

APECX
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**Wellington Inner City Improvements
National War Memorial Park (Pukeahu)
Air Quality (Dust) [CAQMP2-U]**

Certification Review

13 February 2013


Prepared in association with:

**GRAHAM
ENVIRONMENTAL
CONSULTING LTD**

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CERTIFICATION OF DOCUMENT

In accordance with section 19(2)(b) of the National War Memorial Park (Pukeahu) Empowering Act 2102 ("the Act"), the following document is certified as being consistent with, and will give effect to, the condition(s) of Schedule 3 of the Act to which it relates:

Construction Air Quality (Dust) Management Plan – Undergrounding [CAQMP2-U]

prepared by URS for the WICI Alliance and NZTA, and
dated 11 February 2013

This certification is given for the reasons set out in the review titled:

*Wellington Inner City Improvements,
National War Memorial Park (Pukeahu),
Air Quality (Dust) [CAQMP2-U]
Certification Review*

prepared by Apecx in association with
Graham Environmental Consulting, and
dated 13 February 2013.

Certifier



Mark Ashby
Member, New Zealand Planning Institute

Dated: 13 February 2013

1. Introduction

1.1 Review authors

This review has been prepared under commission to the Interim Alliance engaged by the New Zealand transport Agency (NZTA) to implement the undergrounding of Buckle Street. The review's authors are Apecx and Graham Environmental Consulting. The purpose of this review is "certification", as defined by sections 4 and 19(2)(b) of the National War Memorial Park (Pukeahu) Empowering Act 2012 ("the Act").

Section 20 of the Act, and condition NZTA 29 of Schedule 3 to the Act, requires the certifier to be a qualified planner, supported by a suitably qualified air quality engineer. To meet these requirements, the certifier is Mark Ashby (Apecx), who specialises in resource consent acquisition and the development of planning policy. The supporting air quality engineer is Dr. Bruce Graham (Graham Environmental Consulting), who brings technical expertise in air quality management. Dr. Graham's peer review comments are attached as Appendix B to the management plan under review (CAQMP2-U).

The qualifications and affiliations of the reviewers are:

Mark Ashby

Role: Planner / Certifier
Qualifications: Bachelor Regional Planning (Hons), Massey, 1984
Affiliations:

- Member New Zealand Planning Institute (MNZPI)
- Member Resource Management Law Association of New Zealand

Dr Bruce Graham

Role: Air quality engineer
Qualifications: Bachelor and Master of Science (Chemistry), and Phd, Waikato, 1974
Affiliations:

- Fellow of the New Zealand Institute of Chemistry (FNZIC)
- Member of the Clean Air Society of Australia and New Zealand
- Member Resource Management Law Association
- Member Water New Zealand
- Member Waste Management Institute of New Zealand

1.2 Wellington inner city improvements

The Wellington inner city improvement projects are aimed at making State Highway 1 the preferred and most efficient route for vehicles travelling between Wellington's central business district and the eastern suburbs. The undergrounding of a section of Buckle Street (and construction of the National War Memorial Park overhead), is one of a suite of projects being implemented by NZTA.

On 7 August 2012, the Government announced a project to underground Buckle Street in front of the National War Memorial. Government also allocated funds to create a new, unified National Memorial precinct. This project is a key part of the Ministry of Culture and Heritage's commemoration of the centenary of the First World War, and the completed New Zealand Memorial Park will be in place by ANZAC Day 2015.

1.3 Empowering Act and schedules

To expedite the project, the Government chose to pass empowering legislation. That legislation, the National War Memorial Park (Pukeahu) Empowering Act 2012, grants all necessary statutory authorisations to NZTA and the Ministry of Culture and Heritage. In effect, the authorisations have provided a project-specific alternative to the Resource Management Act, Historic Places Act, and Building Act processes that would otherwise be required.

Schedules to the Act specify, among other things, resource consents granted to NZTA and the conditions attached to them, and the designation provided to NZTA, and the conditions attached to it.

1.4 Environmental management plans and certification

As specified by the schedules to the Act, particular environmental management plans (EMP) are required to be prepared. The Act also requires that those plans be certified by suitably qualified persons. The purpose of certification is to ensure that any EMP is consistent with the conditions set out in schedules to the Act, and that the plan provides an appropriate means to ensure that the conditions are able to be met.

An overall Construction Environmental Management Plan is required to be formulated for the project, under which sit the following other management plans:

- Construction noise and vibration management plan (temporary road)
- Construction noise and vibration management plan (undergrounding)
- Construction air quality (dust) management plan (temporary road)
- Construction air quality (dust) management plan (undergrounding)
- Heritage management plan
- Construction traffic management plan
- Local roads traffic improvement plan
- Network utility management plan

The EMP that is the subject of this review is the construction air quality (dust) management plan for the undergrounding of Buckle Street.

1.5 Nature of environment management plans

The content of the required management plans is set out in the conditions of Schedule 3 to the Act. The conditions note a specific range of matters to be addressed by each of the EMPs.

Notwithstanding the matters spelled out by the scheduled conditions, EMPs as a general class of plan have the following typical characteristics. They:

- Are a 'living' document that focusses on continual improvement and should be updated as necessary;
- Help ensure the application of best practice environmental management to a project;
- Implement conditions of approval or consent;
- Ensure compliance with environmental legislation; and
- Ensure that environmental risks associated with a project are properly managed.

2. Applicable conditions

The National War Memorial Park (Pukeahu) Empowering Act 2012 includes conditions applicable to the Construction Air Quality (Dust) management plan.

Those conditions, taken from Schedule 3 of the Act, are set out below followed by the reviewers' notes on how the management plan is consistent with and gives effect to the conditions.

2.1 NZTA 29

Specific to the CAQMP2-U, condition NZTA 29 of Schedule 3 of the Act specifies that:

The Agency shall, at least 5 workings days prior to submitting the ... Construction Air Quality (Dust) Management Plan—Undergrounding (CAQMP2-U) to a qualified planner (supported as necessary by a suitably qualified air quality engineer) for certification, submit a draft of the relevant plan to the Manager for comment. Any comments received shall be supplied to the certifier when the ... CAQMP2-U ... is submitted for certification against the requirements set out in condition NZTA 30, along with [a] clear explanation of where any comments have not been incorporated and the reasons why.

As noted at the beginning of Schedule 3 of the Act, "Manager" in the context of this condition means the Wellington City Council's Manager, Development, Planning and Compliance or their nominee.

Reviewer notes

- The document has been submitted for review to a planner, and an air quality engineer, who are both suitably qualified as noted in section 1.1 of this review.
- WCC and Greater Wellington Regional Council comments (which express general satisfaction with the document) were provided separately to the review team, and also incorporated into the final CAQMP2-U document.

Finding 29

Based on the matters referred to above under Reviewer Notes, condition NZTA 29 has been met.

2.2 NZTA 30(a)

Condition 30(a) is not relevant to CAQMP2-U, as the same considerations are covered by condition 30(b).

2.3 NZTA 30(b)

Specific to the CAQMP2-U, condition NZTA 30(b) of Schedule 3 specifies that:

... the CAQMP2-U shall provide a methodology for managing the effects of dust from –

- (b) all other relevant Project construction works in the case of CAQMP2-U

Reviewer notes

- The document provides an overall methodology for managing the effects of dust and odour, which is described with an appropriate level of detail.
- The document identifies all relevant construction activities associated with the proposed undergrounding of part of Buckle Street.
- Activities with the greatest potential for dust release have been correctly identified.
- Links to the overall Construction Environmental Management Plan have been appropriately identified.
- The document includes management systems and procedures that are an essential part of the methodology for effective dust control.
- Procedures for complaint recording and investigation are considered acceptable. The use of a website for recording complaints and actions is considered useful.
- Site induction training related to dust and odour management will be given. The information to be covered under the training is considered adequate.
- The document follows good practice by adopting guidance from a range of relevant national and international sources.

Finding 30(b)

Based on the matters referred to above under Reviewer Notes, condition NZTA 30 “shall provide a methodology”, and condition NZTA 30(b), have been met.

2.4 NZTA 30(c)

Specific to the CAQMP2-U, condition NZTA 30(c) of Schedule 3 specifies that:

The CAQMP2-U ... shall as a minimum, include –

- (c) identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors;

Reviewer notes

- The document identifies dust suppression measures whose implementation will be appropriate to the environment in which the works are located, and to the sensitivity of nearby receptors.
- Dust suppression measures and procedures identified by the document are all appropriate for the identified construction activities.
- Links to the overall Construction Environmental Management Plan have been appropriately identified.
- Provided the measures and procedures are applied consistently and conscientiously, they will be effective in minimising any nuisance effects due to dust. It is noted that WCC has expressed the same view.

Finding 30(c)

Based on the matters referred to above under Reviewer Notes, condition NZTA 30(c) has been met (identification), and likely will be met (implementation).

2.5 NZTA 30(d)

Specific to the CAQMP2–U, condition NZTA 30(d) of Schedule 3 specifies that:

The CAQMP2–U ... shall as a minimum, include –

- (d) identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as:
 - (i) cleaning of houses; and
 - (ii) cleaning of other buildings and infrastructure.

Reviewer notes

- Condition NZTA 30(d) is a requirement for *future* action, if it is shown to be required.
- The document appropriately identifies sensitive receptor locations.
- The document provides a monitoring framework covering the entire project area, which will allow contingency measures to be efficiently developed and implemented if required.
- Cleaning, as a contingency response, has been adequately addressed.
- Other contingency responses have also been referred to.
- As identified by the document, an on-site weather station and a continuous dust monitor will be used for the project. It is agreed that in combination, these can be a very effective means of triggering rapid responses to increasing dust concentrations.
- It is agreed that the need for odour management will only become apparent as the work proceeds, and that the contingency measures for addressing most likely odour will be adequate.
- It is considered that more extensive odour control measures would only be required if extreme levels of ground contamination are revealed. It is agreed that any necessary responses would be best developed on a case-by-case basis.

Finding 30(d)

Based on the matters referred to above under Reviewer Notes, condition NZTA 30(d) has been met.

3. Summary of findings

The document *Construction Air Quality (Dust) Management Plan (CAQMP2-U)* dated 11 February 2013, has been reviewed by a qualified Planner and a qualified Air Quality Engineer. The document has been found to be consistent with the applicable conditions of Schedule 3 of the Act, being conditions NZTA 29 and 30.

Provided that the measures and procedures identified in the document are consistently adhered to, the dust management framework will give effect to the conditions of the Act. The reviewers note that the management plan provides a suitable framework for addressing issues as (or if) they arise. This 'reactive framework' approach is consistent with the typical nature of an environmental management plan.

The dust management plan logically falls under, or is closely related to, the Construction Environmental Management Plan (CEMP) required by NZTA condition 11. The reviewers note that the CEMP is still being prepared, and that NZTA condition 11 specifically allows construction and use of the temporary road to commence prior to the CEMP being certified.

The reviewers recommend that CAQMP2-U be reviewed for consistency with the CEMP, once that plan is finalised.