

Newmarket Level Crossing Project

MODIFIED CONDITIONS OF DESIGNATION - CLEAN

Definitions:

Term	Definition
Consult, Consulting, Consultation	The process of providing information about the construction works, and receiving for consideration, information from stakeholders, directly affected parties, regarding those effects and proposals for the management and mitigation of them.
Material Change	Includes any amendment to information informing the CEMP or other Management Plan (including, but not limited to, methods, processes, procedures or details) which has potential to materially increase adverse effects on a particular receiver. For clarity, changes to personnel and contact schedules do not constitute a material change.
Affected in Proximity	All owners and occupiers of properties within the 250m radius as depicted in Appendix 1 to the Assessment of Environmental Effects – Newmarket Level Crossing – Visual Catchment/Viewing Audience (prepared by Opus International Consultants and dated January 2016)
Directly affected parties	All property owners and occupiers identified within the designation footprint
The project	The construction of a new road connecting Laxon Terrace to Cowie Street including construction of a bridge over the Newmarket Branch Line and closure of the road connections between Sarawia Street and Laxon Terrace.

Abbreviations:

PCCP	Pre-Construction Communication and Consultation Plan
CEMP	Construction Environmental Management Plan
CCCP	Construction Communication and Consultation Plan
CLG	Community Liaison Group

HNZPT	Heritage New Zealand Pouhere Taonga
CNVMP	Construction Noise and Vibration Management Plan
UDLP	Urban Design and Landscape Management Plan
CPTED	Crime Prevention Through Environmental Design
EMP	Ecological Management Plan
VMP	Vegetation Management Plan
CTMP	Construction Traffic Management Plan
HHMP	Historic Heritage Management Plan

Condition Number	Condition
General conditions	
1	<p>1.1 Except as modified by the conditions below, the project is to be undertaken in general accordance with the following information:</p> <ul style="list-style-type: none"> a) Notice of Requirement and Resource Consent - Assessment of Environmental Effects prepared by Opus International Consultants Ltd, August 2015; b) Supporting environmental assessment reports dated August 2015; c) Plans sets: <ul style="list-style-type: none"> i. 1-C1135.00 Notice of Requirement Preliminary Design Plan, Sheet 1, Revision RI; ii. 1-C1135.00 Notice of Requirement Preliminary Design - Longsection, Sheet 1A, Revision RI; iii. 1-C1135.00 Notice of Requirement Bridge – General Arrangement, Sheet 1B, Revision RI; iv. 1-C1135.00 Notice of Requirement Temporary Construction Designation, Sheet 2, Revision RI; v. 1-C1135.00 Notice of Requirement Permanent Designation, Sheet 3, Revision RI; vi. 1-C1135.00 Notice of Requirement Land Acquisition – 9 Cowie Street, Sheet 4, Revision RI; vii. 1-C1135.00 Notice of Requirement Land Acquisition – Auckland Council Parks, Sheet 5, Revision RI; viii. 1-C1135.00 Notice of Requirement Land Acquisition –

	<p>KiwiRail, Sheet 6, Revision RI;</p> <ul style="list-style-type: none"> ix. Newmarket Level Crossing Tree Identification Plan; x. 1-C1135.00 Notice of Requirement Cowie St Effectuated Trees – 1, Sheet 8, Revision RI; xi. 1-C1135.00 Notice of Requirement Cowie St Effectuated Trees – 2, Sheet 9, Revision RI; xii. 1-C1135.00 Notice of Requirement Mitigation Planting Concept Plan, Sheet 10, Revision RI; xiii. 1-C1135.00 Notice of Requirement Stormwater Drainage Plan – Sht 1 of 2, Sheet 11, Revision RI; xiv. 1-C1135.00 Notice of Requirement Stormwater Drainage Plan – Sht 2 of 2, Sheet 12, Revision RI; and xv. 1-C1135.00 Notice of Requirement Specimen Erosion & Sediment Control Plan, Sheet 13, Revision RI. <ul style="list-style-type: none"> d) Section 92 Response to Notice of Requirement and Resource Consent for the Newmarket Level Crossing Project prepared by Opus International Consultants Ltd, 23 December 2015; e) Section 92 Response to Notice of Requirement and Resource Consent for the Newmarket Level Crossing Project prepared by Opus International Consultants Ltd, 5 February 2016; f) Supporting documents (as updated by information provided by the Requiring Authority up until the close of the hearing) <p>1.2 Where there is inconsistency between:</p> <ul style="list-style-type: none"> a) The documents provided by the Requiring Authority and listed above and these conditions, these conditions prevail. b) The information and plans lodged with the Notice of Requirement and presented in evidence on behalf of the Requiring Authority at the Council hearing, the most recent information and plans prevail. c) The evidence presented at the Council hearing and the management plans required by the conditions of this designation and submitted through the Outline Plan, the requirements of the management plans prevail.
2	<p>2.1 In accordance with section 184(1)(c) of the Resource Management Act 1991 ("RMA"), this designation will lapse if not given effect to within 5 years from the date on which it is confirmed.</p>
3	<p>3.1 As soon as reasonably practicable, and no later than 12 months from the date of the project becoming operational, the Requiring Authority is to:</p> <ul style="list-style-type: none"> a) Identify any areas of the designation that are no longer necessary for the on-going maintenance or operation of the project or for on-going mitigation measures; and b) Give notice to the Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified in (a) above.

Pre-construction conditions	
4	<p>Appointment of communication and consultation manager</p> <p>4.1 Within three months of confirmation of the designation, the Requiring Authority is to appoint a communication and consultation manager to implement the pre-construction Communication and Consultation Plan (condition 5). The communication and consultation manager is to be the main and readily accessible point of contact for persons affected by or interested in the project until the commencement of the construction phase of the project, or the contact person required by condition 13 is appointed.</p> <p>4.2 The communication and consultation manager's contact details are to be listed in the pre-construction Communication and Consultation Plan, on the Requiring Authority's website, and on the Auckland Council's website.</p>
5	<p>Pre-construction communication and consultation plan</p> <p>5.1 The Requiring Authority is to prepare a pre-construction Communication and Consultation Plan. This plan is to be submitted to the Auckland Council's Major Infrastructure Projects Team Manager, three months prior to construction commencing to certify that the Plan has been prepared in accordance with this condition. The objective of the pre-construction Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, affected parties and affected in proximity parties prior to the commencement of construction of the project.</p> <p>5.2 The Plan is to be implemented and complied with from the date of its certification until the commencement of construction.</p> <p>5.3 This Plan is to set out recommendations and requirements (as applicable) that should be adopted by and/or to inform the Construction Environmental Management Plan ("CEMP") and management plans.</p> <p>5.4 The pre-construction Communication and Consultation Plan is to set out how the Requiring Authority will:</p> <ul style="list-style-type: none"> a) Inform the community of project progress and likely commencement of construction works and programme; b) Engage with the community in order to foster good relationships and to provide opportunities for learning about the project; c) Respond to queries and complaints. The information is to include but not be limited to: <ul style="list-style-type: none"> i. who is responsible for responding; ii. how responses will be provided; and iii. the timeframes in which the responses will be provided. d) Seek (and specify reasonable timeframes for) feedback and input from stakeholders, directly affected and affected in-proximity parties regarding development of the CEMP and management plans. <p>5.5 Where feedback in accordance with this condition is provided, the pre-</p>

	<p>construction Communication and Consultation Plan is to articulate how that feedback has informed the development of the CEMP and management plans and where it has not, reasons why it has not.</p> <p>5.6 The pre-construction Communication and Consultation Plan is to be prepared in consultation with:</p> <ul style="list-style-type: none"> a) All property owners and occupiers identified within the designation footprint; b) All affected in proximity parties; c) The CLG; d) HNZPT; and e) Network utility operators. <p>5.7 The pre-construction Communication and Consultation Plan is to include as a minimum:</p> <ul style="list-style-type: none"> a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.) and any other relevant communication matters; b) Details of the communication and consultation manager for the pre-construction period including their contact details (phone, email and postal address); c) The methods for identifying, communicating and consulting with stakeholders, directly affected parties and affected parties and other interested parties. Such methods are to include but not be limited to: <ul style="list-style-type: none"> i. Newsletters; ii. Newspaper advertising; iii. Notification and targeted consultation with stakeholders, affected parties and affected in proximity parties; and iv. The use of the project website for public information. d) The methods for communicating and consulting with Mana Whenua for implementation of Mana Whenua principles for the project; and e) How communication and consultation activity will be recorded. <p>5.8 The pre-construction Communication and Consultation Plan is to be publicly available once certified by the Council (Major Infrastructure Projects Team Manager) and for the duration of construction.</p>
6	<p>Mana Whenua engagement</p> <p>6.1 Within three months of the designation being confirmed, the Requiring Authority is to establish a kaitiaki Mana Whenua forum (or similar) to provide for an on-going role in the design and construction of the project and is to maintain this forum until completion of the construction</p>

	<p>period.</p> <p>6.2 The Requiring Authority is to extend an invitation for membership of the kaitiaki forum to (but not limited to) representatives of:</p> <ul style="list-style-type: none"> a) Ngāi Tai ki Tāmaki Tribal Trust; b) Ngāti Maru Runanga; c) Ngāti Pāoa Trust Board; d) Ngāti Tamaoho Trust; e) Ngāti Te Ata Waiohū; f) Ngāti Whātua Ōrākei; g) Te Ākitai Waiohū; and h) Ngāti Whatua Runanga. <p>6.3 The role of the kaitiaki forum may include (but is not limited to) the following:</p> <ul style="list-style-type: none"> a) Input into preparation of the following plans as required by these conditions: <ul style="list-style-type: none"> i. UDLP ii. EMP iii. CEMP b) Input into the structural design elements of the project to reflect cultural values using Te Aranga principles; c) Involvement of Mana Whenua in the removal and or replanting of any native tree species, or any on-going maintenance that may be required, and provision for use of any removed native vegetation for customary purposes; d) Working collaboratively with the Requiring Authority on archaeological matters; e) Undertaking kaitiakitanga responsibilities associated with the project, including ceremonial, monitoring/surveying of native flora and fauna, pest and weed control, assisting with discovery procedures, and providing mātauranga Māori input in the relevant stages of the project; and f) Undertaking monitoring of construction activities on site by representatives appointed by kaitiaki forum members. <p>6.4 All landscaping proposed as part of the UDLP and EMP is to be comprised of native plantings within their original habitat context and sourced from that ecological district in general accordance with the Ngāti Whātua Ōrākei Iwi Management Plan 2012.</p> <p>6.5 The kaitiaki forum may provide written advice to the Requiring Authority in relation to any of the above matters. The Requiring Authority must consider this advice and the means by which any suggestions may be incorporated in the project.</p>
7	<p>Network utility operators</p> <p>7.1 In the period before construction begins on the project, the following</p>

	<p>activities undertaken by network utility operators will not prevent or hinder the project, and can be undertaken without seeking the Requiring Authority's written approval under section 176(1)(b) of the RMA:</p> <ul style="list-style-type: none"> a) Maintenance of and urgent repair works to existing network utilities. b) Minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations. c) Minor works such as new property service connections. d) Upgrades to existing network utilities within the same or similar location with the same or similar effects on the Newmarket Level Crossing designation. <p>7.2 For the avoidance of doubt, in this condition an "existing network utility" includes infrastructure operated by a network utility operator which was:</p> <ul style="list-style-type: none"> a) In place at the time the Notice of Requirement for the project was served on the Auckland Council; or b) Undertaken in accordance with this condition or an approval given under section 176(1)(b) of the RMA. <p>7.3 On completion of construction of the project, security fencing is to be constructed at the termination of Sarawia Street with the approved landscaping required by these conditions.</p>
8	<p>Community liaison group</p> <p>8.1 Within three months of the confirmation of the designation, the Requiring Authority, in consultation with the Council, is to establish a Community Liaison Group ("CLG").</p> <p>8.2 Membership of the CLG is to include representatives of the Requiring Authority and be open to all directly affected and affected in proximity parties to the project including, but not limited to, the following:</p> <ul style="list-style-type: none"> a) Representative(s) for and/or directly affected and affected in proximity property owners and occupiers; b) Representative(s) for and/or members of the Cowie Street Residents Association Incorporated; c) Representative(s) for and/or members of the Parnell Community Committee Incorporated; d) Representative(s) for and/or members of Parnell Incorporated; e) Representative(s) for and/or members of the Laxon Terrace and Youngs Lane Residents Group. <p>8.3 The purpose of the CLG is to:</p> <ul style="list-style-type: none"> a) Provide a means for receiving regular updates on project progress; b) Monitor the effects of constructing the project on the community by providing a regular forum through which information about the project can be provided to the community; c) Enable opportunities for concerns and issues to be reported to and responded to by the Requiring Authority; d) Provide feedback on the development of the CEMP and any other management plans.

	<p>8.4 The Requiring Authority is to consult with the CLG in respect of the development of the CEMP and any other management plans.</p> <p>8.5 The Requiring Authority is to appoint one or more persons appropriately qualified in community consultation as community consultation advisor(s) to (as a minimum):</p> <ul style="list-style-type: none"> a) develop and administer a code of conduct to ensure that the CLG works effectively; b) act as a community consultation advisor to the CLG. <p>8.6 The Requiring Authority is to use its best endeavours to ensure that the CLG meets at least twice prior to the commencement of construction and then at least once every three months once construction has commenced.</p> <p>8.7 Once construction has commenced, the Requiring Authority is to provide an update at least every three months to the CLG, with a copy of the update being provided to the Council, on compliance with the designation conditions, the CEMP, any management plans and any material changes to these plans.</p> <p>8.8 The Requiring Authority is to provide reasonable administrative support for the CLG including organising meetings at a local venue, inviting all members of the CLG to meetings, and taking and disseminating meeting minutes.</p> <p>8.9 The CLG is to continue for the duration of the construction phase of the project and for three months following completion of the project. The Requiring Authority is to use its best endeavours to ensure that the CLG meets at least once post completion of construction.</p>
Construction conditions	
9	<p>Outline plan requirements</p> <p>9.1 Before construction is commenced, the Requiring Authority is to submit an outline plan for construction of the project to the Auckland Council in accordance with section 176A of the RMA. The outline plan may be submitted in stages to reflect any proposed staging of the physical works. The outline plan is to include:</p> <ul style="list-style-type: none"> a) The Communication and Consultation Plan; b) The CEMP; c) Other management plans required by these conditions for any particular stage, including the: <ul style="list-style-type: none"> i. CNVMP ii. UDLP iii. VMP iv. EMP v. CTMP vi. HHMP a) Any other information required by the conditions of this designation associated with the construction of the project.

	<p>9.2 The management plans listed above must clearly document the comments and inputs received by the Requiring Authority during its further discussion and consultation undertaken in accordance with these conditions.</p> <p>9.3 The Requiring Authority may elect to give effect to the designation conditions associated with construction of the project:</p> <ul style="list-style-type: none"> a) Either at the same time or in parts; and b) By submitting one or more: <ul style="list-style-type: none"> i. Communication and Consultation Plan; ii. CEMP; and iii. Other management plans required for any particular stage. <p>9.4 Early engagement by the Requiring Authority is to be undertaken with the Auckland Council in relation to preparation and submission of the outline plan to establish a programme that ensures achievable timeframes for both parties.</p> <p>9.5 All works are to be carried out in accordance with the confirmed outline plan.</p>
10	<p>Construction monitoring conditions</p> <p>10.1 The Requiring Authority is to establish and to implement a collaborative working process with the Council (Major Infrastructure Projects Team Manager) for dealing with day to day construction processes, including monitoring compliance with these conditions and with the CEMP and management plans and any material changes to these plans associated with construction of the project.</p> <p>10.2 This collaborative working process is to:</p> <ul style="list-style-type: none"> a) Operate for the duration of the construction works and for 6 months following completion of construction works where monitoring of designation conditions is still required, unless a different timeframe is mutually agreed between the Requiring Authority and the Auckland Council. b) Have a “key contact” person representing the Requiring Authority and its contractor team to work with the Council (Major Infrastructure Projects Team Manager) c) The “key contacts” are to be identified in the CEMP and is to meet at least monthly with the Council (Major Infrastructure Projects Team Manager) unless a different timeframe is agreed. The purpose of the meetings is to: <ul style="list-style-type: none"> i. Report on compliance with these conditions and with the CEMP, management plans and material changes to these plans and on any matters of non-compliance and how they have been addressed. ii. Identify and agree: <ul style="list-style-type: none"> a. that material changes have occurred or are required that require a review of the CEMP

	<p>or management plans in accordance with condition 11. The key contacts are to provide the Council (Major Infrastructure Projects Team Manager) with written confirmation that a material change has occurred or is required and;</p> <p>b. Which receivers are affected parties.</p> <p>10.3 The purpose and function of the collaborative working process is to:</p> <p>a) Confirm with the Council (Major Infrastructure Projects Team Manager) that:</p> <p>i. The works authorised by this designation are being carried out in compliance with the designation conditions, the CEMP, management plans and any material changes to these plans.</p> <p>ii. The Requiring Authority and its contractor(s) are undertaking all monitoring and recording the monitoring results in compliance with the requirements of the CEMP and management plans and any material changes to these plans.</p> <p>b) Subsequent to a confirmed outline plan, provide a mechanism through which any changes to the design, CEMP or management plans, which are not material changes requiring approval that triggers a requirement for a new outline plan, can be required, reviewed and confirmed.</p> <p>c) Advise where changes to construction works following a confirmed outline plan require a new CEMP or management plan.</p> <p>d) Review and identify any concerns or complaints received related to, the construction works monthly (unless a different timeframe is mutually agreed with the Council (Major Infrastructure Projects Team Manager) and the adequacy of the measures adopted to respond to these.</p>
11	<p>Review process for CEMP and management plans</p> <p>11.1 The CEMP and management plans are to be reviewed as a result of a material change to the project or to address unforeseen adverse effects arising from construction or unresolved complaints. Such a review may be initiated by either the Auckland Council or the Requiring Authority. The review is to take into consideration:</p> <p>a) Compliance with the designation conditions, the CEMP, management plans and material changes to these plans.</p> <p>b) Any changes to construction methods.</p> <p>c) Key changes to roles and responsibilities for the project.</p> <p>d) Changes in industry best practice standards.</p> <p>e) Changes to legal or other requirements.</p> <p>f) Results of monitoring and reporting procedures associated with the management of adverse effects during construction.</p>

	<p>g) Any comments or recommendations received from the Auckland Council regarding the CEMP and/or subsidiary management plans.</p> <p>h) Any unresolved complaints and any response to the complaints and remedial action taken to address the complaint.</p> <p>11.2 The Requiring Authority is to provide the opportunity (and specify reasonable timeframes for) feedback and input from affected parties identified in condition 10.2(c)(ii)(b) regarding the CEMP and management plan review process.</p> <p>11.3 A summary of the review process is to be kept by the Requiring Authority, provided annually to the Council (Major Infrastructure Projects Team Manager), and made available to the Auckland Council on request.</p>
12	<p>Update of CEMP and/or management plans following review</p> <p>12.1 Following any review process required by the previous condition, the CEMP or management plan may require updating.</p> <p>12.2 Any material change to the CEMP and/or management plan must be consistent with the purpose and objective of the relevant condition.</p> <p>12.3 Any affected parties (including any identified in accordance with condition 10.2(c)(ii)(b)) is to be notified of any material change proposed to a CEMP or management plan.</p> <p>12.4 The CEMP and management plans must clearly document the comments and inputs received by the Requiring Authority from affected parties about the material change along with a clear explanation of where any comments have not been addressed in the CEMP or management plan, and the reasons why not.</p> <p>12.5 Following that review any material change proposed to the CEMP and/or management plans relating to an adverse effect are to be submitted for approval to the Auckland Council's Compliance and Monitoring Officer at least 10 working days prior to the proposed changes taking effect. If any changes are not agreed, the relevant provisions of the RMA relating to approval of outline plans apply.</p>
13	<p>Contact person</p> <p>13.1 The Requiring Authority is to make a contact person available during standard working hours and also a 24 hour phone contact for the duration of the construction period to answer and to follow-up on public enquiries and concerns about the project and construction works.</p>
14	<p>Construction Communication and Consultation Plan</p> <p>14.1 The Requiring Authority is to prepare a Construction Communication and Consultation Plan ("CCCP") which is to be implemented and complied with for the duration of construction of the project. The objective of the CCCP is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, directly affected parties and affected in proximity parties</p>

	<p>during construction of the project.</p> <p>14.2 The CCCP is to set out how the Requiring Authority will:</p> <ul style="list-style-type: none"> a) Inform the community of construction progress and future construction activities and constraints that could affect them (including activities that will cause noise, vibration and dust effects, information on temporary traffic disruptions and suggested alternative routes to avoid traffic disruption); b) Provide early information on key project milestones; c) Obtain and specify a reasonable timeframe (being not less than 10 working days) for feedback and inputs from directly affected and affected in proximity parties regarding construction of the project (as part of the review process provided by condition 11) and implementation of the CEMP or other management plans; and d) Respond to queries and complaints including but not limited to: <ul style="list-style-type: none"> i) who is responsible for responding; ii) how responses will be provided; and iii) the timeframes within which responses will be provided. <p>14.3 As a minimum the Communication and Consultation Plan is to include:</p> <ul style="list-style-type: none"> a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, newsletters or similar, advertising etc.), and any other relevant communication matters; b) Details of the Communication and Consultation manager for the project including their contact details (phone, email and postal address); c) The methods for identifying, communicating and consulting with people affected by the project including but not limited to: <ul style="list-style-type: none"> i) The CLG; ii) All property owners and occupiers identified within the designation footprint; iii) All owners and occupiers immediately adjacent to construction sites; iv) HNZPT; and v) Network utility operators. d) Methods for communication and consulting in advance of the proposed hours for construction activities outside normal working hours and on weekends and public holidays, to directly affected and affected in proximity parties (including surrounding communities); e) How stakeholders and persons affected by the project be consulted in the development and review of the CEMP and
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	<p>management plans, including specifying reasonable timeframes for feedback;</p> <ul style="list-style-type: none"> f) Methods for communicating with directly affected and affected in proximity parties (including surrounding communities), bus (public and private) operators, taxi operators, bus users and the general public in advance of temporary traffic management measures and permanent changes to road networks and layouts; g) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of construction works, and particularly in relation to temporary road lane reductions and/or closures and the alternative routes or detours to be used; and h) The process for Concerns and Complaints Management (receiving, acknowledging, responding and reporting to the community on actions taken) required by condition 15. <p>14.4 The Communication and Consultation Plan is also to include (as relevant) linkages and cross-references to the CEMP and management plans.</p> <p>14.5 If, in the course of amendments undertaken as part of the review process, a material change to the Communication and Consultation Plan is made, those parties affected by the change are to be notified within one month of the material change occurring.</p>
15	<p>Concerns and complaints management</p> <p>15.1 On receiving a concern or complaint during construction, the Requiring Authority is to instigate a process to address concerns or complaints received about adverse effects. This process is to:</p> <ul style="list-style-type: none"> a) Identify the nature of the concern or complaint, and the location, date and time of the alleged event(s). b) Acknowledge receipt of the concern or complaint within 24 hours of receipt. c) Respond to the concern or complaint in accordance with the relevant management plan, which may include monitoring the activity by an appropriately qualified expert and implementation of mitigation measures. <p>15.2 A record of all concerns and / or complaints received is to be kept by the Requiring Authority. This record is to include:</p> <ul style="list-style-type: none"> a) The name and address of the person(s) who raised the concern or complaint (unless they elect not to provide this) and details of the concern or complaint. b) Where practicable, the weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality. c) Known project construction activities at the time and in the vicinity of the concern or complaint.

	<p>d) Any other activities in the area unrelated to the project construction that may have contributed to the concern or complaint such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.</p> <p>e) Remedial actions undertaken (if any) and the outcome of these, including monitoring the activity.</p> <p>15.3 This record is to be maintained on site, be available for inspection on request, and is to be provided every two months (or as otherwise agreed) to the Council (Major Infrastructure Projects Team Manager).</p> <p>15.4 Where a complaint remains unresolved or a dispute arises, the Council (Major Infrastructure Projects Team Manager) is to be provided with all records of the complaint and how it has been addressed and whether the Requiring Authority considers that any other steps to resolve the complaint are required.</p> <p>15.5 On receiving records of the complaint, the Council (Major Infrastructure Projects Team Manager) may determine whether a review of the CEMP and/or Management Plans is required under condition 11 to address the complaint. The Council (Major Infrastructure Projects Team Manager) will use its best endeavours to advise the Requiring Authority of its recommendation within 10 working days of receiving the records of complaint.</p>
16	<p>Contractors' Environmental Management Plan ("CEMP")</p> <p><i>Preparation compliance and monitoring</i></p> <p>16.1 The objective of the CEMP and other management plans is, so far as is reasonably practicable, to avoid, remedy or mitigate any adverse effects associated with the project construction. All works are to be carried out in accordance with the CEMP and management plans required by these conditions and in accordance with any changes to any of these plans.</p> <p>16.2 The CEMP and other management plans are to be prepared, complied with and monitored by the Requiring Authority throughout the duration of construction of the project.</p> <p>16.3 The management plans are to give effect to any specific requirements and objectives set out in these designation conditions.</p> <p>16.4 The CEMP is to include measures to give effect to any specific requirements and objectives set out in these designation conditions that are not addressed by the management plans.</p> <p>16.5 Where mitigation measures are required to be implemented by the Requiring Authority in relation to construction of the project, it is to meet the reasonable and reasonable costs of implementing such mitigation measures.</p>
17	<p>Contractors Environmental Management Plan ("CEMP")</p> <p><i>Information Requirements</i></p>

	<p>17.1 To give effect to condition 16, the CEMP must include details of:</p> <ul style="list-style-type: none"> a) Information boards clearly identifying the Requiring Authority and the project name, together with the name, telephone number and email address of the site or project manager and the communication and consultation manager; b) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring; c) The procedure for a cultural heritage induction for all parties involved in excavation works on the project site; d) Training requirements for employees sub-contractors and visitors on the cultural history and significance of the area, construction procedures, environmental management and monitoring; e) The site or project manager and the communication and consultation manager (who will implement and monitor the Communication and Consultation Plan), including their contact details (phone, email and physical address); f) The document management system for administering the CEMP, including review and Requiring Authority /contractor / Auckland Council requirements; g) Environmental incident and emergency management procedures (including spills); h) Environmental complaint management procedures; i) An outline of the construction programme of the works, including construction hours of operation, indicating linkages to the other management plans which address the management of adverse effects during construction; j) An outline of the location of the construction yard and how the construction yard is to be managed and maintained during the project including, but not limited to, how site offices and lower level noise construction activities will be located on the edge of the construction yards where practicable; k) Specific details on demolition to be undertaken during the construction period; l) How construction methods and processes will achieve waste minimisation and energy efficiency; m) Methods to ensure the safety of the general public; n) Specific details on the environmental monitoring to be undertaken throughout construction, as required by these designation conditions; o) Methods to control the intensity, location and direction of artificial construction lighting to avoid light spill and glare onto sites adjacent to the construction areas; p) Where access points are to be located and procedures for managing construction vehicle ingress and egress to construction support and storage areas;
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	<ul style="list-style-type: none"> q) Measures to ensure that all storage of materials and equipment associated with the construction works takes place within the boundaries of the designation; r) Methods to ensure the prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances; s) Measures to ensure all temporary boundary / security fences associated with the construction of the project are maintained in good order with any graffiti to be removed as soon as possible; t) How the construction areas are to be fenced and kept secure from the public and the location and specifications of any temporary acoustic fences and visual barriers; u) The location of any temporary buildings (including workers' offices and portaloos) and vehicle parking (which should be located within the construction area and not on adjacent streets); v) Measures adopted to ensure that any vehicles associated with construction of the project do not park on any adjacent streets.
18	<p>Project standards – construction noise</p> <p>18.1 Construction noise is to be measured and assessed in accordance with the requirements of NZS6803:1999 Acoustics – Construction Noise. Noise generated from construction works is to comply with the long term noise limits stated in Tables 2 and 3 of NZS6803:1999 unless otherwise varied by a management schedule developed in accordance with condition 18.7.</p> <p>18.2 The hours of work for construction activities shall be 0730 to 1800 from Monday to Saturday unless otherwise varied by a management schedule developed in accordance with condition 18.7.</p> <p>18.3 Vibration from construction and demolition is not at any time to exceed the limits set out in Tables 1 and 3 of German Standard DIN 4150 Part 3: 1999 "Structural Vibration in Buildings – Effects on Structures" (the "DIN Standard") at any building.</p> <p>Construction Noise and Vibration Management Plan</p> <p>18.4 No later than ten working days prior to commencement of work on the project, the Requiring Authority must submit a Construction Noise and Vibration Management Plan ("CNVMP") to the Council (Major Infrastructure Projects Team Manager) for certification. The certified CNVMP and any management schedules prepared in accordance with condition 18.7 must be implemented, adhered to and maintained throughout the construction period.</p> <p>18.5 The CNVMP must describe the best practicable option(s) that will be adopted to avoid, remedy or mitigate construction noise and vibration effects. The CNVMP must as a minimum address the noise management measures set out in Annex E of the NZS6803:1999 and the following:</p> <ul style="list-style-type: none"> a) Construction sequencing; b) Machinery and equipment to be used, including promotion of the

	<p>use of low noise machinery where practicable;</p> <ul style="list-style-type: none"> c) Hours of operation, including times and days and reasons for when it is necessary to undertake construction works outside of the hours in 18.2; d) The design of noise mitigation measures such as temporary barriers or enclosures; e) Methods for monitoring and reporting on construction noise; and f) Methods for receiving and responding to complaints about construction noise. <p>18.6 The CNVMP must be prepared in accordance with the vibration management measures set out in the vibration standards of the DIN Standard and must address the following:</p> <ul style="list-style-type: none"> a) Vibration monitoring measures; b) Vibration criteria; c) Possible mitigation measures; d) Complaint response; e) Reporting procedures; f) Notification and information for the community of the proposed work; g) Vibration testing of equipment to confirm vibration predictions; h) Location for vibration monitoring when construction activities are adjacent to buildings identified for settlement monitoring. <p>18.7 Where an activity is predicted or measured to be non-compliant with the project standards in conditions 18.1 and/or 18.2, the Requiring Authority is to prepare a management schedule(s). Any management schedule is to be activity specific and include, as a minimum, the following details:</p> <ul style="list-style-type: none"> a) A description of the activity (including duration), plant and machinery that is expected not to comply with the noise and/or vibration limits in conditions 18.1 and 18.2; b) Predicted levels and proposed noise limits for all receivers where the levels will not be compliant with the limits in condition 18.1; c) A description of the mitigation measures proposed to reduce the noise and vibration levels and minimise the degree of non-compliance as far as practicable including how the selected mitigation achieves the Best Practicable Option, and any mitigation options that have been discounted due to cost or any other reason; d) A description of any additional methods to manage the effects on the affected parties (e.g. temporary accommodation during the specific activity) <p>18.8 Any management schedule produced in accordance with condition 18.7 is to be provided to the Council (Major Infrastructure Projects Team Manager) for certification no less than 5 working days prior to the authorised works commencing.</p> <p>Condition surveys</p> <p>18.9 The Requiring Authority is to engage an appropriately qualified and experienced structural engineer who, prior to construction within 20 metres of any dwelling or structure on the properties shown on the</p>
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	<p>Newmarket Level Crossing – Condition Survey Map prepared by Opus International Consultants dated 27 April 2016, is to undertake a survey of those dwellings and structures whose owners and occupiers provide their written consent for access. The survey is to assess the current condition of the exterior and interior of the dwellings and other structures (including swimming pools and masonry walls) and shall determine the vibration criterion for each dwelling and structure according to the DIN Standard. All surveys are to be at the Requiring Authority's cost.</p> <p>18.10 A copy of each survey is to be provided to the Council's Team Leader Compliance and Monitoring – Central and a copy as it relates to the relevant property is to be made available to those property owners who participate in the survey and request a copy of the results.</p> <p>18.11 On completion of the construction works a follow-up survey of each dwelling and/or structure surveyed is to be carried out at the Requiring Authority's cost.</p>
19	<p>Urban Design and Landscape Plan</p> <p>19.1 The Requiring Authority is to submit an Urban Design and Landscape Plan ("UDLP") to the Council (Major Infrastructure Projects Team Manager). The objective of the UDLP is to provide a framework that ensures:</p> <ul style="list-style-type: none"> a) The integration of any above ground structures of the project into the surrounding landscape; b) To the greatest extent practicable, the avoidance, remediation or mitigation of any adverse landscape or visual effects of the project; and c) The operation of the project is consistent with relevant CPTED principles. <p>19.2 To achieve the objective of the UDLP, the UDLP is to provide details of how the following design elements have been incorporated in the detailed design of the project:</p> <ul style="list-style-type: none"> a) Visibility, sightlines and casual surveillance are to be maximised; b) Concealment and isolation opportunities are to be minimised; c) Fencing, landscaping and streetscape features are to be designed to maximise visibility; d) Fencing and landscaping is to be utilised to discourage access to the rail corridor; e) Design of above ground infrastructure is to encourage safe movement, orientation and way finding; f) Materials and fixtures are to be vandal and graffiti resistant; g) Design of above ground structures is to be integrated with the surrounding landscape to the greatest extent practicable; h) Connectivity for pedestrians between Newmarket Park and the existing pedestrian network on Parnell Road, Laxon Terrace and Youngs Lane is to be provided for to the greatest extent practicable. <p>19.3 The UDLP is also to include the following details:</p> <ul style="list-style-type: none"> a) How the proposed lighting will meet the requirements of the

	<p>Auckland Transport's Street Lighting Policy for "Pathways in high risk, high brightness areas");</p> <ul style="list-style-type: none"> b) How opportunities to promote the character of Newmarket Park have been included in design (e.g. through providing information boards/signage and viewing platforms); c) How mitigation planting is in general accordance with the mitigation planting concept plan; d) How mitigation planting in front of 9 Cowie Street will avoid or mitigate adverse visual effects of the overbridge from properties to the south; e) How mitigation landscaping addresses the recommendations of the EMP. Details are to include: <ul style="list-style-type: none"> i. Plans showing plant species, plant spacing, plant sizes at the time of planting; layout; grade; likely heights on maturity and how planting will be staged and established methods of ground preparation; fertilising; mulching; spraying and ongoing maintenance; ii. A maintenance schedule for maintenance of vegetation covering no less than 3 years; iii. Methods of ground preparation, fertilising, mulching, spraying and ongoing maintenance; iv. A vegetation maintenance schedule for the proposed landscaping, in particular details of maintenance methodology and dates/frequencies for the first three years following completion of the construction works. <p>19.4 The Requiring Authority is to undertake a practical completion audit of the landscaping implemented under condition 19 at the end of the 3 year maintenance period. Any defects identified by the audit are to be remedied by the Requiring Authority to the satisfaction of the Auckland Council's Compliance Monitoring Officer.</p> <p>19.5 Following completion of the construction works on the site (or at a time agreed with the Council (Major Infrastructure Projects Team Manager), the Requiring Authority is to implement the UDLP. The planting is to be implemented and maintained to the satisfaction of the Council (Major Infrastructure Projects Team Manager).</p> <p>19.6 The UDLP is to be prepared in consultation with the Auckland Council, the Waitemata Local Board, mana whenua, KiwiRail, and property owners identified in the Visual Catchment/Viewing Audience map dated January 2016 prepared by Opus International Consultants as part of the Assessment of Environmental Effects ("map 2") as being in Zone A and B (refer also to the definitions provided for these conditions). The Requiring Authority is to consider feedback from these parties and the means by which any relevant suggestions may be incorporated in the UDLP.</p> <p>19.7 As part of the UDLP submitted, the Requiring Authority is to:</p> <ul style="list-style-type: none"> a) Provide a record of feedback received from the parties referred to in condition 19.6. b) Provide detail regarding the degree to which the feedback has been considered and where applicable incorporated into the design. Where feedback has not been incorporated, the Requiring Authority is to provide comment as to reasons why
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	the feedback has not been incorporated.
20	<p>Tree protection</p> <p>20.1 Prior to commencement of construction, the Requiring Authority is to appoint a qualified arborist ('Works Arborist') for the duration of the works. The role of the Works Arborist is to supervise all tree removals and works within the dripline of protected trees and street trees adjacent to the works site.</p> <p>20.2 Contact details of the Works Arborist are to be provided to the Auckland Council's nominated project arborist prior to construction and in accordance with the CEMP.</p> <p>20.3 Prior to commencement of construction, a pre-commencement meeting is to be conducted at the site. The pre-commencement meeting is to:</p> <ul style="list-style-type: none"> a) Be attended by the Works Arborist and the Council's project arborist; and b) Brief all contractors, sub-contractors and work site supervisory staff who will be carrying out project works of vegetation protection measures required on the site during construction. <p>20.4 Prior to works commencing, the following are to be implemented;</p> <ul style="list-style-type: none"> a) Protective fences of day-glo mesh attached tautly to closely spaced Waratah standards are to be erected to enclose as much of the dripline areas of affected trees as practicable. The locations of these fences is to be agreed and supervised by the Works Arborist. b) On completion of the pre-commencement meeting (condition 20.3), the Works Arborist is to submit a compliance memo to the Auckland Council's Compliance Officer and/or the Council's project arborist for certification. c) Communications and actions undertaken by the Works Arborist to manage activities implemented under condition 20.4 are to be supplied as part of the arboriculture works log sheet which is to form part of the tree management compliance report specified in condition 20.9. <p>20.5 In the event activities, machinery, storage of materials and/or vehicle tracking associated with construction are required within the dripline of trees and/or protected vegetation, the Requiring Authority, through the Works Arborist, must:</p> <ul style="list-style-type: none"> a) Ensure no passage of machinery, or emplacement of materials, equipment, fuels and oils, and spoil, is permitted within the dripline of trees and/or protected vegetation without approved protection measures being installed. b) Where 20.5(a) cannot be achieved, a practicable solution to protect the affected tree must be recommended by the Works Arborist. Methods may include, but are not limited to <ul style="list-style-type: none"> i. track-mats, ii. plywood at a minimum thickness of 17mm must be utilised in any machinery movement. c) Storage of materials, equipment, and spoil must be stored on a hard surface adjacent to the works area with polythene sheeting or plywood used as a further preventative measure.

	<p>20.6 All tree removal, pruning and works within the dripline of protected trees shall be undertaken in accordance with, but not limited to, the tree protection methodology provided in sections 8 and 9 of the arboricultural assessment prepared by Peers Brown Miller Ltd, dated 24 July 2015. A copy of this report is to be accessible on the site at all times.</p> <p>20.7 In accordance with condition 20.5(a), excavation undertaken to install new hard surface and/or permanent structures within the dripline of protected trees is to:</p> <ul style="list-style-type: none"> a) Be assessed by the Works Arborist prior to excavation works occurring; b) Be undertaken with approved methods to prevent damage to the tree, as recommended by the Works Arborist; c) Excavation works are to be monitored by the Works Arborist, d) Pruning of protected trees is to be carried out prior to works commencing by the Works Arborist or a qualified arborist under the instruction of the Works Arborist; <p>20.8 The Requiring Authority is to submit a Vegetation Management Plan ("VMP") to the Auckland Council. The VMP is to be prepared in accordance with the recommendations provided in the arboricultural assessment prepared by Peers Brown Miller Ltd, dated 24 July 2015. The VMP is to include, but not be limited to:</p> <ul style="list-style-type: none"> a) Measures to ensure that all contractors, sub-contractors, and workers engaged in all activities covered by this designation are advised of the tree protection measures required by conditions on the designation, and operate in accordance with those; b) A tree works methodology for works in the root-zone of the mature Poplar and Puriri trees at 9 Cowie Street, with construction details for the proposed bridge and roadway designed to avoid any adverse effects on the immediate and long term health and stability of the trees; c) Methods adopted to ensure the avoidance to the greatest extent practicable of machinery striking any part of any tree during the course of the project. <p>20.9 The Requiring Authority is to submit compliance reports on a monthly basis throughout the course of the works to the Auckland Council's project arborist and to the Major Infrastructure Projects Team Manager, Auckland Council. The compliance reports are to include:</p> <ul style="list-style-type: none"> a) A digital photographic record of the tree works undertaken from the Works Arborist. b) Details of each instance that the Works Arborist is present on the site to supervise and monitor works in the rootzone of retained trees. c) Details (including photographs) of all of the activities which have been undertaken on or within the rootzone of retained trees and d) Confirmation that the works to date have been in accordance with the conditions of this designation while under the direction of the Works Arborist.
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	<p>20.10 A tree management completion report is to be completed by the Works Arborist and provided to the Council's project arborist within one month of completion of construction. The tree management completion report is to:</p> <ul style="list-style-type: none"> a) Confirm (or otherwise) that the works have been undertaken in accordance with the tree protection measures required by the these conditions and under the direction of the Works Arborist. b) Confirm that the impact on the protected trees has been no greater than that provided for by the conditions.
21	<p>Ecological Management Plan</p> <p>21.1 The Requiring Authority is to prepare and submit an Ecological Management Plan ("EMP") to the Council (Major Infrastructure Projects Team Manager). The objective of the EMP is to detail the ecological management and monitoring programme that will be implemented to manage ecological effects on the environment during and after the construction phase of the project.</p> <p>21.2 The EMP is to be prepared by an appropriately qualified and experienced ecologist prior to commencement of the works.</p> <p>21.3 The EMP is to include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a) A revegetation planting plan using appropriate native species eco-sourced from the Tamaki Ecological District; b) A planting schedule, methodology, and an implementation and maintenance programme; c) A weed and pest management programme for a minimum of two years commencing on completion of the revegetation planting; d) A Herpetofauna Management Plan ("HMP") prepared by a qualified herpetologist. The HMP should include, but not be limited to, the following: <ul style="list-style-type: none"> i. Lizard capture-relocation methodologies and timeframes including a minimum capture period duration of eight weeks outside of winter months. ii. Details of habitat enhancement and protection measures. iii. Details of a predator control programme including methodologies and timeframes. iv. Details of any monitoring proposed to assess the effectiveness of the mitigation. e) The revegetation planting is to be implemented during the first planting season (April to July) following the completion of works.
22	<p>Network utility infrastructure</p> <p>22.1 The Requiring Authority must ensure that access to the existing infrastructure of network utility operators for maintenance work (at all reasonable times) and for emergency works (at all times) is not adversely affected by the activities authorised by the designation.</p> <p>22.2 During final design of the project the Requiring Authority is to:</p> <ul style="list-style-type: none"> a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their

	<p>infrastructure may be affected; and</p> <p>b) Where required, make all reasonable changes requested by such network utility operators to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of, all network utility infrastructure within the designated area is not adversely affected.</p> <p>22.3 Where during design or construction such infrastructure is found to be affected, subject only to reasonable planned interruption, the Requiring Authority is to either:</p> <p>a) protect the utility from any activity which may interfere with the proper functioning of the services, relocate it to the same or similar standard (including property rights) as the operator currently had before commencement of the project; or</p> <p>b) repair or replace, at the Requiring Authority's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.</p> <p>22.4 For works impacting on Vector assets, the requiring authority will consult with Vector Limited and enter into an agreement describing how the assets are to be relocated, and how the costs are to be apportioned. That agreement is to be consistent with Vector's standard "Agreement for Movement of Infrastructure", and is to be in place prior to any works taking place pursuant to the designation that might affect Vector's assets.</p> <p>22.5 Works required at the termination point of Sarawia Street are to be designed in consultation with KiwiRail to address the following:</p> <p>a) Prevent pedestrian access from Sarawia Street to KiwiRail land; and</p> <p>b) Appropriate fencing and structures located adjacent to KiwiRail land.</p>
23	<p>Lighting</p> <p>23.1 Any lighting used to illuminate carriageways is to be designed and located so that lighting levels comply with the Australia New Zealand Roadway Lighting Standard 1158, (series) - Lighting for Roads and Public Spaces.</p> <p>23.2 Any lighting employed to illuminate carriageways is to be sited and designed to ensure that no more than 10 lux (vertical) of light is spilled during night time hours onto any residential building. This is to be measured at the windows of any habitable room in any such building.</p>
24	<p>Construction Traffic Management Plan</p> <p>24.1 The Requiring Authority is to submit a Construction Traffic Management Plan ("CTMP") to the Council (Major Infrastructure Projects Team Manager). The objective of the CTMP is to provide a framework to avoid, remedy or mitigate adverse traffic effects associated with the construction of the project.</p>

	<p>24.2 The CTMP is to be provided to the Auckland Council at least 10 working days prior to construction activity and is to be implemented and complied with for the duration of construction of the project.</p> <p>24.3 The CTMP is to 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 CTMP is to include (but not be limited to) the following matters:</p> <ul style="list-style-type: none"> a) Methods to avoid, remedy or mitigate the local and network-wide effects of the construction of individual elements of the project particularly near Cowie Street and Sarawia Street (e.g. intersections/ bridges); b) Methods to manage the effects of the delivery of construction material, plant and machinery (including cranes and oversized trucks) during construction; c) Measures to maintain existing vehicle access, 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; d) 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 is to be safe, clearly identifiable, provide permanent surfacing and seek to minimise significant detours; and e) Measures to minimise loss of parking through construction (including contractor vehicles).
25	<p>Parking</p> <p>25.1 Subject to the recommendations of a safety audit of the detailed design, there is to be no loss of on-street parking on Cowie Street. If the outcome of the detailed design safety audit necessitates the loss of on-street parking on Cowie Street, any reduction of on-street parking is to be minimised to the greatest extent practicable.</p>
26	<p>Historic Heritage Management Plan</p> <p>26.1 The Requiring Authority is to prepare and submit an Historic Heritage Management Plan (“HHMP”) to the Auckland Council at least 20 working days prior to commencement of any activity authorised by the designation. The objective of the HHMP is to provide a framework for the avoidance, remediation or mitigation of adverse effects on archaeological remains during construction, as far as reasonably practicable.</p> <p>26.2 The Requiring Authority is to submit the HHMP to the Manager: Heritage Unit, Auckland Council to confirm that the activities undertaken in accordance with the HHMP will achieve the objectives of the plan and compliance with the following conditions.</p>

	<p>26.3 The HHMP is to be prepared by the Requiring Authority in consultation with HNZPT and the Auckland Council's Heritage Unit (Cultural Heritage Implementation) and is to include details of (but not be limited to):</p> <ul style="list-style-type: none"> a) Details of all the historic heritage sites in the development area; b) How construction, operation and maintenance of the project will ensure that any effects on the circa 1914 scoria retaining wall will be avoided; c) How adverse direct and indirect effects on historic heritage sites identified are proposed to be avoided, remedied or mitigated; d) The training requirements proposed to ensure the project team is aware of the processes and procedures; e) Measures proposed for the storage and curation of the site archive and dissemination of the results of any fieldwork investigations undertaken in relation to historic heritage; f) Details of the storage and curation of the site archive and dissemination of the results of any fieldwork investigations undertaken in relation to historic heritage; g) Auckland Transport's Accidental Discovery Protocols as set out below: <ul style="list-style-type: none"> i. If, at any time during site works, potential koiwi, archaeology or artefacts of Māori origin are discovered, then all site works, including earth moving machinery must stop around the location of the find and the following accidental discovery protocol must be followed. ii. The site owner or the site manager must immediately advise the kaitiaki and kaumatua of the relevant Mana Whenua, Team Leader Cultural Heritage (Implementation) and Heritage New Zealand Pouhere Taonga. iii. Mana Whenua will determine the tikanga for appropriate preservation, management and handling of the koiwi, archaeology or artefacts of Māori origin that are uncovered, which may include removal of the koiwi, archaeology or artefacts of Māori origin from the site by Mana Whenua or preservation within the site. iv. Preservation of the koiwi, archaeology or artefacts of Māori origin that are uncovered may require amendments to the site works to avoid adverse effects on sites of significance to Mana Whenua and Māori values. v. Works in the identified area must not recommence until approval has been granted by HNZPT in consultation with Mana Whenua. vi. Any final archaeological reporting resulting from an accidental discovery is to be submitted to the Council's the Cultural Heritage Team (Implementation) for the purpose of record keeping within 30 days of an updated
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	report being provided to HNZPT.
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ADVICE NOTES

AN1	Some of the project land is subject to existing designations. Nothing in these designation conditions negates the need for the Requiring Authority to adhere to the provisions of section 177 of the RMA.
AN2	The resource consents for the project granted by the Council also include conditions that require preparation and implementation of a CEMP. It is appropriate that a single CEMP be prepared by the Requiring Authority/consent holder which meets the conditions of this designation and the conditions of the resource consents.
AN3	Certification of the Historic Heritage Management Plan by the Council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the Council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA").
AN4	It is unlawful to modify or destroy a pre-1900 (or post -1900 archaeological site declared under section 43 of the HNZPTA) archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga ("HNZPT") issued under the HNZPTA. The HNZPTA also requires that approval be sought of persons nominated to undertake the activity under an authority. Requirements under the HNZPTA should be confirmed directly with Heritage New Zealand Regional Archaeologist (ArchaeologistMN@heritage.org.nz).
AN5	The Requiring Authority is advised that installation of silt fences within the rootzone of retained trees must not involve the excavation or alteration of ground levels. Alternative methods to trenching should entail pinning the bottom edge of the siltcloth to the ground (using ground staples) and re-inforcing with straw bales or similar. This requirement also applies where tree protection and silt/erosion control fences are combined into the one fence and constructed in the protected rootzone area.
AN6	The EMP may be incorporated into the landscape plans for the project provided all the requirements of the EMP condition are met.