Conditions

[The following relate to the area shown in the above Figure only.]

Activity in Accordance with Plans

1. The SH16 St Lukes Western Ring Route Project shall be carried out in accordance with the plans submitted with the application, being:

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**Earthworks**

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In addition, to the above, the following plans and documents also apply to this Notice of Requirement:

The SH16 St Lukes Western Ring Route Project shall be carried out in accordance with the plans submitted with the application, being:

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<td>20</td>
<td>215023-D-J-240-922 A</td>
<td>St Lukes WB Off-Ramp Option - RW-126 Off-Ramp Wall - General Notes and Details (Consenting)</td>
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</tbody>
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and all information and methodologies, being:

Application Form, and Assessment of Environmental Effects, titled “Project: SH16 St Lukes Western Ring Route Project, Alteration to Designation A07-01 & Resource Consents” Rev 2, prepared by Aurecon New Zealand Ltd, dated 30 January 2014. Including Appendices:

- Appendix B Certificate of Title and Gazette Notice
- Appendix C Indicative Constructability Report Addendum - RW126
- Westbound Off-Ramp Wall
- Appendix D Email Communication 4 December 2013
- Appendix E Arboricultural Implication Report
- Appendix F Adverse Environmental Effects Report – Street Lighting
- Appendix G Spill Lighting Assessment Drawings 1102013
- Appendix H Indicative Constructability Report
- Appendix I A Erosion and Sediment Control Plan
- Appendix I B Erosion and Sediment Control Plan Drawings
- Appendix J Assessment of Noise & Vibration Effects 10 December 2013
- Appendix K Road Safety Audit
- Appendix L - Part A) The Obtrusive Light – Compliance Report for the westbound off-ramp
- Appendix L – Part B) The Obtrusive Light – Compliance Report for the westbound off-ramp Drawings
- Appendix N Letter to Auckland Council 29 November 2013
- Appendix O Technical Memorandum – Stormwater

If there is any conflict between the application documents and the specific conditions which follow, the specific conditions are to prevail. If there is any conflict between the plans in the stated volumes and the plans revised/updated/produced during processing the application, the later plans prevail.
Disputes Resolution

2. In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/approvals required by the designation conditions, or as to implementation of, or monitoring required by, the conditions, the disputed matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a resolution process.

If a resolution cannot be agreed, then the matter may be referred to an independent and appropriately qualified expert in resource management and/or roading matters, agreeable to both parties (such agreement not to be unreasonably withheld by either party), setting out in writing the details of the matter to be referred for determination and the reasons the parties have not agreed.

The independent and appropriately qualified expert shall be appointed within 10 working days of the NZTA or the Auckland Council giving notice to the other of its intention to seek an expert determination. The expert shall, as soon as possible, issue a written decision on the matter including the reasons for his or her decision. In making the decision, the expert shall be entitled to seek further information and to hear from the parties as he or she sees fit in his or her sole discretion. The reasonable fees of the expert, including GST (if any), shall be paid equally by both disputing parties.

Advice note:
The dispute resolution process provided for by this condition does not prejudice any party’s right to take enforcement action in relation to implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except for urgent situations.

3. This alteration to designation will lapse if it is not given effect to before the expiry of 5 years from the date on which it is included in the District Plan under section 184(1) of the Resource Management Act 1991 (“the Act”).

4. Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (“NZTA”, being the Requiring Authority), the Notice(s) of Requirement (“NoR”) and the supporting documents, and supplementary information provided. In summary, this information is:

(b) Waterview Connection Project. Assessment of Environmental Effects report (dated August 2010). Part F: Plans and Drawings, except as updated through processing the NoR and applications (Refer Schedule A for current plan and drawing references); and
(c) Waterview Connection Project. Assessment of Environmental Effects report (dated August 2010). Part G: Technical Reports:
   (i) Technical Report G.1 Assessment of Air Quality Effects
   (ii) Technical Report G.2 Assessment of Archaeological Effects
   (iii) Technical Report G.3 Assessment of Avian Ecological Effects
   (iv) Technical Report G.4 Assessment of Coastal Processes
   (v) Technical Report G.5 Assessment of Construction Noise Effects
   (vi) Technical Report G.6 Assessment of Freshwater Ecological Effects
   (vii) Technical Report G.7 Assessment of Groundwater Effects
   (viii) Technical Report G.8 Assessment of Herpetofauna Ecological Effects
   (ix) Technical Report G.9 Assessment of Land and Groundwater Contamination
   (x) Technical Report G.10 Assessment of Lighting Effects
   (xi) Technical Report G.11 Assessment of Marine Ecological Effects
   (xii) Technical Report G.12 Assessment of Operational Noise Effects
   (xiii) Technical Report G.13 Assessment of Ground Settlement Effects
   (xiv) Technical Report G.14 Assessment of Social Effects
   (xv) Technical Report G.15 Assessment of Stormwater and Streamworks Effects
   (xvi) Technical Report G.16 Assessment of Temporary Traffic Effects
   (xvii) Technical Report G.17 Assessment of Terrestrial Vegetation Effects
(xviii) Technical Report G.18 Assessment of Transport Effects
(xix) Technical Report G.19 Assessment of Vibration Effects
(xx) Technical Report G.20 Assessment of Visual and Landscape Effects
(xxii) Technical Report G.22 Erosion and Sediment Control Plan (ESCP)
(xxiii) Technical Report G.23 Coastal Works
(xxiv) Technical Report G.24 Geotechnical Interpretive Report
(xxvi) Technical Report G.26 Operational Model Validation Report

(d) PT & Active Mode Transport Routes Existing and Proposed (Refer Schedule A, Row 22).
(e) Waterview Connection Project, evidence and supplementary information provided to the Board of Inquiry:
   (i) Evidence in Chief (Numbers 1-37)
   (ii) Rebuttal Evidence (Numbers 1-33)
   (iii) Supplementary Information (Numbers 1-8)
(f) SH16 St Lukes Western Ring Route Project Planning Assessment and supporting documentation.

Construction Environmental Management Plan (“CEMP”)

5. The NZTA shall update and finalise the draft Construction Environmental Management Plan (“CEMP”) submitted with the NZTA Waterview Connection Project, including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application, to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council, for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until the certification is obtained.

Advice note:

For clarity, the CEMP will be updated and finalised in accordance with the Board of Inquiry conditions for both the resource consents and designations. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.

6. As some works may commence well in advance of others, for the purposes of staging works, NZTA may provide staged or site-specific CEMPs for those works to the Major Infrastructure Team Manager, Auckland Council. The NZTA shall consult with the Major Infrastructure Team Manager about the need and timing for any other site-specific or staged CEMPs and shall provide any required site-specific or staged CEMPs to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to commencement of such the specific stage (including enabling) or site works.

7. The certification process of the CEMP (and its appendices) shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in CEMP.6, and that it includes details of:

   (a) Staff and contractors’ responsibilities;
   (b) Training requirements for employees, subcontractors and visitors;
   (c) Environmental incident and emergency management;
   (d) Communication and interface procedures (in accordance with the Communication Plan required under condition PI.2 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;
   (e) Environmental complaints management (including the procedures required under condition PI.4 of the Final Report and Decision of the Board of Inquiry into the NZTA
Waterview Connection Proposal – Volume 2 Conditions of Consent;

(f) Compliance monitoring;

(g) Reporting (including detail on the frequency of reporting to the Auckland Council);

(h) Environmental auditing; and

(i) Corrective action.

8. The management of key environmental effects associated with the construction phase of the project is detailed in environmental management plans included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:

(a) Construction Noise and Vibration Management Plan (“CNVMP”);

(b) Construction Air Quality Management Plan (“CAQMP”);

(c) Erosion and Sediment Control Plan (“ESCP”);

(d) Temporary Stormwater Management Plan (“TSMP”);

(e) Ecological Management Plan (“ECOMP”);

(f) Groundwater Management Plan (“GWMP”);

(g) Settlement Effects Management Plan (“SEMP”);

(h) Contaminated Soils Management Plan (“CSMP”);

(i) Hazardous Substances Management Plan (“HSMP”);

(j) Archaeological Site Management Plan (“ASMP”);

(k) Construction Traffic Management Plan (“CTMP”);

(l) Concrete Batching and Crushing Plant Management Plan (“CBCPMP”);

(m) Electrical Infrastructure Site Development and Construction Management Plan (“EISDCMP”) (to be prepared in accordance with condition CEMP.15 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;

(n) Waste Management Plan (to be prepared in accordance with condition CEMP.10 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent; and

(o) Temporary Construction Lighting Management Plan (to be prepared in accordance with condition L.2 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

9. The CEMP shall be implemented and maintained throughout the entire construction period.

10. A copy of the CEMP shall be held on each construction site at all times and shall be available for inspection on request by the Auckland Council.

11. The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the project. The certification process for the CEMP shall confirm that the CEMP includes details of the following:

(a) i. Details of the site or project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);

(b) The location of large notice boards that clearly identify NZTA and the project name, together with the name, telephone, email address and address for service of the site or project manager and the community liaison person;

(c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;

(d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;

(e) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage and unloading of building materials and similar construction activities;

(f) Location of worker’s offices and conveniences (e.g. portaloos);

(g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;

(h) Methods to stabilise ingress and egress points to construction sites, to the standard required by the former ARC’s Technical Publication 90 (Nov 2007) (“TP 90”);
(i) Procedures for ensuring that residents within 100 metres of construction areas or other people whose use of an area may be disrupted by construction works are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;

(j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;

(k) Means of ensuring the safety of the general public;

(l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;

(m) Methods of mitigating the local and network wide effects of construction of individual elements of the project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;

(n) All temporary boundary/security fences shall be maintained in good order, with any graffiti removed as soon as possible;

(o) Confirmation of a project arborist; and completion of a “STEM” assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE lodged with the Board of Inquiry for the Waterview Connection Project to confirm the final amenity trees; and

(p) The process to minimise the removal of amenity trees, maximise the protection of those retained, undertake relocation of amenity trees and replacement of specimen trees (in accordance with conditions LV.10 and ARCH.9 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

Advice note:
For the purposes of this condition, “amenity tree” in o) and p) is defined as a tree or trees that contribute significantly to amenity, taking account of its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE lodged with the Board of Inquiry for the Waterview Connection Project).

12. The layout of the construction yards, including associated buildings, fencing and site access shall be developed in accordance with Waterview Connection Project Construction Yards Plans submitted as part of the AEE for the Waterview Connection Project. The layout drawings shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council, at least 20 working days prior to occupation of the yard, for review and certification that the final layout of the construction yards is in accordance with the conditions. The layout drawings shall incorporate the following:

(a) The main access to the construction yards to be located as far as practicable from residential dwellings, taking into account site and public safety and environmental constraints, in the locations shown on Waterview Connection Project Construction Yards Plans;

(b) Noisy construction activities to be located as far as practicable, and preferably no less than 100m, from residential dwellings;

(c) Construction of temporary boundary/security fences to be undertaken in a manner which minimises impacts on existing trees;

(d) Temporary acoustic fences and visual barriers;

(e) Temporary buildings greater than 8 metres in height to be located in a position which minimises visual impact on adjacent residential dwellings; and

(f) Location of workers’ and project vehicle parking.

13. All storage of material and equipment associated with the construction works shall take place within the boundaries of the designation.

14. Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and the roads during the site preparation and construction phase of the project. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall be repaired to the same or similar standards as existed prior to such damage at no cost to the Auckland Council.

15. The NZTA shall finalise and implement the Hazardous Substances Management Plan (“HSMP”), through the CEMP (as required by CEMP.1), submitted with the NZTA Waterview Connection Project, prior to works commencing on the site. The certification process of the CEMP shall confirm that the HSMP clearly identifies the requirements for proper storage, handling, transport
and disposal of hazardous substances during the construction phase of the project and confirm that there shall be no storage of explosives on the project site.

16. The NZTA shall develop and implement a Waste Management Plan in accordance with the waste management principles, controls and methods set out in the certified CEMP. The Plan shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council for approval and the approved Plan is to be implemented throughout the entire construction period.

17. The approved CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the project. The review shall take into consideration:

(a) Compliance with designation and consent conditions;
(b) Any changes to construction methods;
(c) Key changes to roles and responsibilities for the project;
(d) Changes in industry best practice standards;
(e) Changes in legal or other requirements;
(f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and
(g) Public complaints.

A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Projects Team Manager, Auckland Council and made available (with any related data) to the Auckland Council on request.

18. Following the review process (as described in CEMP.12 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent) the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Projects Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.

Advice Note:

“Material change” will include amendment to any base information informing the CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation / remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.

19. The CEMP shall include, as an appendix, an Electrical Infrastructure Site Development and Construction Management Plan (“EISDCMP”). The EISDCMP shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council, and include:

(a) Methods and measures:

(i) To ensure that the existing high voltage infrastructure can be accessed for maintenance at all reasonable times, or emergency works at all times, during and after construction activities.
(ii) To appropriately manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear, to the overhead transmission lines
(iii) To ensure that no activity is undertaken during construction that would result in ground vibrations and/or ground instability likely to cause material damage to the transmission lines, including support structures.
(iv) To ensure that changes to the drainage patterns and runoff characteristics do not result in adverse effects from stormwater on the foundations for any high voltage transmission line support structure.

(b) Sufficient detail to confirm that new planting and maintenance of vegetation will comply with the New Zealand Electricity (Hazard from Trees) Regulations 2003, including, but not limited to, the provisions of Schedule (Growth Limit Zones) to those Regulations.

(c) Sufficient detail to confirm that the works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), including, but not limited to, the provisions of:

(i) Clause 2.2 with respect to excavations near overhead support structures;
(ii) Clause 2.4 with respect to buildings near overhead support structures;
(iii) Section 3 with respect to minimum separation between buildings and conductors;
(iv) Section 5 with respect to minimum safe distances for the operation of mobile plant; and,
(v) Table 4 with respect to minimum safe separation distances between the ground and the overhead conductors.

iv. Confirmation that Transpower has been provided a copy of the EISCDMP for its review at least 20 working days prior to construction.

Advice note:
With respect to clause (c), specific consideration must be given to the height and location of temporary structures (such as project offices and other construction site facilities) and permanent structures (such as lighting poles, signage, gantries and acoustic barriers).

20. The NZTA will be responsible for all service relocations required for construction of the project. The NZTA shall liaise with the providers of infrastructure service networks (including, but not limited to, water, gas, stormwater, wastewater, power and telecommunications) and private property owners with on-site services to develop methodologies and timing for necessary services relocation required for the project, with the objective of minimising disruption to the operation of these service networks and on-site services.

Advice note:
(a) It is noted that if separate consents are required for relocations for any services of network utility operators or landowners, such consents will be obtained before construction commences in the relevant area, and any effects of those relocations would be considered at that time. The same applies to any alteration of consents if required.
(b) Network infrastructure owned and operated by Watercare Services is located within the designation. An operating agreement will be developed by NZTA and Watercare Services which will include appropriate notification and access protocols where works are to be undertaken by either network operator on or adjacent to Watercare Services infrastructure within the designations.

Air Quality
21. The NZTA shall finalise and implement, through the CEMP, the Construction Air Quality Management Plan ("CAQMP") submitted with the Waterview Connection Project notices of requirement and resource consent applications.

At least 20 working days prior to construction activities being undertaken the CAQMP shall be provided by the requiring authority to the Major Infrastructure Projects Team Manager, Auckland Council for review and certification that it includes the following details:
(a) Daily visual monitoring of dust emissions;
(b) Procedures for responding to process malfunctions and accidental dust discharges;
(c) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site;
(d) Continuous monitoring of Total Suspended Particulate ("TSP") concentrations and meteorology;
(e) Monitoring of the times of detectable odour emissions from the ground;
(f) Procedures for responding to discharges of odour (including in the event of excavation of contaminated sites);
(g) Monitoring of construction vehicle maintenance;
(h) Process equipment inspection, maintenance, monitoring and recording, including baghouses, pressure relief valves and high level alarms;
(i) Complaints investigation, monitoring and reporting; and
(j) The identification of staff and contractors’ responsibilities.

22. The NZTA shall review the CAQMP at least annually and at any time there is a material change to the project. Any consequential changes will be undertaken in accordance with CEMP.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

23. All construction activities shall be operated, maintained, supervised, monitored and controlled at all times so that all emissions authorised by this consent are maintained at the minimum practicable level.

24. The NZTA shall undertake construction activities in accordance with the approved CEMP and CAQMP, such that:
(a) Hard surfaced areas of the construction yards and active construction areas are vacuum swept or scraped down at least twice each week and additionally as reasonably required;
(b) All unsealed areas of the site used for vehicle movement are maintained visibly damp by the use of water sprays or a water cart during weather conditions where the potential for dust emissions exist;

(c) Wheelwash systems are installed at all truck exits from unpaved areas of the site onto public roads are used for all trucks that depart from the site;

(d) All stockpiles are constructed and positioned to minimise the potential for dust emissions. The surfaces of all stockpiles are maintained adequately damp at all times to minimise the release of particulate matter;

(e) Belt conveyors for moving dry materials are fitted with water sprays or enclosed to minimise wind entrainment of dust. Where installed, water suppression is used whenever the conveyors are used for moving dry materials.

25. Unless expressly provided for by conditions of this designation, there shall be no odour, dust or fumes beyond the site boundary caused by discharges from the site which, in the opinion of a Council enforcement officer, is noxious, offensive or objectionable.

26. All offensive or objectionable dust beyond the designation boundaries caused as a result of construction processes shall be mitigated forthwith in accordance with the requirements of the Construction Air Quality Management Plan.

27. Beyond the designation boundaries there shall be no hazardous air pollutant caused by discharges that causes, or is likely to cause, adverse effects on human health, environment or property.

28. No discharges from any activity carried out as part of the project works shall give rise to visible emissions, other than water vapour, to an extent which, in the opinion of a Council enforcement officer, is noxious, dangerous, offensive or objectionable.

29. The NZTA shall undertake visual inspections of dust emissions as follows:

(a) Visual inspections of all active construction areas at least three times daily during October to April inclusive, whenever there are construction activities. The results of visual monitoring shall be logged.

(b) Visual inspections of dust emissions from the concrete batching plants and rock crushing plant shall be undertaken daily while the plant is operating.

30. The operation of water sprays shall be checked by or on behalf of the requiring authority at least once each day.

31. All records, logs, monitoring and test results that are required by the conditions of this designation shall be made available on request, during operating hours, to an Auckland Council enforcement officer and shall be kept by the consent holder for the duration of the designation.

32. Construction logbooks shall be maintained that record all relevant information that is required to demonstrate compliance with the conditions of this designation. This information shall include, but is not limited to:

(a) Visual assessments of any dust emissions from the site and the source;

(b) Any dust control equipment malfunction and any remedial action taken;

(c) When a water cart was used and, if so, the frequency of use and the volume of water used (including identification of location);

(d) Any additional dust control measures undertaken; and

(e) The date and time of the entry and the signature of the person entering the information.

33. The NZTA shall maintain a log of any complaints received relating to air quality. Details of each complaint received shall be forwarded to the Major Infrastructure Projects Team Manager, Auckland Council, within 24 hours of receipt of the complaint. The log shall include any complaints lodged with the Auckland Council where the Council has informed the NZTA of the complaint. The log shall include, but not be limited to the following:

(a) The date, time, location and nature of the complaint;

(b) Weather conditions at the time of the complaint (including approximate wind speed, wind direction, cloud cover);

(c) Any possible other contributing factors (such as a fire, smoky vehicle, a local chimney emission, etc.);

(d) The name, phone number and address of the complainant (unless the complainant elects not to supply these details);

(e) Any remedial actions undertaken; and

(f) The date and time of the entry and the signature of the person entering the information.
Traffic

34. The NZTA shall update and finalise the Construction Traffic Management Plan (“CTMP”) submitted with the Waterview Connection Project AEE, in accordance with these conditions, and implement it through the CEMP. In finalising the CTMP, the NZTA shall:

(a) Provide simulation modelling demonstrations to understand the effects of construction of the project on the affected road network better;

(b) Include measures to avoid road closures and restrictions of vehicle, bus, cycle and pedestrian movements;

(c) Where road closures or restrictions cannot reasonably be avoided, the particular vulnerabilities and sensitivities of pedestrian diversions and restricted conditions shall be taken into account in the planning of any closures or restrictions.

35. The CTMP shall require the development of Site Specific Traffic Management Plans (“SSTMPs”) and their approval by the Traffic Management Project Governance Group (as defined by the CTMP) for each construction activity that may affect traffic or transportation infrastructure and services. The SSTMPs shall be provided to the Traffic Management Coordinator(s) for the relevant road controlling authority at least 10 working days prior to each construction activity.

36. Each SSTMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide effects of construction of the project. In particular, the SSTMP shall include the following matters:

(a) Traffic management measures to address and maintain traffic capacity, including bus services, at peak traffic periods during weekdays (6:00 to 9:00 and 16:00 to 19:00) and peak traffic periods at weekends (including Great North Road);

(b) Methods to manage the effects of traffic during construction including the requirement to detour or divert traffic. These methods shall seek to avoid, remedy or mitigate effects on access to and from businesses and other organisations in the area;

(c) Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses;

(d) Methods to avoid, remedy or mitigate the local and network-wide effects of the construction of individual elements of the project (e.g. intersections/ overbridges) and the use of staging to allow sections of the project to be opened to the traffic while other sections are still under construction;

(e) Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks) during construction;

(f) Any routes where construction traffic movements will be restricted (either for particular times for construction periods);

(g) Measures to maintain existing vehicle access, as far as practicable, or where the existing property access is to be removed or becomes unsafe as a result of the construction works, measures to provide alternative access arrangements in consultation with the Auckland Council and the affected landowner; and

(h) Measures to maintain pedestrian and cycle access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, where practicable (e.g. unless provision of such access is severed by the works or such access will become unsafe as a result of the construction works). Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours. (This condition does not act as a qualification to the commitment to maintain access to open space and education facilities as required in condition OS.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent).

37. The SSTMPs shall include traffic management measures developed in consultation with Auckland Transport, Bus and Coach Association and the Auckland Council, to address and maintain, where practicable, existing levels of service for buses particularly at peak periods (6:00 to 9:00 and 16:00 to 19:00) on weekdays.

38. The NZTA shall consult with the Traffic Operations Manager, Auckland Transport with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation. The NZTA shall also coordinate and consult directly with the proponents of any major construction or major traffic generating event occurring concurrently with, and in the vicinity of, the project.
39. The SSTMPs shall include measures developed in consultation with Auckland Transport to enable, as far as practicable, continued public walking and cycling passage along the existing North-western Cycleway (between the Te Atatu Interchange and the St Lukes Interchange) and along Great North Road and the public walkway along Oakley Creek, with any interruptions being as short as feasible.

40. The NZTA shall restrict construction truck movements during peak hours (6:00 to 9:00 and 16:00 to 19:00) on weekdays and during the peak periods at the weekends to avoid the following:

(a) Great North Road Interchange, city bound during the morning peak hours

(b) Great North Road Interchange, west bound onto SH16 and southbound onto Great North road during the afternoon peak.

(c) St Lukes Interchange, during afternoon peak hours, and morning peak hours from eastbound onto SH16.

Construction truck movements during these hours shall be allowed only under exceptional circumstances agreed in advance with the Traffic Management Project Governance Group.

41. The NZTA shall maintain at least the existing active traffic lane configuration capacity on SH16, at St Lukes Road at the St Lukes interchange and on Great North Road during peak periods being 6:00 to 9:00 and 16:00 to 19:00 on weekdays and during the peak periods on weekends, for the duration of the temporary construction programme.

42. The NZTA shall monitor the impact of construction traffic in terms of traffic speeds and volumes on SH16, Great North Road and St Lukes Road at the St Lukes interchange throughout the construction period to confirm the expected traffic effects as set out in the Temporary Traffic Assessment (Technical Report G.16) submitted with the Notice of Requirement.

(a) This monitoring will be undertaken on a daily, weekly and monthly basis; and

(b) Monitoring results will be made available to the Traffic Operations Manager, Auckland Transport on request.

43. If monitoring undertaken pursuant to TT.10 indicates that traffic volumes or traffic conditions are significantly different from those expected, the SSTMPs will be reviewed by the requiring authority and as appropriate amended to the satisfaction of the Traffic Management Project Governance Group.

44. In collaboration with Auckland Transport, the NZTA shall prepare a Network Integration Plan (“NIP”) for the project, or relevant project phases, to demonstrate how the project integrates with the existing local road network and with future improvements (identified in NZTA’s Western Ring Route (Northwest) Network Plan, dated September 2010) planned by the Auckland Council. The NIP shall include details of proposed physical works at the interface between the State Highway and the local road network, and shall address such matters as pedestrian/cycleways, lane configuration, traffic signal co-ordination, signage and provision for buses. In addition, the NIP is to address:

(a) The commitment of the NZTA to progress bus priority measures northbound on Great North Road as part of the reinstatement of Great North Road, as proposed by Auckland Transport. This is subject to the agreement with Auckland Transport;

(b) How the works committed to by the NZTA for pedestrian and cycleways, as detailed in the PT and Active Mode Transport Routes Plan Set (condition DC.1(d) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent integrate with pedestrian and cycleways on the wider transport network;

(c) The commitment of the NZTA to provide for cycle “aspects” (cycle signal lights) at the Great North Road Interchange.

Works identified in the NIP which are the responsibility of the NZTA will be undertaken as at the time of construction works for the project.

Geotechnical

45. The proposed development must be generally located as indicated on the Aurecon drawings “General Arrangement Sheets 1 to 8” dated 31-05-2013 (ref: 215023-D-C-100-001 Rev D to 007 Rev D and 215023-D-C-100-008 Rev B).

46. A further detailed geotechnical investigation must be undertaken to confirm design parameters including foundation depths for the St Lukes interchange widening (including both the proposed new bridge and any widening to the approach ramps, including the new retaining wall for Chamberlain Golf Course) plus the new cycleway bridge and abutments and the stormwater pond.

47. Any foundations and piles plus the excavation for these must be specifically designed by a chartered professional structural engineer based on the above detailed geotechnical investigation and the Aurecon

48. A chartered professional engineer with experience of geotechnics shall inspect and certify any pile holes for foundations and any retaining works.

49. Any foundations in the vicinity or that span over the reinforced earth retaining structure of the current St Lukes Rd overbridge must be suitably designed to ensure the retaining structure is not damaged.

50. A chartered professional engineer with appropriate experience shall design the groundwater control measures.

51. All temporary excavations (except those in rock) unless suitably designed by a chartered professional engineer are limited to an open face of not more than 3 metres horizontal distance at any one time and shall be limited to an unsupported gradient of 1 vertical to 2 horizontal.

52. Excavations through any basalt shall be inspected by a chartered professional engineer with experience of geotechnical engineering or an experienced engineering geologist who shall advise the Major Infrastructure Projects Team Manager on the stability of the excavation and any requirement for support measures (including any necessity for rock bolting or netting etc).

53. All excavations (other than in rock) that intercept a line 1 vertical to 2 horizontal from an adjacent boundary are to be retained with a suitable retaining structure designed for at-rest conditions.

54. Construction works shall be under the control of a chartered professional engineer with experience of geotechnical engineering. The construction works shall follow the recommendations of the detailed geotechnical report for foundation types (including depth of foundations required), retaining works and earthworks, including temporary works and any required stability measures) provided with the AEE (Ref: ‘Indicative Constructability Report: SH16 St Lukes Interchange Project’, prepared by Aurecon and dated 24 April 2013 and ‘Indicative Constructability Report Addendum – RW126 Westbound Off-Ramp Wall’, prepared by Aurecon and dated 17 January 2014). This will include supervision of piling, excavations, the foundations, retention measures and floor slabs. Provision must be made for over deepening of any foundations where soft or weak soils are encountered.

55. Prior to commencement of any works on the site, the requiring authority shall provide to the Major Infrastructure Projects Team Manager, a site management plan (“SMP”) that includes an excavation and construction methodology acceptable to the Council that shall include specific details relating to the construction/management/monitoring of all works associated with the SH16 St Lukes Western Ring Route Project. The Major Infrastructure Projects Team Manager shall have approved the SMP prior to construction works commencing. The approved SMP shall be implemented and maintained throughout the entire works period. Items to be included in the construction methodology are:

(a) Key inspection stages during excavation, retaining and foundation construction;
(b) Timeframes for exposed excavated ground;
(c) Monitoring procedures for vibration and noise;
(d) Location and timeframes for temporary support of excavations.

56. No fill material shall be placed as part of the final development without being supervised by a chartered professional engineer with geotechnical experience.

57. Excavations in exposed ground shall be protected from the detrimental effects of weathering e.g. by the use of polythene, basecourse or other similar methods. Alternatively, material damaged by the weather shall be removed to a depth determined by a chartered professional engineer with experience of geotechnics.

58. All spread foundations should be founded a minimum of 600mm below cleared ground level and into natural ground or engineered made ground (fill). If non-engineered made ground exists at this level, then the excavation must be deepened to penetrate through the made ground and into the natural materials. For made ground greater than 1m depth, specific design of foundations is required.

59. All stormwater from any new hard surfaces and any groundwater collected from behind retaining walls is to be collected and disposed of to an appropriate reticulated or otherwise Council approved system.

60. The requiring authority shall implement appropriate sediment control measures prior to and during all earthworks to ensure that all stormwater runoff from the site is managed and controlled to ensure that no silt, sediment or water containing silt or sediment is discharged into stormwater pipes, drains, channels or soakage systems in accordance with the Auckland Council District Plan: Isthmus
61. Prior to any work commencing on the site, the requiring authority shall submit to the Major Infrastructure Projects Team Manager for approval, a plan of action to arrest and remedy any adverse effects that may occur to any adjacent structure in the event the structure may be affected during construction.

62. Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas in general accordance with the ‘SH16 St Lukes Adverse Environmental Effects Report – Street Lighting’, prepared by Aurecon and dated 30 September 2013 and ‘The Obtrusive Light – Compliance Report for the westbound off-ramp’, prepared by Aurecon and dated 9 December 2013 and the plans referenced in series ‘215023-D-E-161’. All lighting shall be designed in accordance with relevant rules provided in Part 13 of the Auckland City Bylaw (April 2008).

63. A Temporary Construction Lighting Management Plan shall be prepared for all construction zones and construction yards prior to commencement of any night time works within the construction zones and construction yards. The Temporary Construction Lighting Management Plan shall be independently verified by a lighting specialist and that verification shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council for certification of compliance 10 working days prior to any night time work commencing.

64. Asymmetrical floodlights with horizontal glass visors that are not raised more than 3 degrees above the horizontal plane shall be used for any temporary construction night time lighting requirements. Alternative temporary lighting arrangements may be used, subject to the prior approval of the Major Infrastructure Projects Team Manager, Auckland Council, where it can be demonstrated to the satisfaction of the Team Manager that the proposed lighting is similar or better to asymmetrical floodlights with glass visors. Glare shall be kept below the recommendation given in AS 4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting” Tables 2.1 and 2.2.

65. The NZTA shall finalise and implement, through the CEMP, a Construction Noise and Vibration Management Plan (“CNVMP”) throughout the entire construction period of the project. The CNVMP shall describe the measures adopted to meet:

(a) the noise criteria set out in CNV.2 and CNV.3 below;
(b) the vibration criteria set out in CNV.4 below; or
(c) where (a) or (b) cannot be met, the process that will be followed to appropriately mitigate noise and vibration effects including methods that may be applied outside the designation.

The CNVMP shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CNVMP, as a minimum, addresses the following:

(i) Construction noise and vibration criteria CNV.2, CNV.3, and CNV.4 – of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;
(ii) Hours of operation, including times and days when noisy and/or vibration inducing construction activities would occur;
(iii) Machinery and equipment to be used as part of construction works;
(iv) Vibration testing of equipment to confirm safe distances to buildings prior to construction;
(v) Preparation of building condition surveys of critical dwellings prior to, during and after completion of construction works;
(vi) Roles and responsibilities of personnel on site;
(vii) Construction operator training procedures;
(viii) Methods for monitoring and reporting on construction noise and vibration;
(ix) A hierarchy of mitigation options that will be assessed for the project noise mitigation, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved;
(x) Management schedules containing site specific information;
(xi) Measures for liaising with and notifying potentially affected receivers of proposed construction activities and the potential for noise and vibration effects, specifically:

? Methods for ensuring residents affected by night works (within 100m of the construction site night works), are notified of such works (i.e. any works during the hours of 20:00 to 06:30) at least 5 days prior to the commencement of any such work.

(xii) Methods for receiving and handling complaints about construction noise and vibration;
(xiii) Measures for preventing the occurrence of rogue fly rock, including management of charge weights and face loading procedures, stemming of charge holes and profiling of the face to maintain minimum burden (face cover);
(xiv) Investigations on the practicability of implementing permanent noise mitigation works for construction mitigation in accordance with CNV.7 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;
(xv) Investigations of the practicability of implementing building modification mitigation, as required in accordance with conditions ON.6 and ON.11 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent, prior to commencement of construction within 100m of the relevant Protected Premises and Facilities (“PPFs”) (including those on the Unitec site); and
(xvi) The process for developing Site Specific Noise Management Plans (“SSNMP”), and a certification process for the Major Infrastructure Projects Team Manager, Auckland Council in accordance with CNV.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent to confirm the process of SSNMP review of noise mitigation options where the modelled/predicted levels or subsequent actual levels exceed the criteria in CNV.2 and/or CNV.4 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

66. Except where certified by the Council through the SSNMP in accordance with CNV.13, construction noise (excluding noise from blasting Monday to Saturday inclusive) shall be measured and assessed in accordance with NZS 6803:1999 “Acoustics - Construction Noise” and shall comply with the following criteria:

Note: In this condition, (T) means a duration between 15 minutes and 60 minutes, in accordance with NZS6803:1999.

(a) Project Construction Noise Criteria: Residential Receivers
### (b) Project Construction Noise Criteria:
Commercial and Industrial Receivers

<table>
<thead>
<tr>
<th>Time of the week</th>
<th>Time Period</th>
<th>Project Construction Noise Criteria – Sector 6 Works, dBA</th>
<th>St Lukes Bridge Works (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>L&lt;sub&gt;eq&lt;/sub&gt;</td>
<td>L&lt;sub&gt;Max&lt;/sub&gt;</td>
</tr>
<tr>
<td>Monday to Saturday</td>
<td>0630-0730</td>
<td>60</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>0730-1800</td>
<td>70</td>
<td>85</td>
</tr>
<tr>
<td></td>
<td>1800-2000</td>
<td>65</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>2000-0630</td>
<td>60</td>
<td>75</td>
</tr>
<tr>
<td>Sunday and Public Holidays</td>
<td>0630-0730</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>0730-1800</td>
<td>60</td>
<td>85</td>
</tr>
<tr>
<td></td>
<td>1800-2000</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>2000-0630</td>
<td>45</td>
<td>75</td>
</tr>
</tbody>
</table>

### (c) Project Construction Noise Criteria: Internal noise for Licensed Educational Facilities

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Project Construction Noise Criteria (Long Term Construction) dB</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>L&lt;sub&gt;Aeq(T)&lt;/sub&gt;</td>
</tr>
<tr>
<td>0730-1800</td>
<td>70</td>
</tr>
<tr>
<td>1800-0730</td>
<td>75</td>
</tr>
</tbody>
</table>

### (c) Project Construction Noise Criteria: Internal

<table>
<thead>
<tr>
<th>Time Period (School Days)</th>
<th>Project Construction Noise Criteria Inside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching Hours</td>
<td>45 dB L&lt;sub&gt;Aeq(T)&lt;/sub&gt; or existing, whichever is the higher</td>
</tr>
<tr>
<td></td>
<td>Classrooms, library, offices, teaching, laboratories, manual, arts, workshops</td>
</tr>
<tr>
<td>Teaching Hours</td>
<td>40 dB L&lt;sub&gt;Aeq(T)&lt;/sub&gt; or existing, whichever is the higher</td>
</tr>
<tr>
<td></td>
<td>School hall, lecture theatre</td>
</tr>
</tbody>
</table>
Note: In part (d) of this condition “Teaching hours” means: Primary schools and Kindergartens: 9am to 3pm Unitec: 8am to 9pm

67. Project Construction Noise Criteria: Airblast (excluding Sundays)

<table>
<thead>
<tr>
<th>Category</th>
<th>Type of Blasting Operations</th>
<th>Peak Sounds Level (LZpeak dB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Comfort Limits</td>
<td>Operations lasting longer than 12 months or more than 20 blasts</td>
<td>115 dB for 95% blasts per year. 120 dB maximum unless agreement is reached with occupier that a higher limit may apply</td>
</tr>
<tr>
<td>Sensitive Site</td>
<td>Operations lasting less than 12 months or less than 20 blasts</td>
<td>120 dB for 95% blasts per year. 125 dB maximum unless agreement is reached with occupier that a higher limit may apply</td>
</tr>
<tr>
<td>Occupied non-sensitive sites such as factories and commercial properties</td>
<td>All blasting</td>
<td>125 dB maximum unless agreement is reached with the occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer’s specifications of levels that can be shown to adversely affect the equipment operation</td>
</tr>
<tr>
<td>Damage Control Limits</td>
<td>All Blasting</td>
<td>133 dB unless agreement is reached with owner that a higher limit may apply.</td>
</tr>
</tbody>
</table>
68. Except where certified by the Council through the SSNMP in accordance with CNV.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent, construction vibration received by any building shall be measured and assessed in accordance with the German Standard DIN 4150-3:1999 “Structural vibration – Part 3: Effects of vibration on structures”, and shall comply with the following criteria:

<table>
<thead>
<tr>
<th>Type of Structure</th>
<th>Short-term vibration</th>
<th>Long-term vibration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PPV at the foundation at the frequency of</td>
<td>PPV at horizontal plane of highest floor (mm/s)</td>
</tr>
<tr>
<td></td>
<td>1–10Hz (mm/s)</td>
<td>1-50 10Hz (mm/s)</td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td>20</td>
<td>20-40</td>
</tr>
<tr>
<td>Residential/School</td>
<td>5</td>
<td>5-15</td>
</tr>
<tr>
<td>Historic or Sensitive Structures</td>
<td>3</td>
<td>3-8</td>
</tr>
</tbody>
</table>

69. Notwithstanding CNV.3:
(a) Blasting activities shall be conducted so that at least 95% of the blasts undertaken (measured over any twenty blasts on the foundation of any building outside the designation boundary) shall produce peak particle velocities not exceeding 5mm/s and 100% of the blasts undertaken shall produce peak particle velocities not exceeding 10mm/s irrespective of the frequency of the blast measured.
(b) Construction activities, which occur within Sectors 1, 6, 8 and 9 of the Waterview Connection Project which are identified in the Technical Report no. G.19 Assessment of Vibration Effects, submitted with the AEE for the Waterview Connection Project, as being at a ‘High Risk’ of exceeding the DIN 4150-3:1999 criteria (being excavation, piling, compaction and drilling) shall be conducted so that 95% of the activities undertaken (measured over at least 20 representative samples of the relevant activity on any residential building) shall produce peak particle velocities not exceeding the relevant criterion in DIN 4150-3:1999 and 100% of the activities undertaken shall not exceed 10mm/s irrespective of the frequency of the activity measured.

70. Blasting shall be undertaken between 09:00h and 17:00h, Monday to Saturday, except that blasting may be undertaken between 09:00h and 17:00h on Sundays where:
(a) The blasting produces peak particle velocities at any residential building not exceeding 0.5mm/s; and
(b) The project construction noise criteria set out in CNV.2 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent for Sundays are complied with.

71. Where practicable, the permanent (traffic) noise barriers detailed in the Noise Walls and Fences plans (referenced in plan series ‘215023-D-C-918-001’) shall be erected prior to noise generating construction works commencing. Where this is not practicable, temporary noise mitigation measures shall be implemented by the consent holder in accordance with the CNVMP prior to noise generating construction works commencing.

72. Pile driving or pile removal shall not be undertaken at night (i.e. during the hours of 20:00 – 06:30).

73. Construction SSNMPs required by CNV.1(xvi) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent shall be submitted to Major Infrastructure Projects Team Manager, Auckland Council for review and certification at least 7 working days prior to the proposed works commencing.

Advice Note:

A decision will be provided by the Council within 5 working days of receipt of the SSNMP.

Works are not to commence until certification is received from the Major Infrastructure Projects Team Manager, Auckland Council. The Council may, in its sole discretion, waive the requirement for individual SSNMPs to be submitted to the Council where an SSNMP is required.

If monitoring shows that construction noise levels specified in an approved SSNMP are being exceeded, the work generating the exceedance is to stop and not recommence until further mitigation is implemented in accordance with an amended SSNMP approved by the Major Infrastructure Projects Team Manager, Auckland Council.

Advice note:

It is accepted that the criteria of CNV.2 and CNV.4 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent may not be met at all times, but that the NZTA will take all practical steps to achieve compliance, taking into account the hierarchy of mitigation options outlined in CNV.1 (ix) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

74. Existing ambient vibration levels shall be measured at critical locations nominated by the NZTA, and submitted to the Major Infrastructure Projects Team Manager, Auckland Council for approval prior to the commencement of works. These baseline measurements will establish pre-project vibration levels for comparison with future vibration levels.


Development to be in accordance with the following conditions –

1. The work shall be undertaken in accordance with the Notice of Requirement dated 27 January 2000 and supporting documents.

2. That the area between Westhaven Drive and motorway be landscaped in accordance with Landscape Plans 3, 4 and 5 (Reference Job: 1/261107, Code - 7104, Sheet No's 17, 18, 19)

3. Any tree protected under Rule 5C.7.3.3 of the District Plan shall not be removed, altered, relocated or destroyed without resource consent approval.

4. All transplanted trees shall be transplanted in accordance with accepted arboricultural practice.

5. That a 2.0 metre high fence be erected between Westhaven Drive and the motorway. The length of the fence shall be no greater than the existing fenceline.

6. Transit New Zealand is responsible for the maintenance of the fence including the removal of graffiti.

7. Construction of the priority lane shall adhere with construction noise standards NZS6803P:1984 “The
8. That the operation of the additional motorway lane adjacent to Shelly Beach off-ramp be restricted to buses in the morning peak only, but be available for use by general traffic after the morning peak period.

9. Unless lapsed prior to 15 June 2010, the expiry date of this designation was extended to 1 November 2015, by S78 of the Local Government (Auckland Transitional Provisions) Act 2010.

Development to be in accordance with the following conditions:

1. GENERAL

1.1 Except as modified by the conditions below and subject to final design, the works shall be undertaken in general accordance with the information provided at the hearing by the Requiring Authority, being Transit New Zealand, the Notice of Requirement and supporting documents, as follows:

a) ‘Newmarket Viaduct Improvement Project (Viaduct Section) - Overview, Notice of Requirement, Assessment of Environmental Effects and Attachments - Volume 1’, prepared for Transit New Zealand Limited by Beca Infrastructure Ltd, dated November 2005;

b) ‘Newmarket Viaduct Improvement Project (Viaduct Section) - Specialist Technical Reports - Volume 2’, prepared for Transit New Zealand Limited by Beca Infrastructure Ltd, dated November 2005;

c) ‘Newmarket Viaduct Improvement Project (Viaduct Section) - A3 Plans - Volume 3’, prepared for Transit New Zealand Limited by Beca Infrastructure Ltd, dated November 2005;

d) Further information and updated plans provided with the section 92 response (dated 13 January 2006) and post notification material (dated 7 June 2006) including:

i) Drawings C110 - C113 (Revision B)

ii) Drawings C102 - C106 (Revision B)

iii) Schedule of Affected Properties (Revision B)

iv) Drawing S211 (Revision B)

v) Revised Urban Design/Visual Assessment (Brewer Davidson, May 2006)

1.2 As soon as practicable, and within 12 months following completion of construction of the Project, the Requiring Authority shall give notice to Auckland City Council in accordance with Section 182 of the RMA for removal of those parts of the designation which are not required for the long term operation, maintenance and mitigation of effects of the State highway.

Note that Condition 1.2 is specific to land no longer required for construction purposes once the Project is completed.

1.3 A stakeholder manager shall be appointed by the Requiring Authority for the duration of the Project to be the main and readily accessible point of contact for persons affected by the designation and construction work. The stakeholder manager's name and contact details shall be advised to affected parties by the Requiring Authority. This person must be reasonably available for on-going consultation on all matters of concern to affected persons, including being available at all times during active construction.

1.4 Where requested by the owners, the Requiring Authority shall physically peg out the extent of the alignment on individually affected properties once the designation has been confirmed or all appeals have been determined, whichever is later.

1.5 The period within which this designation shall lapse if not given effect to shall be 5 years from the date on which it is confirmed in accordance with Section 184(1) of the Resource Management Act 1991.

1.6 The works the subject to this designation, including demolition and construction, shall be completed as one continuous project, within 5 years of commencement of the works, with the exception of any enabling works (including enabling works above or nearby the rail corridor required to be undertaken in sequence with any work undertaken by Ontrack).

1.7 The boundary of the designation shall not encroach into the Mt Hobson Road Carriageway.

1.8 The Requiring Authority shall pay the Council a compliance monitoring charge of $10,000.00 (inclusive of GST) plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance. This charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files and all work to ensure compliance with the conditions on the designation.
This monitoring charge shall be paid one month prior to commencement of construction.

2. PROJECT MANAGEMENT PLANS (PMP) AND OUTLINE PLANS

2.1 The Requiring Authority shall prepare a PMP which shall include mitigation/management plans as referred to in conditions 3, 4, 7, 8 and 9 below.

2.2 No works shall be undertaken in any particular location(s) until:
   a) The PMP, or such part(s) of the PMP as are relevant to the location(s), are submitted to and approved by the Auckland City Council; and
   b) Any outline plan(s) required by section 176A of the Resource Management Act 1991 (RMA) in relation to the works in the location(s), are submitted to Auckland City Council.

2.3 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and Auckland City Council agrees that the PMP or relevant part(s) of the PMP contains adequate details to satisfy section 176 RMA, then the Auckland City Council may waive the requirement for an outline plan in respect of the works in the particular location(s), as provided for in section 176(2)(c) RMA.

2.4 The works shall be undertaken in accordance with the submitted and approved PMP and outline plan of works (where required), unless otherwise altered with the approval of the Auckland City Council (under condition 2.5 below).

2.5 The Requiring Authority shall require its contractor implementing the works to prepare a Contractor's Project Management Plan (CPMP) which shall include mitigation/management plans specified in conditions 3, 4, 7, 8 and 9 (referred to in condition 2.1 above). Where the CPMP is inconsistent with the PMP in relation to these mitigation/management plans, the Requiring Authority shall seek the approval from the Auckland City Council to the changes.

3. ENVIRONMENTAL

3.1 The PMP shall include an Environmental Management Plan (EMP) to be provided to Auckland City Council prior to commencement of works. The purpose of the EMP is to manage and mitigate, where practicable, identified adverse environmental effects.

3.2 The EMP shall also address the implementation of suitable arrangements for stormwater treatment and detention in accordance with Auckland Regional Council (ARC) guidelines and/or consent requirements.

4. CONSTRUCTION

4.1 The PMP shall include a Construction Management Plan (CMP) to be provided to Auckland City Council prior to commencement of works. The CMP shall be prepared in consultation with directly affected parties and parties affected by proximity as defined on the Newmarket Viaduct Consultation Map (June 2006).

4.2 The CMP shall include specific details relating to the demolition, construction and management of all works associated with the Project, including:
General
a) Details of the stakeholder manager, including their contact details (phone, facsimile, postal address, email address);
b) The location of large notice boards that clearly identify the name, telephone number and address for service of the site or project manager;
c) An outline construction programme of the works indicating in particular likely time periods for road closures and anticipated traffic diversion effects.
d) Any means to ensure that no damage occurs to street trees that are otherwise unaffected by the Project throughout the construction period;
e) Any means of protection of services such as pipes and water mains within the road reserve;
f) Measures to be adopted to maintain the land in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
g) Location of workers offices and conveniences (e.g. portaloos);
h) Procedures for controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. A Dust Management Plan shall be submitted to Council. It shall specify methods to be used to control dust from earthworks and demolition. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
i) Procedures for ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of construction activities and are informed about the expected duration of the works;
j) Means of ensuring the safety of the general public;

Noise
k) The CMP shall include a Construction Noise Management Plan (CNMP) describing the measures adopted to as far as practicable meet the requirements of the NZS6803:1999 Acoustics - Construction Noise. The CNMP shall refer to noise management measures set out in Annex E of NZS6803:1999, and as a minimum shall address the following:
• Construction sequence;
• Machinery and equipment to be used, including the use of non percussive machinery where practicable;
• Hours of operation, including times and days when noisy construction work would occur;
• The design of noise mitigation measures such as temporary barriers or enclosures;
• Construction noise limits for specific areas;
• Development of alternative strategies where full compliance with NZS6803:1999 cannot be achieved, including consultation with residents and other occupiers to achieve acceptable outcomes;
• Methods for monitoring and reporting on construction noise.

Traffic
l) Methods of mitigating the local and network wide effects of both construction of individual elements of the Project, and the use of staging to allow sections of the Project to be opened to traffic while other sections are still under construction. In particular, the CMP shall describe:
• Traffic management measures to address and maintain, where practicable, traffic capacities at peak hours in Broadway, Gillies Avenue and St Marks Road, and any road closures that will be required;
• Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks);
• The numbers, frequencies and timing of construction traffic movements;
• Contingencies for traffic diversion in the case of extended road closures, emergency works or structure failure.

m) Methods to manage the effects of traffic that is required to detour or be diverted during construction, in particular seeking to minimise effects on residential areas such as Orakei Road and Market Road at night.

n) Contingencies for traffic diversion in the case of extended road closures, emergency works or structure failure.

o) Consultation with Auckland City Council, the Auckland Regional Transport Authority and the Bus and Coach Association with regard to the traffic management measures during construction to address and maintain, where practicable, traffic capacity at peak hours to
provide for passenger transport services on both the roading and rail networks.

p) Consultation with Auckland City Council with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation.

q) Identification of any existing on-site parking and manoeuvring areas which are affected by the works. Then, as far as practicable, and in consultation with Auckland City Council and the affected landowner, how the affected areas will be relocated or reinstated to achieve compliance with the District Plan or to a similar standard to that existing.

r) Where necessary, provision of alternative access arrangements as far as practicable, and in consultation with Auckland City Council and the affected landowner, where the existing property access is to be removed or becomes unsafe as a result of the works.

s) Details on the maintenance of pedestrian access and thoroughfare shall be maintained on all roads and footpaths adjacent to the construction works where practicable. Such access shall be safe and clearly identifiable. Pedestrian access across the Dilworth Avenue footbridge shall be maintained at all times, except where it is required to be temporarily closed for construction purposes.

t) Consistency with the Transit New Zealand 'Code of Practice for Temporary Traffic Management' (COPTTM).

Vibration

u) The CMP shall as far as practicable meet the vibration standards of the German Standard DIN 4150, and shall address the following aspects:

- Vibration monitoring measures.
- Criteria
- Possible mitigation measures
- Complaint response
- Reporting procedures
- Notification and information for the community of the proposed works.
- Vibration testing of equipment to confirm that the vibration limits will not be exceeded.
- Location for vibration monitoring when construction activities are adjacent to critical buildings.

- Operational times.
- Preparation of dilapidation reports on critical dwellings prior to, during and after completion of works.

4.3 The CMP shall be implemented and maintained throughout the entire demolition and construction periods.

4.4 Any commercial earthmoving equipment or similar shall be stored or parked within the boundaries of this designation at all times and not on surrounding streets.

4.5 All storage of materials and equipment associated with the construction works shall take place within the boundaries of this designation.

4.6 Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and the roads during the site preparation and construction phase of development. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall be repaired to the same or similar standard as existed prior to such damage at no cost to Auckland City Council.

4.7 Pedestrian access and thoroughfare shall be maintained on all roads and footpaths adjacent to the construction works where practicable. Such access shall be safe and clearly identifiable.

4.8 All local temporary road closures shall be subject to prior approval of the Council.

4.9 The CMP shall, where practicable, provide priority for buses at peak hours along Broadway.

Blasting

4.10 If any blasting is required during construction, it shall be so controlled as to ensure that any ground vibration as a result of any blasting will not adversely affect the structural stability of any building or structure including electrical equipment (that is not connected with the site covered by this designation) or cause any reduction in its utility value. Peak particle velocities measured on any foundation or uppermost full storey of any building not related to the site, which do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 'Structural Vibration in Buildings - Effect on Structures', will be deemed to meet these requirements. Peak particle velocity means the maximum particle velocity in any of the three mutually perpendicular direction. The units are millimetre per second (mm/s).

4.11 The noise created by the use of explosives for blasting shall not exceed a peak overall sound
pressure of 128dB (i.e. peak over pressure of 0.05kPa) or alternatively the noise shall not exceed a peak sound level of 122dB. The measurement shall be made in either case at 1m from the most exposed window or door of any occupied building (that is not subject to this designation).

5. ARCHAELOGICAL AND HERITAGE

5.1 An archaeologist or some other person approved by the New Zealand Historic Places Trust shall be present to monitor initial earthworks for the Project, including works that affect the stonewall under the present viaduct at Gillies Ave (the edge of the lava flow).

5.2 Detailed protocols for the management of archaeological and waahi tapu discoveries shall be developed in conjunction with tangata whenua prior to construction.

5.3 If any archaeological sites, including human remains are exposed during site works then the following procedures shall apply:

a) Immediately after it becomes apparent that an archaeological or traditional site has been exposed, all site works in the immediate vicinity shall cease;

b) The Requiring Authority shall immediately secure the area so that any artefacts or remains are untouched;

c) The Requiring Authority shall notify tangata whenua, the New Zealand Historic Places Trust, Auckland City Council within 24 hours that an archaeological site has been exposed so that appropriate action can be taken. Works shall not commence in the immediate vicinity of the archaeological site until any approval required from the NZ Historic Places Trust is obtained.

6. PROTECTED TREES

6.1 This condition applies to trees within the designation area that would be subject to Tree Protection rules under the provisions of the underlying zoning of the District Plan ("Protected Trees").

6.2 Removal, trimming/pruning or works within the drip line of Protected Trees, shall be limited to those trees identified in the Landscape Report November 2005 and includes trees located on road reserve greater than 6 metres in height and trees subject to general tree protection greater than 6 metres in height.

6.3 A suitably experienced, Council approved arborist ('nominated arborist') shall be employed by the Requiring Authority, at the Requiring Authority's expense, to monitor, supervise and direct all works within the drip line or in the vicinity of those protected trees to be retained, for the duration of the works.

6.4 Prior to any site works commencing, a pre-commencement site meeting shall be held so that the conditions of the designation that pertain to the retained vegetation can be explained by the nominated arborist to all contractors or sub-contractors who will be working on site within the drip-line of, or adjacent to, any protected vegetation that is covered by the designation.

6.5 A copy of the conditions of the designation pertaining to the protected trees shall be held on site at all times.

6.6 The following measures shall be taken in respect of the remaining Protected Trees within the designation area:

a) Temporary protective fencing shall be erected around the Protected Trees to be retained prior to the commencement of construction activity and shall remain in place for the duration of the Project. The purpose of the temporary protective fencing is to provide an area around the retained trees that will facilitate their successful retention during the construction process. The parameters of the enclosure shall be as directed by the Requiring Authority's arborist.

b) Except as provided for in Conditions 6.7 and 6.8, the area within the temporary protective fencing shall be considered a total exclusion zone. The Requiring Authority and its agents shall not:

• Enter into the delineated area without prior consultation and agreement from the nominated arborist.

• Alter the dimensions of the delineated area without prior consultation and agreement from the nominated arborist.

• Store diesel, cement, building materials, site huts, spoil, equipment, or machinery within the delineated area.

• Spill substances likely to be injurious to tree health within seepage distance of the delineated area.

c) The temporary protective fencing shall be constructed from a solid face (i.e. plywood or corrugated iron) attached to a sturdy
framework of freestanding scaffolding or posts. It must be constructed to a minimum height of 1.8m and must remain in place for the duration of the Project.

6.7 The nominated arborist shall undertake all necessary trimming and pruning works, including the pruning of tree roots uncovered during excavations. Exposed roots shall be covered and kept moist.

6.8 The nominated arborist shall undertake a tree-monitoring programme throughout the construction phase, including monitoring of:
   a) The condition repair and location of the temporary protective fencing;
   b) Any excavation within the drip line of protected trees;
   c) General tree health; and
   d) Compliance with the conditions of the designation by way of fortnightly inspections during the construction period. A copy of the monitoring results from each visit shall be sent to the Auckland City Environments’ arborist, with one copy being retained on site by the Project Manager, while a further copy is to be retained by the nominated arborist.

6.9 During the construction process the nominated arborist may make recommendations on the installation of irrigation systems, mulch, or remedial pruning works, if they are required to improve tree health.

7. LANDSCAPING MITIGATION

7.1 The PMP shall include a Landscape Mitigation Plan (LMP) to be provided to Auckland City Council prior to or with the outline plan of works for the project or project stage. The LMP shall be prepared by a suitably qualified landscape architect, and shall address the following matters:
   a) Transit New Zealand's "Guidelines for Highway Landscaping" (dated September 2002);
   b) Consistency with Transit New Zealand's "Central Motorway Improvements: Urban Design Framework" (dated 6 September 2001); and
   c) Consistency with Transit New Zealand's "Urban Design Implementation Principles (2006)".

7.2 The Landscape Mitigation Plan (LMP) for the Project area shall provide for:
   a) The integration of the permanent works into the surrounding landscape;
   b) Mitigation of effects on properties in the vicinity of the alignment;
   c) Integration, and continuation of significant elements of consistency with recently established planting themes in the CMJ Core area, established desirable coastal vegetation, and the vegetative character of Newmarket;
   d) Retention or relocation of existing trees where practicable; and
   e) Replacement planting or mitigation for loss of protected or scheduled trees.

7.3 The Landscape Mitigation Plan (LMP) shall include the following:
   a) Concept Plan/Report - this shall depict the overall landscape concept, and provide a framework for the design intent, layout and mitigation proposals.
   b) Landscape Design Details - these shall include the following details:
      • Identification of vegetation to be retained
      • Proposed planting including - plant species, mixes, spacing/densities, sizes (at time of planting) and layout;
      • Planting programme - the staging of planting in relation to the construction programme
      • Detailed specifications relating to (but not limited to) the following:
         • Vegetation protection (for desirable vegetation to be retained)
         • Weed control and clearance
         • Ground preparation (topsoiling and decompaction to ensure rapid plant establishment and ongoing vigour)
         • Mulching
         • Plant supply and planting
         • Maintenance regime (requirements and programme)
         • Performance standards
      • The restorative landscape treatment for the areas within the designation surrounding all road reserves affected by the Project, including Gillies Ave, St Marks Road, Maurau Ave, Mahuru Street and Clovernook Street
• Landscape treatment for both sides of the Mt Hobson noise wall
• Consideration of views to volcanic cones; and
• Consideration of:
  • The landscape character of the area;
  • The relationship of the works to the pedestrian environment;
  • Integrated planting, as appropriate, to promote a "gateway" concept at St Marks Rd and Gillies Ave and to include treatment of the on-off ramp edges and under-bridge areas;
• Designs that will strengthen Newmarket's "sense of place".

7.4 In areas where shrub mixes are used, densities shall ensure that low canopy coverage has been attained by the end of the contract maintenance period.

7.5 Prior to planting and throughout the ensuing maintenance period, all weed species declared as plant pests in the Auckland region by the ARC (including Total Control/Containment Pests/ Surveillance Pests & Research Organisms) shall be controlled and removed from the site.

7.6 Where native plants are used, the composition shall reflect the natural plant associations of the area, and the mixes (where relevant) shall be of suitable richness and diversity to encourage self-sustainability once established.

7.7 Where practicable, any planting utilising native plants shall use plants genetically sourced from the Ecological District.

7.8 Planting areas shall be mulched using suitable weed-free, granular organic mulch. The only exceptions to this shall be where the slopes are too steep to allow for its retention. In such cases a neutral or black coloured biodegradable or photodegradable geotextile shall be used.

7.9 Landscape mitigation proposals outside the designation boundary shall be agreed with the appropriate landowner and subsequently implemented.

7.10 The LMP shall be prepared in consultation with Auckland City Council and iwi.

7.11 The landscaping shall be implemented in accordance with the LMP within the first planting season following the completion of the construction works providing climatic conditions are suitable, otherwise at the first practicable opportunity thereafter, and shall be maintained for the next 3 years thereafter. Should the landscaping be implemented in stages (depending on construction phases), landscaping may be implemented after the first planting season of each stage.

7.12 When planning or implementing changes to signage on the Newmarket Viaduct, the Requiring Authority shall, where safe and practicable, avoid locating additional signage where it will encroach on the viewshaft to Mt Hobson, as described in the Auckland City District Plan: Isthmus Section.

8. URBAN DESIGN

8.1 The PMP shall include an Urban Design Plan (UDP) to be provided to Auckland City Council prior to or with the outline plan of works for the project or project stage. The UDP shall be prepared by a suitably qualified person (including an artist where appropriate), and shall address the following matters:

a) Transit New Zealand's "Central Motorway Improvements: Urban Design Framework" (dated 6 September 2001); and
b) Transit New Zealand's "Urban Design Implementation Principles (2006)".

8.2 The UDP and urban design measures shall include:

a) Concept Plan/Report - this shall depict the overall urban design concept and provide a framework for the design intent, layout and urban design measures, which shall:
  • Be determined in consultation with Auckland City Council and iwi (by way of a joint working party);
  • Consider further comments from the Auckland City Urban Design Panel;
  • Not preclude access to any future pedestrian linkage identified by Auckland City Council (including Gillies Ave/Clovernook Place).

b) Urban design details and appropriate design measures in respect of:
  • Treatment of noise attenuation barriers;
  • Road safety barriers;
  • Retaining walls;
  • Pedestrian areas or facilities;
  • Methods to visually screen sections under the Newmarket Viaduct (where considered appropriate), such as beneath the Gillies Ave bridge section;
8.3 The Requiring Authority shall commission a peer review of barrier options for the Newmarket Viaduct. The peer reviewer shall be selected by agreement with Auckland City Council.

a) The purpose of the review of barrier options shall be to ascertain whether there are any alternative barrier options to that proposed by Transit in the NOR documentation, that would better maintain the protected views from the Viaduct to the Waitemata Harbour or Rangitoto as identified in the operative District Plan (as at July 2006). The alternative barrier options shall meet each of the following criteria:

- The barrier is approved by the Requiring Authority as meeting its operational and safety requirements (including its debris and noise screen functions); and
- The barrier is of a height or design that could maintain protected views from the Viaduct to the Waitemata Harbour or Rangitoto as identified in the operative District Plan (as at 7 July 2006); and
- The barrier provides the same or better acoustic performance required under condition 9.2(a).

b) The peer review report shall include details of each barrier option (if more than one), including a view protection assessment, the cost, maintenance requirements and the extent to which each option meets Transit’s required operational and functional requirements (including its debris and noise screening functions). The report shall be provided to Auckland City Council and the Auckland Regional Council.

c) The view protection assessment shall use photomontages or computer modelling techniques, to demonstrate the impact of each option on protected views. The view protection assessment shall show a representative range of views along the viewshaft’s origin from the level of a typical motorcar.

d) Following the completion of the peer review, where significant additional protection to the views from the Viaduct to the Waitemata Harbour or Rangitoto can be practically achieved, the Requiring Authority will determine the final barrier design in consultation with Auckland City Council and the Auckland Regional Council.

8.4 The above ground Viaduct pier elements shall not be located in the pier restriction zone shown on Transit plan 9101314-S211, titled "Pier Restriction Zones", Revision B dated 13 January 2006 and submitted with the section 92 response. Piers located within the local road reserve will be minimized and will require the prior written approval of the Auckland City Council. The Council will assess the position and design of the pier in terms of its impact on amenity, public safety and pedestrian and traffic movement, and Council approval shall not be unreasonably withheld.

9. OPERATIONAL NOISE

9.1 The PMP shall include a Noise Management Plan (NMP) to be provided to Auckland City Council prior to commencement of works. The NMP shall be prepared by a suitably qualified acoustic expert for the purposes of avoiding, mitigating or remedying any adverse noise effects from the operation of the project following its construction.

9.2 The NMP shall include:

a) General measures (e.g. noise attenuation barriers), to achieve at a minimum, compliance with the Transit New Zealand ‘Guidelines for the Management of Road Traffic Noise - State Highway Improvements’ (December 1999), these shall include (but are not limited to) the following mitigation measures:

- A noise barrier, no less than 2 metres high from the level of the carriageway, between Mt Hobson Road and the motorway (extending from approximately 28 Dilworth Avenue to 34 Mt Hobson Road) in accordance with the Newmarket Viaduct Improvement Project - Assessment of Noise Effects for Viaduct Section Report (Marshall Day) dated 15 November 2005;

b) The use of Open Graded Porous Asphalt "OGPA" or equivalent material to surface the new viaduct;
• The use of solid barriers and a median on the new viaduct.

b) Specific measures for existing dwellings, where these are necessary in addition to the general measures under (a) above to achieve at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999).

9.3 The NMP shall identify the existing dwellings for which specific measures are required in accordance with condition 9.2(b) above. Those dwellings shall be referred to as 'affected dwelling(s)'.

9.4 Not less than three months prior to the completion of construction of the Project, the Requiring Authority shall give written notice to the owner of each affected dwelling:

a) Advising the options available for mitigation treatment to the affected dwelling and the predicted benefits of implementation of such options in term of noise levels; and

b) Advising that the owner has six months within which to decide whether or not to accept mitigation treatment to the dwelling.

c) Once an agreement on mitigation is reached between the Requiring Authority and the owner, the mitigation shall be implemented in an accepted timeframe between the Requiring Authority and the owner.

9.5 The Requiring Authority shall advise the Auckland City Council of:

a) All written notices served in accordance with condition 9.4;

b) Any responses received to those written notices;

c) Those affected dwellings in respect of which no response has been received.

9.6 Where specific measures are required for an affected dwelling, the Requiring Authority shall be deemed to have complied with condition 9.1 above where:

a) The Requiring Authority has completed noise mitigation treatment to an affected dwelling; or

b) The owner of the affected dwelling has refused to accept the Requiring Authority's offer to implement noise mitigation treatment to the dwelling prior to the expiry of six months after the practical completion of the Project; or

c) The owner of the affected dwelling cannot after reasonable enquiry be found prior to the expiry of six months after the completion of the State highway construction.

9.7 Subject to condition 9.6, all noise mitigation measures identified by the NMP shall be implemented prior to the completion of construction of the Project.

9.8 As required by the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999) measurements of noise levels existing prior to construction shall be used to establish ambient noise levels. The results of 24 hour ambient noise measurements at no less than a total of six (6) positions within 50 m of the northbound and southbound lanes, together with site maps and photographs detailing measurement positions and key data on measurement conditions shall be forward to the Council prior to the commencement of construction.

9.9 Compliance Monitoring: Following completion of the work, the requiring authority shall arrange for an appropriately qualified person to undertake monitoring of the level of traffic noise at the above six (6) sites for which ambient noise level data has been previously recorded, within a period between of between 2 and 3 years following completion of construction of the Work and shall report the findings of monitoring to the Council, within one month of the monitoring being undertaken.

10. OPERATIONAL VIBRATION

10.1 Vibration levels of the existing State Highway 1 operations shall be measured at critical locations, and submitted to the Council, prior to the commencement of works. These baseline measurements will provide levels for current use and for comparison with future levels.

11. LIGHTING

11.1 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas.

12. PARKING

12.1 Prior to commencing works pursuant to the designation, the Requiring Authority shall ensure that it has provided approved alternative parking for staff of Westfield, which is currently provided at 10 Mahuru Street, pursuant to Westfield's existing consent LUC no. 5700210401.
13. LAPSE DATE

Unless lapsed prior to 15 June 2010, the expiry date of this designation was extended to 1 November 2015, by S78 of the Local Government (Auckland Transitional Provisions) Act 2010.

ADVICE NOTES:

a) The Requiring Authority shall obtain all other necessary consents and permits and comply with all relevant Council bylaws.

b) The Requiring Authority shall obtain all other necessary resource consents and permits in relation to sediment and stormwater discharges from the Auckland Regional Council.

c) Under the Historic Places Act an Authority to Modify an Archaeological Site is required from the NZ Historic Places Trust before any work takes place on an archaeological site.

d) Some of the land is subject to existing designations. The provisions of Section 177 of the Resource Management Act 1991 apply accordingly.

e) A separate Transit designation, being D09-32, affects land adjoining the Viaduct. That designation imposes a 12.2 metre height restriction on land within 76.2 metres of the centreline of the existing Newmarket Viaduct. The Requiring Authority advises that it will review the ongoing need for and/or extent of designation D09-32 as part of detailed design for the Newmarket Viaduct Project and, once a decision is made, an alteration to designation D09-32 may be sought pursuant to the relevant RMA provisions. In the interim, the height designation D09-32 will remain in its existing position and will not automatically move to align with the new Viaduct alignment.

A07-01C MOTORWAY: VIC PARK TUNNEL PROJECT

GENERAL

1. General Conditions

1.1 Except as modified by the conditions below and subject to final design, the project works shall be undertaken in general accordance with the information provided at the hearing by the Requiring Authority (Transit New Zealand), the Notices of Requirement and the supporting documents, namely:

a) 'Harbour Bridge To City Project - Overview, Notices of Requirement and Attachments - Volume 1', prepared for Transit New Zealand by Beca Infrastructure Ltd, dated October 2005;

b) 'Harbour Bridge To City Project - Assessment of Environmental Effects - Volume 2', prepared for Transit New Zealand by Beca Infrastructure Ltd, dated October 2005;

c) 'Harbour Bridge To City Project - Technical Appendices - Volume 3', prepared for Transit New Zealand by Beca Infrastructure Ltd [et al.] dated October 2005;

d) 'Harbour Bridge To City Project -A3 Plans - Volume 4', prepared for Transit New Zealand by Beca Infrastructure Ltd, dated October 2005;

e) Further information provided with the response provided under Section 92 Resource Management Act 1991 (dated 2 February 2006).

Note: The Harbour Bridge to City project has been renamed the "Vic Park Tunnel Project" (the Project).

1.2 As soon as practicable following completion of construction of the Vic Park Tunnel (VPT) Project, the Requiring Authority shall give notice to the Auckland City Council in accordance with Section 182 of the Resource Management Act ("RMA") for removal of those parts of the existing designations (those in existence prior to the lodgement of the new designation subject to condition 1.1 above) between the Auckland Harbour Bridge and Wellington Street overbridge, being:

1. A07-01 'Motorway' and A07-01A 'Motorway': Shelly Beach Priority Lane in the Auckland City District Plan: Isthmus; and

2. 283 'Motorway' in the Auckland City District Plan: Central Area.

1.3 As soon as practicable following completion of construction of the Project, the Requiring Authority shall give notice to Auckland City Council in accordance with Section 182 of the RMA for removal of those parts of the designation which are not required for the long term operation, maintenance and mitigation of effects of the State highway. (Note: This condition is specific to land no longer required for construction purposes once the Project is completed.)

1.4 A liaison person shall be appointed by the Requiring Authority for the duration of the Project to be the main and readily accessible point of contact for persons affected by the designation and construction work. The liaison person's name and contact details shall be advised to affected parties
by the Requiring Authority. This person must be reasonably available for on-going consultation on all matters of concern to affected persons.

1.5 Where requested by the owners, the Requiring Authority shall physically peg out the extent of the designation boundary on individually affected properties once the designation has been confirmed or all appeals have been determined, whichever is later.

1.6 The period within which this designation shall lapse if not given effect to shall be 10 years from the date on which it is confirmed in accordance with Section 184(1) of the Resource Management Act 1991.

2. Project Management Plan ("PMP") and Outline Plans

2.1 The Requiring Authority shall prepare a PMP, which shall include mitigation/management plans as referred to in conditions dealing with specific issues below. A schedule of how the subsidiary plans that are required by these conditions relate back to the PMP follows these conditions as Annexure A.

2.2 No works shall be undertaken in any particular location(s) until:

1. The PMP, or such part(s) of the PMP as are relevant to the location(s) are submitted to and approved by the Auckland City Council (Group Manager: City Planning); and

2. Any outline plan(s) required by section 176A of the Resource Management Act 1991 (RMA) in relation to the works in the location(s), have been submitted to the Auckland City Council.

2.3 Where an outline plan or plans are required by section 176A of the RMA for works in any particular location(s) and the Auckland City Council agrees that the PMP or relevant part(s) of the PMP contains adequate details to satisfy section 176 of the RMA, then the PMP or relevant part(s) of the PMP shall be deemed to be a waiver of the requirement for an outline plan in respect of the works in the particular location(s), as provided for in section 176(2)(c) RMA.

2.4 The works shall be undertaken in accordance with the approved PMP and outline plan of works (where required).

3. Other Plans

3.1 The PMP shall include an Environmental Management Plan (EMP) to be provided to the Auckland City Council prior to the commencement of works. The purpose of the Environmental Management Plan is to avoid, remedy or mitigate all adverse environmental effects associated with the construction and operation of the Project. The EMP is to include a Construction Environmental Management Plan (CEMP) and Environmental Monitoring Guidelines (EMG).

3.2 The PMP shall include a Construction Management Plan (CMP) to be provided to Auckland City Council (Group Manager: City Planning) prior to commencement of works. The purpose of the CMP is to avoid, remedy or mitigate any effects of construction, through methods identified in the CMP, including the preparation of management plans. The CMP shall be prepared in consultation with the directly affected parties and parties affected by proximity (including other neighbouring submitters) as shown in Appendix 1 to the decision (refer to Plan Modification 32).

3.3 The CMP shall include specific details relating to the demolition, construction and management of all works associated with the Project, including the details indicated below:

1. Details of the site or project manager, including their contact details (phone, facsimile (if any), postal address, email address);

2. The location of large notice boards that clearly identify the name, telephone number and address for service of the site or project manager;

3. An outline construction programme of the works indicating in particular likely time periods for partial or complete road closures and anticipated traffic diversion effects;

4. Any means to ensure that no damage occurs to street trees throughout the construction period;

5. Any means of protection of services such as pipes and watermains within the road reserve;

6. Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;

7. Location of workers' offices and conveniences (e.g. portaloos);

8. Procedures for controlling sediment runoff, dust and the removal of soil, debris and demolition and construction materials from public roads or places, including wheel wash for construction vehicles. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
9. Procedures for ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of construction activities and are informed about the expected duration of the works;

10. Procedures for ensuring that blasting events, if any, occur at times least likely to disturb all people in the immediate vicinity of the construction areas, and for reasonable notice or warning of any blasting events to be given;

11. Procedures to be followed to ensure that those working in the vicinity of identified heritage features are aware of the heritage values of these features and the steps which need to be taken to meet the conditions applying to work on the site;

12. Procedures to be followed to ensure that iwi representatives are notified of the proposed commencement of works and of the discovery of any kōwai or other artefacts;

13. Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Historic Places Act;

14. Means of ensuring the safety of the general public;

15. Methods for receiving and responding to complaints about construction dust and odour from the works;

16. Protocols for offering mitigation such as temporary relocation of households where noise and other impacts cannot be managed to comply with relevant standards.

NOISE AND VIBRATION

4. Operational Noise

4.1 A Noise Management Plan (NMP) shall be prepared by a suitably qualified acoustics expert for the purposes of avoiding, mitigating or remediying any adverse noise effects from the operation of the Project following its construction. The NMP shall be provided to the Auckland City Council (Group Manager: City Planning) prior to the commencement of works.

4.2 The NMP shall include:

1. General measures to achieve, at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999), including (but not limited to) the following mitigation measures:
   i. the construction of noise walls (to a maximum of 5 metres in height in the St Mary's Bay area);
   ii. the use of Open Graded Porous Asphalt "OGPA" or equivalent material to surface the carriageway;

2. Specific measures for existing dwellings, where these are necessary in addition to the general measures under (a) above to achieve at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999).

4.3 The NMP shall identify the existing dwellings for which specific measures are required in accordance with condition 4.2.2) above. These dwellings are referred to as the 'affected dwelling(s)'.

4.4 Not less than three months prior to the completion of construction of the Project, the Requiring Authority shall give written notice to the owner of each affected dwelling:

1. Advising the options available for mitigation treatment to the affected dwelling and the predicted benefits of implementation of such options in term of noise levels; and

2. Advising that the owner has six months within which to decide whether or not to accept mitigation treatment to the dwelling.

3. Once an agreement on mitigation is reached between the Requiring Authority and the owner, the mitigation shall be implemented in an accepted timeframe between the Requiring Authority and the owner.

4.5 The Requiring Authority shall advise the Auckland City Council (Group Manager: City Planning) of:

1. All written notices served in accordance with condition 4.4;

2. Any responses received to those written notices;

3. Those affected dwellings in respect of which no response has been received.

4.6 Where specific measures are required for an affected dwelling, the Requiring Authority shall be deemed to have complied with condition 4.1 where:

1. The Requiring Authority has completed noise mitigation treatment to an affected dwelling; or

2. The owner of the affected dwelling has refused to accept the Requiring Authority's offer to implement noise mitigation treatment to the
dwelling prior to the expiry of six months after the practical completion of the Project; or

3. The owner of the affected dwelling cannot after reasonable enquiry be found prior to the expiry of six months after the completion of construction of the Project.

4. Subject to condition 4.6, all noise mitigation measures identified by the NMP shall be implemented prior to the completion of construction of the Project.

4.7 As required by the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999), measurements of noise levels existing prior to construction shall be used to establish ambient noise levels. Measurements shall be undertaken by a suitably qualified person and the results of 24 hour ambient noise measurements at a total of six (6) positions within 100 metres of the designation boundary, together with site maps and photographs detailing the measurement positions and key data on measurement conditions shall be forwarded to the Auckland City Council (Group Manager: City Planning) prior to the commencement of construction.

4.8 Following completion of the Project, the Requiring Authority shall arrange for an appropriately qualified person to undertake monitoring of the level of traffic noise at the above six (6) sites for which ambient noise level data has been previously recorded, within a period between 2 and 3 years following completion of construction of the Project and shall report the findings of monitoring to the Auckland City Council (Group Manager: City Planning), within one month of the monitoring being undertaken.

5. Operational Vibration

5.1 Vibration levels of the existing State Highway 1 operations shall be measured at critical locations nominated by Transit New Zealand, and submitted to the Auckland City Council (Group Manager: City Planning), prior to the commencement of works. These baseline measurements will provide levels for current use and for comparison with future levels.

6. Construction Noise and Vibration

6.1 The Construction Management Plan shall be implemented and maintained throughout the entire demolition and construction periods of the Project and shall include the following:

**Noise**

1. The CMP shall include a Construction Noise and Vibration Management Plan (CNVMP) describing the measures adopted to, as far as practicable, meet the requirements of NZS6803:1999 Acoustics - Construction Noise. The CNVMP shall refer to noise management measures set out in Annexure E of NZS6803:1999, and as a minimum shall address the following:
   
i. Construction sequence;
   
ii. Machinery and equipment to be used, including the use of non-percussive machinery where practicable;
   
iii. Hours of operation, including times and days when noisy construction work would occur;
   
iv. The design of noise mitigation measures such as temporary barriers or enclosures;
   
v. Construction noise limits for specific areas;
   
vi. Development of alternative strategies where full compliance with NZS6803:1999 cannot be achieved, including consultation with residents and other occupiers to achieve acceptable outcomes;
   
   
viii. Methods for receiving and responding to complaints about construction noise.

**Vibration**

2. The CNVMP shall also describe measures adopted to, as far as practicable, meet the vibration criteria of the German Standard DIN 4150, and shall address the following aspects:
   
i. Vibration monitoring measures;
   
ii. Criteria;
   
iii. Possible mitigation measures;
   
iv. Complaint response;
   
v. Reporting procedures;
   
vi. Notification and information for the community of the proposed works;
   
vii. Vibration testing of equipment to confirm that the vibration limits will not be exceeded;
viii. Location for vibration monitoring when construction activities are adjacent to critical buildings;
ix. Operational times;
x. Preparation of dilapidation reports on critical dwellings prior to, during and after completion of works.

7. Blasting

7.1 If any blasting is required during construction, it shall be so controlled as to ensure that any ground vibration as a result of any blasting will not adversely affect the structural stability of any building or structure including electrical equipment (that is not connected with the site covered by this designation) or cause any reduction in its utility value. Peak particle velocities measured on any foundation or uppermost full storey of any building not related to the site, which do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 'Structural Vibration in Buildings - Effect on Structures', will be deemed to meet these requirements. Peak particle velocity means the maximum particle velocity in any of the three mutually perpendicular directions. The units are millimetre per second (mm/s).

7.2 The noise created by the use of explosives for blasting shall not exceed a peak overall sound pressure of 128dB (i.e. peak over pressure of 0.05kPa) or alternatively the noise shall not exceed a peak sound level of 122dBC. The measurement shall be made in either case at 1m from the most exposed window or door of any occupied building (that is not subject to this designation).

CONSTRUCTION TRAFFIC

8. Traffic Management Plan

8.1 The Construction Management Plan shall include a Traffic Management Plan (TMP). In developing the TMP:

1. the Requiring Authority shall use advanced traffic modelling tools to better understand the effects of construction of the Project on the affected road network. These tools will be developed and calibrated in conjunction with the Auckland City Council (Group Manager: City Planning) and have the ability to simulate lane restrictions and road closures;
2. the Requiring Authority shall undertake measures to avoid road closures and also the restriction of vehicle and pedestrian movements to the greatest extent practicable.

In particular, the measures shall ensure that vehicle and pedestrian accesses in the vicinity of the Victoria Street / Franklin Road intersection are maintained to the greatest extent practicable during the construction period, so as to provide full access for vehicle movements from Franklin Road into Victoria Street and at a minimum left turn access from Victoria Street into Franklin Road.

8.2 The TMP shall describe the measures that will be undertaken to achieve, as far as practicable, the following:

i. Traffic management measures to address and maintain, where practicable traffic capacity, including bus services, at traffic peak hours during week days and weekends in Victoria Street, Beaumont Street, Fanshawe Street, Franklin Road, Cook Street, College Hill and Union Street;
ii. Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses (including the restriction of right turn movements into Franklin Road);
iii. Methods to avoid, remedy or mitigate the local and network wide effects of the construction of individual elements of the project (eg intersections/tunnel) and the use of staging to allow sections of the project to be opened to traffic while other sections are still under construction;
iv. Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks);
v. The numbers, frequencies, routes and timing of construction traffic movements; and
vi. Monitoring to measure the impact of traffic, in terms of traffic speeds and volumes on those roads described in 8.2.1(i);
vii. Alternative locations to mitigate the temporary loss of off street parking during construction;
viii. Traffic management measures to ensure, to the greatest extent practicable, that during the peak trading hours of the Victoria Park New World, namely 4.00pm to 7.00pm on weekdays and 11.00am to 4.00pm on weekends:

a. access for vehicle movements from Franklin Road into Victoria Street (and at a minimum left turn access from Victoria Street into Franklin Road) is maintained; and

b. access is maintained to the carpark of the Victoria Park New World.

2. Methods to manage the effects of traffic during construction, including the requirement to detour or divert traffic. These methods shall:

i. Seek to avoid, remedy or mitigate effects on access to and from residential areas in Franklin Road, Beaumont Street and Victoria Street and the effects of traffic noise at night.

ii. Seek to avoid, remedy or mitigate effects on access to and from businesses and other organisations in the area particularly on Franklin Road, Victoria Street and Beaumont Street including the New World supermarket and the Victory Christian Church.

3. Traffic management measures during construction to be developed in consultation with the Auckland Regional Transport Authority (ARTA), Bus and Coach Association and the Auckland City Council to address and maintain, where practicable, traffic capacity at peak hours to provide for passenger transport services on the road network.

4. Consultation with the Auckland City Council (Group Manager: City Planning) with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation.

5. Identification of any existing on-site parking and manoeuvring areas which are affected by the works. Then, as far as practicable, and in consultation with the Auckland City Council (Group Manager: City Planning) and the affected landowners, how the affected areas will be relocated or reinstated to achieve compliance with the Auckland City District Plan: Isthmus Section 1999 or Auckland City District Plan: Central Area Section 2004 or to a similar standard to that existing.

6. Measures to maintain existing vehicle access to the greatest extent practicable or where the existing property access is to be removed or becomes unsafe as a result of the works, to provide alternative access arrangements to an equivalent standard as that removed, as far as practicable, and in consultation with the Auckland City Council (Group Manager: City Planning) and the affected landowner.

7. Details on the maintenance of pedestrian access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, where practicable. Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours. This shall include the areas of high pedestrian traffic of Fanshawe Street, Wellington Street, Franklin Road, Union Street, Cook Street, Victoria Street and Beaumont Street as well as Point Erin, St Mary's Bay and Victoria Park reserve areas.


9. Recognition of the need for the Auckland City Council to access and maintain its roading network during the construction phase of the Project.

10. Recognition of the need to coordinate and to consult directly with the proponents of any major construction occurring concurrently with, and in the vicinity of, the Project during construction.

8.3 During construction of the proposed tunnel, Transit shall ensure that all storage and vehicle parking takes place within the boundaries of the designation or in compliance with all parking restrictions and Council bylaws.

8.4 Any commercial earthmoving equipment or similar shall be stored or parked within the boundaries of the designation at all times and not on surrounding streets.

8.5 All storage of materials and equipment associated with the construction works shall take place within the boundaries of the designation.

8.6 Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and roads during the site preparation and construction phase of the Project. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall
be repaired to the same or similar standard as existed prior to such damage at no cost to the Auckland City Council.

OPERATIONAL TRAFFIC
9. Traffic management measures that are practicable will be developed by Transit in consultation with ARTA and the Northern Busway partners and implemented, if required, to provide northbound bus priority through the Fanshawe Street / Beaumont Street intersection and the St Mary's Bay section of the motorway corridor.

PUBLIC OPEN SPACE AND AMENITY
10. Trees
10.1 The Requiring Authority is to produce a feasibility report, prepared by a qualified arboriculturalist and transplanting specialist, on transplanting the scheduled London Plane Trees in Victoria Park which are affected by the proposed designation and works to a location to be determined in consultation with Auckland City. This feasibility report shall address the likelihood of tree survival, the effects of relocation (temporary or permanent), the timeframes required and their effects on the Project, and the overall benefits/costs. If transplanting one or more of the trees is found to be feasible by the transplanting specialist, and Transit agrees with the estimated cost of transplantation, the transplantation shall be undertaken prior to the commencement of the works in that vicinity. The transplantation shall be accompanied by a maintenance programme approved in advance by the Auckland City Arborist.

10.2 The methodology for relocating any such trees shall be approved by the Auckland City Arborist.

10.3 In the event that it is not feasible to transplant one or more of the scheduled London Plane trees, their removal shall be mitigated by the planting of an appropriate number of London Plane trees in Victoria Park with the intent that the ring of trees that delineates the Park is maintained. The Auckland City Arborist is to determine how many replacement trees will be required in the case of each London Plane tree so removed. The replacement trees shall be planted within the next available planting season. If the planting positions are not available until after the construction period is complete, the trees shall be grown on in a nursery until required. These trees shall be a minimum of 6m high when planted. Each of the trees shall have a two year maintenance programme approved by the Auckland City Arborist.

10.4 The Requiring Authority shall develop a tree mitigation package comprising transplanting or replanting of trees, and planting of new trees.

10.5 The removal of any elm trees is to follow MAF (Biosecurity New Zealand) requirements. All plant and machinery used during any such removal must be cleaned before off-site use.

10.6 Monitoring of the groundwater conditions is to be undertaken around trees in the vicinity of the tunnel excavation during construction. If, in the opinion of the Auckland City Arborist, groundwater levels decline to a level that may adversely affect tree health, appropriate remedial measures shall be undertaken by the Requiring Authority to the satisfaction of the City Arborist.

10.7 Conditions 10.8 to 10.15 apply to trees within the designation area that would be subject to Tree Protection rules under the underlying zoning provisions of the District Plan ("Protected Trees").

10.8 Removal, trimming/pruning or works within the drip line of Protected Trees shall be limited to those trees identified in Appendix 2 of the decision (refer to Plan modification 32). A tree may be added to this Appendix with the approval of the Auckland City Arborist.

10.9 A suitably experienced, Council approved arborist (‘nominated arborist’) shall be employed by the Requiring Authority for the duration of the works, at the Requiring Authority's expense, to monitor, supervise and direct all works within the drip line or in the vicinity of those Protected Trees to be retained.

10.10 Prior to any site works commencing, a pre-commencement site meeting shall be held so that the conditions of designation that pertain to the retained vegetation are explained by the nominated arborist to all contractors or sub-contractors who will be working on site within the drip-line of, or adjacent to, any protected vegetation that is covered by the designation.

10.11 A copy of the conditions of designation pertaining to the Protected Trees shall be held at the main construction site office, on site, at all times.

10.12 The following measures shall be taken in respect of the remaining Protected Trees within the designation area:
1. Prior to the commencement of construction activity temporary protective fencing shall be
erected around the Protected Trees to be retained, and shall remain in place for the duration of the Project. The purpose of the temporary protective fencing is to provide an area around the retained trees that will facilitate their successful retention during the construction process. The parameters of the enclosure shall be as directed by the nominated arborist.

2. Except as provided for in conditions below, the area within the temporary protective fencing shall be considered a total exclusion zone. The Requiring Authority and/or its agents shall not:
   i. Enter into the delineated area without prior consultation and agreement from the nominated arborist;
   ii. Alter the dimensions of the delineated area without prior consultation and agreement from the nominated arborist;
   iii. Store diesel, cement, building materials, site huts, spoil, equipment, or machinery within the delineated area;
   iv. Spill substances likely to be injurious to tree health within seepage distance of the delineated area

3. The temporary protective fencing shall be constructed with a solid face (e.g. plywood or corrugated iron) and attached to a sturdy framework of freestanding scaffolding or posts. It must be constructed to a minimum height of 1.8m and must remain in place for the duration of the Project.

10.13 The nominated arborist shall undertake all necessary trimming and pruning works, including the pruning of tree roots uncovered during excavations. Exposed roots shall be covered and kept moist.

10.14 The nominated arborist shall undertake a tree monitoring program throughout the construction phase, including monitoring of:
   a) The condition repair and location of the temporary protective fencing;
   b) Any excavation within the drip line of Protected Trees;
   c) General tree health; and
   d) Compliance with the conditions of designation by way of fortnightly inspections during the construction period. A copy of the monitoring results from each visit shall be sent to the Auckland City Arborist, with one copy being retained on site by the Project Manager, while a further copy is to be retained by the nominated arborist.

10.15 During the construction process the Requiring Authority shall implement, where practicable, any recommendations made by the nominated arborist on the installation of irrigation systems, mulch, or remedial pruning works if they are required to improve tree health.

11. Auckland City Parks and Reserves

11.1 The design of the Victoria Park tunnel shall not preclude undergrounding of the southbound carriageway in the future.

11.2 The design of the Victoria Park tunnel shall not unreasonably preclude surface parks and recreational land uses from locating above it.

11.3 All land owned by the Auckland City Council shall be restored to its pre-construction state, or as otherwise agreed by the Auckland City Council (Manager Property Group) and the Requiring Authority in accordance with the Urban Design and Landscape Mitigation Plan.

11.4 Any structures and associated infrastructure required to be located within Victoria Park to provide emergency access to and egress from the Victoria Park tunnel shall be:
   1. Made as unobtrusive as practicably possible, while achieving their necessary functionality;
   2. Located in a manner consistent with existing buildings and site features, or otherwise near the periphery of Victoria Park, to the extent practicable;
   3. If possible integrated into other Park features or structures;
   4. Suitably designed and landscaped to minimise their adverse effects.

11.5 The design and location of any such structures in Victoria Park shall be approved by the Auckland City Council (Group Manager: Community Planning) prior to its construction.

11.6 A site-specific slope stability assessment shall be carried out by a suitably qualified engineer for the southern abutments of the Shelly Beach Road overbridge and Jacob's Ladder Pedestrian Bridge, as well as at any location where Tunnel Project works are within 10m of the St Mary's Bay cliff face. Where a moderate or greater risk of instability is assessed as a result of works on the Project, a slope movement monitoring system shall be installed with site-specific stability criteria and trigger levels. If the slope movement monitoring
system observes deformation in excess of specified trigger levels as a result of the Project works, the Auckland City Council (Group Manager: Community Planning) in consultation with Transit New Zealand's nominated contractor shall coordinate the appropriate remedial actions. Where practicable, stabilisation works shall be undertaken in a manner that is sensitive to the natural character and gateway values of this area.

12. Integrated Urban Design and Landscape Mitigation Plan

12.1 The PMP shall include an integrated Urban Design and Landscape Mitigation Plan ("UDLMP") to be provided to the Auckland City Council (Group Manager: Community Planning) prior to or together with the outline plan of works for the Project or relevant Project stage. The UDLMP shall be prepared by a suitably qualified person or persons and shall take into account the following:

1. Transit New Zealand's "Guidelines for Highway Landscaping" (dated September 2002);
2. Transit New Zealand's "Central Motorway Improvements: Urban Design Framework" (dated 6 September 2001); and

12.2 The UDLMP is to be based on the draft "Vic Park Tunnel Urban Design Framework" dated 20 October 2006, prepared for Transit New Zealand by Boffa Miskell Limited, and shall include the following key principles:

1. The importance of the tree-lined St Mary's Bay cliffs as a gateway to Auckland City;
2. The existing landscape values of the area;
3. Treatment of the motorway corridor subject of the notices of requirement in a unified way;
4. The considered and careful use of major structural elements;
5. The design of noise barriers as possible sculptural elements (i.e., well designed, elegant and functional structures) but without detraction from principles 1 and 2 above;
6. Support for a strong pedestrian experience;
7. Recognition of Maori values, associated with the history of settlement and use of the area, including the connection with Watchmans Island (Motu Ngaengae) and the former pa site on Te To headland.

12.3 The UDLMP shall consist of:

1. The Final Urban Design Framework: The Framework shall depict the overall urban design concept, the design intent, layout and mitigation proposals for key components and areas (or sectors) of the Project, and provide a framework for the design, layout, landscape planting and streetscape measures. The Framework will:
   i. Be determined in consultation with the Auckland City Council (Group Manager: Community Planning) and relevant iwi (by way of a joint working party);
   ii. Consider further comments that may be obtained from the Auckland City Council Urban Design Panel (which shall be obtained prior to lodgement of the UDLMP with the Auckland City Council (Group Manager: Community Planning)); and
   iii. Consider further comments from a stakeholder workshop to which affected parties listed in Appendix 1 to the decision (refer to Plan Modification 32) will be invited.
2. Detailed Design Plans: These plans shall depict landscape and streetscape design elements for the Project, as appropriate, and shall consist of:
   i. An overall "masterplan" of the Project showing the location and extent of landscape and streetscape improvements and mitigation measures;
   ii. Where required, detailed concept plans for each sector of the route, including cross-sections and elevations of common and site-specific landscape and streetscape elements.

12.4 Contents of detailed design plans.
1. Streetscape elements to be included in the detailed design plans as described in condition 12.3 (2) shall include:
   i. Noise attenuation barriers no greater than 5m in height;
   ii. Road safety barriers;
   iii. Retaining walls;
   iv. External appearance and safety consideration (eg stone-throwers) of tunnel portals, the edges of the tunnel portal approaches, and emergency egress;
v. The relocated Birdcage (Rob Roy) Hotel and surrounding Franklin Road precinct;

vi. Open space in front of the relocated Birdcage Hotel and between the southern tunnel portal and Franklin Road;

vii. Replacement of pedestrian and park facilities displaced by the Project;

viii. The new pedestrian footbridge and other new pedestrian facilities proposed by the Project, including those within the St Mary's Bay reserve and Victoria Park;

ix. Local road reserves affected by the designation, including Franklin Road, Victoria Street, Beaumont Street, and Fanshawe Street;

x. The Fanshawe Street/Beaumont Street intersection and the Victoria Street West/Franklin Road/Union Street intersection, including the following elements:
   • Sensitivity to the safety of pedestrians;
   • Improved pedestrian linkages;
   • Consistency with local traffic plans and requirements;
   • Landscaping and design consistent with the Urban Design Framework which also recognises the setting and context of the surrounding area including significant cultural and historic features (if any);

xi. Streetlights and sign gantries;

xii. Preservation of the Jacob's Ladder pedestrian route in recognition of that route's historic significance and social value.

2. Landscape elements to be included in the detailed design plans as described in 12.3 (2) shall include the following:

i. A plan for the St Mary's Bay Reserve from Shelley Beach Road through to Beaumont Street, developed in accordance with the following concepts:
   • The final Urban Design Framework;
   • The recognition of the tree-lined St Mary's Bay cliffs as a gateway to Auckland City;
   • The existing high natural character of the area;
   • The importance of good pedestrian linkages including footpaths, boardwalks and the access to the pedestrian overbridge and Jacob's Ladder;
   • The need for ground contouring and landscaping which avoids surface water ponding, where practicable, and that is sensitive to user amenity and safety and the ability to appreciate existing views, having regard to the effects of any noise barriers that are installed;
   • Replacement and replanting of trees affected by the works and noise barrier.

ii. A plan for the western end of Victoria Park, developed in accordance with the following concepts:
   • The Victoria Park Management Plan (2005);
   • The final Urban Design Framework;
   • Recognition of the existing character and design of the Park;
   • The maintenance of a ring of Plane Trees and the location of landscaping features having regard to the amenity of the Park;
   • Public access and use including access ways and recreational activities;
   • Effective and imaginative use of the space directly under the viaduct structure;
   • Minimising the effect of the location and design of any structures and associated infrastructure required for emergency access to or egress from the tunnel;
   • Areas identified for active recreation including re-establishment of existing activities or new activities such as playgrounds etc and associated parking.

iii. Specific vegetation removal and modification plans showing all scheduled and non-scheduled trees and significant vegetation to be removed/relocated/modified and the landowner(s) involved;

See key on last page of this section
iv. Specific planting plans showing the trees and vegetation to be retained, all new planting, and a detailed plant list and specifications including number, size and species;
v. Planting programme - the staging of planting in relation to the construction programme;
vi. Detailed specifications relating to (but not limited to) the following:
• vegetation protection (for desirable vegetation to be retained);
• weed control and clearance;
• ground preparation (topsoiling and decompaction to ensure rapid plant establishment and ongoing vigour);
• mulching;
• plant supply and planting;
• maintenance regime (requirements and programme);
• performance standards (for site preparation, plant supply, planting and maintenance).

12.5 Where appropriate, landscape mitigation proposals outside of the designation (e.g. Victoria Park, St Mary's Bay reserve, Westhaven Drive and Point Erin) may be agreed by the Requiring Authority with the appropriate landowner and subsequently implemented.

12.6 In developing the UDLMP consideration shall also be given to:
1. Other measures that may assist the Auckland City Council to promote safety and security for local residents and open space users;
2. Other measures to assist the Auckland City Council to promote a positive pedestrian experience within the Project area, including the development of pedestrian links in Freeman's Bay (Napier Street to the Birdcage Hotel), through Victoria Park and the St Mary's Bay reserve;
3. Cooperating with the Auckland City Council to identify and to provide opportunities to accommodate any stakeholder funded art works;
4. The requirement that Transit's financial commitment to the urban design process is limited to the mitigation of Project-related effects resulting from within its designation.

12.7 The noise barrier along the St Mary's Bay Reserve shall be designed in accordance with the principles of the Urban Design Framework. This design shall take into account the following considerations:
• The provision of acoustic barriers beside the carriageway to achieve, at a minimum, compliance with the Transit New Zealand 'Guidelines for the Management of Road Traffic Noise - State Highway Improvements' (December 1999). Such barriers, where appropriate, shall be transparent.
• Allowing maximum appreciation by southbound motorists of the gateway effect of the tree-lined cliffs;
• Allowing good views of the Westhaven Marina and the Waitemata Harbour from properties on the cliffs and also from the adjacent walkway;
• Making the barrier itself an attractive landscape element;
• The cost, constructability, and the maintenance requirements of the barrier (including cleaning, removal of graffiti and any advertising posters).

12.8 A management and maintenance plan shall be prepared by the requiring authority and implemented for all noise barriers to ensure that, to the extent practicable, the barriers are continually maintained in good condition and free of graffiti and other defacements that may affect the visual amenity of the surrounding areas.

12.9 Prior to planting and throughout the ensuing maintenance period, all weed species declared as plant pests in the Auckland region by the ARC (including Total Control/Containment Pests/ Surveillance Pests & Research Organisms) shall be controlled and removed from the designated areas by the requiring authority.

12.10 In areas where shrub mixes are used, planting densities shall ensure low canopy coverage has been attained by the end of the maintenance period, which will run for three years following the completion of the construction works.

12.11 Where native plants are used, the composition shall reflect the natural plant associations of the area, and the mixes (where relevant) shall be of suitable richness and diversity to encourage self-sustainability once established. This will require the inclusion of appropriate successional species, including canopy tree species either in the initial planting mix or as enrichment planting.
12.12 Where practicable, any planting utilising native plants shall use plants genetically sourced from the ecological district.

12.13 Planting areas shall be mulched using suitable weed-free, granular organic mulch. The only exceptions to this shall be where the slopes are too steep to allow for its retention. In such cases a neutral or black coloured biodegradable or photodegradable geotextile is to be used.

12.14 The landscaping shall be implemented in accordance with the UDLMP within the first planting season following the completion of the construction works provided that climatic conditions are suitable, otherwise at the first practicable opportunity thereafter, and shall be maintained for the next 3 years thereafter. Should the landscaping be implemented in stages (depending on construction phases), landscaping may be implemented after the first planting season of each stage.

13. Lighting

13.1 Motorway lighting should be designed and screened to minimise the amount of lighting overspill and illumination of residential areas.

AIR QUALITY

14. Dust

14.1 The Requiring Authority shall ensure that the Construction Environmental Management Plan developed for the Project contains measures to control dust, generated during the construction process, in order to minimise dust deposition and nuisance beyond the designation boundaries.

Contaminated site/odour

14.2 The Requiring Authority shall ensure that the Construction Environmental Management Plan developed for the Project contains appropriate mitigation measures to control offensive odours, generated as a result of the construction process, occurring beyond the designation boundaries.

15. Monitoring and Review

15.1 At least 6 months prior to commencement of construction of the project, an air quality monitoring station is to be established at a site comparable with the station located within the car park of the Victory Christian Church during 2005 / 2006.

1. The station will monitor the following parameters for a period of six months prior to construction of the project commencing:

   i. Fine particulates (PM10) in accordance with the specifications given in the National Environmental Standards, Air Quality;

   ii. Meteorological measurements of wind speed, wind direction and temperature.

2. The station will monitor the following parameters during construction of the project:

   i. Dust, measured as Total Suspended Particulates (TSP) using a continuous particulate monitor equivalent to that used to measure fine particulates prior to construction;

   ii. Meteorological measurements of wind speed, wind direction and temperature.

3. The station will monitor the following parameters for a period of twelve (12) months after completion of construction of the Project:

   i. Fine particulates (PM10), carbon monoxide (CO) and oxides of nitrogen (NOx) in accordance with the specifications given in the National Environmental Standards, Air Quality;

   ii. Meteorological measurements of wind speed, wind direction and temperature.

4. Results of the monitoring in summary form, assessed against the National Environmental Standards, Air Quality and the Auckland Regional Council target values, shall be reported quarterly to the Auckland City Council.

15.2 Prior to commissioning of the air quality monitoring station, Transit will submit a plan to the Auckland City Council (Group Manager: City Planning) detailing how it will comply with condition 15.1 above.

16. Iwi Matters, Archaeological, Heritage

16.1 An Auckland City Council approved and qualified archaeologist and a Kaitiaki monitor approved by Ngati Paoa and Ngati Whatua shall be provided with 7 working days' notice of the commencement of initial earthworks for the Project in relation to each of the tunnel alignment, its approaches, the basement excavation of the Birdcage Hotel and the relocation site for the Hotel in order that they may be present to monitor those activities.

16.2 Detailed protocols for the management of archaeological, koiwi and waahi tapu discoveries shall be developed in conjunction with tangata whenua prior to construction.
16.3 If any koiwi are exposed during site works the following procedures shall apply:

a) Immediately after it becomes apparent that koiwi have been exposed, all site works in the immediate vicinity shall cease;

b) The Requiring Authority shall immediately secure the area so that any artefacts or remains are untouched;

c) The Requiring Authority shall notify tangata whenua, the New Zealand Historic Places Trust, the Auckland City Council (Group Manager: City Planning) and, where appropriate, the New Zealand Police as soon as possible so that appropriate action can be taken. Works shall not commence in the immediate vicinity of the koiwi until any approval required has been obtained.

16.4 The Requiring Authority shall develop a methodology and monitoring programme for the relocation and restoration of the Birdcage Hotel (formerly the Rob Roy) to be agreed in writing by the Auckland City Council (Group Manager: City Planning) prior to the works commencing and shall:

a) take into account the Conservation Plan undertaken by Matthews and Matthews Architects, dated January 2003, and in particular, the policies and schedule of significant features; and

b) include an inventory of those parts of the Birdcage Hotel (interior and exterior) which are proposed to be: left in place and protected during relocation; removed and reinstated; and those to be removed and not reinstated;

c) include a schedule of the planned restoration and reinstatement works for the Birdcage Hotel and surrounds (including the forecourt area) and additions to the building as part of the relocation; and

d) include regular liaison and consultation with the Auckland City Council (Group Manager: City Planning) and the New Zealand Historic Places Trust during the relocation phase.

16.5 All work concerned with the relocation and restoration of the Birdcage Hotel as approved under Condition 16.4 shall be carried out under the direction of an appropriately qualified architectural conservation specialist, the appointment of whom is to be agreed in advance in writing by the Auckland City Council (Group Manager: City Planning).

16.6 Prior to the commencement of construction activities in the vicinity of the Campbell Free Kindergarten, a Condition (Dilapidation) Report on the structure of the Kindergarten building shall be agreed in writing by the Auckland City Council (Manager Property Group) and shall:

a) be prepared by a suitably qualified building certifier;

b) make any necessary recommendations for reinforcing the Kindergarten;

c) include a definition of the level of effects to be considered ‘significant’ pursuant to Condition 16.8; and

d) include consultation by the requiring Authority with the New Zealand Historic Places Trust.

16.7 Prior to the commencement of construction activities in the vicinity of the Campbell Free Kindergarten, the structure of the Kindergarten building shall be reinforced as per the recommendations of the Condition (Dilapidation) Report of Condition 16.6. This reinforcement work shall be certified by a building certifier familiar with the Condition (Dilapidation) Report and shall be completed, inspected and agreed in writing by the Auckland City Council (Manager Property Group) prior to the Project works commencing.

16.8 During construction, the effects of vibration on the Birdcage Hotel, Campbell Free Kindergarten, Auckland Municipal Destructor and Depot (also known as the Victoria Park Market) and the former Auckland Gas Company buildings in Beaumont Street shall be monitored by the Requiring Authority and the results of the monitoring provided to the Auckland City Council (Group Manager: City Planning). Appropriate action shall be undertaken if the effects of vibration are significant, including any reasonable restoration or reconstruction of any heritage elements of the buildings noted above, and in the event of damage or failure as a direct result of the Project works, at the cost of the Requiring Authority and to the written approval of the Auckland City Council.

16.9 Prior to the commencement of the Project works, recording of the historical significance of the HMNZS Ngapona, including exterior and interior photographic archival documentation, shall be undertaken and a report prepared. This report is to be completed in consultation with the New Zealand Historic Places Trust and the Auckland City Council.

SERVICES

17. Infrastructure Service Networks

17.1 The Requiring Authority shall liaise with the providers of infrastructure service networks
including, but not limited to: water, gas, stormwater, wastewater, power and telecommunications, to develop methodologies and timing for necessary services relocation with the objective of minimising disruption to the operation of these networks during construction of the Project.

18. LAPSE DATE

Unless lapsed prior to 15 June 2010, the expiry date of this designation was extended to 1 November 2015, by S78 of the Local Government (Auckland Transitional Provisions) Act 2010.

ADVICE NOTES

1. The Requiring Authority shall obtain all other necessary consents and permits and comply with all relevant Auckland City Council bylaws, and obtain any approvals under the Reserves Act (where required.)

2. The Requiring Authority shall obtain all necessary resource consents and permits in relation to sediment and stormwater discharges from the Auckland Regional Council.

3. Under the Historic Places Act 1993, an Authority to Modify an Archaeological Site is required from the NZ Historic Places Trust before any work takes place on an archaeological site.

4. All archaeological sites are protected under the provisions of the Historic Places Act 1993. It is an offence under that Act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the New Zealand Historic Places Trust Pouhere Taonga for an authority to modify or destroy archaeological site(s).

5. Some of the land is subject to existing designations and the provisions of Section 177 of the Resource Management Act 1991 apply accordingly.

Unless lapsed prior to 15 June 2010, the expiry date of this designation was extended to 1 November 2015, by S78 of the Local Government (Auckland Transitional Provisions) Act 2010.

For a complete set of conditions, refer to the Waterview Connection Proposal Board of Inquiry decision titled “Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal - Volume 2” dated June 2011.

General Designation Conditions

DC.1

Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA being the Requiring Authority), the Notice(s) of Requirement and the supporting documents, and supplementary information provided in evidence. This information is summarised as follows:


(b) Waterview Connection Project. Assessment of Environmental Effects Report (dated August 2010). Part F: Plans and Drawings, except as updated through the hearing (Refer Schedule A for current plan and drawing references); and


(i) Technical Report G.1 Assessment of Air Quality Effects

(ii) Technical Report G.2 Assessment of Archaeological Effects

(iii) Technical Report G.3 Assessment of Avian Ecological Effects

(iv) Technical Report G.4 Assessment of Coastal Processes

(v) Technical Report G.5 Assessment of Construction Noise Effects

(vi) Technical Report G.6 Assessment of Freshwater Ecological Effects

(vii) Technical Report G.7 Assessment of Groundwater Effects

(viii) Technical Report G.8 Assessment of Herpetofauna Ecological Effects

(ix) Technical Report G.9 Assessment of Land and Groundwater Contamination

(x) Technical Report G.10 Assessment of Lighting Effects

(xi) Technical Report G.11 Assessment of Marine Ecological Effects

(xii) Technical Report G.12 Assessment of Operational Noise Effects

(xiii) Technical Report G.13 Assessment of Ground Settlement Effects
DC.1A
Within 3 months of the designations being confirmed for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, and provide a full set of the information and documentation referred to in Condition DC.1 to the Major Infrastructure Team Manager Auckland Council. At the same time the NZTA shall prepare to the satisfaction of the Major Infrastructure Team Leader, Auckland Council, a document for each designation which sets out the designation and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

In particular (but not limited to), the following Plans will need to be amended in light of these Final Conditions:

(a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;

(b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to the construction footprint for the amended location of the ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1;

(c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);

(d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the northern ventilation stack and the design and location of the southern ventilation building and stack;

(e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);

(f) The areas of the Open Space Restoration Plans (Schedule A, Row 30) to:

(i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6) (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
(ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and

(e) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to ‘brown’ to confirm they are part of the operational impact and will not be returned as open space.

DC.2
The period within which this designation shall lapse if not given effect to shall be 10 years from the date on which it is confirmed in accordance with Section 184(1) of the Resource Management Act 1991.

DC.3
The NZTA shall update and finalise the relevant Construction and Operational Management Plans required under these conditions to ensure compliance with the designation conditions imposed by the Board of Inquiry. The relevant Management Plans shall be submitted to the Major Infrastructure Team Manager, Auckland Council within the timeframes specified in the following conditions. No works shall be undertaken until the relevant management plans have been finalised and certified or approved in accordance with the relevant conditions.

DC.4
Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.

DC.5
In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/approvals required by the designation conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution. If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.

Advice note: The dispute resolution process provided for in this condition does not prejudice any party’s right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except in urgent situations.

DC.6
Except for Conditions DC.7, DC.8 and DC.9, the NZTA shall be exempt from providing an Outline Plan of Works for the Project, as provided for in Section 176A (2)(a) and (b) of the RMA.

Advice note: The Construction and Operational Management Plans, together with the provision of detailed drawings required by Condition DC.1(b) are considered sufficient detail in all aspects of the Project, with the exception of proposed works for the northern and southern ventilation buildings and stacks where further details are required.

DC.10
The NZTA shall give notice to the Manager Regional and Local Planning, Auckland Council in accordance with Section 182 and 181 respectively of the RMA for:

(a) Within six months of the State highway opening (being operational), removal of those parts of the designation that are not required for the long term operation, maintenance and mitigation of effects of the State highway

Note: this condition is specific to land no longer required for construction purposes once the Project is completed and includes the land of 6 Barrymore Road, refer Condition OS.17.

(b) The designation to be altered to remove those conditions no longer required for long term operation and maintenance of the Project.

DC.12
Unless otherwise provided for by Condition RC.2, if any monitoring required to be undertaken by any party by the designation conditions indicates non-compliance with any designation condition, the NZTA must provide written notice to the Major Infrastructure Team Manager Auckland Council as soon as it becomes aware of same, stating the following:

(a) A description of the non-compliance; and

(b) The measures NZTA proposes for addressing the non-compliance, including any additional mitigation measures.
Subject to the Council's approval, the NZTA must implement the additional mitigation measures to address the non-compliance.

**DC.13**
Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.

**DC.14**
The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

**Construction Environment Management Plan Conditions**

**CEMP.1**
Except where provided for in Condition CEMP.1A below, the NZTA shall update and finalise the draft Construction Environmental Management Plan (CEMP) including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until certification is obtained.

*Advice note: For clarity the CEMP will be updated and finalised in accordance with the conditions. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.*

*Advice note: Particular care must be taken with development and operation of Construction Yard 7. When the CEMP is being updated and finalised, consideration must be given to the contents of the draft SSCEMP prepared for Construction Yard 7 (Row 41, Schedule A) recognising changes required by inclusion of the ventilation stack in this yard.*

**CEMP.2**
The certification process of the CEMP (and its appendices) shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in CEMP.6, and that it includes details of:

(a) Staff and contractors’ responsibilities;

(b) Training requirements for employees, subcontractors and visitors;

(c) Environmental incident and emergency management;

(d) Communication and interface procedures (in accordance with the Communication Plan required under Condition PL.2);

(e) Environmental complaints management (including the procedures required under Condition PL.4);

(f) Compliance monitoring;

(g) Reporting (including detail on the frequency of reporting to the Auckland Council);

(h) Environmental auditing; and

(i) Corrective action.

**CEMP.3**
The management of key environmental effects associated with the construction phase of the Project is detailed within environmental management plans that are included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:

(a) Construction Noise and Vibration Management Plan (CNVMP);

(b) Construction Air Quality Management Plan (CAQMP);

(c) Erosion and Sediment Control Plan (ESCP);

(d) Temporary Stormwater Management Plan (TSMP);

(e) Ecological Management Plan (ECOMP);

(f) Groundwater Management Plan (GWMP);

(g) Settlement Effects Management Plan (SEMP);

(h) Contaminated Soils Management Plan (CSMP);

(i) Hazardous Substances Management Plan (HSMP);

(j) Archaeological Site Management Plan (ASMP);

(k) Construction Traffic Management Plan (CTMP);

(l) Concrete Batching and Crushing Plant Management Plan (CBCPMP);

(m) Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP) (to be prepared in accordance with Condition CEMP.15);

(n) Waste Management Plan (to be prepared in accordance with Condition CEMP.10); and

Temporary Construction Lighting Management Plan (to be prepared in accordance with Condition L.2).

**CEMP.4**
The CEMP shall be implemented and maintained throughout the entire construction period.
CEMP.5
A copy of the CEMP shall be held on each construction site at all times and be available for inspection on request by the Auckland Council.

CEMP.6
The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the Project. The certification process of the CEMP shall confirm that the CEMP includes details of the following:

(a) Details of the site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);

(b) The location of large notice boards that clearly identify the NZTA and the Project name, together with the name, telephone, email address and address for service of the site or Project manager and the community liaison person;

(c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;

(d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;

(e) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage and unloading of building materials and similar construction activities;

(f) Location of worker’s offices and conveniences (e.g. portaloos);

(g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;

(h) Methods to stabilise ingress and egress points to construction sites, to the standard required by ARC Technical Publication 90 (Nov 2007);

(i) Procedures for ensuring that residents within 100m of construction areas or other people whose use of an area may be disrupted by construction works (for example the Te Atatu Boating Club for works on the Whau River) are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;

(j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;

(k) Means of ensuring the safety of the general public;

(l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;

(m) Methods of mitigating the local and network wide effects of construction of individual elements of the Project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;

(n) All temporary boundary/ security fences shall be maintained in good order, with any graffiti removed as soon as possible;

(o) Confirmation of a Project Arborist and completion of a STEM assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE to confirm the final Amenity Trees; and

(p) The process to minimise removal of Amenity Trees, maximise the protection of those retained, undertake relocation of Amenity Trees and replacement planting of specimen trees (in accordance with Conditions LV.10 and ARCH.9)).

(q) Advice note: For the purposes of CEMP.6(o) and (p), Amenity Tree is defined as a tree or trees that contribute significantly to amenity, taking into account its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE).

CEMP.7
The layout of the 12 Construction Yards, including associated buildings, fencing and site access shall be developed in accordance with Waterview Connection Project Construction Yards Plans (Refer Schedule A, Row 7). The layout drawings shall be provided to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to the occupation of the yard, for review and certification that the final layout of the construction yards is in accordance with the conditions. The layout drawings shall incorporate the following:

(a) The main access to the construction yards to be located as far as practicable from residential dwellings, taking into account site and public safety and environmental constraints, in the locations shown on Waterview Connection Project Construction Yards Drawings (Refer Schedule A, Row 7);
(b) Noisy construction activities to be located as far as practicable, and preferably no less than 100m, from residential dwellings; Construction of temporary boundary/ security fences to be undertaken in a manner which minimises impacts on existing trees;

(c) Temporary acoustic fences and visual barriers;

(d) Temporary buildings greater than 8 metres in height to be located in a position which minimises visual impact on adjacent residential dwellings; and

Location of workers’ and Project vehicle parking.

CEMP.8
All storage of material and equipment associated with the construction works shall take place within the boundaries of the designation.

CEMP.9
Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and the roads during the site preparation and construction phase of the Project. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall be repaired to the same or similar standards as existed prior to such damage at no cost to the Auckland Council.

CEMP.10
The NZTA shall finalise and implement the Hazardous Substances Management Plan (HSMP), through the CEMP (as per Condition CEMP.1), submitted with this application, prior to works commencing on site. The certification process of the CEMP shall confirm that the HSMP clearly identifies the requirements for proper storage, handling, transport and disposal of hazardous substances during the construction phase of the Project and confirm that there shall be no storage of explosives on the Project site.

CEMP.11
The NZTA shall develop and implement a Waste Management Plan in accordance with the waste management principles, controls and methods set out in the CEMP. The Plan shall be provided to the Major Infrastructure Team Manager, Auckland Council and be implemented throughout the entire construction period.

CEMP.12
The CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the Project. The review shall take into consideration:

(a) Compliance with designation and consent conditions;

(b) Any changes to construction methods;

(c) Key changes to roles and responsibilities within the Project;

(d) Changes in industry best practice standards;

(e) Changes in legal or other requirements;

(f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and

(g) Public complaints.

A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Team Manager, Auckland Council and made available (with any related data) to the Auckland Council upon request.

CEMP.13
Following the review process (as described in Condition CEMP.12), the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.

Advice Note: Material change will include amendment to any base information informing the CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation / remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.

CEMP.14
The CEMP shall include, as an appendix, an Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP). The EISDCMP shall be provided to the Major Infrastructure Team Manager, Auckland Council, and include:

(a) Methods and measures:

(i) To ensure that the existing high voltage infrastructure can be accessed for maintenance at all reasonable times, or emergency works at all times, during and after construction activities.

(ii) To appropriately manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear, to the overhead transmission lines

(iii) To ensure that no activity is undertaken during construction that would result in ground vibrations and/or ground instability likely to cause material damage to the transmission lines, including support structures.
(iv) To ensure that changes to the drainage patterns and runoff characteristics do not result in adverse effects from stormwater on the foundations for any high voltage transmission line support structure.

(b) Sufficient detail to confirm that new planting and maintenance of vegetation will comply with the New Zealand Electricity (Hazard from Trees) Regulations 2003, including, but not limited to, the provisions of Schedule (Growth Limit Zones) to those Regulations.

(c) Sufficient detail to confirm that the works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), including, but not limited to, the provisions of:

(i) Clause 2.2 with respect to excavations near overhead support structures;

(ii) Clause 2.4 with respect to buildings near overhead support structures;

(iii) Section 3 with respect to minimum separation between buildings and conductors;

(iv) Section 5 with respect to minimum safe distances for the operation of mobile plant; and,

(v) Table 4 with respect to minimum safe separation distances between the ground and the overhead conductors.

(d) Confirmation that Transpower has been provided a copy of the EISCDMP for their review at least 20 working days prior to construction.

Advice note: With respect to clause (c), specific consideration must be given to the height and location of temporary structures (such as Project offices and other construction site facilities) and permanent structures (such as lighting poles, signage, gantries and acoustic barriers).

CEMP.15
The NZTA will be responsible for all service relocations required for construction of the Project. The NZTA shall liaise with the providers of infrastructure service networks (including, but not limited to water, gas, stormwater, wastewater, power and telecommunications), and private property owners with on-site services to develop methodologies and timing for necessary services relocation required for the Project, with the objective of minimising disruption to the operation of these service networks and onsite services.

Advice note:

(a) It is noted that if separate consents are required for relocations for any services of network utility operators or landowners, such consents will be obtained before construction commences in the relevant area, and any effects of those relocations would be considered at that time. The same applies to any alteration of consents if required.

(b) Network infrastructure owned and operated by Watercare Services is located within the designations. An operating agreement will be developed by the NZTA and Watercare Services which will include appropriate notification and access protocols where works are to be undertaken by either network operator on or adjacent to Watercare Services infrastructure within the designations.

Public Information Conditions

PI.1.
A community liaison person shall be appointed by the NZTA for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the Project. The liaison person’s name and contact details shall be made available in the CEMP and on site signage by the NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.

PI.2.
The NZTA shall prepare and implement a Communications Plan that sets out procedures detailing how the public, Ministry of Social Development, Housing New Zealand Corporation and other organisations representing the particular demographic characteristics of the community (including but not limited to Primary Health Organisations, general practitioners, youth, education organisations, aged care groups and groups representing ethnic and migrant communities) will be communicated with throughout the construction and monitoring periods (as prescribed in the designation and consent conditions).

In preparing the Communications Plan, the NZTA will liaise with Auckland Council to access its community liaison databases. The Communications Plan will include details of:

(a) The site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);

(b) In accordance with these Conditions, the database of the key construction activities and monitoring requirements that are the subject of the Communications Plan;

(c) The database of stakeholders and residents who will be communicated with;
Figure CEMP.A - Construction Environmental Management Framework
(d) Communication methods, an assessment of how these methods reach the different audience/stakeholder groups (including those methods set out in Condition CEMP.6), and detail on when each of these methods will be used (e.g. regular communication or event specific methods);

(e) The appointed specialist in Environmental and Occupational Medicine, including contact details (as per Condition SO.13);

(f) Any stakeholder specific communication plans required; and

(g) Monitoring and review procedures for the Communications Plan.

The Communications Plan shall be written in accordance with the external communication procedures set out in the CEMP and provided at least 20 working days prior to construction commencing, to the Major Infrastructure Team Manager, Auckland Council, Working Liaison Group and the Community Liaison Group(s) established by Condition PI.5. The structure of the communication groups set out in these conditions is attached as Figure PI.A.

PI.3.
At least 15 working days prior to the commencement of construction, and at 15 working day intervals thereafter, or as required depending on the scale of works and effects on the community, advertisements will be placed in the relevant local newspapers and community notice boards (as identified in Condition CEMP.6(b)) detailing the nature of the forthcoming works, the location of the forthcoming works and hours of operation. All advertisements will include reference to a 24 hour toll free complaints telephone number. Where relevant, advertisements will also include but not be limited to details of:

(a) Any traffic disruptions or controls or changes to property access, pedestrian/ cycle routes and bus stops; and

(b) Any other construction activities, including night time works, blasting, and structure-borne noise, as identified in the conditions.

PI.4.
The NZTA shall manage, investigate and resolve (as appropriate) all complaints for the duration of the construction works in accordance with the environmental complaints section of the CEMP. The implementation strategy for complaints includes:

(a) A 24 hour toll free telephone number and email address, which shall be provided to all potentially affected residents and businesses. The number shall be available and answered at all times during the entire duration of the works for the receipt and management of any complaints. A sign containing the contact details shall be located at each site specific work activity;

(b) The NZTA shall maintain a record of all complaints made to this number, email or any site office, including the full details of the complainant and the nature of the complaint;

(c) Upon receiving a complaint, within 10 days of complaint receipt, a formal written response will be provided to the complainant and Auckland Council;

(d) The NZTA shall undertake corrective action where necessary to resolve any problem identified. All action taken and relevant information shall be documented. For the avoidance of doubt, ‘where necessary’ refers to where the works are not being carried out in accordance with conditions of this designation;

(e) Where issues and complaints about effects cannot be resolved through the CEMP complaints management process, a meeting shall be held between the NZTA, the complainant and the Auckland Council representative(s) to discuss the complaint and ways in which the issue may be resolved. If parties cannot agree on a resolution, an independent qualified mediator will be appointed, agreeable to all parties and at the shared cost of all parties, to undertake mediation of the dispute or concerns; and

(f) All information collected in Conditions PI.4 (b), (c) and (d) shall be detailed in a Construction Compliance Report (including the means by which the complaint was addressed, whether resolution was reached and how the response was carried out) prepared by the NZTA. This Report shall be submitted to the Major Infrastructure Team Manager, Auckland Council on a quarterly basis commencing at the beginning of the works and for the entire duration of construction.

PI.5.
The NZTA shall establish Community Liaison Group(s) at least two months prior to construction commencing in each of the following key construction areas:

(a) Te Atatu (including the SH16 Causeway)

(b) Waterview (including works to St Lukes on SH16 and on the Waterview Estuary and Causeway Bridges)

(c) Owairaka

and hold regular meetings (at least three monthly) throughout the construction period and up to 24 months following construction completion relevant to these areas (or less if the members of the Group agree), so that on-going monitoring information can continue to be
disseminated.

The Community Liaison Group(s) shall be open to all interested parties within the Project area including, but not limited to the following groups:

(a) Auckland Council and Auckland Transport;

(b) Educational facilities within the Project area (including schools, kindergartens, childcare facilities and Unitec Institute of Technology);

(c) Relevant community/ environmental groups (including but not limited to Friends of Oakley Creek, Star Mills Preservation Group, Cycle Action Auckland and representatives from those organisations identified in the Communications Plan (as required by Condition PI.2) and local residents;

(d) Department of Conservation;

(e) Local Boards;

(f) Iwi groups with Mana Whenua;

(g) Public transport providers; and

(h) Housing New Zealand Corporation.

Advice note: The purpose of the Community Liaison Group(s) is to provide a regular forum through which information about the Project can be provided to the community, and an opportunity for concerns or issues to be raised.

PI.6.

The Community Liaison Group(s) shall be provided opportunities to review and comment on the following (amongst other things):

(a) The Outline Plan of Works detailing designs for the northern and southern ventilation buildings and stacks (the outcomes of this consultation will be reported in accordance with the processes required in DC.8(n) and DC.9(k);

(b) The Open Space Restoration Plans (as required by Condition OS.3);

(c) Finalisation and amendment to Urban Design and Landscape Plans (UDL Plans) (as required by Condition LV.1);

(d) The Oakley Inlet Heritage Plan (as required by Conditions OS.5(b)(i) and ARCH.6);

(e) The detail of the Oakley Creek restoration (as required by Condition STW.20);

(f) Publicly available results of environmental monitoring as required by the designation and/or these Consents (e.g. air quality monitoring); and

(g) The finalisation of the STEM assessment required by CEMP.6(o) and a schedule of trees that are required to be removed for consideration of timber use in heritage projects as required by Condition SO.7.

Advice Note: Attention is drawn to the Vegetation conditions concerning identification and protection of Significant Vegetation and Valued Vegetation.

(h) Detailed design features of the Te Atatu underpass (e.g. lighting and architectural treatment).

Temporary Traffic Conditions

TT.1

The NZTA shall update and finalise the Construction Traffic Management Plan (CTMP) submitted with this application, in accordance with these conditions, and implement it through the CEMP.

In finalising the CTMP, the NZTA shall:

(a) Provide simulation modelling demonstrations to better understand the effects of construction of the Project on the affected road network;

(b) Include measures to avoid road closures and restrictions of vehicle, bus, cycle and pedestrian movements;

(c) Where road closures or restrictions cannot reasonably be avoided the particular vulnerabilities and sensitivities of pedestrian diversions and restricted conditions shall be taken into account in the planning of any closures or restrictions.

TT.2

The CTMP shall require the development of Site Specific Traffic Management Plans (SSTMPs) and their approval by the Traffic Management Project Governance Group (as defined by the CTMP), for each construction activity that may affect traffic or transportation infrastructure and services. The SSTMPs shall be provided to the Traffic Management Coordinator(s) for the relevant Road Controlling Authority at least 10 working days prior to each construction activity.

TT.3

Each SSTMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide effects of construction of the Project. In particular, the SSTMP shall include the following matters:

(a) Traffic management measures to address and maintain, traffic capacity, including bus services, at peak traffic periods during weekdays (6:00 to 9:00 and 16:00 to 19:00) and peak traffic periods at weekends (including Te Atatu Road, Great North Road and Richardson Road);
Figure P1A - Structure of Communication Groups Identified by these Conditions
(b) Methods to manage the effects of traffic during construction including the requirement to detour or divert traffic. These methods shall seek to avoid, remedy or mitigate effects on access to and from businesses and other organisations in the area;

(c) Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses;

(d) Methods to avoid, remedy or mitigate the local and network wide effects of the construction of individual elements of the project (e.g. intersections/overbridges) and the use of staging to allow sections of the Project to be opened to the traffic while other sections are still under construction;

(e) Methods to avoid, remedy or mitigate the local and network wide effects of the construction of individual elements of the project (e.g. intersections/overbridges) and the use of staging to allow sections of the Project to be opened to the traffic while other sections are still under construction;

(f) Any routes where construction traffic movements will be restricted (either for particular times for construction periods);

(g) Measures to maintain existing vehicle access, as far as practicable, or where the existing property access is to be removed or becomes unsafe as a result of the construction works, measures to provide alternative access arrangements in consultation with the Auckland Council and the affected landowner; and

(h) Measures to maintain pedestrian and cycle access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, where practicable (e.g. unless provision of such access is severed by the works or such access will become unsafe as a result of the construction works). Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours. (This Condition does not act as a qualification to the commitment to maintain access to open space and education facilities, as required in Condition OS.13).

**TT.4**
The SSTMPs shall include traffic management measures developed in consultation with the Auckland Transport, Bus and Coach Association and the Auckland Council, to address and maintain, where practicable, existing levels of service for buses particularly at peak periods (6:00 to 9:00 and 16:00 to 19:00) on weekdays.

**TT.5**
The NZTA shall consult with the Traffic Operations Manager, Auckland Transport with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation. The NZTA shall also coordinate and consult directly with the proponents of any major construction or major traffic generating event occurring concurrently with, and in the vicinity of the Project.

**TT.6**
The SSTMPs shall include measures developed in consultation with Auckland Transport to, as far as practicable, enable continued public walking and cycling passage along the existing Northwestern Cycleway (between Te Atatu Interchange and St Lukes Interchange) and along Great North Road and the public walkway along Oakley Creek, with any interruptions being as short as feasible.

**TT.7**
The NZTA shall undertake construction works so as to avoid significant long duration impacts or the full closure of Te Atatu Road for all road users heading to or from the Te Atatu Peninsula and to ensure that access for emergency service vehicles is maintained.

**TT.8**
The NZTA shall restrict construction truck movements during peak hours (6:00 to 9:00 and 16:00 to 19:00) on weekdays and during the peak periods at the weekends to avoid the following:

(a) Te Atatu Road Interchange, during both morning and afternoon peak hours

(b) Great North Road Interchange, city bound during the morning peak hours

(c) Great North Road Interchange, west bound onto SH16 and southbound onto Great North road during the afternoon peak.

Construction truck movements during these hours shall only be allowed under exceptional circumstances agreed in advance with the Traffic Management Project Governance Group.

**TT.9**
The NZTA shall maintain at least the existing active traffic lane configuration capacity on SH16, at the Te Atatu Interchange area, Te Atatu Road, Richardson Road and on Great North Road during peak periods being 6:00 to 9:00 and 16:00 to 19:00 on weekdays and during the peak periods on weekends, for the duration of the temporary construction programme.

**TT.10**
The NZTA shall monitor the impact of construction traffic in terms of traffic speeds and volumes on SH16, Great North Road, Te Atatu Road and Richardson Road throughout the construction period to confirm the expected traffic effects as set out in the Temporary Traffic Assessment (Technical Report G.16) submitted
with this application.

(a) This monitoring will be undertaken on a daily, weekly and monthly basis; and
(b) Monitoring results will be made available to the Traffic Operations Manager, Auckland Transport on request.

**TT.11**
If monitoring undertaken pursuant to Condition TT.10 indicates that traffic volumes or traffic conditions are significantly different from those expected, the SSTMPs will be reviewed and as appropriate amended to the satisfaction of the Traffic Management Project Governance Group.

**Operational Traffic Conditions**

**Integration with Local Road Network**

**OT.1**
The NZTA shall prepare in collaboration with Auckland Transport a Network Integration Plan (NIP) for the Project, or relevant Project phases, to demonstrate how the Project integrates with the existing local road network and with future improvements (identified in the Western Ring Route (Northwest) Network Plan) planned by the Auckland Council. The NIP shall include details of proposed physical works at the interface between the State highway and the local road network, and shall address such matters as pedestrian/ cycle ways, lane configuration, traffic signal co-ordination, signage and provision for buses.

In addition, the NIP will address:

(a) The commitment of the NZTA to progress bus priority measures northbound on Great North Road as part of the reinstatement of Great North Road, as proposed by Auckland Transport and indicated on the Plans Great North Road Option 1 Proposed Road Marking (Schedule A, Row 33), subject to the agreement with Auckland Transport;
(b) How the works committed to by the NZTA for pedestrian and cycle ways, as detailed in the PT and Active Mode Transport Routes Plan Set (Condition DC.1(d) (refer Schedule A, Row 22)), integrate with pedestrian and cycle ways on the wider transport network;
(c) The Richardson Road Bridge, which shall be designed in general accordance with the structural plans (Schedule A, Row 9) and the commitment of the NZTA to provide a 2m footpath on Richardson Road Bridge, subject to confirming appropriate bus stop locations with Auckland Transport; and
(d) Integration of the works proposed on Te Atatu Road to appropriately transition between the Waterview Connection Project and any projects being progressed by Auckland Transport;
(e) Opportunities to review traffic signal timings at the Te Atatu Interchange with a view to minimising delays to all users, including cyclists on the SH16 cycle way; and
(f) The commitment of the NZTA to provide for cycle “aspects” (cycle signal lights) at the Great North Road Interchange.

(g) As part of detailed design at the Te Atatu Interchange, the installation of underpasses and/or overbridges, provided however that should some not prove feasible in civil or traffic engineering design terms, the installation of coordinated traffic signal operation for cyclists on the north-western cycleway by means of synchronised cycle lights which seek to reduce delays for cyclists.

Works identified in the NIP which are the responsibility of the NZTA, will be undertaken as at the time of construction works for the Project.

**Noise and Vibration Conditions – Construction**

**CNV.1**
The NZTA shall finalise and implement through the CEMP, a Construction Noise and Vibration Management Plan (CNVMP) throughout the entire construction period of the Project.

The CNVMP shall describe the measures adopted to meet:

(a) the noise criteria set out in Conditions CNV.2 and 3 below;
(b) the vibration criteria set out in Condition CNV.4 below; or
(c) where (a) or (b) cannot be met, the process that will be followed to appropriately mitigate noise and vibration effects including methods that may be applied outside the designation.

The CNVMP shall be provided to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CNVMP, as a minimum, addresses the following:

(i) Construction noise and vibration criteria (Conditions CNV.2, CNV.3, and CNV.4);
(ii) Hours of operation, including times and days when noisy and/or vibration inducing construction activities would occur;
(iii) Machinery and equipment to be used;
(iv) Vibration testing of equipment to confirm safe distances to buildings prior to construction;
(v) Preparation of building condition surveys of critical dwellings prior to, during and after completion of construction works;

(vi) Roles and responsibilities of personnel on site;

(vii) Construction operator training procedures;

(viii) Methods for monitoring and reporting on construction noise and vibration;

(ix) A hierarchy of mitigation options that will be assessed for the Project noise mitigation, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved;

(x) Management schedules containing site specific information;

(xi) Measures for liaising with and notifying potentially affected receivers of proposed construction activities and the potential for noise and vibration effects, specifically:

• PPFs located within a horizontal distance of 35 metres of underground excavation works, along the tunnel alignment shall receive prior notification not greater than 7 days (and not less than 24 hours) prior to the commencement of works.

• Methods for ensuring residents affected by night works (within 100m of the construction site night works, as defined on the maps (refer Schedule A, Row 35) are notified of such works (i.e. any works during the hours of 20:00 to 06:30) at least 5 days prior to the commencement of any such work.

• The maps showing PPFs to be notified of night works (refer Schedule A, Row 35, shall be reviewed and included within the CNVMP.

(xii) Methods for receiving and handling complaints about construction noise and vibration;

(xiii) Measures for preventing the occurrence of rogue fly rock, including management of charge weights and face loading procedures, stemming of charge holes and profiling of the face to maintain minimum burden (face cover);

(xiv) Investigations on the practicability of implementing permanent noise mitigation works for construction mitigation (as per Condition CNV.7);

(xv) Investigations of the practicability of implementing Building Modification mitigation, as required in accordance with Conditions ON.6 and ON.11, prior to commencement of construction within 100m of the relevant PPFs (including those on the Unitec site); and

(xvi) The process for developing Site Specific Noise Management Plans (SSNMP), in accordance with the SSNMP Flow Chart (refer Schedule A, Row 36), including templates and a certification process for the Major Infrastructure Team Manager, Auckland Council (in accordance with Condition CNV.13) to confirm the process of SSNMP review of noise mitigation options where, the modelled/predicted levels or subsequent actual levels exceed the criteria in Conditions CNV.2 and/or CNV.4.

**CNV.2**

Except where certified by the Council through the SSNMP (in accordance with Condition CNV.13), construction noise (excluding noise from blasting Monday to Saturday inclusive) shall be measured and assessed in accordance with NZS 6803:1999 “Acoustics - Construction Noise” and shall comply with the following criteria:

Note: In Condition CNV.2 (T) means a duration between 15 minutes and 60 minutes, in accordance with NZS6803:1999.

(a) Project Construction Noise Criteria: Residential Receivers
### Project Construction Noise Criteria: Commercial and Industrial Receivers

<table>
<thead>
<tr>
<th>Time of week</th>
<th>Time period</th>
<th>Sectors 1 to 7 L_Aeq(T)</th>
<th>Sectors 8 and 9 L_Aeq(T)</th>
<th>All Sectors LAFmax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday - Saturday</td>
<td>0630-0730</td>
<td>60</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>0730-1800</td>
<td>70</td>
<td>70</td>
<td>85</td>
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<tr>
<td></td>
<td>1800-2000</td>
<td>65</td>
<td>65</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>2000-0630</td>
<td>60</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td>Sundays and Public Holidays</td>
<td>0630-0730</td>
<td>45</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>0730-1800</td>
<td>60</td>
<td>45</td>
<td>85</td>
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<tr>
<td></td>
<td>1800-2000</td>
<td>45</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>2000-0630</td>
<td>45</td>
<td>45</td>
<td>75</td>
</tr>
</tbody>
</table>

Note: In Condition CNV2(d) “Teaching hours” means:
Primary schools and Kindergartens: 9am to 3pm  Unitec: 8am to 9pm
CNV.4
Except where certified by the Council through the SSNMP (in accordance with Condition CNV.13), construction vibration received by any building shall be measured and assessed in accordance with the German Standard DIN 4150-3:1999 “Structural vibration – Part 3: Effects of vibration on structures”, and shall comply with the criteria set out as follows:

<table>
<thead>
<tr>
<th>Type of Structure</th>
<th>Short-term vibration</th>
<th>Long-term vibration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PPV at the foundation at a frequency of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-10 Hz (mm/s)</td>
<td>1-50 Hz (mm/s)</td>
</tr>
<tr>
<td></td>
<td>50-100 Hz (mm/s)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PPV at horizontal plane of highest floor (mm/s)</td>
<td>PPV at horizontal plane of highest floor (mm/s)</td>
</tr>
<tr>
<td>Commercial /Industrial</td>
<td>20</td>
<td>40</td>
</tr>
<tr>
<td>Residential/School</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>Historic or Sensitive structures</td>
<td>3</td>
<td>8</td>
</tr>
</tbody>
</table>

CNV.5
Notwithstanding Condition CNV.3 above,

(a) Blasting activities shall be conducted so that 95% of the blasts undertaken (measured over any twenty blasts on the foundation of any building outside the designation boundary) shall produce peak particle velocities not exceeding 5mm/s and 100% of the blasts undertaken shall produce peak particle velocities not exceeding 10mm/s irrespective of the frequency of the blast measured.

(b) Construction activities, which occur within Sectors 1, 6, 8 and 9 which are identified in Technical Report no. G.19 Assessment of Vibration Effects, as being at a ‘High Risk’ of exceeding the DIN 4150-3:1999 criteria (being excavation, piling, compaction and drilling) shall be conducted so that 95% of the activities undertaken (measured over at least 20 representative samples of the relevant activity on any residential building) shall produce peak particle velocities not exceeding the relevant criterion in DIN 4150-3:1999 and 100% of the activities undertaken shall not exceed 10mm/s irrespective of the frequency of the activity measured.

CNV.7
Where practicable, permanent (traffic) noise barriers, required in any Sector as Detailed Mitigation Options for operational noise following completion of the Project (in accordance with Conditions ON.3 to ON.5) shall be erected prior to noise generating construction works commencing. Where this is not practicable, temporary noise mitigation measures shall be implemented in accordance with the CNVMP, prior to noise generating construction works commencing.

CNV.8
Pile driving or pile removal shall not be undertaken at night (i.e. during the hours of 20:00 – 06:30).

CNV.13
SSNMPs (required by Condition CNV.1(xvi)) above, shall be submitted to Major Infrastructure Team Manager, Auckland Council for review and certification at least 7 working days prior to the proposed works commencing. A decision will be provided by the Council within 5 working days of receipt of the SSNMP.

Works will not commence until certification is received from the Major Infrastructure Team Manager, Auckland Council. The Council may, at its discretion, waive the requirement for SSNMPs to be submitted to the Council where an SSNMP is required.

If monitoring shows that levels specified in a SSNMP are being exceeded, work generating the exceedence will stop and not recommence until further mitigation is implemented in accordance with an amended SSNMP certified by Council.

Advice note: It is accepted that the criteria of CNV.2 and CNV.4 may not be met at all times, but that the NZTA will take all practical steps to achieve compliance, taking into account the hierarchy of mitigation options outlined in Condition CNV.1 (tx).
Noise Conditions – Operation

ON.1
For the purposes of Conditions ON.2-ON.14 the following terms will have the following meanings:

- BPO – means Best Practicable Option.
- Building Modification Mitigation – has the same meaning as in NZS 6806:2010.
- Design Year – means a point in time that is 10 years after the opening of the Project to the public.
- Emergency Mechanical Services – means mechanical services used for emergency situations only.
- Habitable room – has the same meaning as in NZS 6806:2010.
- Noise Criteria Categories – means groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A - primary noise criterion, Category B - secondary noise criterion and Category C - internal noise criterion.
- PPFs – means only the premises and facilities identified in green, yellow or red in Appendix E.
- Structural mitigation – has the same meaning as in NZS 6806:2010.

ON.2
The NZTA shall implement the traffic noise mitigation measures identified as the “Preferred Mitigation Options” in Appendix E as part of the Project, in order to achieve the Noise Criteria Categories indicated in Appendix E (“Identified Categories”), where practicable and subject to Conditions ON.3-ON.11 below.

ON.3
The detailed design of the structural mitigation measures of the “Preferred Mitigation Options” (the Detailed Mitigation Options) shall be undertaken by a suitably qualified and experienced acoustics specialist approved by the Major Infrastructure Team Manager, Auckland Council prior to construction of the Project, and, subject to Condition ON.4, shall include, as a minimum, the following:

(a) Noise barriers with the location, length and height designed in accordance with the ULDF (Section B) (refer Schedule A, Row 38); and
(b) A requirement that Open Graded Porous Asphalt (“OGPA”) or equivalent low-noise generating road surface be used on all surface roads throughout the Project, except at the Great North Road Interchange; and
(c) For the Great North Road Interchange, a requirement that Twin Layer Open Graded Porous Asphalt (“Twin Layer OGPA”) or equivalent low-noise generating road surface be used as shown in Appendix E.

ON.4
Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular structural mitigation measure in the location or of the length or height included in the “Preferred Mitigation Options”, either:

(a) If the design of the structural mitigation measures could be changed and would still achieve the same Identified Category at all relevant PPFs, and a suitably qualified expert approved by the Major Infrastructure Team Manager, Auckland Council, certifies to the Auckland Council that the changed structural mitigation measure would be consistent with adopting BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measures; or
(b) If the changed design of the structural mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but Major Infrastructure Team Manager, Auckland Council confirms that the changed structural mitigation measure would be consistent with adopting BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed structural mitigation measures.

ON.5
The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project.

ON.6
(a) Sectors 1 to 8 - Prior to construction of the Project, a suitably qualified and experienced acoustics specialist approved by the Major Infrastructure Team Manager, Auckland Council shall identify those PPFs within 100m of the edge of the closest traffic lane of the motorway carriageway where, following implementation of all the structural mitigation measures included in the Detailed Mitigation Options:
i. A noise level increase of 3 decibels or more will occur due to road-traffic noise from the Project; and

ii. Habitable spaces are likely to receive in excess of 45 dB LAeq(24h) from motorway operational noise with windows closed, in the Design Year.

For those PPFs, following the process set out in Conditions ON.7 to ON.11, it shall be determined which Building Modification Mitigation is required to achieve 40 dB LAeq inside habitable spaces.

(b) **Sector 9** - Prior to construction of the Project, a suitably qualified and experienced acoustics specialist approved by the Major Infrastructure Team Manager, Auckland Council shall identify those PPFs within 100m of the edge of the closest traffic lane of the motorway carriageway where, following implementation of all the structural mitigation measures included in the Detailed Mitigation Options, habitable spaces are likely to receive in excess of 40 dB LAeq(24h) from motorway operational noise with windows closed, in the Design Year. For those PPFs, following the process set out in ON.7 and ON.8, it shall be determined if Building Modification Mitigation may be required to achieve 40 dB LAeq inside habitable spaces. For those PPFs where Building Modification Mitigation is required to achieve 40 dB LAeq inside habitable spaces, this shall be implemented following the process set out in ON.9 to ON.11.

**ON.7**

(a) Prior to commencement of construction of any sector of the Project in the vicinity of a PPF identified under Condition ON.6, the NZTA shall write to the owner of each such building seeking access for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.

(b) If the owner(s) of the building approve the NZTA’s access to the property within 12 months of the date of the NZTA’s letter (sent pursuant to Condition ON.7(a)), then no more than six months prior to commencement of construction in any sector of the Project, the NZTA shall instruct a suitably qualified and experienced acoustics specialist approved by the Major Infrastructure Team Manager, Auckland Council, to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.

**ON.8**

Where a PPF identified under Condition ON.6 is identified, the NZTA shall be deemed to have complied with Condition ON.7 above where:

(a) The NZTA (through its acoustics specialist) has visited the building; or

(b) The owner(s) of the building approved the NZTA’s access, but the NZTA could not gain entry for some reason after repeated attempts; or

(c) The owner(s) of the building did not approve the NZTA’s access to the property within the time period set out in Condition ON.7(b) (including where the owner(s) did not respond to the NZTA’s letter (sent pursuant to Condition ON.7(a) within that period); or

(d) The owner(s) of the building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Building, the NZTA shall not be required to implement any Building Modification Mitigation at that Building

**ON.9**

Subject to Condition ON.8, within 6 months of the assessment required under Condition ON.7(b), the NZTA shall give written notice to the owner of each PPF identified under Condition ON.6:

(a) Advising of the options available for Building Modification Mitigation to the building; and

(b) Advising that the owner has three months within which to decide whether to accept Building Modification Mitigation for the building, and if the NZTA has advised the owner that more than one options for building modification mitigation is available, to advise which of those options the owner prefers.

**ON.10**

Once an agreement on Building Modification Mitigation is reached between the NZTA and the owner of an affected building, the mitigation shall be implemented (including the NZTA undertaking any required third party authorisation) in a reasonable and practical timeframe agreed between the NZTA and the owner. Building Modification Mitigation shall be to the standard specified in section 8.3.2 of NZS 6806:2010.

Advice Note: The NZTA will be responsible for obtaining any necessary building consents or other approvals to undertake the above Building Modification Mitigation.

**ON.11**

Subject to Condition ON.8, where Building Modification Mitigation is required, the NZTA shall be deemed to have complied with Condition ON.10 above where:

(a) The NZTA has completed Building Modification Mitigation to the Building; or
(b) The owner(s) of the Building did not accept the NZTA’s offer to implement Building Modification Mitigation prior to the expiry of the timeframe stated in Condition ON.9(b) above (including where the owner(s) did not respond to the Requiring Authority within that period); or

(c) The owner of the Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

ON.12
The NZTA shall manage and maintain the Detailed Mitigation Options to ensure that, those mitigation works are maintained to retain their noise attenuation performance indefinitely

ON.14
(a) Prior to construction, the NZTA shall arrange for a suitably qualified and experienced acoustics specialist approved by the Major Infrastructure Team Manager, Auckland Council to undertake a minimum of 8 (eight) representative measurements of ambient noise levels. Measurements shall be undertaken in accordance with the requirements of Section 5.2 of NZS6806:2010.

(b) Following completion of the work, the NZTA shall arrange for a suitably qualified and experienced acoustics specialist approved by the Major Infrastructure Team Manager, Auckland Council to undertake traffic noise monitoring at the same sites surveyed in Condition ON.14 (a) above, within 2 to 3 years following completion of construction of the Project. Measurements shall be undertaken in accordance with the requirements of Section 5.2 of NZS6806:2010.

(c) The results of the noise level monitoring in accordance with ON.14(b) above shall be used to verify the computer noise model of the Detailed Mitigation Option. A report describing the findings of the verification shall be provided to the Major Infrastructure Team Manager, Auckland Council within one month of it being completed.

Vibration Conditions - Operation

OV.1
Existing ambient vibration levels shall be measured at critical locations nominated by the NZTA, and submitted to the Major Infrastructure Team Manager, Auckland Council for approval prior to the commencement of works. These baseline measurements will establish pre-Project vibration levels for comparison with future vibration levels.

Air Quality Conditions – Construction

GENERAL CONDITIONS

AQ.1.
The NZTA shall finalise and implement, through the CEMP, the Construction Air Quality Management Plan (CAQMP) and Concrete Batching and Crushing Management Plan (CBCMP) submitted with the application.

The CAQMP and CBCMP shall be provided to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CAQMP and CBCMP includes the following details:

(a) Daily visual monitoring of dust emissions;
(b) Procedures for responding to process malfunctions and accidental dust discharges;
(c) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site;
(d) Continuous monitoring of Total Suspended Particulate (TSP) concentrations and meteorology;
(e) Monitoring of the times of detectable odour emissions from the ground;
(f) Procedures for responding to discharges of odour (including in the event of excavation of contaminated sites);
(g) Monitoring of construction vehicle maintenance;
(h) Process equipment inspection, maintenance, monitoring and recording, including baghouses, pressure relief valves and high level alarms;
(i) Complaints investigation, monitoring and reporting; and
(j) The identification of staff and contractors’ responsibilities.

AQ.2.
The NZTA shall review the CAQMP and CBCMP at least annually and as a result of any material change to the Project. Any consequential changes will be undertaken in accordance with Condition CEMP.13.

AQ.3.
All construction activities shall be operated, maintained, supervised, monitored and controlled at all times so that all emissions authorised by this consent are maintained at the minimum practicable level.

AQ.4.
The NZTA shall undertake construction activities in accordance with the CEMP, CAQMP and CBCMP, such that:
(a) Hard surfaced areas of the construction yards and active construction areas are vacuum swept or scraped down at least twice each week and additionally as reasonably required;

(b) All unsealed areas of the site used for vehicle movement are maintained visibly damp by the use of water sprays or a water cart during weather conditions where the potential for dust emissions exist;

(c) Wheel wash systems are installed at all truck exits from unpaved areas of the site onto public roads are used for all trucks that depart from the site;

(d) All stockpiles are constructed and positioned to minimise the potential for dust emissions. The surfaces of all stockpiles are maintained adequately damp at all times to minimise the release of particulate matter;

(e) Belt conveyors for moving dry materials are fitted with water sprays or enclosed to minimise wind entrainment of dust. Where installed, water suppression is used whenever the conveyors are used for moving dry materials.

AQ.5. Unless expressly provided for by conditions of this consent, there shall be no odour, dust or fumes beyond the site boundary caused by discharges from the site which, in the opinion of an enforcement officer, is noxious, offensive or objectionable.

AQ.6. All offensive or objectionable dust beyond the boundary of the site caused as a result of processes on the site shall be mitigated forthwith in accordance with the requirements of the Construction Air Quality Management Plan.

AQ.7. Beyond the site boundary there shall be no hazardous air pollutant caused by discharges from the site that causes, or is likely to cause, adverse effects on human health, environment or property.

AQ.8 No discharges from any activity on site shall give rise to visible emissions, other than water vapour, to an extent which, in the opinion of an enforcement officer, is noxious, dangerous, offensive or objectionable.

MONITORING

AQ.14 The NZTA shall undertake visual inspections of dust emissions as follows:

(a) Visual inspections of all active construction areas at least three times daily during October to April inclusive, whenever there are construction activities. The results of visual monitoring shall be logged.

(b) Visual inspections of dust emissions from the concrete batching plants and rock crushing plant shall be undertaken daily while the plant is operating

AQ.15 The operation of water sprays shall be checked at least once each day.

REPORTING

AQ.19. All records, logs, monitoring and test results that are required by the conditions of this consent shall be made available on request, during operating hours, to an Auckland Council enforcement officer and shall be kept for the duration of the consent.

AQ.22. Log books shall be maintained that record all relevant information that is required to demonstrate compliance with the conditions of this consent. This information shall include, but is not limited to:

(a) Visual assessments of any dust emissions from the site and the source;

(b) Any dust control equipment malfunction and any remedial action taken;

(c) When a water cart was used and, if so, the frequency of use and the volume of water used (including identification of location);

(d) All relevant details of the TSP and meteorological monitoring required by Conditions AQ.16 and AQ.17;

(e) Any additional dust control measures undertaken; and

(f) The date and time of the entry and the signature of the person entering the information.

AQ.23. The NZTA shall maintain a log of any complaints received relating to air quality. Details of each complaint received shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 24 hours of receipt of the complaint. The log shall include any complaints lodged with the Auckland Council where the Council has informed the NZTA of the complaint. The log shall include, but not be limited to the following:

(a) The date, time, location and nature of the complaint;

(b) Weather conditions at the time of the complaint (including approximate wind speed, wind direction, cloud cover);
(c) Any possible other contributing factors (such as a fire, smoky vehicle, a local chimney emission, etc.);

(d) The name, phone number and address of the complainant (unless the complainant elects not to supply these details);

(e) Any remedial actions undertaken; and

(f) The date and time of the entry and the signature of the person entering the information.

Landscape and Visual Conditions

LV.1.
The Urban Design and Landscape Plans (UDL Plans) (Plan Set F.16, refer Schedule A, Row 17) shall be reviewed and revised in accordance with the conditions and submitted to the Major Infrastructure Team Manager, Auckland Council for certification that they comply with the conditions of the consents/ designation prior to construction of the relevant Project stage, at least 20 working days prior to the commencement of construction.

The UDL Plans shall be updated to:

(a) Reflect relevant details from the PT and Active Mode Transport Routes Plan Set (Schedule A, Row 23);

(b) Remove the playing field at Waterview Reserve;

(c) Confirm the reconfigured bund design at Alwyn Avenue (Schedule A, Row 42);

(d) Reflect landscaping required in relation to the northern vent stack in Waterview Glades pursuant to Conditions DC.8.

LV.2.
In certifying the UDL Plans, prepared in accordance with Condition LV.1, the Major Infrastructure Team Manager, Auckland Council shall be satisfied the UDL plans includes:

(a) The visual mitigation of infrastructure as detailed in Section B of the UDLF (refer Schedule A, Row 38).

(b) Incorporation of art or art through design of structures, particularly as it relates to noise barriers and the Great North Road Interchange piers and ramps (Refer to clauses (g) and (i) below).

(c) Planting to screen houses and noise walls (including cross section details);

(d) Planting along the corridor on Traherne Island, in accordance with these conditions and the Ecological Management Plan;

(e) Specimen planting on the Great North Road Interchange and the Te Atatu Road Interchange;

(f) Specimen planting at the tunnel portals (except where this is within the OPW area);

(g) Finalisation of the noise barriers (as required by Condition ON.3(a)) in accordance with the design principles for noise walls (refer Schedule A, Row 32);

(h) Delineation of the final areas of the Open Space Restoration Plans in accordance with the Open Space Restoration Plans (Schedule A, Row 30), and reference that all works within the Open Space Restoration Plan Areas are subject to Conditions OS.1 to OS.8;

(i) Oakley Inlet Heritage Plan, prepared in accordance with Conditions OS.5, and in particular, consideration shall be given to the design treatment of the Great North Road Interchange piers and ramps to take into consideration the impact of the structures on the visual quality of the open space beneath;

(j) Ecological Management Plan, prepared in accordance with Conditions V.1, A.1, H.1, F.1 and M.1;

(k) Western Ring Route: Maiope Street Interchange and Waterview Connection - Oakley Creek Rehabilitation and Restoration Guidelines (Boffa Miskell, 2010); and

(l) Details of artworks or art through design of structures within the Project (e.g. design detailing of median barriers, bridge railings, safety barriers, piers, retaining walls and tunnel portals), in accordance with Section B of the Urban Landscape and Design Framework (UDLF June 2010) (refer Schedule A, Row 38) and F.8: Plans of Structures and Architectural Features, but excluding the north and south ventilation buildings, plans sections and elevations.

LV.3.
The NZTA shall have implemented the UDL Plans within 6 months of practical completion of construction of the Project.

LV.4.
The landscaping shall be implemented in accordance with the UDL Plans within the first planting season following the completion of the construction works, provided that climatic conditions are suitable, otherwise at the first practicable opportunity thereafter, and shall be maintained for a period of 10 years thereafter. Should the landscaping be implemented in stages (depending on construction phases), landscaping shall be implemented in accordance with this Condition for each stage unless subsequent construction staging requires use of the proposed landscaping area.
**APPENDIX B (PLANNING MAPS)**

**Advice note: On-going control and management of the landscaping within the designation is the responsibility of the NZTA.**

LV.5.
The NZTA shall implement the UDL Plans taking into account the pest plant management guidelines detailed in the Ecological Management Plan (as required by Condition CEMP.3).

LV.7.
The NZTA shall ensure that the Temporary Embankments constructed for the Causeway are located on the seaward side of SH16 between the motorway end of Rosebank Road and the bridge over the Waterview Inlet.

LV.8.
The NZTA shall ensure that any areas within the designation affected by construction activities have sub-soil rehabilitated and top-soil replaced so that the hydrological response including the volume of stormwater runoff generated is as close as practicable to the predevelopment situation. The methodologies to achieve this shall be documented and provided to the Major Infrastructure Team Manager, Auckland Council with the revised UDL Plans submitted pursuant to Condition LV.1.

LV.9.
The UDL Plans shall make provision for the rehabilitation of Construction Yard 2 at the completion of SH16 construction works through the close planting of native coastal species within that part of the yard area seaward of the proposed stormwater filter strip. All planting shall be consistent with the native coastal planting referenced in the ECOMP and Condition V.10.

LV.10.
The UDL Plans shall identify all Amenity Trees required to be removed over the construction of the Project (in accordance with Condition CEMP.6(o) and (p)). Replacement trees shall be sized at 160Lt and will either draw from the Coastal Forest or Basalt Rock Forest ecotypes listed in the Landscape Planting Schedules (provided in F.16, refer Schedule A, 17) or an agreed alternative species (confirmed by Major Infrastructure Team Manager, Auckland Council), except in the case of those trees subject to Condition ARCH.9.

**Advice note: This does not necessarily apply to any replacement planting in the Open Space Restoration Plan areas, which will be confirmed in approval from Auckland Council and will be in accordance with relevant Auckland Council Park guidelines (see Condition OS.4).**

**Open Space Conditions**

**OS.1**
For the purposes of Conditions OS.2 – OS.15 the following terms will have the following meanings:

- **Full size** – means a football (soccer) field with the dimensions 100m x 60m.
- **Half size** – means a football (soccer) field with the dimensions less than 100m x 60m but no smaller than 50m x 30m.
- **Toddler** – means a playground specifically designed for children between the ages of 1 and 3
- **Junior** – means a playground specifically designed for children between the ages of 4 and 8
- **Youth** – means a playground specifically designed for children between the ages of 9 – 14 years
- **Open for Play** - means the sports field has a level surface and a dense weed-free sward of mature grass, goal posts and lighting if indicated in the Open Space Restoration Plans approved by the Auckland Council.
- **Sand - carpeted** - means the field has been levelled and irrigated, and conventional sub-soil drains, slit drains and a 50mm deep sand carpet have been installed. The field has been stolonised with a warm season grass such as kikuyu or couch.
- **Auckland Council Park Guidelines** – means the document by Auckland City Council titled “Furnishing our parks: design guidelines for park furniture”, dated September 2009
- **Park furniture** – means those items described in the Auckland Council Park Guidelines
- **AS2560** – means the Australia New Zealand Standard for lighting of sports fields.
- **AS4282** – means the Australia New Zealand Standard for the control of the obtrusive effects of outdoor lighting.
- **Way finding exercise** – means a process for determining the number, size, location and content of signage to provide clear direction for all park users.
- **Skate-park for the purpose of conditions OS.5(b)(iii) means a skate park with a size of approximately 1,400 sq. m. (generally 25 wide x 55m long), incorporating a range of design variations. Suitable for beginners (providing training facilities to develop their skills) but primarily catering for intermediate to advanced level skaters.**
Permanent Works

- BMX bike track for the purpose of condition OS.5(b)(iii) means a low maintenance, non-competition BMX bike track, incorporating a range of design variations. Primarily catering for beginner and intermediate riders.

OS.2
The NZTA shall prepare Open Space Restoration Plans to outline how the open space replacement land, as defined in the Open Space Restoration Plan Areas (Schedule A, Row 30) (including land occupied during construction) will be reinstated or replaced on completion of construction, for handover to Auckland Council and those areas identified in Condition DC.1A(f) and RC.3(f).

Following the consultation detailed in Condition OS.3 below, the Open Space Restoration Plans listed in Condition OS.3(a) to (f) shall be submitted within 12 months of construction commencing in the specific areas affecting the reserves or within 12 months of occupation of open space, which ever is the sooner, to the Major Infrastructure Team Manager, Auckland Council.

Advice note: Conditions OS.9 and OS.10 require certain works to be provided prior to occupation of Construction Yards 6 and 7 (Waterview Reserve) and Construction Yards 9-12 (Alan Wood Reserve) and this may impact on the timing of Open Space Restoration Plans for these areas.

OS.3
The Open Space Restoration Plans shall be prepared in consultation with the Auckland Council, Iwi, the Community Liaison Groups (Condition PL.5), NZHPT, and other recreation users and other user representatives identified by Auckland Council. The Open Space Restoration Plans shall comprise the following specific plans:

(a) Waterview Reserve Restoration Plan;
(b) Alan Wood Restoration Plan (including Hendon Park and 25 Valonia Street);
(c) Oakley Creek Esplanade (Waterview Glades) Restoration Plan;
(d) Jack Colvin Park Restoration Plan;
(e) Rosebank Domain Restoration Plan;
(f) Harbourview-Orangihina Reserve Restoration Plan.
(g) The areas of the Open Space Restoration Plans are shown in the Open Space Restoration Plan Areas (Refer Schedule A, Row 30).

OS.4
All Open Space Restoration Plans shall be prepared in general accordance with the UDL Plans (Schedule A, Row 30), and shall include, but not be limited to, the following:

(a) Details of, including the location, of any artworks and educational signage, and directional signage. In the case of Alan Wood Reserve, Waterview Reserve and Oakley Creek Esplanade (Waterview Glade) this shall include a “way-finding exercise” in accordance with Auckland Council practice, to determine all signage to be provided; and
(b) Evidence of integration with the Oakley Creek restoration works required under Conditions STW.5, STW.20, V.16 and LV.2(i); and a summary of the consultation undertaken (as required by Condition OS.3) and the response received; and
(c) Details of any vehicle access through the reserves and parking areas; and
(d) Park furniture (including quantity and quality) to be provided in accordance with relevant Auckland Council Park guidelines, except for:
   (i) The riparian area within Alan Wood Reserve where the only furniture required is a maximum of 10 seats; and
   (ii) Oakley Creek Esplanade (Waterview Glades) where the only furniture required is replacement of 3 existing seats; and
(e) The inclusion and integration of the design for all pedestrian and cycleway linkages and facilities detailed on the PT and Active Mode Transport Routes (Schedule A, Row 22). The design integration shall be in accordance with CPTED principles;
(f) Implementation programme, including sequencing of works and completion dates. This shall include works that could be implemented prior to practical completion of construction works or are outside the Project area (e.g. upgrading of the Waterview Esplanade Reserve set out in Condition OS.5(b)(vii);
(g) Implementation programmes for planting and field reinstatement. This shall include:
   (i) A 12 month maintenance period for built structures and soft landscaping; and
   (ii) For any landscaping accessible to horses an assessment to demonstrate that the planting schedule is not toxic to horses and that consultation on this has been undertaken with the Te Atatu Pony Club;
(h) The specific requirements for each Restoration Plan area as set out in Conditions OS.5 – OS.8;
(i) Documentation of consultation undertaken required by Condition OS.3 and the views and concerns expressed by this consultation and the written approval of the Manager Community and Cultural Policy.

Advice note: For the avoidance of doubt provision of (a) to (h) above will require elevations, cross sections, engineering drawings and written documentation to supplement the UDL Plans. It is also noted that the UDL Plans identify landscaping, planting and other works beyond the Open Space Restoration Plans (refer Conditions LV.1 – LV.6, LV.9 and LV.10). Educational signs and artworks are particularly encouraged.

OS.13
During construction, the NZTA shall maintain pedestrian accessways to all open space available for public use during construction and education facilities where access is affected by the works, including any public access that crosses private land. Such access shall be safe, clearly identifiable, provide appropriate surfacing and seek to minimise significant detours. The access shall be of a same or similar standard as that disrupted and will be provided and maintained by the NZTA.

Advice note: This specifically includes the existing pedestrian access that provides a connection to the crossing over Oakley Creek between 1510 Great North Road and Unitec Mt Albert Campus.

Social Conditions

SO.1
In addition to the Community Liaison Groups established pursuant to Condition PI.5, the NZTA shall establish an Education Liaison Group (including representatives from local schools, kindergartens, childcare facilities, Unitec Institute of Technology, the Ministry of Education and Housing New Zealand Corporation), to provide a forum through which:

(a) Relevant monitoring data can be provided (e.g. air quality monitoring);

(b) Notice can be provided of when particularly noisy activities will occur in close proximity to schools and education facilities, to enable the opportunity to identify any potential conflict with particular sensitive periods, and the requirement for specific mitigation strategies (e.g. rescheduling of construction activities where practicable);

(c) Particular concerns can be raised by educational facilities or parents, discussed and potentially addressed;

(d) Notice can be provided of potential construction impacts on school transport routes (including pedestrian/cycle access) to enable the opportunity to identify specific mitigation preferences of the education facilities (e.g. any detour routes) and to enable these facilities to appropriately inform students and/or parents; and

(e) Learning and teaching opportunities for educational facilities to participate in Project works (e.g. planting or artworks).

The Education Liaison Group shall be established at least 2 months prior to construction commencing and shall have regular meetings (at least three monthly) throughout the construction period. The Education Liaison Group shall continue to meet for at least 12 months following the completion of the Project (or less if the members of the Education Liaison Group agree), so that ongoing monitoring information can continue to be disseminated.

SO.2
In addition to Condition SO.1(b) above, where noisy construction activities (that are projected to exceed the Noise Criteria in the CNVMP) are proposed in close proximity or adjacent to schools/childcare centres, the NZTA shall, when preparing their SSNMP (in accordance with Condition CNV.1) give specific consideration to options to carry out these works outside school hours or during school holidays as a mitigation option.

SO.6
In addition to the Community Liaison Group established pursuant to Condition PI.5, the NZTA shall establish a Working Liaison Group (WLG) inviting the following:

(a) Auckland Council;

(b) Housing New Zealand Corporation;

(c) Te Kawerau Iwi Tribal Authority;

(d) Ngati Whatua o Orakei;

(e) KiwiRail;

(f) Department of Conservation;

(g) Ministry of Education; and

(h) Local Boards.

The purpose of this WLG will be to provide a forum through which:

(a) Opportunities for public work development (including social housing, passenger transport or recreation / open space) are identified in areas where the NZTA confirms that the designation is no longer required (e.g. following construction activities);

(b) Comment can be provided on updated Urban Design and Landscape Plans, including the finalised designs of structural elements for the...
Project (prior to their submission to the Auckland Council);
(c) Opportunities for integration of other environmental projects (e.g. restoration plantings) are identified;
(d) Consideration is given to appropriate protocols for commencement and completion of construction activities (including blessings for commencement of construction phases); and
(e) Comment can be provided by Te Kawerau a Maki on the detailed lighting design of SH16, to consider how lighting effects on cultural sites and practices might be mitigated without compromising traffic safety or those performance standards identified in Condition L.1.

The Working Liaison Group shall be established at least 2 months prior to construction commencing and shall have regular meetings (at least three monthly) throughout the construction period.

SO.7 A schedule of trees that require removal for construction of the Project will be identified and reported to the Community Liaison Group for their consideration of potential provision of timber for heritage projects (including in particular the provision of Robinia wood for heritage boat building). If the demand for this timber is identified to the Construction Team, appropriate measures for felling and removal from the site will be confirmed.

Vegetation Conditions

V.1 The NZTA shall finalise the ECOMP submitted with this application, prior to works commencing on site. The ECOMP shall be implemented through the CEMP. The ECOMP shall clearly identify the location and identity of:
(a) All Significant Vegetation within the designation that is to be fully protected or relocated; and
(b) All Valued Vegetation within the designation that is affected by the works (protected or removed).

Note: Significant and Valued Vegetation shall be as defined in the ECOMP.

V.2 The NZTA shall employ a suitably experienced botanist ('nominated botanist') for the duration of the works to monitor, supervise and direct all works affecting or otherwise in close proximity to the Significant Vegetation and Valued Vegetation identified in the ECOMP.

V.3 Prior to any site works commencing, a pre-commencement site meeting shall be held so that the conditions that pertain to the Significant Vegetation and Valued Vegetation and all vegetation in general (both native and exotic) are explained by the nominated botanist to all contractors or sub-contractors who will be working on site within the close vicinity of that vegetation.

V.4 The NZTA shall minimise the amount of vegetation (both native and exotic) which is to be cleared, with the exception of weeds (both woody and otherwise, unless agreed with the Major Infrastructure Team Manager, Auckland Council and the Community Liaison Group that the retention of these ‘weeds’ has other environmental or ecological benefits that warrant their retention). All vegetation clearance shall be undertaken in accordance with the measures set out in the ECOMP.

V.5 The NZTA shall install protective fencing around, or otherwise clearly demarcate, all of the Significant Vegetation identified in the ECOMP as requiring full protection, under the supervision of the nominated botanist.

V.6 The NZTA shall replace any terrestrial Valued Vegetation that is required to be removed as a result of construction activities, in accordance with the ECOMP and the Urban Design and Landscape Plans.

V.7 The nominated botanist shall supervise all trimming, pruning and relocation work associated with the Significant Vegetation and Valued Vegetation required as part of the works.

V.8 Immediately prior to planting, and for a period of 2 years following completion of construction, the NZTA shall undertake weed control and management of all invasive plant pests within the vegetated areas of the surface designation for the Project. Following this 2 year period, on-going control and management of all invasive plant pests within these areas will be the responsibility of the NZTA.

V.9 The nominated botanist shall undertake a monitoring programme throughout the construction period, including monitoring of:
(a) The condition, repair and location of the temporary protective fencing or other forms of demarcation used to identify the Significant Vegetation;
(b) Any works within the vicinity of the Significant Vegetation and Valued Vegetation;
(c) The general health of the Significant Vegetation and Valued Vegetation (including any Significant or Valued Vegetation that has been relocated away from the works area); and

(d) Compliance with the vegetation conditions of designation by way of fortnightly inspections during the construction period.

V.10
Any planting utilising native plants shall use plants genetically sourced from the Tamaki Ecological District where possible or otherwise shall use plants that have been genetically sourced from within the Auckland Ecological Region.

V.11
Prior to commencement of works adjacent to Traherne Island, the NZTA shall employ a suitably qualified and experienced plant translocation expert to uplift and protect all areas of *Mimulus repens* on Traherne Island that will be affected by the work. The *Mimulus repens* shall be relocated to suitable and safe habitat away from the works area, or otherwise held and protected for the duration of the works in the vicinity of their original location and be replanted back at that location (or in close proximity to it) upon completion of the works. The location of the recipient sites will be determined in consultation with the Department of Conservation and in general accordance with the Traherne Island Natural Heritage Restoration Plan (2009 – 2014). Trials shall be undertaken to identify appropriate recipient sites, with these trial sites being monitored for a period of no less than 5 years, or until their failure. Where possible, recipient sites shall be located in currently weed-free areas. Where recipient sites may potentially be affected by weeds, they shall be subject to an on-going weed management plan. Should translocation attempts fail at all trial sites then the NZTA, in consultation with DOC, shall determine an alternative appropriate form of mitigation.

V.15
Planting along and within the rock revetment of the widened SH16 causeway shall be undertaken by the NZTA at locations in general accordance with the Urban Design and Landscape Plans and planting schedules (Refer Schedule A, Row 17), as identified in those plans under the label “Rock Armour with Saltwater Revetment Planting”. The planting treatments will be in accordance with the concepts of the ECOMP, Appendix I ‘Conceptual Rock Revetment Planting Designs’.

V.17
Prior to commencement of works adjacent to or on Traherne Island, the NZTA shall employ a suitably qualified and experienced ecologist for the preparation of a Traherne Island Weed and Pest Management Plan. The Plan shall be prepared in consultation with the Department of Conservation and be submitted to the Auckland Council for approval at least 20 working days prior to construction commencing.

V.18
The NZTA shall implement the approved Traherne Island Weed and Pest Management Plan.

Every 5 years, a suitably qualified and experienced ecologist engaged by NZTA shall review the plan in consultation with the Department of Conservation. The plan shall then be submitted to the Auckland Council for approval.

**Avian Conditions**

A.1
The NZTA shall finalise, and implement through the CEMP, ECOMP submitted with this application to include the matters set out in Conditions A.2 to A.6.

A.2
The NZTA shall provide temporary high tide roosting structure(s) adjacent to the Causeway during construction, in accordance with the ECOMP, to the satisfaction of the Major Infrastructure Team Manager, Auckland Council. The temporary bird roosts shall be sized in accordance with the ECOMP, and located within the Waterview Estuary adjacent to the southern side of the causeway and in the vicinity of the existing Causeway bridge.

A.3
The NZTA shall employ a suitably qualified ecologist to undertake monitoring of the roosting areas located at:

(a) The existing high tide roost in Harbourview-Orangihina Park; and

(b) The temporary construction roosting structure(s) pursuant to Condition A.2.

Monitoring shall be undertaken on a monthly basis, with a monitoring report prepared on a quarterly basis. The monitoring report shall be made available to the Major Infrastructure Team Manager, Auckland Council and Department of Conservation upon request.

A.4
Should the monitoring results indicate that the roosting sites have been abandoned, consultation shall be undertaken with the Department of Conservation and the Major Infrastructure Team Manager, Auckland Council to determine the need for and type of further management strategies (if any) required.

A.5
Vegetation clearance at Traherne Island shall occur outside the bird breeding season of September to December. Elsewhere, vegetation clearance shall occur outside the bird breeding season of September to December where practicable.
A.6 Animal pest control shall be undertaken by the NZTA on Traherne Island (northern and southern sides) and on the Coastal Marine Area (CMA) frontage of SH16 from Traherne Island North to Whau Creek, and on the southern side of SH16 from Traherne Island South to Whau River (in accordance with Condition V.17).

Herpetofauna Conditions

H.1 The NZTA shall finalise and implement through the CEMP, the ECOMP submitted with this application to include details of lizard management to be undertaken, including the following:

(a) Lizard capture methodology, including timing;
(b) Lizard release locations(s);
(c) Lizard habitat enhancement at population release sites, including a detailed pest control programme for a minimum of one month prior to release and for a minimum of three consecutive years’ duration after release;
(d) Location(s), monitoring and maintenance of lizard protective fencing;
(e) Post-release monitoring methodology; and
(f) Lizard captive management methodology.

Lighting Conditions

Operation

L.1 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, in general accordance with the Waterview Connection Lighting Plan (Drawing Set F.11 (Refer Schedule A, Row 12):

a) All motorway lighting shall be designed in accordance with "Roadlighting Standard AS/NZS1158";
b) All other lighting shall be designed in accordance with relevant rules provided in Rule 14 of the Waitakere City District Plan or Part 13 of the Auckland City Bylaw (April 2008);
c) Fully cut off luminaries shall be used on SH20 from the Southern Tunnel Portal to the Maioro Street Interchange to minimised lighting overspill, as shown on Drawing Set F.11(Refer Schedule A, Row 12).

Construction Zones and Construction Yards

L.2 A Temporary Construction Lighting Management Plan shall be prepared for all construction zones and construction yards prior to commencement of any night time works within the construction zones and construction yards. The Temporary Construction Lighting Management Plan shall be independently verified by a lighting specialist and provided to the Major Infrastructure Team Manager, Auckland Council for certification of compliance 10 working days prior to any night time work commencing.

The certification process shall ensure that the Plan includes (but is not be limited to):

a) The layout and arrangement of all temporary lighting required for night time works, and shall show how this avoids the “Light Spill Restriction Zone” identified on the Construction Yard Plans (Refer Schedule A, Row 7) submitted with the application, and that the temporary lighting complies with relevant rules provided in Rule 14 of the Waitakere City District Plan or Part 13 of the Auckland City Bylaw (April 2008);
b) Provision for a 10m buffer between the night time work and any residential boundary at all times to minimise potential for light spill; and

c) General operating procedures outlined in the CEMP.

Lighting Conditions

L.3 Asymmetrical floodlights with horizontal glass visors that are not raised more than 3 degrees above the horizontal plane shall be used for any temporary construction night time lighting requirements. Alternative temporary lighting arrangements may be used, subject to the prior approval of the Major Infrastructure Team Manager, Auckland Council, where it can be demonstrated that the proposed lighting is similar or better to asymmetrical floodlights with glass visors. Glare shall be kept below the recommendation given in AS 4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting” Tables 2.1 and 2.2.

Archaeology Conditions

ARCH.1 The NZTA shall complete, and implement through the CEMP, the Archaeological Site Management Plan (ASMP) submitted with the notice of requirement, to include, but not be limited to:

a) Identification of the Project archaeologist, their role and responsibility on the Project;
b) Who reports to the Project archaeologist;
c) Specific sites requiring supervision, and measures to be undertaken to protect and manage these sites;
d) Whether NZHPT and/or Auckland Council heritage and/or iwi supervision is required for the specific
site (the latter to be determined through consultation with the relevant iwi groups); and

e) Accidental discovery protocols in the event that unknown archaeological sites are uncovered.

ARCH.2
The NZTA shall employ at its expense a qualified archaeologist (the Project archaeologist) who shall be on site to monitor all initial earthworks, including surface stripping of the site, for all specific areas identified in the ASMP to establish whether any sub-surface archaeological features are present. This includes, but is not limited to, the following areas:

(a) All unmodified areas in the vicinity of Rosebank Road;

(b) All works in the vicinity of the “Oakley Inlet Heritage Area”, located adjacent to the Great North Road Interchange;

(c) Works in the vicinity of two midden sites (recorded R11/2214 and R11/2215) within Great North Road Interchange, and all previously unmodified areas near the banks of the Oakley Inlet;

(d) Any ground disturbance works in Construction Yard 7 within Oakley Creek Reserve.

ARCH.3
If any archaeological sites, including human remains are exposed during site works, then the following procedures shall apply:

(a) Immediately it becomes apparent that a possible archaeological or traditional site has been exposed, all site works in the immediate vicinity shall cease;

(b) The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are untouched and notify the Project archaeologist;

(c) The Project archaeologist shall inspect the site to assess the relevance of the find, and then the Auckland Council shall be advised of the significance;

(d) If the site is confirmed to be an archaeological site by the Project archaeologist, the site supervisor shall then notify tangata whenua, the New Zealand Historic Places Trust, and the Auckland Council that an archaeological site has been exposed so that appropriate action can be taken;

(e) In the case of human remains, the NZ Police shall be notified.

ARCH.4
In accordance with the ASMP, the following archaeological sites shall be fenced off and protected to the satisfaction of the Project archaeologist, prior to construction activities being undertaken:

(a) Recorded sites R11/2504, R11/2505, R11/2506 and R11/2507, located on the northern boundary of the designation adjacent to the Rosebank Road peninsula.

(b) Recorded site R11/2383 in the Oakley Creek Esplanade Reserve construction yard.

ARCH.8
All contractors and subcontractors working on the Project shall be trained on the archaeological requirements set out in the ASMP.

Advice note
Any archaeological sites within the area affected by the Project shall not be modified or disturbed in any way unless written authorisation has been obtained from the NZ Historic Places Trust.

Contaminated Land and Contaminated Discharges Conditions

CL.1
The NZTA shall finalise and implement through the CEMP, the Contaminated Soil Management Plan (CSMP) submitted with this application prior to commencement of any site works. The CSMP shall include, but not be limited to:

(a) Measures to be undertaken in the handling, storage and disposal of all material excavated during the construction works;

(b) Soil validation testing and groundwater testing;

(c) Soil verification testing to be undertaken to determine the nature of the excavated spoil and potential reuse or disposal options;

(d) Measures to be undertaken in the event of unexpected contamination being identified during construction activities; and

(e) Measures to be undertaken for the handling of asbestos containing material.

CL.4
All excavated soil shall be tested by the NZTA in general accordance with the CSMP, prior to either reuse on site or disposal off site. The testing regime shall be submitted for approval by the Major Infrastructure Team Manager, Auckland Council.

CL.5
The NZTA shall notify the Major Infrastructure Team Manager, Auckland Council within 5 working days of identification of any contamination at the site which was not identified in the reports submitted in support of this application, including contaminated soil, surface water or groundwater.
CL.6
The removal of any excavated contaminated soil shall be in accordance with the CSMP. The removal and disposal of any contaminated groundwater/surface water from the site shall be in accordance with the GWMP and the ESCP.

CL.7
The NZTA shall engage a suitably qualified contaminated land specialist to supervise the works, excavation and removal of any contaminated soils from the site and undertake sampling (if required) of imported material.

CL.8
All testing/sampling techniques shall be carried out in accordance with the Ministry for the Environment Contaminated Land Management Guidelines or other equivalent standards approved in writing by the Major Infrastructure Team Manager, Auckland Council.

CL.11
The NZTA shall submit to the Major Infrastructure Team Manager, Auckland Council, a Site Closure Report no later than three (3) months after the completion of the earthworks. The Report shall be prepared in accordance with Schedule 13 (Schedules for Reporting on Contaminated Land) of the Proposed Auckland Regional Plan: Air Land and Water and include:

(a) Results of any soil reuse and imported material testing carried out to ensure compliance with the CSMP;
(b) Volumes of soil removed from site;
(c) Copies of the waste disposal receipts; and
(d) Reports of any non-compliance with the CSMP procedures or complaints received while undertaking the site works.

Activity in Accordance with Plans
1. The SH16 St Lukes Western Ring Route Project shall be carried out in accordance with the plans submitted with the application, being:

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**Road Lighting**

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and referenced by the Council as “R/LUC/2013/2533, R/LUC/2013/2535, R/REG/2013/2539, R/REG/2013/2541, R/REG/2013/2542, R/REG/2013/4722, R/REG/2013/2616, R/LUC/2013/2545, R/LUC/2013/5030, R/REG/2013/2550, R/REG/2013/2551, R/REG/2013/2552 AND R/REG/2013/4724”. If there is any conflict between the application documents and the specific conditions which follow, the specific conditions are to prevail. If there is any conflict between the plans in the stated volumes and the plans revised/updated/produced during processing the application, the later plans prevail.

**Disputes Resolution**

2. In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/approvals required by the designation conditions, or as to implementation of, or monitoring required by, the conditions, the disputed matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a resolution process.

If a resolution cannot be agreed, then the matter may be referred to an independent and appropriately qualified expert in resource management and/or roading matters, agreeable to
both parties (such agreement not to be unreasonably withheld by either party), setting out in writing the details of the matter to be referred for determination and the reasons the parties have not agreed.

The independent and appropriately qualified expert shall be appointed within 10 working days of the NZTA or the Auckland Council giving notice to the other of its intention to seek an expert determination. The expert shall, as soon as possible, issue a written decision on the matter including the reasons for his or her decision. In making the decision, the expert shall be entitled to seek further information and to hear from the parties as he or she sees fit in his or her sole discretion. The reasonable fees of the expert, including GST (if any), shall be paid equally by both disputing parties.

Advice note:
The dispute resolution process provided for by this condition does not prejudice any party's right to take enforcement action in relation to implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council, except for urgent situations.

3. This alteration to designation will lapse if it is not given effect to before the expiry of 5 years from the date on which it is included in the District Plan under section 184(1) of the Resource Management Act 1991 (“the Act”).

4. Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (“NZTA”, being the Requiring Authority), the Notice(s) of Requirement (“NoR”) and the supporting documents, and supplementary information provided. In summary, this information is:

(b) Waterview Connection Project. Assessment of Environmental Effects report (dated August 2010). Part F: Plans and Drawings, except as updated through processing the NoR and applications (Refer Schedule A for current plan and drawing references); and
(c) Waterview Connection Project. Assessment of Environmental Effects report (dated August 2010). Part G: Technical Reports:
(i) Technical Report G.1 Assessment of Air Quality Effects
(ii) Technical Report G.2 Assessment of Archaeological Effects
(iii) Technical Report G.3 Assessment of Avian Ecological Effects
(iv) Technical Report G.4 Assessment of Coastal Processes
(v) Technical Report G.5 Assessment of Construction Noise Effects
(vi) Technical Report G.6 Assessment of Freshwater Ecological Effects
(vii) Technical Report G.7 Assessment of Groundwater Effects
(viii) Technical Report G.8 Assessment of Herpetofauna Ecological Effects
(ix) Technical Report G.9 Assessment of Land and Groundwater Contamination
(x) Technical Report G.10 Assessment of Lighting Effects
(xi) Technical Report G.11 Assessment of Marine Ecological Effects
(xii) Technical Report G.12 Assessment of Operational Noise Effects
(xiii) Technical Report G.13 Assessment of Ground Settlement Effects
(xiv) Technical Report G.14 Assessment of Social Effects
(xv) Technical Report G.15 Assessment of Stormwater and Streamworks Effects
(xvi) Technical Report G.16 Assessment of Temporary Traffic Effects
(xvii) Technical Report G.17 Assessment of Terrestrial Vegetation Effects
(xviii) Technical Report G.18 Assessment of Transport Effects
(xix) Technical Report G.19 Assessment of Vibration Effects
(xx) Technical Report G.20 Assessment of Visual and Landscape Effects
(xviii) Technical Report G.23 Coastal Works
(xxiv) Technical Report G.24 Geotechnical Interpretive Report
(xxvi) Technical Report G.26 Operational Model Validation Report

(d) PT & Active Mode Transport Routes Existing and Proposed (Refer Schedule A, Row 22).
(e) Waterview Connection Project, evidence and supplementary information provided to the Board of Inquiry:
   (i) Evidence in Chief (Numbers 1-37)
   (ii) Rebuttal Evidence (Numbers 1-33)
   (iii) Supplementary Information (Numbers 1-8)
(f) SH16 St Lukes Western Ring Route Project Planning Assessment and supporting documentation.

Construction Environmental Management Plan (“CEMP”)

5. The NZTA shall update and finalise the draft Construction Environmental Management Plan (“CEMP”) submitted with the NZTA Waterview Connection Project, including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application, to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council, for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until the certification is obtained.

Advice note:
For clarity, the CEMP will be updated and finalised in accordance with the Board of Inquiry conditions for both the resource consents and designations. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.

6. As some works may commence well in advance of others, for the purposes of staging works, NZTA may provide staged or site-specific CEMPs for those works to the Major Infrastructure Team Manager, Auckland Council. The NZTA shall consult with the Major Infrastructure Team Manager about the need and timing for any other site-specific or staged CEMPs and shall provide any required site-specific or staged CEMPs to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to commencement of such the specific stage (including enabling) or site works.

7. The certification process of the CEMP (and its appendices), as required by condition 5, shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in condition 11 (CEMP.6), and that it includes details of:
   (a) Staff and contractors’ responsibilities;
   (b) Training requirements for employees, sub-contractors and visitors;
   (c) Environmental incident and emergency management;
   (d) Communication and interface procedures (in accordance with the Communication Plan required under condition Pl.2 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;
   (e) Environmental complaints management (including the procedures required under condition Pl.4 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;
   (f) Compliance monitoring;
   (g) Reporting (including detail on the frequency of reporting to the Auckland Council);
   (h) Environmental auditing; and
   (i) Corrective action.

8. The management of key environmental effects associated with the construction phase of the project is detailed in environmental management plans included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprise Construction Noise and Vibration Management Plan (“CNVMP”);
(a) Construction Air Quality Management Plan ("CAQMP");
(b) Erosion and Sediment Control Plan ("ESCP");
(c) Temporary Stormwater Management Plan ("TSMP");
(d) Ecological Management Plan ("ECOMP");
(e) Groundwater Management Plan ("GWMP");
(f) Settlement Effects Management Plan ("SEMP");
(g) Contaminated Soils Management Plan ("CSMP");
(h) Hazardous Substances Management Plan ("HSMP");
(i) Archaeological Site Management Plan ("ASMP");
(j) Construction Traffic Management Plan ("CTMP");
k) Concrete Batching and Crushing Plant Management Plan ("CBCPMP");
l) Electrical Infrastructure Site Development and Construction Management Plan ("EISDCMP")
(to be prepared in accordance with condition CEMP.15 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent; 
(m) Waste Management Plan (to be prepared in accordance with condition CEMP.10 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent; and
(n) Temporary Construction Lighting Management Plan (to be prepared in accordance with condition L.2 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

9. The CEMP shall be implemented and maintained throughout the entire construction period.

10. A copy of the CEMP shall be held on each construction site at all times and shall be available for inspection on request by the Auckland Council.

11. The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the project. The certification process for the CEMP shall confirm that the CEMP includes details of the following:

(a) Details of the site or project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
(b) The location of large notice boards that clearly identify NZTA and the project name, together with the name, telephone, email address and address for service of the site or project manager and the community liaison person;
(c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;
(d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;
(e) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage and unloading of building materials and similar construction activities;
(f) Location of worker’s offices and conveniences (e.g. portaloos);
(g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
(h) Methods to stabilise ingress and egress points to construction sites, to the standard required by the former ARC’s Technical Publication 90 (Nov 2007) ("TP 90");
(i) Procedures for ensuring that residents within 100 metres of construction areas or other people whose use of an area may be disrupted by construction works are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;
(j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;
(k) Means of ensuring the safety of the general public;
(l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;

(m) Methods of mitigating the local and network wide effects of construction of individual elements of the project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;

(n) All temporary boundary/security fences shall be maintained in good order, with any graffiti removed as soon as possible;

(o) Confirmation of a project arborist; and completion of a “STEM” assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE lodged with the Board of Inquiry for the Waterview Connection Project to confirm the final amenity trees; and

(p) The process to minimise the removal of amenity trees, maximise the protection of those retained, undertake relocation of amenity trees and replacement of specimen trees (in accordance with conditions LV.10 and ARCH.9 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

Advice note:

For the purposes of this condition, “amenity tree” in o) and p) is defined as a tree or trees that contribute significantly to amenity, taking account of its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE lodged with the Board of Inquiry for the Waterview Connection Project).

12. The layout of the construction yards, including associated buildings, fencing and site access shall be developed in accordance with Waterview Connection Project Construction Yards Plans submitted as part of the AEE for the Waterview Connection Project. The layout drawings shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council, at least 20 working days prior to occupation of the yard, for review and certification that the final layout of the construction yards is in accordance with the conditions. The layout drawings shall incorporate the following:

(a) The main access to the construction yards to be located as far as practicable from residential dwellings, taking into account site and public safety and environmental constraints, in the locations shown on Waterview Connection Project Construction Yards Plans;

(b) Noisy construction activities to be located as far as practicable, and preferably no less than 100m, from residential dwellings;

(c) Construction of temporary boundary/security fences to be undertaken in a manner which minimises impacts on existing trees;

(d) Temporary acoustic fences and visual barriers;

(e) Temporary buildings greater than 8 metres in height to be located in a position which minimises visual impact on adjacent residential dwellings; and

(f) Location of workers’ and project vehicle parking.

13. All storage of material and equipment associated with the construction works shall take place within the boundaries of the designation.

14. Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, berms, kerbs, vehicle crossings and the roads during the site preparation and construction phase of the project. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the road attributable to any vehicle associated with construction activities shall be repaired to the same or similar standards as existed prior to such damage at no cost to the Auckland Council.

15. The NZTA shall finalise and implement the Hazardous Substances Management Plan (“HSMP”), through the CEMP (as required by condition 5; CEMP.1), submitted with the NZTA Waterview Connection Project, prior to works commencing on the site. The certification process of the CEMP shall confirm that the HSMP clearly identifies the requirements for proper storage, handling, transport and disposal of hazardous substances during the construction phase of the project and confirm that there shall be no storage of explosives on the project site.

16. The NZTA shall develop and implement a Waste Management Plan in accordance with the waste management principles, controls and methods set out in the certified CEMP. The Plan shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council for approval and the approved Plan is to be implemented throughout the entire construction period.

17. The approved CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the project. The review shall take into consideration:
APPENDIX B (PLANNING MAPS)

(a) Compliance with designation and consent conditions;
(b) Any changes to construction methods;
(c) Key changes to roles and responsibilities for the project;
(d) Changes in industry best practice standards;
(e) Changes in legal or other requirements;
(f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and
(g) Public complaints.

A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Projects Team Manager, Auckland Council and made available (with any related data) to the Auckland Council on request.

18. Following the review process (as described in condition 17 and CEMP.12 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent) the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Projects Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.

Advice Note:

“Material change” will include amendment to any base information informing the CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation / remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.

19. The CEMP shall include, as an appendix, an Electrical Infrastructure Site Development and Construction Management Plan (“EISDCMP”). The EISDCMP shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council, and include:

(a) Methods and measures:
   (i) To ensure that the existing high voltage infrastructure can be accessed for maintenance at all reasonable times, or emergency works at all times, during and after construction activities.
   (ii) To appropriately manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear, to the overhead transmission lines
   (iii) To ensure that no activity is undertaken during construction that would result in ground vibrations and/or ground instability likely to cause material damage to the transmission lines, including support structures.
   (iv) To ensure that changes to the drainage patterns and runoff characteristics do not result in adverse effects from stormwater on the foundations for any high voltage transmission line support structure.

(b) Sufficient detail to confirm that new planting and maintenance of vegetation will comply with the New Zealand Electricity (Hazard from Trees) Regulations 2003, including, but not limited to, the provisions of Schedule (Growth Limit Zones) to those Regulations.

(c) Sufficient detail to confirm that the works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), including, but not limited to, the provisions of:
   (i) Clause 2.2 with respect to excavations near overhead support structures;
   (ii) Clause 2.4 with respect to buildings near overhead support structures;
   (iii) Section 3 with respect to minimum separation between buildings and conductors;
   (iv) Section 5 with respect to minimum safe distances for the operation of mobile plant; and,
   (v) Table 4 with respect to minimum safe separation distances between the ground and the overhead conductors.

(d) Confirmation that Transpower has been provided a copy of the EISDCMP for its review at least 20 working days prior to construction.

Advice note:

With respect to clause (c), specific consideration must be given to the height and location of temporary structures (such as project offices and
other construction site facilities) and permanent structures (such as lighting poles, signage, gantries and acoustic barriers).

20. The NZTA will be responsible for all service relocations required for construction of the project. The NZTA shall liaise with the providers of infrastructure service networks (including, but not limited to, water, gas, stormwater, wastewater, power and telecommunications) and private property owners with on-site services to develop methodologies and timing for necessary services relocation required for the project, with the objective of minimising disruption to the operation of these service networks and on-site services.

Advice note:
(a) It is noted that if separate consents are required for relocations for any services of network utility operators or landowners, such consents will be obtained before construction commences in the relevant area, and any effects of these relocations would be considered at that time. The same applies to any alteration of consents if required.
(b) Network infrastructure owned and operated by Watercare Services is located within the designation. An operating agreement will be developed by NZTA and Watercare Services which will include appropriate notification and access protocols where works are to be undertaken by either network operator on or adjacent to Watercare Services infrastructure within the designations.

Landscape, Urban Design, Visual

21. The requiring authority shall implement the project planting in accordance with the Landscape and Urban Design Masterplan and planting details (referenced in condition 1) during the first planting season following completion of the construction works, the project planting shall be maintained in a healthy state for a period of 10 years thereafter.

Advice note:
Ongoing control and management of the landscaping within the designation is the responsibility of the NZTA.

22. The requiring authority shall ensure that any areas within the project area affected by construction activities have sub-soil rehabilitated and topsoil replaced so that the hydrological response including the volume of stormwater runoff generated is as close as practicable to the pre-development situation. The methodologies to achieve this shall be documented and provided to the Major Infrastructure Projects Team Manager on completion of construction works.

23. Where possible the requiring authority shall use locally eco-sourced native plants in the project area.

24. All noise walls shall be located in accordance with the Noise Walls and Fences plans (rather than the Landscape and Urban Design Masterplans) referenced in plan series ‘215023-D-C-918-001’.

25. In certifying the Urban Design and Landscape Masterplan prepared in accordance with condition LV.1 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent, the Major Infrastructure Projects Team Manager, Auckland Council shall be satisfied the plans include:
(a) Planting to screen houses and noise walls (including cross section details);
(b) Ecological Management Plan, prepared in accordance with Conditions V.1, A.1, H.1, F.1 and M.1 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent;

26. The NZTA shall have implemented the Urban Design and Landscape Masterplan plans within 6 months of practical completion of construction of the project.

27. The NZTA shall implement the Urban Design and Landscape Masterplan taking into account the pest plant management guidelines detailed in the Ecological Management Plan (as required by condition 18, CEMP.3 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

Air Quality

28. The NZTA shall finalise and implement, through the CEMP, the Construction Air Quality Management Plan (“CAQMP”) submitted with the Waterview Connection Project notices of requirement and resource consent applications. At least 20 working days prior to construction activities being undertaken the CAQMP shall be provided by the requiring authority to the Major Infrastructure Projects Team Manager, Auckland Council for review and certification that it includes the following details:
(a) Daily visual monitoring of dust emissions;
(b) Procedures for responding to process malfunctions and accidental dust discharges;
(c) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site;

(d) Continuous monitoring of Total Suspended Particulate (“TSP”) concentrations and meteorology;

(e) Monitoring of the times of detectable odour emissions from the ground;

(f) Procedures for responding to discharges of odour (including in the event of excavation of contaminated sites);

(g) Monitoring of construction vehicle maintenance;

(h) Process equipment inspection, maintenance, monitoring and recording, including baghouses, pressure relief valves and high level alarms;

(i) Complaints investigation, monitoring and reporting; and

(j) The identification of staff and contractors’ responsibilities.

29. The NZTA shall review the CAQMP at least annually and at any time there is a material change to the project. Any consequential changes will be undertaken in accordance with condition 18 (CEMP.13) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent.

30. All construction activities shall be operated, maintained, supervised, monitored and controlled at all times so that all emissions authorised by this consent are maintained at the minimum practicable level.

31. The NZTA shall undertake construction activities in accordance with the approved CEMP and CAQMP, such that:

(a) Hard surfaced areas of the construction yards and active construction areas are vacuum swept or scraped down at least twice each week and additionally as reasonably required;

(b) All unsealed areas of the site used for vehicle movement are maintained visibly damp by the use of water sprays or a water cart during weather conditions where the potential for dust emissions exist;

(c) Wheelwash systems are installed at all truck exits from unpaved areas of the site onto public roads are used for all trucks that depart from the site;

(d) All stockpiles are constructed and positioned to minimise the potential for dust emissions. The surfaces of all stockpiles are maintained adequately damp at all times to minimise the release of particulate matter;

(e) Belt conveyors for moving dry materials are fitted with water sprays or enclosed to minimise wind entrainment of dust. Where installed, water suppression is used whenever the conveyors are used for moving dry materials.

32. Unless expressly provided for by conditions of this designation, there shall be no odour, dust or fumes beyond the site boundary caused by discharges from the site which, in the opinion of a Council enforcement officer, is noxious, offensive or objectionable.

33. All offensive or objectionable dust beyond the designation boundaries caused as a result of construction processes shall be mitigated forthwith in accordance with the requirements of the Construction Air Quality Management Plan.

34. Beyond the designation boundaries there shall be no hazardous air pollutant caused by discharges that causes, or is likely to cause, adverse effects on human health, environment or property.

35. No discharges from any activity carried out as part of the project works shall give rise to visible emissions, other than water vapour, to an extent which, in the opinion of a Council enforcement officer, is noxious, dangerous, offensive or objectionable.

36. The NZTA shall undertake visual inspections of dust emissions as follows:

(a) Visual inspections of all active construction areas at least three times daily during October to April inclusive, whenever there are construction activities. The results of visual monitoring shall be logged.

(b) Visual inspections of dust emissions from the concrete batching plants and rock crushing plant shall be undertaken daily while the plant is operating.

37. The operation of water sprays shall be checked by or on behalf of the requiring authority at least once each day.

38. All records, logs, monitoring and test results that are required by the conditions of this designation shall be made available on request, during
operating hours, to an Auckland Council enforcement officer and shall be kept by the consent holder for the duration of the designation.

39. Construction logbooks shall be maintained that record all relevant information that is required to demonstrate compliance with the conditions of this designation. This information shall include, but is not limited to:
   (a) Visual assessments of any dust emissions from the site and the source;
   (b) Any dust control equipment malfunction and any remedial action taken;
   (c) When a water cart was used and, if so, the frequency of use and the volume of water used (including identification of location);
   (d) Any additional dust control measures undertaken; and
   (e) The date and time of the entry and the signature of the person entering the information.

40. The NZTA shall maintain a log of any complaints received relating to air quality. Details of each complaint received shall be forwarded to the Major Infrastructure Projects Team Manager, Auckland Council, within 24 hours of receipt of the complaint. The log shall include any complaints lodged with the Auckland Council where the Council has informed the NZTA of the complaint. The log shall include, but not be limited to the following:
   (a) The date, time, location and nature of the complaint;
   (b) Weather conditions at the time of the complaint (including approximate wind speed, wind direction, cloud cover);
   (c) Any possible other contributing factors (such as a fire, smoky vehicle, a local chimney emission, etc.);
   (d) The name, phone number and address of the complainant (unless the complainant elects not to supply these details);
   (e) Any remedial actions undertaken; and
   (f) The date and time of the entry and the signature of the person entering the information.

Traffic

41. The NZTA shall update and finalise the Construction Traffic Management Plan (“CTMP”) submitted with the Waterview Connection Project AEE, in accordance with these conditions, and implement it through the CEMP. In finalising the CTMP, the NZTA shall:
   (a) Provide simulation modelling demonstrations to understand the effects of construction of the project on the affected road network better;
   (b) Include measures to avoid road closures and restrictions of vehicle, bus, cycle and pedestrian movements;
   (c) Where road closures or restrictions cannot reasonably be avoided, the particular vulnerabilities and sensitivities of pedestrian diversions and restricted conditions shall be taken into account in the planning of any closures or restrictions.

42. The CTMP shall require the development of Site Specific Traffic Management Plans (“SSTMPs”) and their approval by the Traffic Management Project Governance Group (as defined by the CTMP) for each construction activity that may affect traffic or transportation infrastructure and services. The SSTMPs shall be provided to the Traffic Management Coordinator(s) for the relevant road controlling authority at least 10 working days prior to each construction activity.

43. Each SSTMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide effects of construction of the project. In particular, the SSTMP shall include the following matters:
   (a) Traffic management measures to address and maintain, traffic capacity, including bus services, at peak traffic periods during weekdays (6:00 to 9:00 and 16:00 to 19:00) and peak traffic periods at weekends (including Great North Road);
   (b) Methods to manage the effects of traffic during construction including the requirement to detour or divert traffic. These methods shall seek to avoid, remedy or mitigate effects on access to and from businesses and other organisations in the area;
   (c) Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses;
   (d) Methods to avoid, remedy or mitigate the local and network-wide effects of the construction of individual elements of the project (e.g. intersections/overbridges) and the use of staging to allow sections of the project to be...
opened to the traffic while other sections are still under construction;

(e) Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks) during construction;

(f) Any routes where construction traffic movements will be restricted (either for particular times for construction periods);

(g) Measures to maintain existing vehicle access, as far as practicable, or where the existing property access is to be removed or becomes unsafe as a result of the construction works, measures to provide alternative access arrangements in consultation with the Auckland Council and the affected landowner; and

(h) Measures to maintain pedestrian and cycle access with thoroughfare to be maintained on all roads and footpaths adjacent to the construction works, where practicable (e.g. unless provision of such access is severed by the works or such access will become unsafe as a result of the construction works). Such access shall be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours. (This condition does not act as a qualification to the commitment to maintain access to open space and education facilities as required in condition OS.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent).

44. The SSTMPs shall include traffic management measures developed in consultation with Auckland Transport, Bus and Coach Association and the Auckland Council, to address and maintain, where practicable, existing levels of service for buses particularly at peak periods (6:00 to 9:00 and 16:00 to 19:00) on weekdays.

45. The NZTA shall consult with the Traffic Operations Manager, Auckland Transport with regard to the most appropriate means for providing access on Council roads within and adjacent to the designation. The NZTA shall also coordinate and consult directly with the proponents of any major construction or major traffic generating event occurring concurrently with, and in the vicinity of, the project.

46. The SSTMPs shall include measures developed in consultation with Auckland Transport to enable, as far as practicable, continued public walking and cycling passage along the existing North-western Cycleway (between the Te Atatu Interchange and the St Lukes Interchange) and along Great North Road and the public walkway along Oakley Creek, with any interruptions being as short as feasible.

47. The NZTA shall restrict construction truck movements during peak hours (6:00 to 9:00 and 16:00 to 19:00) on weekdays and during the peak periods at the weekends to avoid the following:

(a) Great North Road Interchange, city bound during the morning peak hours

(b) Great North Road Interchange, west bound onto SH16 and southbound onto Great North road during the afternoon peak.

(c) St Lukes Interchange, during afternoon peak hours, and morning peak hours from eastbound onto SH16.

Construction truck movements during these hours shall be allowed only under exceptional circumstances agreed in advance with the Traffic Management Project Governance Group.

48. The NZTA shall maintain at least the existing active traffic lane configuration capacity on SH16, at St Lukes Road at the St Lukes interchange and on Great North Road during peak periods being 6:00 to 9:00 and 16:00 to 19:00 on weekdays and during the peak periods on weekends, for the duration of the temporary construction programme.

49. The NZTA shall monitor the impact of construction traffic in terms of traffic speeds and volumes on SH16, Great North Road and St Lukes Road at the St Lukes interchange throughout the construction period to confirm the expected traffic effects as set out in the Temporary Traffic Assessment (Technical Report G.16) submitted with the Notice of Requirement.

(a) This monitoring will be undertaken on a daily, weekly and monthly basis; and

(b) Monitoring results will be made available to the Traffic Operations Manager, Auckland Transport on request.

50. If monitoring undertaken pursuant to condition 49 (TT.10) indicates that traffic volumes or traffic conditions are significantly different from those expected, the SSTMPs will be reviewed by the requiring authority and as appropriate amended to the satisfaction of the Traffic Management Project Governance Group.

51. In collaboration with Auckland Transport, the NZTA shall prepare a Network Integration Plan ("NIP") for the project, or relevant project phases, to demonstrate how the project integrates with the
existing local road network and with future improvements (identified in NZTA's Western Ring Route (Northwest) Network Plan, dated September 2010) planned by the Auckland Council. The NIP shall include details of proposed physical works at the interface between the State Highway and the local road network, and shall address such matters as pedestrian/cycleways, lane configuration, traffic signal co-ordination, signage and provision for buses. In addition, the NIP is to address:

(a) The commitment of the NZTA to progress bus priority measures northbound on Great North Road as part of the reinstatement of Great North Road, as proposed by Auckland Transport. This is subject to the agreement with Auckland Transport;

(b) How the works committed to by the NZTA for pedestrian and cycleways, as detailed in the PT and Active Mode Transport Routes Plan Set (condition DC.1(d) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent integrate with pedestrian and cycleways on the wider transport network;

(c) The commitment of the NZTA to provide for cycle “aspects” (cycle signal lights) at the Great North Road Interchange.

Works identified in the NIP which are the responsibility of the NZTA will be undertaken as at the time of construction works for the project.

Geotechnical

52. The proposed development must be generally located as indicated on the Aurecon drawings “General Arrangement Sheets 1 to 8” dated 31-05-2013 (ref: 215023-D-C-100-001 Rev D to 007 Rev D and 215023-D-C-100-008 Rev B).

53. A further detailed geotechnical investigation must be undertaken to confirm design parameters including foundation depths for the St Lukes interchange widening (including both the proposed new bridge and any widening to the approach ramps, including the new retaining wall for Chamberlain Golf Course) plus the new cycleway bridge and abutments and the stormwater pond.

54. Any foundations and piles plus the excavation for these must be specifically designed by a chartered professional structural engineer based on the above detailed geotechnical investigation and the Aurecon study (Ref: ‘Indicative Constructability Report: SH16 St Lukes Interchange Project, prepared by Aurecon and dated 24 April 2013).

55. A chartered professional engineer with experience of geotechnics shall inspect and certify any pile holes for foundations and any retaining works.

56. Any foundations in the vicinity or that span over the reinforced earth retaining structure of the current St Lukes Rd overbridge must be suitably designed to ensure the retaining structure is not damaged.

57. A chartered professional engineer with appropriate experience shall design the groundwater control measures.

58. All temporary excavations (except those in rock) unless suitably designed by a chartered professional engineer are limited to an open face of not more than 3 metres horizontal distance at any one time and shall be limited to an unsupported gradient of 1 vertical to 2 horizontal.

59. Excavations through any basalt shall be inspected by a chartered professional engineer with experience of geotechnical engineering or an experienced engineering geologist who shall advise the Major Infrastructure Projects Team Manager on the stability of the excavation and any requirement for support measures (including any necessity for rock bolting or netting etc).

60. All excavations (other than in rock) that intercept a line 1 vertical to 2 horizontal from an adjacent boundary are to be retained with a suitable retaining structure designed for at-rest conditions.

61. Construction works shall be under the control of a chartered professional engineer with experience of geotechnical engineering. The construction works shall follow the recommendations of the detailed geotechnical report for foundation types (including depth of foundations required), retaining works and earthworks, including temporary works and any required stability measures) provided with the AEE (Ref: ‘Indicative Constructability Report: SH16 St Lukes Interchange Project’, prepared by Aurecon and dated 24 April 2013). This will include supervision of piling, excavations, the foundations, retention measures and floor slabs. Provision must be made for over deepening of any foundations where soft or weak soils are encountered.

62. Prior to commencement of any works on the site, the requiring authority shall provide to the Major Infrastructure Projects Team Manager, a site management plan (“SMP”) that includes an excavation and construction methodology acceptable to the Council that shall include specific details relating to the construction/management/monitoring of all works associated with the SH16 St Lukes Western Ring Route Project. The Major Infrastructure Projects Team Manager shall have
approved the SMP prior to construction works commencing. The approved SMP shall be implemented and maintained throughout the entire works period. Items to be included in the construction methodology are:

(a) Key inspection stages during excavation, retaining and foundation construction;
(b) Timeframes for exposed excavated ground;
(c) Monitoring procedures for vibration and noise;
(d) Location and timeframes for temporary support of excavations.

63. No fill material shall be placed as part of the final development without being supervised by a chartered professional engineer with geotechnical experience.

64. Excavations in exposed ground shall be protected from the detrimental effects of weathering e.g. by the use of polythene, basecourse or other similar methods. Alternatively, material damaged by the weather shall be removed to a depth determined by a chartered professional engineer with experience of geotechnics.

65. All spread foundations should be founded a minimum of 600mm below cleared ground level and into natural ground or engineered made ground (fill). If non-engineered made ground exists at this level, then the excavation must be deepened to penetrate through the made ground and into the natural materials. For made ground greater than 1m depth, specific design of foundations is required.

66. All stormwater from any new hard surfaces and any groundwater collected from behind retaining walls is to be collected and disposed of to an appropriate reticulated or otherwise Council approved system.

67. The requiring authority shall implement appropriate sediment control measures prior to and during all earthworks to ensure that all stormwater runoff from the site is managed and controlled to ensure that no silt, sediment or water containing silt or sediment is discharged into stormwater pipes, drains, channels or soakage systems in accordance with the Auckland Council District Plan: Isthmus Section, Annexure 14 guidelines for sediment control.

68. Prior to any work commencing on the site, the requiring authority shall submit to the Major Infrastructure Projects Team Manager for approval, a plan of action to arrest and remedy any adverse effects that may occur to any adjacent structure in the event the structure may be affected during construction.

### Lighting

69. Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas in general accordance with the ‘SH16 St Lukes Adverse Environmental Effects Report – Street Lighting’, prepared by Aurecon and dated 30 September 2013 and the plans referenced in series ‘215023-D-E-161’. All lighting shall be designed in accordance with relevant rules provided in Part 13 of the Auckland City Bylaw (April 2008).

70. A Temporary Construction Lighting Management Plan shall be prepared for all construction zones and construction yards prior to commencement of any night time works within the construction zones and construction yards. The Temporary Construction Lighting Management Plan shall be independently verified by a lighting specialist and that verification shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council for certification of compliance 10 working days prior to any night time work commencing.

The certification process shall ensure that the Temporary Construction Lighting Management Plan includes (but is not limited to):

(a) The layout and arrangement of all temporary lighting required for night time works, and that shows that the temporary lighting complies with relevant rules provided in Part 13 of the Auckland City Bylaw (April 2008);
(b) Provision for a 10m buffer between the night time work and any residential boundary at all times to minimise potential for light spill; and
(c) General operating procedures requiring lighting as outlined in the CEMP.

71. Asymmetrical floodlights with horizontal glass visors that are not raised more than 3 degrees above the horizontal plane shall be used for any temporary construction night time lighting requirements. Alternative temporary lighting arrangements may be used, subject to the prior approval of the Major Infrastructure Projects Team Manager, Auckland Council, where it can be demonstrated to the satisfaction of the Team Manager that the proposed lighting is similar or better to asymmetrical floodlights with glass visors. Glare shall be kept below the recommendation given in AS 4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting” Tables 2.1 and 2.2.

### Noise and Vibration

27. The NZTA shall finalise and implement, through the CEMP, a Construction Noise and Vibration
Management Plan ("CNVMP") throughout the entire construction period of the project.

The CNVMP shall describe the measures adopted to meet:

(a) the noise criteria set out in conditions 73 and 74 (CNV.2 and CNV.3) below;
(b) the vibration criteria set out in condition 75 (CNV.4) below; or
(c) where (a) or (b) cannot be met, the process that will be followed to appropriately mitigate noise and vibration effects including methods that may be applied outside the designation.

The CNVMP shall be provided to the Major Infrastructure Projects Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CNVMP, as a minimum, addresses the following:

(i) Construction noise and vibration criteria conditions 73, 74 and 75 (CNV.2, CNV.3, and CNV.4 – of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent);
(ii) Hours of operation, including times and days when noisy and/or vibration inducing construction activities would occur;
(iii) Machinery and equipment to be used as part of construction works;
(iv) Vibration testing of equipment to confirm safe distances to buildings prior to construction;
(v) Preparation of building condition surveys of critical dwellings prior to, during and after completion of construction works;
(vi) Roles and responsibilities of personnel on site;
(vii) Construction operator training procedures;
(viii) Methods for monitoring and reporting on construction noise and vibration;
(ix) A hierarchy of mitigation options that will be assessed for the project noise mitigation, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved;
(x) Management schedules containing site specific information;
(xi) Measures for liaising with and notifying potentially affected receivers of proposed construction activities and the potential for noise and vibration effects, specifically:

• Methods for ensuring residents affected by night works (within 100m of the construction site night works), are notified of such works (i.e. any works during the hours of 20:00 to 06:30) at least 5 days prior to the commencement of any such work.

(xii) Methods for receiving and handling complaints about construction noise and vibration;
(xiii) Measures for preventing the occurrence of rogue fly rock, including management of charge weights and face loading procedures, stemming of charge holes and profiling of the face to maintain minimum burden (face cover);
(xiv) Investigations on the practicability of implementing permanent noise mitigation works for construction mitigation in accordance with condition 203 (CNV.7 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent);
(xv) Investigations of the practicability of implementing building modification mitigation, as required in accordance with conditions ON.6 and ON.11 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent, prior to commencement of construction within 100m of the relevant Protected Premises and Facilities ("PPFs") (including those on the Unitec site); and
(xvi) The process for developing Site Specific Noise Management Plans ("SSNMP"), and a certification process for the Major Infrastructure Projects Team Manager, Auckland Council in accordance with condition 80 (CNV.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent) to confirm the process of SSNMP review of noise mitigation options where the modelled/predicted levels or subsequent actual levels exceed the criteria...
in conditions 73 and/or 75(CNV.2 and/or CNV.4 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent).

73. Except where certified by the Council through the SSNMP in accordance with condition 80 (CNV.13), construction noise (excluding noise from blasting Monday to Saturday inclusive) shall be measured and assessed in accordance with NZS 6803:1999 “Acoustics - Construction Noise” and shall comply with the following criteria:

Note: In this condition, (T) means a duration between 15 minutes and 60 minutes, in accordance with NZS6803:1999.

(a) Project Construction Noise Criteria: Residential Receivers

<table>
<thead>
<tr>
<th>Time of the week</th>
<th>Time Period</th>
<th>Sector 6 Works, dBA</th>
<th>St Lukes Bridge Works (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>L&lt;sub&gt;eq&lt;/sub&gt;</td>
<td>L&lt;sub&gt;Max&lt;/sub&gt;</td>
</tr>
<tr>
<td>Monday to Saturday</td>
<td>0630-0730</td>
<td>60</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>0730-1800</td>
<td>70</td>
<td>85</td>
</tr>
<tr>
<td></td>
<td>1800-2000</td>
<td>65</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>2000-0630</td>
<td>60</td>
<td>75</td>
</tr>
<tr>
<td>Sunday and Public Holidays</td>
<td>0630-0730</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>0730-1800</td>
<td>60</td>
<td>85</td>
</tr>
<tr>
<td></td>
<td>1800-2000</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>2000-0630</td>
<td>45</td>
<td>75</td>
</tr>
</tbody>
</table>

(b) Project Construction Noise Criteria: Commercial and Industrial Receivers

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Project Construction Noise Criteria (Long Term Construction) dB</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>L&lt;sub&gt;Aeq(T)&lt;/sub&gt;</td>
</tr>
</tbody>
</table>
### Project Construction Noise Criteria: Internal noise for Licensed Educational Facilities

(c) Project Construction Noise Criteria: Internal noise for Licensed Educational Facilities

<table>
<thead>
<tr>
<th>Time Period (School Days)</th>
<th>Project Construction Noise Criteria Inside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching Hours</td>
<td>45 dB LAeq(T) or existing, whichever is the higher</td>
</tr>
<tr>
<td></td>
<td>40 dB LAeq(T) or existing, whichever is the higher</td>
</tr>
</tbody>
</table>

Note: In part (c) of this condition “Teaching hours” means: Primary schools and Kindergartens: 9am to 3pm Unitec: 8am to 9pm

74. Project Construction Noise Criteria: Airblast (excluding Sundays)

<table>
<thead>
<tr>
<th>Category</th>
<th>Type of Blasting Operations</th>
<th>Peak Sounds Level (LZpeak dB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Comfort Limits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sensitive Site</td>
<td>Operations lasting longer than 12 months or more than 20 blasts</td>
<td>115 dB for 95% blasts per year. 120 dB maximum unless agreement is reached with occupier that a higher limit may apply</td>
</tr>
<tr>
<td></td>
<td>Operations lasting less than 12 months or less than 20 blasts</td>
<td>120 dB for 95% blasts per year. 125 dB maximum unless agreement is reached with occupier that a higher limit may apply</td>
</tr>
</tbody>
</table>
75. Except where certified by the Council through the SSNMP in accordance with condition 80 (CNV.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent), construction vibration received by any building shall be measured and assessed in accordance with the German Standard DIN 4150-3:1999 “Structural vibration – Part 3: Effects of vibration on structures”, and shall comply with the following criteria:

<table>
<thead>
<tr>
<th>Occupied non-sensitive sites such as factories and commercial properties</th>
<th>All blasting</th>
<th>125 dB maximum unless agreement is reached with the occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer’s specifications of levels that can be shown to adversely affect the equipment operation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damage Control Limits</td>
<td>All Blasting</td>
<td>133 dB unless agreement is reached with owner that a higher limit may apply.</td>
</tr>
<tr>
<td>Structures that include masonry, plaster and plasterboard in their construction and also unoccupied structures of reinforced concrete or steel construction</td>
<td>All Blasting</td>
<td>Limit to be determined by structural design methodology</td>
</tr>
<tr>
<td>Service structures such as pipelines, powerlines and cables located above ground</td>
<td>All Blasting</td>
<td>125 dB maximum unless agreement is reached with the occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer’s specifications of levels that can be shown to adversely affect the equipment operation</td>
</tr>
</tbody>
</table>

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75. Except where certified by the Council through the SSNMP in accordance with condition 80 (CNV.13 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent), construction vibration received by any building shall be measured and assessed in accordance with the German Standard DIN 4150-3:1999 “Structural vibration – Part 3: Effects of vibration on structures”, and shall comply with the following criteria:
76. Notwithstanding condition 74 (CNV.3):

(a) Blasting activities shall be conducted so that at least 95% of the blasts undertaken (measured over any twenty blasts on the foundation of any building outside the designation boundary) shall produce peak particle velocities not exceeding 5mm/s and 100% of the blasts undertaken shall produce peak particle velocities not exceeding 10mm/s irrespective of the frequency of the blast measured.

(b) Construction activities, which occur within Sectors 1, 6, 8 and 9 of the Waterview Connection Project which are identified in the Technical Report no. G.19 Assessment of Vibration Effects, submitted with the AEE for the Waterview Connection Project, as being at a ‘High Risk’ of exceeding the DIN 4150-3:1999 criteria (being excavation, piling, compaction and drilling) shall be conducted so that 95% of the activities undertaken (measured over at least 20 representative samples of the relevant activity on any residential building) shall produce peak particle velocities not exceeding the relevant criterion in DIN 4150-3:1999 and 100% of the activities undertaken shall not exceed 10mm/s irrespective of the frequency of the activity measured.

77. Blasting shall be undertaken between 09:00h and 17:00h, Monday to Saturday, except that blasting may be undertaken between 09:00h and 17:00h on Sundays where:

(a) The blasting produces peak particle velocities at any residential building not exceeding 0.5mm/s; and

(b) The project construction noise criteria set out in condition 72 (CNV.2 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent) for Sundays are complied with.

78. Where practicable, the permanent (traffic) noise barriers detailed in the Noise Walls and Fences plans (referenced in plan series ‘215023-D-C-918-001’) shall be erected prior to noise generating construction works commencing. Where this is not practicable, temporary noise mitigation measures shall be implemented by the consent holder in accordance with the CNVMP prior to noise generating construction works commencing.

79. Pile driving or pile removal shall not be undertaken at night (i.e. during the hours of 20:00 – 06:30).

80. Construction SSNMPs required by condition 72 (CNV.1(xvi) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent) shall be submitted to Major Infrastructure Projects Team Manager, Auckland Council for review and certification at least 7 working days prior to the proposed works commencing.

Advice Note:

A decision will be provided by the Council within 5 working days of receipt of the SSNMP.

Works are not to commence until certification is available.

<table>
<thead>
<tr>
<th>Type of Structure</th>
<th>Short-term vibration</th>
<th>Long-term vibration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PPV at the foundation at the frequency of</td>
<td>PPV at horizontal plane of highest floor (mm/s)</td>
</tr>
<tr>
<td></td>
<td>1 – 10Hz (mm/s)</td>
<td></td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td>20</td>
<td>40</td>
</tr>
<tr>
<td>Residential/School</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>Historic or Sensitive</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Structures</td>
<td>3-8</td>
<td>8.5</td>
</tr>
</tbody>
</table>

### Type of Structure

<table>
<thead>
<tr>
<th></th>
<th>PPV at 100Hz</th>
<th>PPV at 10Hz</th>
<th>PPV at horizontal plane of highest floor (mm/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial/Industrial</td>
<td>20-40</td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>Residential/School</td>
<td>5-15</td>
<td>15-20</td>
<td>5</td>
</tr>
<tr>
<td>Historic or Sensitive</td>
<td>3-8</td>
<td>8-10</td>
<td>2.5</td>
</tr>
</tbody>
</table>
received from the Major Infrastructure Projects Team Manager, Auckland Council. The Council may, in its sole discretion, waive the requirement for individual SSNMPs to be submitted to the Council where an SSNMP is required.

If monitoring shows that construction noise levels specified in an approved SSNMP are being exceeded, the work generating the exceedance is to stop and not recommence until further mitigation is implemented in accordance with an amended SSNMP approved by the Major Infrastructure Projects Team Manager, Auckland Council.

Advice note:

It is accepted that the criteria of conditions 73 and 75 (CNV.2 and CNV.4 of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent) may not be met at all times, but that the NZTA will take all practical steps to achieve compliance, taking into account the hierarchy of mitigation options outlined in condition 72 (CNV.1 (ix) of the Final Report and Decision of the Board of Inquiry into the NZTA Waterview Connection Proposal – Volume 2 Conditions of Consent).

81. Existing ambient vibration levels shall be measured at critical locations nominated by the NZTA, and submitted to the Major Infrastructure Projects Team Manager, Auckland Council for approval prior to the commencement of works. These baseline measurements will establish pre-project vibration levels for comparison with future vibration levels.


Public Information Conditions

83. PI.1, PI.2, PI.3, PI.4, PI.5, PI.6 – Refer to A07-01D

Open Space Conditions

84. OS.13 – Refer to A07-01D

85. OS.15

The works shall not result in any permanent loss of carparking from Western Springs Garden carpark.

Social Conditions

86. SO.1, SO.2, SO.6, SO.7 – Refer to A07-01D

Vegetation Conditions

87. V.1, V.2, V.3, V.4, V.5, V.6, V.7, V.8, V.9, V.10 – Refer to A07-01D

Avian Conditions

88. A.1 – Refer to A07-01D

Herpetofauna Conditions

89. H.1 – Refer to A07-01D

Archaeology Conditions

90. ARCH.1, ARCH.2, ARCH.3, ARCH.8, ARCH. – Refer to A07-01D

Advice Note – Refer to A07-01D

Contaminated Land and Contaminated Discharges Conditions

91. CL.1 – Refer to A07-01D

92. CL.2

Prior to the main construction works commencing, the baseline quality of soils and groundwater within Sector 5 (the southern bank of Oakley Creek coincident with the location of the former tannery) and Sector 7 (particularly in relation to works in the vicinity of Great North Road) shall be investigated and established. The investigations shall be carried out in accordance with appropriate Ministry for the Environment and Auckland Council guidelines. The findings of the soil and groundwater investigations shall be used to determine the specific constructions methods during work in this area to manage any likely environmental effects in relation to the Project.

93. CL.3

Prior to the main construction works commencing, soils and fill materials within Alan Wood Reserve (Sector 9) shall be further classified so as to determine the distribution and extent of cleanfill, managed fill and contaminated/hazardous fill materials.

94. CL.4, CL.5, CL.6, CL.7, CL.8 – Refer to A07-01D

95. CL.9

During and following the tunnel construction works beneath Sector 8, groundwater quality monitoring shall be carried out at locations within and down hydraulic gradient of Phyllis Street Landfill. Monitoring shall be undertaken on at least a monthly basis, and for a period up to 12 months following completion of the tunnel construction works. The monitoring programme shall be
submitted for approval by the Auckland Council as landowner.

96. **CL.10**
Prior to, during and following tunnel construction works beneath Phyllis Street Landfill, monitoring for landfill gas shall be carried out from existing monitoring boreholes within the landfill. Monitoring shall be undertaken on at least a monthly basis, for a period of no less than 6 months prior to, and up to 12 months following completion of the tunnelling works. The monitoring programme shall be submitted for approval by the Auckland Council as landowner.

97. **CL.11** – Refer to A07-01D

### Freshwater Conditions

98. **F.1.**
The NZTA shall finalise, and implement through the CEMP, the ECOMP submitted with this application. The ECOMP shall be updated to ensure compliance with the conditions of this consent and include changes to the details of construction processes prior to construction commencing. The ECOMP shall include, but not be limited to details of:

(a) Monitoring of freshwater ecology;
(b) Monitoring of freshwater and stream sediment quality;
(c) Trigger event criteria for undertaking additional monitoring;
(d) Procedures for responding to accidental discharges of contaminants to the freshwater environment; and
(e) Contingency plans and/or remedial measures in the event monitoring results identify adverse effects.

99. **F.2**
The NZTA shall engage a suitably qualified ecologist and water quality scientist to undertake freshwater monitoring programme prior to, during and following construction to monitor the effect of the Project on the freshwater ecology. The freshwater monitoring shall be undertaken in Oakley Creek, Pixie Stream and Meola Creek. The freshwater monitoring programme shall be undertaken in accordance with the details set out in the ECOMP and include:

(a) Cross sectional profiles;
(b) Macro invertebrate sampling; and
(c) Freshwater fish monitoring.

100. **F.3.**
The freshwater monitoring programme shall, as a minimum, be undertaken in accordance with the following frequency:

(a) Prior to construction – two baseline ecological surveys.
(b) During construction – twice per year for fish and macro invertebrates and cross sectional profiles, within one month prior to the beginning of the earthworks season and within one month either side of the end of the earthworks season.
(c) Post construction – on an annual basis for a maximum period of three years, or less if the Major Infrastructure Team Manager, Auckland Council is satisfied that no adverse effects have occurred or are likely to occur from the Project.
(d) Monthly water quality samples at the five existing Oakley Creek sample locations to be analysed for pH, turbidity, suspended solids, metals (Zn, Cu and Pb) and nutrients.
(e) Four “event based” samples per annum from each of the current two Oakley Creek sites. The samples are to be analysed for pH, turbidity, suspended solids, metals (Zn, Cu and Pb), hydrocarbons (TPH) and nutrients.
(f) Two sediment quality samples per annum (January and July) at the five existing water quality Oakley Creek sites (if there is sufficient sediment to sample). The samples are to be analysed for metals (Zn, Cu and Pb), polycyclic aromatic hydrocarbons (PAH), hydrocarbons (TPH) and semi-volatile organic compounds.

*Advice note:*
The sample collection and analysis required under sub-clauses (d) to (f) shall be undertaken following an IANZ accredited methodology by a suitably accredited laboratory (International Accreditation New Zealand).

101. **F.4**
The NZTA shall undertake additional freshwater monitoring in the event of a ‘trigger event’ for freshwater habitats. For the purposes of this consent, a ‘trigger event’ for freshwater habitats is defined in the ECOMP.

102. **F.5.**
The NZTA’s ecologist/hydrologist (required by condition F.2) shall review, every six months, the freshwater monitoring results, provided from Conditions F.2 to F.4, and results in monitoring...
detailed in earthworks Conditions E.9 and E.19 and Groundwater Condition G.10. In the event that potential adverse effects are identified, including through review of the Condition G.10 monitoring results by the hydrologist and freshwater ecologist required by Condition G.12, the NZTA shall develop and submit for the approval of the Major Infrastructure Team Manager, Auckland Council appropriate contingency plans and/or remedial measures in accordance with the measures set out in the ECOMP.

103. F.6.

Freshwater monitoring reports shall be compiled from the monitoring undertaken pursuant to Conditions F.2 to F.4 and the review of Condition F.5, and a report provided to the Major Infrastructure Team Manager, Auckland Council every 6 months.

104. ADVICE NOTES – RELEVANT TO ALL RESOURCE CONSENTS AND ALTERATIONS TO DESIGNATIONS FOR BOTH NZTA AND AT (UNLESS SPECIFIED)

(a) These consents and alterations to designation are to be read in conjunction with the previously approved resource consents and alterations to designation for the Waterview Connection Project and does not negate NZTA or AT’s requirement to continue to comply with the conditions of the resource consents and designations approved by the Board of Inquiry, subject to all the amendments approved above.

(b) The scope of these resource consents and alterations to designations is defined by the information lodged to the Auckland Council Resource Consents and Regional and Local Planning Departments.

(c) In respect of the resource consents, if you disagree with any of the above conditions, or disagree with the additional charges relating to processing the application you have a right of objection pursuant to ss357A or 357B of the Act. Any objection must be made in writing to the Council within 15 working days of notification of these decisions.

(d) The Auckland Council Resource Consents Department shall be paid any compliance and monitoring costs on an ‘actual and reasonable’ basis in accordance with section 36 of the Resource Management Act.

(e) Pursuant to section 126 of the Act, if these resource consents have been exercised, but are not subsequently exercised for a continuous period of five years, the consents may be cancelled by the Auckland Council Resource Consents Department unless other criteria set out in section 126 are met.

(f) These resource consents do not constitute a building consent approval. Please check whether building consents are required under the Building Act 2004.

(g) A copy of these resource consents should be held on the site at all times during the establishment and construction phase of the activity. The consent holders are requested to notify the Council, in writing, of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to the Major Infrastructure Projects Team Manager and include the following details:

- site address to which the consent(s) relates;
- name and telephone number of the project manager and the site owner;
- activity to which the consent relates; and
- expected duration of works.

(h) These consents do not relieve the consent holders of their individual responsibilities to apply for any other consents which may be required under the Building Act 2004 or other legislation, and/or by the New Zealand Historic Places Trust.

(i) In the event of archaeological site evidence (e.g. shells, middens, hangi or ovens, pit depressions, defensive ditches, artefactual material or human bones) being uncovered during construction, operations shall cease in the vicinity of the discovery and the archaeologist, Auckland Council, is to be contacted so the appropriate action can be taken before any work may recommence there. All archaeological sites are protected under the provisions of the Historic Places Act 1993 (“HPA”). It is an offence under that Act to destroy, damage or modify any archaeological site, whether or not the site is entered on the New Zealand Historic Places Trust (“NZHPT”) register of historic places, historic areas, wahi tapu and wahi tapu areas. Under ss11 and 12 of the HP Act, applications must be made to the NZHPT for an authority to destroy, damage or modify an archaeological site(s) where avoidance of effect is not practicable. It is the responsibility of the consent holder to consult with the NZHPT about the requirements of the HPA and to obtain the necessary authorities under the HPA should these become necessary.
as a result of any activity associated with the proposed development.

(j) These resource consents do not in any way allow either of the consent holders to enter and construct drainage or other works on or in neighbouring properties, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the consent holders, and is a private agreement that does not involve the Council in any capacity whatsoever. To obtain sign-off for the resource consents, the services described by the conditions are required to be in place to the satisfaction of the Council.

(k) All proposed changes to the stormwater proposal must be discussed through the Major Infrastructure Projects Team Manager with the Team Leader – Stormwater, Natural Resources and Specialist Input, prior to implementation. Any changes to the proposal which will affect the capacity of performance of the stormwater system and/or will result in a change to the conditions of this consent will require an application to be made in accordance with section 127 of the Act.

(l) It is anticipated that meetings will be arranged by the consent holder/requiring authority for each of the stormwater catchments following completion of the different stages of the development.

(m) The planting plan may be submitted as part of a wider landscaping plan or strategy for the site however it is expected to include information to meet the specific requirements of the stormwater permit.

(n) Stormwater360 Stormfilter proprietary devices are those that have been considered and assessed in association with this consent and the alterations to designations. Any changes to the proposed proprietary device media, type or configuration may result in the need to vary this consent and/or designation under section 127 of the Act.

(o) If construction takes place over the winter period, extra account should be taken of the potential for larger inflows of surface and groundwater into excavations;

(p) Any building over or adjacent to public drains needs to be constructed to Council standards and may include piling in accordance with the Council’s requirements;

(q) If any building spans over common boundaries, consideration must be given to piling foundations to ensure that any differential settlement is minimised;

(r) Where applicable, a wheel wash or similar (or if appropriate, a stabilised construction entrance with a water pressure wash system) should be constructed for all sites and all vehicles exiting the sites are required to use this facility;

(s) There may be further requirements for design or geotechnical information as part of a building consent application. Extensions, alterations and diversions to the public infrastructure will require an “Engineering Approval” consent from the Auckland Council.

(t) Auckland Transport is advised to enter into discussions with the Auckland Council with regard to the drawback of designation D05-08 (956 Great North Road) to reflect the new footprint of the St Lukes interchange, established through the confirmation of NoR PA362. This process can be undertaken by completing Form 23 of the Resource Management (Forms, Fees and Procedure) Regulations 2003 and Section 182 of the RMA.

A07-01F MOTORWAY: DECLARED LIMITED ACCESS ROAD (ELLERSLIE-PANMURE HIGHWAY ON RAMP)

1. The following documents shall be prepared for each stage of the project and submitted to the Manager, Major Infrastructure Team, Resource Consents for approval prior to any works commencing:

   a) a Construction Noise Management Plan (CNMP) that shall include specific details relating to the control of noise associated with all project works. The CNMP shall be formulated and the works implemented to achieve, as far as practicable, compliance with the requirements of NZS6803:2010 ‘Acoustics - Construction Noise’ and address the following:

      i. a description of noise sources, including machinery, equipment and construction techniques to be used;

      ii. predicted construction noise levels;

      iii. hours of operation, including times and days when noisy construction work would occur;

      iv. identification of activities and locations that
will require the design of noise mitigation measures such as temporary barriers or enclosures and the details of such measures where the applicable construction noise standards are predicted to be exceeded;

v. Measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders if required;

vi. Development of alternative management strategies where full compliance with NZS6803:2010 cannot be achieved;

vii. Methods for monitoring and reporting on construction noise;

viii. Methods for receiving and responding to complaints about construction noise.

b) a Final Construction Management Plan

c) a Contractors Health and Safety Plan which shall be made available to the council at their request

d) an Erosion and Sediment Control Plan (ESCP)

2. Before commencement of any works and until completion of exposed site works, adequate sediment and erosion control measures in accordance with the approved ESCP and in accordance with Auckland Council: TP90 'Erosion and Sediment Control Guideline for Earthworks' (latest edition) shall be constructed and maintained by the Requiring Authority or their representative. The controls shall be maintained until the site has been adequately stabilised against erosion and sediment-laden run off.

3. Dust mitigation shall be utilised on site where necessary during the earthworks operation

4. All excess or unsuitable excavated material shall be removed from the site before or immediately following the completion of earthworks and disposed of to the satisfaction of the Manager, Major Infrastructure Team, Resource Consents. Written evidence demonstrating that the excavated fill has been deposited in an approved location shall be submitted to the Manager, Infrastructure Team, Resource Consents in the form of a producer statement, certification, receipt document or similar.

5. The following shall be submitted with the outline plan of works to the Manager, Major Infrastructure Team, Resource Consents for approval twenty working days prior to the commencement of road widening works:

a) A Stormwater Management Plan (SMP) prepared in consultation with Auckland Council's Stormwater Unit. The SMP shall address existing stormwater issues within the catchment including capacity of the public network, compliance with current resource consents and the operational and maintenance aspects of the proposed works.
A07-02 Concept Plan - Open Space 5 Zone - Westhaven

- Zone Boundary
- Building Platform
- Existing Building Structure
- LP: Landscaped Parking
- Required Landscaping
- Major Access/Egress
- Access/Egress
- Covenant Boundary (Refer DP 170096, DP170097)

1. Building Platform 6 - Limited to 400 sq metres
2. Building Platform 4 - Area subject to 8m Maximum Height
PERMITTED ACTIVITIES

General

- Buildings within Building Platforms 2, 3, 4, 5, 6 illustrated on the Concept Plan.
- Carparking areas (including trailer parking).
- Clubrooms located within the building platforms identified on the plan.
- Facilities associated with pleasure boating (including boat launching ramps, boat locker facilities, storage and servicing, maintenance and repair and refuelling of pleasure boats).
- Public utilities and amenities (toilets and showers).
- Retail premises not exceeding a total gross floor area of 200m² used for the sale, lease or hire of goods and services which are associated with pleasure boating and marine activities.

Platform 1

- In addition to the above, alterations and extensions to existing buildings (Building Platform 1a on the Concept Plan) not exceeding 2m for existing single level buildings and 1.5m for existing two level buildings in an easterly, southerly and westerly direction as measured from the external facade of the buildings and within Platform 1 on the Concept Plan.

RESTRICTED CONTROLLED ACTIVITIES

Platform 1

- New buildings and extensions to or alterations to existing buildings within Building Platform 1 identified on the Concept Plan not provided for as a permitted activity, and which comply with the following:
  i) a minimum of two 15m wide viewshafts crossing the building platform from ground level in a generally north-south direction shall be provided; and

ii) up to a height of 8m, the total coverage of all buildings shall not exceed 60 percent of the area of Building Platform 1; and

iii) the coverage of those parts of all buildings which are between 8m and 10m in height, shall not exceed 45 percent of the area of Building Platform 1; and

iv) no building shall exceed 10m in height.

Platform 3

- Building development extending beyond Building Platform 3 illustrated on the Concept Plan, of up to 3.5m in an easterly and westerly direction at ground level.

DISCRETIONARY ACTIVITIES

- Open-air fairs and markets.
- Restaurants, cafes and other eating places.
- Retail premises not exceeding a total gross floor area of 200m² for the whole site.
- Buildings and alterations and extensions to existing buildings which do not comply with the development controls and which are not provided for as a restricted controlled activity.

DEVELOPMENT CONTROLS

1. Building Platform

Building development is limited to the building platforms illustrated on the Concept Plan, except for the free standing structures referred to above, which may be located within the area subject to the Concept Plan.

2. Building Platforms Illustrated on the Concept Plan

a) Maximum Building Coverage

- Building Platform 1 - 60%
- Building Platform 2 - 50%
- Building Platform 3 - 100%
- Building Platform 4 - 100%
- Building Platform 5 - 100%
- Building Platform 6 - 100%

b) Maximum Permitted Height

- Building Platform 1 8m for 60% of the platform
  10m for 45% of the platform
- Building Platforms 2,3 10m
3. **Free Standing Buildings and Structures Outside the Building Platforms**
   
a) **Maximum Floor Area**
   
   Maximum floor area for free standing buildings and structures shall be limited to 50m$^2$ for any one structure, with a total maximum floor area of 300m$^2$ for the whole area subject to the Concept Plan.
   
b) **Maximum Permitted Height**
   
   Maximum permitted height for free standing buildings and structures outside the Building Platforms shall be 8m.
   
   **Note:** For the purpose of calculating the height of free standing structures, no account shall be taken of radio and television aerials, flagpoles, cranes or gantries.

4. **Tree Protection**

   Trees are protected in terms of Rule 5C.7.3.3C **GENERAL TREE PROTECTION**.

5. **Hazardous Facility Control**

   The Rules 5E.8.1 SITE DESIGN AND MANAGEMENT, 5E.8.2 WASTE MANAGEMENT and 5E.8.3 SIGNAGE shall apply to all facilities associated with storage, servicing, maintenance, refuelling, and repair of pleasure boats.

6. **Screening**

   The site is not subject to the rules for screening in Clause 9.8.2.4B. Storage of rubbish and permanent storage of materials shall be screened from public view. This does not apply to the use of mobile mini-skips (maximum height 2m and maximum capacity 5m$^3$) used at entrances to pontoons provided that no more than two mini-skips are placed side by side in any location.

7. **Noise**

   The site is not subject to the rules for noise in Clause 9.8.2.5 NOISE. The noise levels from any activity in the area of the Concept Plan for Westhaven, when measured at or within the boundary of any residential zoned property shall not exceed the following limits:

<table>
<thead>
<tr>
<th>Time</th>
<th>Level (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday to Saturday</td>
<td>L$_{10}$ 60 dBA</td>
</tr>
<tr>
<td>Sunday &amp; public holidays</td>
<td>L$_{10}$ 60 dBA</td>
</tr>
<tr>
<td>At all other times</td>
<td>L$<em>{10}$ 45 dBA, L$</em>{max}$ 75 dBA</td>
</tr>
</tbody>
</table>

   The above noise levels shall be measured and assessed in accordance with the requirements of the NZS 6801:1991 ‘Measurement of Sound’ and NZS 6802:1991 ‘Assessment of Environmental Sound’.

   The noise shall be measured with a sound level meter complying at least with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

8. **Parking**

   Refer to **PART 12 - TRANSPORTATION**

**SPECIFIC CONSIDERATIONS**

The dominant activity provided for on this site is provision of land based facilities associated with the marina berths and with pleasure boating. An aspect of potential concern in respect to servicing pleasure boats is the risk of facilities and activities involving hazardous substances impacting on the marine environment. For this reason, assessment according to **PART 5E - HAZARDOUS FACILITIES** may be required.

Public access is guaranteed to parts of Westhaven by covenant, as generally indicated on the Concept Plan and registered on the title. Temporary changes may be made to the location of public access ways in accordance with provisions of the covenant and any permanent alteration to the location of the access areas requires the agreement of the Council under the terms of the covenant, and would be registered on the title.

**Criteria for Assessing Applications for Resource Consent**

**Restricted Controlled Activities**

When considering applications for restricted controlled activities, regard must be had to the following particular
matters -

1. Design and external appearance of buildings and structures
   All buildings will retain an appearance and character in keeping with their maritime locations and function

2. Landscape design and site layout
   Specific requirements in terms of the site layout including buildings, parking and vehicle and pedestrian circulation will provide for the safe and efficient operation of the marina while protecting the outlook and amenity values of surrounding areas, particularly the St Marys Bay residential area.

3. The location and design of vehicular and pedestrian access to and from the activity
   Must ensure safety and avoid congestion by providing adequate sight distances and separation of pedestrian and vehicular traffic.

4. Carparking
   Refer to PART 12 - TRANSPORTATION.

Discretionary Activities

In addition to the matters set out in Clause 9.7.2.2 DISCRETIONARY ACTIVITIES IN OPEN SPACE 5 ZONE of particular concern is the potential of activities or development located within the marina to impact adversely on the natural environment eg the impact of reclamation on marine habitats and water quality; interference with public access to the area; the possibility of increased discharge of sewage or other contaminants into the marina basin from boats moored or berthed in the marina; disruption of visual amenity for those located along St Marys Bay Cliff and for those travelling along the motorway.

In respect to space devoted to retail premises and restaurants, cafes and other eating places, a major concern is the scale of the activities and the potential for the activities individually or collectively to affect the natural environment, the amenity values of the area, and the physical resources of existing business zones.

In addition, the pressures that currently exist due to the limited land area, and the limited ability to provide additional areas for parking, may result in conditions being imposed on discretionary activities that attract visitors to the area. In particular, limits on the hours of operation of restaurants, cafes and other eating places may be required at times of potential conflict with pleasure boat users.

Any increase in the number of marina berths or moorings must be accompanied by increases in the number of parking spaces available to boat users. This may require the restriction on parking available for the other activities located in the area affected by the Concept Plan. A ratio of 0.8 parking spaces per mooring/berth will be used. The Council, by including this ratio does not indicate any support for any increase in mooring/berths.

Landscaping carried out to reduce headlight conflict between Westhaven Drive and the motorway should be of the minimum height and extent required to achieve this function, and should maintain views into the marina as far as possible.
Plan change annotations - key

Indicates where content is affected by proposed plan modification x.
Refer to plan modification folder or website for details.

Indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.
Struck through content to be deleted.