and the carriageway of the road to provide a buffer between the wetland and the road construction and operation, with the objective of minimising disturbance to the flora and fauna.
 13. The road shall be designed, constructed and operated so as to, as far as is practicable and reasonable, minimise the effect on the ecological values represented by the wetland-duneland sequence of the area traversed by the road in the vicinity of the Te Harakiki swamp.
 14. The Requiring Authority shall liaise with the Department of Conservation with regard to the Department's intention to search for the stalked adder's tongue fern in the vicinity of the Waikanae Christian Holiday Park wetlands which are affected by the designation and shall ensure that the Department has a reasonable period before construction starts within which to search for the fern. In the event the species is found in the area, the Requiring Authority shall facilitate relocation of the species, together with an appropriate area of its habitat, by the Department.
 15. The Requiring Authority shall use its best endeavours to restore and enhance any area of wetland within the designation which is not directly affected by the construction of the road or of any associated noise or visual mitigation works, pedestrian or cycle path or horse trail. Such work may include but not be limited to removal of weed species, restriction of access by fencing or other means and replanting with appropriate indigenous species.
 16. The Requiring Authority shall closely monitor the landscape and ecological mitigation works including associated planting and shall carry out any measures including control of invasive weed species to ensure their establishment. The monitoring shall be continued for a minimum period of 5 years after commencement of the relevant landscape or ecological work. All monitoring results shall be reported to the Chief Executive of the Council.
 17. The Requiring Authority shall design, construct and manage the works required for the mitigation of adverse effects arising from landscape, visual and noise effects and ecological impacts of the project, so that all works in

the designation area are integrated in a way that will meet as closely as practicable the objectives set out in Condition 8.

18. The requiring authority shall prepare a landscape treatment and ecological rehabilitation plan (the Plan). The purpose of the Plan is to describe the method by which the landscape treatment and ecological rehabilitation mitigation works will be designed, constructed and managed to comply with Conditions 8 to 16 herein. In particular, the Plan shall identify the works required for mitigation of adverse landscape, visual and noise effects and ecological impacts, which shall include but not be limited to;
 - Identification of areas of high visual impact in the vicinity of the designation and means of mitigation, such as screen planting
 - Identification of areas of ecological significance, including wetlands, streams and river margins, either directly or indirectly affected by works in the designation, and means of mitigation such as revegetation
 - Identification of habitat providing ecological connections or migration routes for fauna and flora, and the extent to which such connections may be maintained or enhanced
 - Management of land to be planted, or where existing vegetation is to be protected or enhanced, including wetlands and riparian margins
 - Procedures for on going maintenance and monitoring of planted and revegetated areas
 - Design of areas and features required for noise mitigation purposes
 - Means of incorporating facilities for other activities, including pedestrian and cycle ways, and horse trails
19. Prior to commencement of construction, the Plan shall be submitted to the Council Officer or Consultant, nominated by the Council's Chief Executive Officer, being a person having the requisite skill and experience for approval, such approval not to be unreasonably withheld. The Requiring Authority shall not commence construction until it receives the written approval of the said Council Officer or Consultant to the effect that the Plan is appropriate. The Requiring Authority shall amend the Plan as reasonably required by the said Council Officer or Consultant in order to obtain such approval.
20. The Requiring Authority shall ensure that the approved Plan is complied with at all times.

Opportunity to Comment on Detailed Design

21. Before settling the final design of each stage of the road the Requiring Authority shall offer a reasonable opportunity for at least one meeting with:
 - The owners of the land over which the designation passes and those landowners who have a boundary or part thereof in common with the designation boundary
 - Iwi
 - Wellington Regional Council

- The New Zealand Historic Places Trust
- Queen Elizabeth II National Trust where that stage of the work involves Osborne's swamp or Te Harakiki swamp
- Raumati South School for that stage of the work between Poplar Avenue and Raumati Road
- The Takamore Trustees for that part of the stage of the work which passes through the Takamore waahi tapu area

in order to discuss matters related to the design of the road within the designation and in accordance with the Conditions. The Requiring Authority shall consider in good faith any comments made at that (those) meeting(s) and to the extent that may be reasonable, practicable and appropriate shall give effect to them.

Traffic Noise Mitigation

22. Four zones are identified. Different requirements for the control of noise apply in each zone. They are:

Zone A - all areas adjacent to the proposed road but excluding Zones B, C and D.

- (i) The Requiring Authority shall take measures to ensure that, in respect of dwellings and teaching areas in educational facilities which existed, and to those for which a building consent existed, at 24 December 1997 (being the date of the Notice of Requirement), exposure to traffic noise from the proposed road will not exceed the levels set out in the "External Criteria" column of Table 1 below at any time within 10 years of the new route becoming operative. (Measures to be taken include as necessary the construction of fences, bunds or other acoustic barriers)
- (ii) If it is impracticable to meet the "External Criteria" defined in Table 1 then an internal noise design criterion will apply to all living rooms (including kitchens) and bedrooms in dwellings and to teaching areas in educational facilities, with windows closed on the exposed walls. The internal noise level shall not exceed the levels set out in the appropriate "Internal Criteria" column in Table 1.
- (iii) In addition, the Requiring Authority shall take such measures as are necessary to ensure that the traffic noise level at the boundary of the designation will not exceed 62 dBA Leq (24 hour), except that this requirement will not apply to those sections of the designation boundary which are within 60 metres of the centreline of any private or public access to the proposed road.

- (iv) To establish compliance at the boundary of the designation the measurement position is 1.2 metres above the ground surface at the boundary or, if it is impracticable to measure at the boundary, at the nearest practicable position beyond the boundary.

Zone B - areas which are zoned Industrial/ Service six months before the start of construction of the relevant stage and which have a common boundary or part thereof with the designated area.

- (i) There are no traffic noise Conditions.

Zone C - areas within 200 metres of the carriageway of SH1 and areas within 50 metres of the intersection of the proposed road with the carriageway of Raumati, Kapiti, Mazengarb, Otaihanga, and Te Moana Roads.

- (i) Paragraphs (i) to (ii) of Zone A apply, except the dwellings to which the requirements shall apply are those which existed, or for which a building consent had been obtained, six months before the commencement of construction of that particular stage of the proposed road.

Zone D - area between Otaihanga Road and Te Moana Road.

- (i) Paragraphs (i) to (ii) of Zone A apply, except the dwellings to which the requirements shall apply are those which existed, or for which a building consent had been obtained, six months before the commencement of construction of that particular stage of the proposed road.
- (ii) Within this zone, for the new road and any subsidiary roading, friction course seal (in accordance with TNZ P/11: 1996 Specification for Open Graded Porous Asphalt), or an alternative seal which achieves the equivalent sound reduction quality or better, shall be applied to the carriageway at construction time, or after 6 months/12 months if a settlement period for the road is required, and maintained at all times.
- (iii) The ambient noise level in this zone shall be deemed to be less than 43 dBA Leq (24 hour).
- (iv) If the internal noise criterion has to be applied, the design level will be 40 dBA Leq (24 hour).
- (v) Sleeping quarters at the Waikanae Christian Holiday Park shall be deemed to be dwellings for the purposes of this condition.

- (vi) A further condition applies to the western side of the proposed road adjoining the Waikanae Christian Holiday Park (see condition 23).

Table 1 – Design Criteria (this table is to be interpreted as described in the text)

Measured Ambient Sound Level as Determined by Condition 24	Design Criteria		
	External Criteria	Internal Criteria	
		Dwellings	Teaching Areas
More than 70 dBA	Ambient	Highest of the measured ambient sound level less 20dBA OR 40dBA Leq (24 hour)	Highest of the measured ambient sound level less 20dBA OR 45dBA Leq (24 hour)
67-70 dBA	70 dBA		
59-67 dBA	Ambient plus 3 dBA		
50-59 dBA	62 dBA		
43-50 dBA	Ambient plus 12 dBA		
Less than 43 dBA	55 dBA		

All measurements are “Leq (24 hour)”, which has the meaning ascribed to it in the Transit NZ Noise Guidelines.

23. The Waikanae Christian Holiday Park shall receive additional noise mitigation as follows: -
- (a) A noise barrier fence 1 metre in height above the road surface shall be formed beneath handrail height on the downstream side of the new bridge over the Waikanae River. The land based barriers (see (b) below) and the noise barrier on the bridge shall be integrated so that a continuous barrier is formed.
 - (b) A noise barrier fence 3 metres in height shall be placed within 4 metres of the western edge of the carriageway between the northern bridge abutment and the southern most point of the cut.
 - (c) A noise barrier 1.8 metres in height shall be placed on the western side of the carriageway between the southern most point of the cut and the northern boundary of the Holiday Park property. The minimum barrier height shall at the election of the requiring authority be achieved by any combination of: -
 - a purpose built fence within 4 metres of the carriageway; and/or

- an earth berm formed by placing the road within a cut; and/or
 - a bund joining existing dunes to maintain a 10 metre contour.
- (d) Any noise barrier erected in accordance with conditions 23(a) to 23(c) above shall have a superficial mass of at least 12 kg/m² and shall continue along its length with no gaps except where an earth berm or bund is substituted for a noise barrier fence under condition 23(c).
- (e) This condition 23 shall be fully complied with by the time when the section of the Western Link Rd between Otaihanga Road and Te Moana Rd is opened for vehicular traffic.

Ambient Noise Survey

24. No more than 6 months before commencing construction of the proposed road or any section thereof but before construction has commenced, the Requiring Authority shall, for the purposes of Table 1, carry out a noise survey at selected locations to determine current ambient sound levels. The locations shall be identified by the Requiring Authority and approved by the Council Officer or Consultant nominated by the Council's Chief Executive as having the requisite skill and experience.

Operational Noise Survey

25. The Requiring Authority shall carry out, in accordance with the requirements of the equivalent Council Officer or Consultant, as appointed under Condition 24, an operational traffic noise survey within 6 to 9 months of opening the new road or a section thereof, to confirm compliance with the noise levels set out in Condition 22. If the noise levels in Condition 22 are shown not to be met, the Requiring Authority shall carry out all necessary mitigation measures to ensure compliance.
26. To ensure ongoing compliance the Requiring Authority shall carry out further traffic noise surveys:
- (i) Between the 6th and 9th month after the opening of the new road or section thereof; and
 - (ii) between the 5th and 6th year after the opening of the new road or section thereof; and
 - (iii) in the case of the part of the road through the Waikanae Christian Holiday Park property, again immediately prior to the end of a 10 year period after the opening of the new road or section thereof.

in accordance with the requirements of the equivalent Council Officer or Consultant as appointed under Condition 24. If the noise levels in Condition 22 are shown not to be met, the Requiring Authority shall carry out mitigation measures to ensure compliance.

27. If in the opinion of the said Council Officer or Consultant the owner or occupier of the property involved either does not permit the Requiring

Authority reasonable access for the carrying out of monitoring or mitigation measures, or cannot after reasonable inquiry by the Requiring Authority be located in order to grant such permission, and the Council Officer or Consultant has certified to that effect, then the Requiring Authority shall not be in breach of these traffic noise Conditions in so far as they relate to that property.

Measurement

28. Measurements undertaken to establish compliance with Condition 22 shall be undertaken in accordance with NZS 6801:1991 Measurement of Sound provided that:

- To establish compliance at dwellings as in Condition 22 the point at which noise levels are measured and/or assessed is 1 metre in front of the most exposed point on the facades of qualifying dwellings.

Construction noise levels

29. In respect of construction noise:

(a) The Requiring Authority shall use its best endeavours to ensure that construction works are carried out so that construction noise does not exceed the limits set out in Table 2 (page 11) of NZS 6803:1999 Acoustics – Construction Noise (provided that the noise limits in Table 2 that apply in relation to each element of the construction works shall be subject to the adjustments for a duration as set out in section 7.2 of NZS 6803: 1999);

(b) As set out in clause 7.2.7 of NZS 6803:1999, if it is impracticable to measure the noise limits set out in Condition 29(a) outside a building, then the limits set out in Table 2 of NZS 6803: 1999 minus 20dBA shall apply (measured inside with windows and doors facing the construction works closed);

(c) If, in the opinion of a Council Officer nominated by the Council's Chief Executive the owner or occupier of the property involved:

- does not permit the Requiring Authority reasonable access for the carrying out of monitoring or mitigation measures; or
- cannot, after reasonable inquiry by the Requiring Authority, be located in order to grant such permission,

at the time of construction of that stage of the work and the Council Officer or Consultant has certified to that effect then the Requiring Authority shall not be in breach of the Conditions related to construction noise levels.

Management Plans

30. The Requiring Authority shall use its best endeavours to avoid or minimise any adverse effects from construction noise, dust, ground vibration and sediment discharge during construction.
31. Prior to the commencement of any construction activity on the designation (excluding site investigations), the Requiring Authority shall ensure that the following Management Plans are prepared:
- a Construction Noise Management Plan;
 - a Dust and Ground Vibration Management Plan;
 - a Sediment Management Plan.

The Management Plans shall show how the Requiring Authority intends to avoid or minimise any adverse effects from construction noise, dust, ground vibration and sediment discharge during construction.

32. The purpose of the Construction Noise Management Plan is to describe the method by which noise associated with the construction of the Work will be managed to comply with Condition 29 herein. In particular, the Construction Noise Management Plan shall identify:
- the matters referred to in paragraphs 8.4(a) to (e) of NZS 6803:1999;
 - methods of managing noise;
 - noise monitoring methods, including details of methods, equipment, location and frequency (by reference to NZS 6803:1999);
 - contingency measures in the event of any incident of non-compliance; and
 - procedures for the expeditious handling of any noise complaints including what will occur with the complaints, what timeframes are to be met for dealing with complaints, and what circumstances would require the works to cease while the complaint is being dealt with.
33. The purpose of the Dust and Ground Vibration Management Plan is to set out methods by which any dust nuisance from construction of the Work will be avoided or minimised and by which the possibility of ground vibration during construction can be notified to adjacent land owners and occupiers. In particular the Dust and Ground Vibration Management Plan shall identify:
- specific methods by which dust will be managed, including cleaning vehicle tyres before vehicles enter public roads, wetting or covering surfaces and replanting disturbed areas;
 - monitoring, auditing and reporting procedures;
 - contingency measures to ensure that, in the event of any dust nuisance arising, immediate remedial measures are implemented;

- procedures for prior notification of the use of machinery likely to generate vibration effects beyond the area of the designation to properties where ground vibration may be felt; and
- procedures for handling any dust and ground vibration complaints including what will occur with the complaints, what timeframes are to be met for dealing with complaints, and what circumstances would require the works to cease while the complaint is being dealt with.

For the purposes of this Condition, dust shall include sand.

34. The purpose of the Sediment Management Plan is to set out the methods for the control, treatment and monitoring of stormwater run-off to avoid or minimise any adverse effects from sediment discharge during construction. The Plan shall include contingency measures to deal with any event requiring immediate remedial measures.
35. Prior to the commencement of construction, each of the three management plans described in Conditions 31 to 34 shall be submitted to the Council Officer(s) or Consultant(s) nominated by the Council's Chief Executive as having the requisite skill and experience for approval, such approval shall not be unreasonably withheld. The Requiring Authority shall not commence construction until it receives, for each management plan, the written approval of the said Council Officer or Consultant that the Plan is appropriate. The Requiring Authority shall amend the management plan as reasonably required by the said Council Officer or Consultant in order to obtain such approval.
36. The Requiring Authority shall ensure that the three Management Plans are complied with at all times during construction work.

Construction Documents

37. The Requiring Authority shall submit (and may submit in stages corresponding to any staged construction programme) to the Chief Executive of the Council, prior to calling tenders or otherwise arranging for construction of the Proposed Work or any part thereof, the construction documents including plans and specifications (the "Documents") showing the full extent of the Proposed Work or part thereof. Whether they form part of tender documents or not the Management Plans required in terms of Conditions 31 to 34 shall be deemed to be part of the Documents for the purpose of these Conditions 37 and 38.
38. The Chief Executive of the Council shall nominate a person (who shall not be an employee of the Council) who has the requisite skill and expertise to review the Documents and certify that they comply with the Conditions of this designation. The Requiring Authority shall not commence construction of the Proposed Work or part thereof as the case may be until the Documents have been so certified. The Requiring Authority shall amend the Documents as reasonably required by that nominated person. The Proposed Work shall be carried out in accordance with the certified Documents.

Notification

39. Prior to the commencement of construction of the proposed road, the Requiring Authority shall use its best endeavours to notify owners and occupiers of all properties within 250 metres of the designation boundaries of that stage of the road of:
- The details of the construction programme; and
 - A single point of contact for any concerns or inquiries relating to the project, including a telephone and facsimile number. The Requiring Authority shall be treated as complying with this Condition notwithstanding that any such notice sent by prepaid post to the person at the usual or last known place of residence or Post Office Box address or sent by facsimile to the usual or last known facsimile number of that person is, without fault on the part of the Requiring Authority, not received by that person.
40. For the period of the construction works, the Requiring Authority shall prepare a newsletter for circulation to the owners and occupiers within 250 metres of the designation boundaries at critical milestones in the project. This newsletter shall, without limitation, include the following:
- A statement of the progress against the construction programme
 - An assessment of the management of dust, noise and sediment discharge relative to the Management Plans

Takamore Registered Waahi Tapu Area

41. Prior to commencing work within the area registered as a waahi tapu area under the Historic Places Act 1993, the Requiring Authority shall approach iwi and the Takamore Trustees for the purpose of discussing the appropriate protocols and other potential measures to the extent possible for undertaking the work in this area. Subject to the Historic Places Act 1993 these shall include but not be limited to:
- Having an archaeologist on call during any land modification works
 - Provision for taking samples from any archaeological deposits for carbon dating
 - Procedures for dealing with any archaeological deposits that may be uncovered
 - Procedures for dealing with any burials or koiwi that may be uncovered
 - Procedures for conservation of any artefact recovered
- 41A Prior to commencing work within the area registered as the Takamore waahi tapu area under the Historic Places Act 1993, the Requiring Authority shall consult with the Takamore Trustees on appropriate measures to remedy or mitigate any adverse effects of the work on the Takamore urupa including, but not limited to:

- Ensuring that current standards of pedestrian and vehicular access to the Takamore urupa are at least maintained or improved throughout the construction period and after the work has been completed;
 - Ensuring that current carparking facilities at the urupa are at least maintained or improved, or are substituted for comparable carparking facilities during the construction period and after the work has been completed;
 - Landscape mitigation measures such as planting along the urupa fenceline to provide visual and noise protection from the work, subject to an assessment by the Trustees on the archaeological impacts of planting and an archaeological authority application if appropriate;
42. The iwi and the Takamore Trustees shall be given the opportunity to have an observer on site within the area registered as a waahi tapu under the Historic Places Act 1993 at any time during the construction of the road consistent with the requirements of the Health and Safety in Employment Act 1992.
- 42A The carriageway alignment shown on Exhibit 35 A shall be adopted.
- 42B. Minor carriageway deviations necessitated by engineering requirements shall be permitted.
- 42C Carriageway deviations caused by discovery of taonga or koiwi are to be permitted.
- 42D Excavation of the swampland within the waahi tapu area identified as "NZHPT (1)" on Exhibit 35A beyond that necessary to form a carriageway, and associated berms, required for a four lane arterial shall not be permitted.

Discovery of Koiwi, Taonga or other Artefacts Outside the Takamore Registered waahi tapu Area

43. If koiwi, taonga or other artefacts are discovered in any area, the Requiring Authority shall ensure that iwi and the New Zealand Historic Places Trust are immediately contacted and construction work in that area shall stop to allow a site inspection by the iwi's representatives and/or its advisors and representatives of the New Zealand Historic Places Trust. The Requiring Authority shall then consult with the iwi and the New Zealand Historic Places Trust on appropriate steps consistent with the Historic Places Act 1993 to firstly recover the artefacts in order that work can resume, and secondly to safeguard them.

Historic Places Trust

44. Archaeologists employed by or authorised by the New Zealand Historic Places Trust are entitled to access land within the designation owned by or controlled by the Kapiti Coast District Council or controlled by Transit NZ

for the purpose of archaeological investigation and/or assessment of land at any time, subject to the consent of any lessees or licencees.

Protection of the spring/punawai (Te Puna o Rongomai)

45. Prior to commencing construction works, the Requiring Authority shall undertake hydrological investigations to ensure that the construction of the piers for the bridge over the Waikanae River avoids, as far as practicable, any effects on the sacred spring Te Puna o Rongomai (located at the confluence of the Muaupoko Stream and the Waikanae River).

Waikanae Christian Holiday Park Access

46. At least 6 months prior to the commencement of any work affecting the main access to the Waikanae Christian Holiday Park, the Requiring Authority shall, if required to do so by the Waikanae Christian Holiday Park, construct an alternative vehicular access road generally along the alignment shown on Exhibit 35A, giving emergency access in case flooding should occur within the proposed subway on the existing access road, such access is to link Weggery Drive West to the internal roading network above flood level of the Waikanae Christian Holiday Park, and to be formed and sealed in accordance with the standards set out in the Kapiti Coast District Plan.