Waimakariri District Council
215 High Street
Private Bag 1005
Rangiora 7440, New Zealand
Phone 0800 965 468

APPENDIX 4

FAST TRACK APPROVALS Act 2024(FTAA 2024)
TECHNICAL ADVICE ON NOISE AND VIBRATION

State Highway 1 North Canterbury – Woodend Bypass Project
(Belfast to Pegasus) Substantive Application
[FTAA-2512-1157]

File No	RC255399 / FTAA-2512-1157
Date	22 April 2026
Memo To	Nirosha Seelaratne
From	Luke Lee
Subject	Comments on monitoring and assessment for Noise and Vibration aspect

1. QUALIFICATIONS

The full name of the author of this response is Luke Lee. Luke is a Senior Environmental Compliance Officer at the Waimakariri District Council. Luke's qualifications and experiences include:

a) Certificate for W503 Noise – Measurement and its Effects. This is an international module administered by the British Occupational Hygiene Society (BOHS), which provides advanced training in the measurement and assessment of noise in accordance with current standards.
b) 7 years' experience in environmental compliance, having conducted multiple noise assessments in accordance with NZS 6801:2008 (Acoustics – Measurement of environmental sound) and NZS 6802:2008 (Acoustics – Environmental noise).
c) Specialised expertise in providing technical advice and oversight for projects in different scales, specifically regarding the monitoring of construction noise (NZS 6803:1999).

2. INTRODUCTION

2.1 Purpose of the Memo

This memo outlines my professional opinion regarding the proposed alterations to the designation conditions for the Woodend Bypass Project, specifically focusing on the oversight of noise control and construction stage monitoring and removing the requirement of Management plan certification.

2.2 Documents reviewed

a) RC255291 WDC COMMENTS FAST TRACK BELFAST TO PEGASUS(B2P) FAST TRACK SUBSTANTIVE APPLICATION CONSULTATION PACKAGE NZTA WAKA KOTAHI

b) Partially Operative Waimakariri District Plan Woodend Bypass NZTA-3 Conditions
c) RC255399
d) RC255291: Withdrawn referral application

3. KEY ISSUES

3.1 The Requiring Authority (NZTA) has proposed the deletion of conditions 100-103 which mandated Council-led auditing and site inspections and they are therefore *ultra vires* as they impose duties on the Waimakariri District Council (WDC) rather than the applicant.

3.2 Under the new framework, compliance monitoring, environmental reporting and auditing would be moved entirely into the Construction Environmental and Social Management Plan (CESMP) under proposed condition 6. Since the CESMP is a document authored by the applicant, this creates a significant risk of self-regulation of construction stage and operational stage of the project. I note that while internal monitoring is useful, there are overlapping responsibilities that must be distinctly defined to ensure independent accountability.

3.3 The implementation of Construction Noise and Vibration Management Plan (CNVMP) would rely on the applications' internal methods and frequency for monitoring and reporting. Without a preset mandate for Council certification on CNVMP and inspections, the ability for WDC to independently verify will be severely diminished.

4. INFORMATION GAPS/CLARIFICATION REQUIRED

4.1 Clarification required on how WDC will be able to fulfil the statutory duty under Section 35 of the Resource Management Act 1991 (RMA) to monitor if the mandate for site access and auditing is removed. The current proposal risks making WDC a passive recipient of data rather than an active regulator.

4.2 Clarification requires whether Requiring Authority will consider specific provisions to allow Council to lead inspections on certain occasions. We require information on whether there will be Council's role defined in the auditing process as a separate condition/conditions.

4.3 Information required on how WDC will recover the actual and reasonable costs of any auditing or monitoring WDC performed to ensure ratepayers are not bearing the financial burden of the project's compliance.

5. OVERALL POSITION /CONCLUSIONS

5.1 It is my opinion that WDC should retain a part of the responsibility for compliance monitoring. The Council has a statutory duty under Section 35 of the RMA to monitor. I believe this role is essential for independent oversight and cannot be replaced by an Applicant's internal reporting.

5.2 This framework creates a high risk of self-regulation by moving auditing and reporting into the applicant authored CESMP. Consequently, the Council's ability to enforce or independently verify on-site noise and vibration compliance is severely limited. The overlapping responsibilities in auditing and compliance monitoring must remain distinctly defined within the designation conditions.

5.3 By removing the explicit mandate for Council-led inspections (Conditions 100-103) and moving these functions into a management plan authored by Requiring Authority, the actual management of noise and vibration effects becomes effectively beyond the reach of WDC's direct regulatory oversight.

5.4 The minimum criteria for the CNVMP set in Condition 11 appear to be deficient regarding regulatory certainty. While the condition requires the plan to address "methods and frequency for monitoring and reporting", it lacks the necessary specifics for compliance monitoring.

5.5 There are no clearly defined protocols for further actions including enforcement that would be triggered if the monitoring identifies a breach of noise or vibration limits. Without these specifics, the framework remains focused on internal reporting rather than ensuring external accountability and timely regulatory intervention.