

Appendix 6

Proposed Conditions – EB4L

Proposed Conditions for EB4L Notice of Requirement

Acronym	Full Term
AUP(OP)	Auckland Unitary Plan (Operative in Part)
CCP	Communication and Consultation Plan
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
HHMP	Historic Heritage Management Plan
LEAM Plan(s)	Landscape, Ecology and Arboricultural Management Plan(s)
TPMP	Tree Protection and Management Plan
UDLP	Urban Design and Landscape Plan
GD05	Auckland Council’s Guideline Document 2016/005 <i>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region</i> (GD05), incorporating any amendments

General Accordance

1. Except as modified by the conditions below, or by any outline plan, the scope and extent of the works within the designation are to be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement and supporting documents, as detailed in Tables 1 and 2.

Table 1: Application Documents

Document Title	Author	Revision	Date

Table 2: Drawings

Drawing Title	Designer	Revision	Date
Plan:			

Where there may be an inconsistency between the documents listed in Condition 1 above and the requirements of the following conditions, the following conditions prevail.

Monitoring

- The Landscape, Ecological and Arboricultural Mitigation (LEAM) Plans listed in Condition 1 may be amended, if necessary, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of this designation. Any amendments are to be agreed by the Council in writing prior to implementation of any changes.

Advice Note: *Where amendments to the LEAM plans are not within scope of the plans listed in Condition 1, the Requiring Authority will be required to make an alteration to the relevant designation conditions.*

Site Access

- Subject to compliance with the Requiring Authority’s health and safety requirements and provision of reasonable notice, servants or agents of Council are permitted to have access to relevant parts of the construction site(s) at reasonable times for the purpose of carrying out inspections, surveys, investigations and/or to take samples.

Lapse Date

- In accordance with section 184(1)(c) of the Resource Management Act 1991 (the “RMA”), this designation will lapse if not given effect to within 10 (ten) years from the date on which it is included in the Auckland Unitary Plan (Operative in Part).

Uplift of Designation

- As soon as practicable, and no later than 12 (twelve) months from the date the Eastern Busway Project (Package EB4L) becomes operational, the Requiring Authority must:
 - Identify any areas of the designation that are no longer necessary for the long-term development, operation, maintenance and mitigation effects of the Eastern Busway Project; and
 - Give notice to the Auckland Council in accordance with section 182 of the RMA for removal of those parts of the designation identified above.

Advice Note: *The uplifting of the designation may occur in stages, depending on construction staging and commissioning of new infrastructure assets.*

Outline Plan of Works Requirement

6. Prior to the commencement of construction of the Eastern Busway Project (Package EB4L), the Requiring Authority must submit to Council an Outline Plan of the proposed works.

Advice Note: *Given the size of the Project and the interrelationship of Package EB4L to the Eastern Busway Project's other packages, more than one outline plan may be submitted for Package EB4L.*

Management Plan Certification

Advice Note: *Condition 7 applies to all Management Plans.*

7. The following general provisions relate to all Management Plans:
 - a) Management Plans must be submitted to the Council for certification or written approval (as determined by the relevant conditions) as follows:
 - i. At least forty (40) working days prior to the start of works, the Requiring Authority must provide Council with a schedule detailing the timing of all relevant Management Plans that will be provided to the Council for certification or written approval. The schedule must be updated and provided to Council prior to any new stage;
 - ii. Management Plans must be submitted at least twenty (20) working days prior to the Commencement of Construction (excluding enabling works, site clearance, site investigations, relocation of services and establishment of site entrances and temporary construction fencing).
 - b) Any certified Management Plan may be amended, if necessary, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of designation. Any amendments are to be agreed by the Council in writing prior to implementation of any changes. Re-certification is not required in accordance with Condition 7 if the Council confirms those amendments are within scope and any changes to the draft Management Plans are clearly identified;
 - c) Any amendments to a certified Management Plan other than minor amendments or editing changes must be submitted to the Council to certify these amendments are consistent with the relevant designation condition(s) prior to implementation of any changes. Any change to the management approach must be consistent with the purpose of the relevant Management Plan and the requirements of the relevant conditions of the designation. Where a Management Plan was prepared in consultation with interested or affected parties, any changes to that Plan other than minor amendments or editing changes must be prepared in consultation with those same parties;
 - d) Management Plans may be submitted in parts or stages to address activities or to reflect the staged implementation of the Project, and when provided in part or for a stage must be submitted at least twenty (20) working days prior to Commencement of Construction of that part of stage unless otherwise specified in the conditions. If submitted in part, Management Plans must clearly show the linkage with the

Management Plans for adjacent stages and interrelated activities.

- e) All works must be carried out in accordance with the approved Management Plans. Works must not commence until written approval or certification of all the relevant Management Plans for that stage have been received unless otherwise approved in writing by the Council.

Mana whenua engagement

- 8. At least 10 working days prior to the commencement of construction, the Requiring Authority must confirm and submit to Council a Mana Whenua Engagement framework to ensure appropriate engagement with mana whenua during the construction of the Eastern Busway Project (Package EB4L).
- 9. The framework must include:
 - a) The methods for identifying and engaging with mana whenua;
 - b) The process for involvement of mana whenua in reviewing and the implementation of the management plans as they relate to:
 - i. Recognising and providing for the cultural values and interests of mana whenua;
 - ii. Implementing and applying tikanga;
 - iii. Managing and monitoring sediment quality;
 - iv. Incorporating te aranga design principles in open space mitigation works, and
 - v. Promoting ecology and biodiversity, including the use of native vegetation.
 - c) As a minimum the matters identified in (b) above must be addressed in the preparation of the following management plans:
 - vi. Construction Environmental Management Plan;
 - vii. Urban Design and Landscape Plan;
 - viii. Historic Heritage Management Plan; and
 - ix. Habitat Restoration Plan.
- 10. The Requiring Authority must carry out the construction of the Project (Package EB4L) in accordance with the Mana Whenua Engagement framework submitted under Condition 8.

Stakeholder Communication and Engagement

- 11. The Requiring Authority must submit a final Communication and Consultation Plan (CCP) for certification in accordance with Condition 7. The objectives of the CCP are to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, affected parties and interest groups during construction of the Eastern Busway Project (Package EB4L), as well as to manage the development response by the Requiring Authority to address the Project's adverse construction effects.
- 12. The CCP must set out how the Requiring Authority will for the Eastern Busway Project (Package EB4L):
 - a) Inform the community and businesses of construction progress and future construction activities;
 - b) Provide information on key project milestones;

- c) Identify the measures that will provide for input into open space mitigation works;
- d) Provide a process for responding to queries and complaints including, but not limited to:
 - i. Who is responsible for responding;
 - ii. How responses will be provided;
 - iii. The timeframes for responses to be provided; and
 - iv. How complaints will be reviewed and monitored to ensure mitigation is effective.

The CCP must include:

- 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, community noticeboard, local paper, newsletters or similar, advertising etc.) and any other relevant communication matters;
- b) Contact details of the person responsible for communication and consultation for the Eastern Busway Project, including their phone, email, project website and postal address;
- c) Details of where this contact information will be available;
- d) Details of how a point of contact will be maintained throughout construction works for the Project;
- e) Methods for identifying, communicating and engaging with people affected by the construction works for the project, including but not limited to:
 - i. All residential owners and occupiers affected by construction works for the Project;
 - ii. All business property owners and occupiers affected by construction works for the Project;
 - iii. All social services/facilities including community, medical and education facilities affected by the construction works for the project, including methods to assist these facilities to consult with their customers/stakeholders/students;
 - iv. Key stakeholders (including the Council's Parks Department); and
 - v. Network utility operators.
- f) Methods for communicating with and notifying directly affected parties in advance of:
 - i. Proposed construction activities outside normal working hours (including night works);
 - ii. Temporary traffic management measures for vehicles, cyclists and pedestrians during construction;
 - iii. Permanent changes to road networks and layouts;
 - iv. Use of languages other than New Zealand English to enable communication with all communities; and
 - v. A record of the consultation undertaken with the community including specific access requirements for businesses and residents.
- g) Details of specific communications proposed for updating stakeholders including affected parties on construction timeframes;
- h) A list of the stakeholders affected to be communicated with;
- i) Methods for consulting with the local community in regard to open space mitigation works at Guys Reserve, Whaka Maumahara, Haven Park and Huntington Park;

- j) Linkages and cross references to the Eastern Busway Project's management plans where relevant;
- k) Identification of opportunities for those stakeholders identified under Condition 12(h) to collaborate on specific issues if required;
- l) A Development Response Addendum including:
 - i. The measures to maximise existing opportunities for pedestrian and service access to businesses, residents and social services/facilities that will be maintained during construction, within the practical requirements of the CTMP;
 - ii. The measures to mitigate potential severance and loss of business visibility issues by wayfinding and supporting signage for pedestrian detours required during construction;
 - iii. The measures to promote a safe environment during construction;
 - iv. How loss of amenity for residents, community services and businesses as a result of construction activities will be or has been mitigated through the Eastern Busway Project's management plans; and
 - v. Identification of any other development response measures designed to support those businesses, residents and community services/facilities during construction.
- m) Details of engagement with the community to identify opportunities to minimise construction impacts;
- n) Details of the monitoring of the implementation of the CCP including, but not limited to:
 - i. Community feedback on the management of construction related impacts and the Requiring Authority's response to that feedback;
 - ii. And feedback and complaints received on matters other than addressed by (n)(i);
 - iii. Any outcomes or actions undertaken in response to feedback and complaints; and
 - iv. Any development response outcomes.

The CCP must be reviewed at least annually and updated with reference to the outcomes of the monitoring listed in (n) above.

Construction Environmental Management Plan

13. The Requiring Authority must submit a Construction Environmental Management Plan (CEMP) for certification in accordance with Condition 7. The objective of the CEMP is to set out an overarching framework and construction methods to be undertaken to avoid, remedy or mitigate any adverse effects associated with the construction of the Eastern Busway Project (Package EB4L).
14. The CEMP must include details of:
 - a) An outline of the construction programme of the work, including construction hours, indicating linkages to the other subsidiary plans which address management of adverse effects during construction;
 - b) The document management system for administering the CEMP and compliance, including review and Requiring Authority / constructor / Council requirements;
 - c) Training requirements for employees, sub-contractors and visitors for cultural induction, construction procedures, environmental management and monitoring;
 - d) Roles and responsibilities for the implementation of the CEMP;
 - e) Environmental incident and emergency management procedures (including spills);

- f) Environmental complaint management procedures;
- g) Specific details of demolition and site clearance works to be undertaken;
- h) The location of construction compounds and measures adopted to keep them secure;
- i) Methods to provide for the safety of the general public;
- j) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place inside the designation boundaries;
- k) Site reinstatement measures upon completion of the activities including the removal of any temporary structures used during the construction period; and
- l) Construction hoardings, including their location, materials and the inclusion of any interpretive panels.

Advice note: *The CEMP may be prepared as a combined document that also addresses the matters required under the associated resource consents for the Eastern Busway Project (e.g. Package EB4L).*

Construction Traffic Management

15. Prior to the commencement of any construction activity the Requiring Authority must prepare and submit a Construction Traffic Management Plan (CTMP) to Council for certification in accordance with Condition 7.
16. The objective of the CTMP is to identify the means to be used to avoid, remedy or mitigate the adverse effects of construction of the Eastern Busway Project (Package EB4L) on transport, parking and property access, so far as it is reasonably practicable.

To achieve this objective, the CTMP must include:

- a) Methods to manage the effects of temporary traffic management activities on traffic;
- b) Measures to ensure the safety of all transport users;
- c) The estimated numbers, frequencies, routes and timing of construction traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near educational facilities and childcare facilities or to manage traffic congestion;
- d) Details of public transport route detours, temporary relocation of bus stops, temporary replacement bus stops and consultation with nearby educational facilities and Ministry of Education;
- e) Details on temporary facilities for pedestrians to ensure connectivity if the existing facilities cannot be safely and reasonably maintained;
- f) Details of wayfinding signage for motor vehicle users, public transport users, cyclists and pedestrians;
- g) Site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;
- h) Identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists on existing roads;
- i) Methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;

- j) Methods to provide for access to commercial sites, including access to those sites' loading/unloading areas;
 - k) The management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads outside active construction areas;
 - l) Methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents /public /stakeholders /emergency services) as required by the CCP as Condition 12;
 - m) Records of CTMP-related consultation with residents /public /stakeholders /emergency services, including any changes to the CTMP undertaken in response to that consultation and as detailed in the CCP (Condition 10);
 - n) Auditing, monitoring and reporting requirements relating to traffic management activities must be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;
 - o) Details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters;
 - p) Details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in Condition 16(o) being exceeded; and
 - q) Measures to manage Project staff parking, including monitoring of on-street parking use and communications to staff educating them to avoid the use of on-street parking and private sites.
17. Prior to construction, the Requiring Authority must undertake engagement with Edgewater College, Farm Cove Intermediate, St Marks School and Wakaaranga School to confirm a temporary bus route(s) and bus stops for Bus Services S013 and S421. The outcome of this engagement and any changes must be recorded in the final Construction Traffic Management Plan, which must be submitted to Auckland Council for review before construction commences.
18. The Requiring Authority must restrict the movement of heavy construction vehicles in the immediate areas surrounding the local schools detailed in the table below during pickup and drop-off hours.

Table 3 – Schools Subject to heavy construction vehicles Restrictions

<i>School Name</i>	<i>Address</i>	<i>Associated no travel route</i>	<i>Times heavy vehicles must avoid the schools</i>
<i>Pakuranga Intermediate School</i>	<i>43/49 Reeves Road, Pakuranga, Auckland 2010</i>	<i>Reeves Road spanning from William Roberts Road to Gossamer Drive.</i>	<i>8.10am – 9.00am 2.55pm – 3.30pm</i>
<i>Pakuranga Heights School</i>	<i>77 Udys Road, Pakuranga, Auckland 2010</i>	<i>Udys Road spanning from Marriott Road to Reeves Road.</i>	<i>8.25am – 09.00am 2.55pm – 3.30pm</i>
<i>Saint Kentigern College</i>	<i>130 Pakuranga Road, Pakuranga, Auckland 2010</i>	<i>None – signalised access off main arterial considered low risk.</i>	<i>NA</i>
<i>Edgewater College</i>	<i>32 Edgewater Drive, Pakuranga, Auckland 2010</i>	<i>Edgewater Drive spanning from Snell Place to Raewyn Place.</i>	<i>8.25am – 09.00am 2.55pm – 3.30pm</i>
<i>Anchorage School</i>	<i>16 Swan Crescent, Pakuranga, Auckland 2010</i>	<i>Tiraumea Drive and side streets south-west of Jan Place.</i>	<i>8.25am – 09.00am 2.55pm – 3.30pm</i>
<i>Elm Park School</i>	<i>46 Gossamer Drive, Pakuranga Heights, Auckland 2010</i>	<i>Gossamer Drive spanning from Beechdale Crescent to Pakuranga Road</i>	<i>8.25am – 09.00am 2.55pm – 3.30pm</i>
<i>Riverhills School</i>	<i>13 Walkaremoana Place, Pakuranga Heights, Auckland 2010</i>	<i>Gossamer Drive spanning from Riverhills Avenue to Reeves Road</i>	<i>8.25am – 09.00am 2.55pm – 3.30pm</i>

19. The Requiring Authority must ensure that light vehicles associated with the Project (e.g. delivery vehicles and staff private vehicles) are used with care and caution when traversing passed schools. This will be achieved by briefing construction staff on the safe use of vehicles, the location of local schools and any road hazards at those locations.

Urban Design and Landscape Plan

20. Within 3 (three) months of commencing construction activity the Requiring Authority shall submit an Urban Design and Landscape Plan (UDLP) to Council for certification in accordance with Condition 7 above. The objective of the UDLP is to mitigate any landscape and visual effects of the Eastern Busway Project (EB4L Package).

The UDLP must include:

- a) Urban design details for works:
 - i. Bridge C.
- b) Landscape design details for works at:
 - i. Guys Reserve;
 - ii. Whaka Maumahara;
 - iii. Haven Park; and
 - iv. Huntington Park.
- c) A maintenance plan and establishment requirements over a (3) three-year period for landscaping and (5) five years for specimen trees following planting.
- d) Removal/treat exotic pest vegetation species and replacement with native species (including repeating annually for (3) three years post construction);

- e) Lighting, signage and street furniture details for Eastern Busway Project (Package EB4L);
- f) Measures to achieve a safe level of transition for cycling and walking modes, including providing advanced warning and signage to cyclists and pedestrians, and safe and convenient cycling transitions at the ends of the Eastern Busway Project (Package EB4L);
- g) Design features and methods for cultural expression;
- h) A Crime Prevention Through Environmental Design Assessment of the new walking and cycling networks;
- i) Design features associated with the management of stormwater, including both hard and soft landscaping;
- j) A Landscape Plan for the intersection of Town Centre Drive/ Te Irirangi Drive developed in collaboration with Botany Town Centre; and
- k) Detailed streetscape landscaping plan(s) for all swales, street trees and street gardens that have been submitted for approval or approved by the Parks Planning Team Leader. In particular, the plans must have the following information to obtain the Parks Planning Team Leader approval:
 - i. Be prepared by a suitably qualified landscape architect;
 - ii. Show all planting including details of intended species, location, plant sizes at time of planting, the overall material palette, location of street lights and other service access points;
 - iii. Ensure that selected species can maintain appropriate separation distances from paths, roads, street lights and vehicle crossings in accordance with the Auckland Transport Code of Practice; and
 - iv. Include planting methodology.

Advice Note: *In the event that the UDLP requires updating, the recertification process detailed in Condition 7 will apply.*

- 21. The UDLP must use the LEAM Plans detailed in Condition 1 and be consistent with the landscaping, tree replacement and urban design interventions required by Condition 20.
- 22. At least 1 month prior to the final handover to the Council for future care and maintenance of landscaping on Council land and reserves, the Requiring Authority's representative is to arrange a site walkover with the Council to inspect the new planting areas, and to document any areas of plant health and maintenance that need to be rectified prior to handover.
- 23. The UDLP planting requirements must be implemented during the first planting season following the Eastern Busway Project (Package EB4L) being operational. If the weather in that planting season is unsuitable for planting, as determined by the Council, the landscaping must instead be implemented at the first practicable opportunity thereafter. The next practicable opportunity must be agreed to by the Council.

Tree Protection and Management Plan

- 24. Prior to the commencement of any construction activity, the Requiring Authority must submit a Tree Protection and Management Plan (TPMP) for certification in accordance with Condition 7.

The objective of the TPMP is to avoid, remedy or mitigate any adverse construction effects of the Eastern Busway Project (Package EB4L) on those trees to be retained.

25. To achieve its objective, the TPMP must include:

- a) A process whereby the Requiring Authority's arborist and the construction team confirm via a site walkover(s) those trees that can be retained rather than removed;
- b) Tree protection measures for trees to be retained;
- c) Tree pruning measures;
- d) Demarcation of temporary construction access and storage areas, outside the permeable dripline and / or rootzone areas of retained trees;
- e) Use of protective barrier fencing;
- f) Procedures for working within the dripline/rootzone of any retained tree, including appointment of a qualified Council approved arborist ("appointed arborist") to oversee directly all works within the dripline and rootzone of the trees located in the designated areas of work for the duration of the site works, until the route is considered completed, and including any reinstatement works that fall outside the area of the designation;
- g) Specific bio-security removal restrictions that will apply to all elms (*Ulmus* sp.) and kauri (*Agathis australis*), to avoid the risk of spread of Dutch Elm Disease or kauri dieback, including vetting and approving the methodology and treatment of the Elm and kauri material by the Council's arboricultural specialist responsible for handling and treatment of all Elm/kauri material controlled under the Biosecurity Act, prior to any works taking place; and
- h) Measures to provide for clear marking of all tree removals prior to implementation of each stage of the works, with verification of the removals by the Requiring Authority's arborist in consultation with the Council's arboricultural specialist.

Advice Note: *In the event that the TPMP requires updating, the recertification process detailed in Condition 7 will apply.*

26. If the design of the Project (Package EB4L) is modified so that it becomes apparent that trees protected by the provisions of the AUP(OP) identified as being retained in the approved Tree Plans appended to the Arboricultural Effects Assessment in Condition 1 are required to be removed, then the removal of the trees is appropriate if:

- a) The design modification results in retention of a tree that was identified to be removed (i.e. no net loss of protected trees); or
- b) If the design modification will result in a net loss of protected trees, a suitable replacement specimen tree is provided in the project corridor (in addition to the proposed planting shown on the approved Tree Plans appended to the Arboricultural Effects Assessment in Condition 1.

Heritage Management

27. Prior to the commencement of any construction activity the Requiring Authority must submit a Historic Heritage Management Plan (HHMP) to Council for certification in accordance with Condition

7 above. The objective of the HHMP is to avoid, remedy or mitigate adverse effects on historic heritage values in the EB4L works area as far as reasonably practicable.

28. As a minimum the following must be included in the HHMP:

- a) Construction management procedures including pre-start requirements, archaeological monitoring during earthworks, analysis and reporting;
- b) Methods for recording in-ground historic heritage material not covered by another statutory authority;
- c) Methods for documentation and potential reuse of items of moveable historic heritage;
- d) Roles and responsibilities of the historic heritage team, the Requiring Authority, Mana Whenua representatives(s), contractors and subcontractors in relation to historic heritage material, consistent with any other statutory authorities;
- e) Protocols for the discovery of previously unrecorded archaeological or historic heritage sites, taonga, kōiwi or material of Māori cultural origin; and
- f) Training procedures for all contractors, to be undertaken in advance of construction, regarding the possible presence of archaeological or historic heritage sites or material, what these sites or materials may look like, and the relevant statutory requirements if any sites or materials are discovered.

Advice Note: *In the event that the HHMP requires updating, the recertification process detailed in Condition 7 will apply.*

29. In the event that any previously unrecorded archaeological or historic heritage sites are identified as a result of the Eastern Busway Project (Package EB4L), then these sites must be recorded by the Requiring Authority for inclusion in the Council's Cultural Heritage Inventory. The Requiring Authority's historic heritage expert must prepare documentation suitable for inclusion in the Inventory and forward that information to the Manager: Heritage Unit (heritageconsents@aucklandcouncil.govt.nz) within one calendar month of completion of work on the route.

30. Electronic copies of all reports relating to historic heritage monitoring or investigations in regard to the designation are to be submitted by the Requiring Authority's Project historic heritage expert to the Monitoring officer(s) within 12 (twelve) months of completion of the Eastern Busway Project (Package EB4L).

Noise and Vibration (Construction)

31. Construction noise must be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 'Acoustics - Construction Noise' (NZS6803:1999) and comply with the noise standards set out in Tables 4 and 5 as far as practicable.

Table 4 Construction Noise Criteria – Residential Receivers (Irrespective of Zoning)

Time of week	Time Period	Maximum noise level (dBA) > 20 weeks	
		L _{eq}	L _{max}
Weekdays	0630 – 0730	55	75
	0730 – 1800	70	85
	1800 – 2000	65	80
	2000 - 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 – 1800	70	85
	1800 – 2000	45	75
	2000 - 0630	45	75
Sundays and public holidays	0630 – 0730	45	75
	0730 – 1800	55	85
	1800 – 2000	45	75
	2000 - 0630	45	75

Table 5 Construction Noise Criteria - Commercial and Industrial Receivers

Time period	Maximum noise level L _{Aeq} dB > 20
07:30 – 18:00	70
18:00 – 07:30	75

32. Where compliance with the noise standards set out in Condition 31 is not practicable, then the methodology in Condition 38 must apply.

33. Construction vibration must be measured in accordance with German Standard DIN 4150-3:1999 “Structural Vibration Part 3: Effects of vibration on structures” and must comply with the vibration standards set out in Table 6 as far as practicable.

Table 6 Construction Vibration Criteria

Vibration Level	Time	Category A	Category B
Occupied activities sensitive to noise	Night-time 2000h – 0700h	0.3mm/s ppv	2mm/s ppv
	Daytime 0700h – 2000h.	2mm/s ppv	5mm/s ppv
Other occupied buildings	All other times	2mm/s ppv	5mm/s ppv
All other buildings	Daytime 0630h – 2000h	Tables 1 and 3 of DIN4150-3:1999	

Advice Note: *Activities sensitive to noise are defined in Chapter J of the AUP(OP).*

34. The Category A criteria may be exceeded if the works generating vibration take place for three days or less between the hours of 7am to 6pm, provided that the Category B criteria are complied with, and:

- a) All occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and
- b) The written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.

35. Where compliance with the vibration standards set out in Table 5 above is not practicable, then the methodology in Condition 38 must apply.

36. Prior to the commencement of construction, the Requiring Authority must submit a Construction Noise and Vibration Management Plan (CNVMP) for certification in accordance with Condition 7.

The objectives of the CNVMP are to:

- a) Identify and implement the Best Practicable Option (BPO) for the management of all construction noise and vibration effects;
- b) Define the procedures to be followed where the noise and vibration standards (Conditions 31 and 33) are not met (following the implementation of the BPO);
- c) Set out the methods for scheduling works to minimise disruption; and
- d) Ensure engagement with affected receivers and timely management of complaints.

37. The CNVMP must be prepared in accordance with Annex E2 of (NZS6803:1999) and must as a minimum, address the following:

- a) Description of the works, machinery and equipment to be used;
- b) Hours of works, including a specific section on works at night (2230h -0700h), incorporating clear definitions of the works undertaken at night (if any);
- c) The construction noise and vibration standards;
- d) Identification of receivers where noise and vibration standards apply;
- e) Management and mitigation options, and identification of the Best Practicable Option;
- f) Methods and frequency for regular construction noise and vibration monitoring and reporting of all monitoring results and outcomes;

- g) Procedures for communication as set out in the CCP with nearby businesses, residents, and stakeholders, including:
 - i. Notification of proposed construction activities,
 - ii. The period of construction activities; and
 - iii. Effective management of noise and vibration complaints.
- h) Contact details for the person responsible for communication and consultation for the Eastern Busway Project
- i) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;
- j) Identification of areas where compliance with the noise (Condition 31) and/or vibration standards (Condition 33 - Category A or Category B) will not be practicable;
- k) Procedures for:
 - i. Communicating with affected receivers in accordance with the CCP, where measured or predicted noise or vibration from construction activities exceeds the noise criteria of Condition 31 or the vibration criteria of Condition 33; and
 - ii. Assessing, mitigating and monitoring vibration where measured or predicted vibration from construction activities exceeds the Category B vibration criteria of Condition 33, including the requirement to undertake building consent surveys before and after works to determine whether any damage has occurred as a result of construction vibration; and
 - iii. Review and update of the CNVMP.

Advice Note: *In the event that the CNVMP requires updating, the recertification process detailed in Condition 7 will apply.*

38. A Schedule to the CNVMP (Schedule) must be prepared in consultation with the owners and occupiers of sites subject to the Schedule, when:
- a) Construction noise is either predicted or measured to exceed the noise standards in Condition 31, except where the exceedance of the LAeq criteria is no greater than 5 decibels and does not exceed:
 - i. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months; or
 - ii. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days;
 - b) Construction vibration is either predicted or measured to exceed the Category B standard set out in Condition 33 at the receivers.
39. The objective of the Schedule is to set out the BPO for the minimization of noise and/or vibration effects of the construction activity that are specific to the receiving environment and the activities that the Schedule would authorise beyond those general measures set out in the CNVMP. The Schedule must include but not be limited to details such as:
- a) Construction activity and location plan, start and finish dates;
 - b) The owners and occupiers of the receivers that would be captured by (c) below;
 - c) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 31 and/or Condition 33
 - d) The proposed site-specific noise and/or vibration mitigation measures that are proposed to be adopted;

- e) The mitigation options that have been selected and the options that have been discounted as being impracticable;
- f) The consultation undertaken with owners and/or occupiers of properties identified in the Schedule, outcomes of the consultation and how consultation outcomes have and have not been taken into account; and
- g) Location, times, and types of monitoring and procedures for ensuring that all monitoring results and outcomes are reported on and are made available to the Council and to receivers subject to the Schedules on their reasonable request.

40. The Schedule must be submitted to the Council for certification at least 5 (five) working days, except in unforeseen circumstances, in advance of construction works that are covered by the Schedule and must form part of the CNVMP.

Building Condition Surveys

41. Prior to construction, a building condition survey must be undertaken of any building or structure that has been identified and assessed as potentially affected by vibration damage arising from construction vibration, and in every case where the daytime Category B vibration criteria outlined in Condition 33 may be exceeded. The identification and assessment requirement must be determined by an independent and suitability qualified person appointed by the Requiring Authority, and based on the criteria below, unless the relevant industry criteria applied at the time or heightened building sensitivity, or other inherent building vulnerability requires it. Factors which may be considered in determining whether a building condition survey must be undertaken include:

- a) Age of the building;
- b) Construction types;
- c) Foundation types;
- d) General building condition;
- e) Proximity to any excavation;
- f) Whether the building is earthquake prone or where there is pre-existing damage; and
- g) Whether any basements are present in the building.

42. Where a building condition survey is required:

- a) The Requiring Authority must employ an appropriately qualified person to undertake the building condition surveys and that person is required to be identified in the CEMP;
- b) The Requiring Authority must contact owners of those buildings and structures where a building condition survey is to be undertaken to confirm the timing and methodology for undertaking a pre-construction condition assessment;
- c) Should written agreement from owners and occupiers to enter property and undertake a condition assessment not be obtained within three months from first contact, then the Requiring Authority is not required to undertake these assessments;
- d) Prior to the building condition survey, the Requiring Authority must determine whether the building is classified as a vibration sensitive structure;
- e) The Requiring Authority must provide the building condition survey report to the relevant property owner within 15 (fifteen) working days of the survey being undertaken, and

additionally it must notify and provide Council with a copy of the completed survey report within 15 working days;

- f) The Requiring Authority must record all contact, correspondence and communication with owners and occupiers and this record is to be available on request for the Council; and
- g) The Requiring Authority must undertake a visual inspection when undertaking construction activities likely to generate high levels of vibration if requested by the building owner where a pre-construction condition assessment has been undertaken.

43. During construction:

- a) The Requiring Authority must implement procedures that will appropriately respond to the information received from any vibration monitors deployed by the acoustic specialist in accordance with the CNVMP. Where necessary this may include temporary cessation of works in close proximity to the relevant building until measures have been implemented to avoid further damage and/or compromising the structural integrity of the building; and
- b) Any damage to buildings and structures resulting from the works must be recorded and repaired by the Requiring Authority and costs associated with the repair will be met by the Requiring Authority. Such repairs, and/or works to repair damage, are limited to what is reasonably required to restore the general condition of the building as described in the building condition survey. Such repairs must be undertaken as soon as reasonably practicable and in consultation with the owner and occupiers of the building.

44. Following construction:

- a) Within three months of the commencement of operation of the Eastern Busway Project (Package EB4L), the Requiring Authority must contact owners of those buildings and structures where a building condition survey was undertaken to confirm the need to undertake a post-construction condition assessment; and
- b) Where a post-construction building condition survey confirms that the building has deteriorated as a direct result of construction works relating to the project, the Requiring Authority must rectify the damage at its own cost. Such repairs, and/or works to repair damage, are limited to what is reasonably required to restore the general condition of the building as described in the building pre-condition survey.

Operational Noise

45. The Requiring Authority must ensure that all roads are paved with Dense-Graded 14mm asphalt (or other low-noise road surface(s) with equal or better noise reduction performance) on all sections of the Project except where a higher friction (for safety) or stronger surface is required.

46. In the event that the Requiring Authority proposes a different road pavement to that specified in Condition 45 above at any time, the Requiring Authority must provide documentation from a suitably qualified and experienced acoustics specialist to the Council demonstrating that Condition 45 will continue to be complied with.

47. The road surfaces must be maintained so that they retain their noise reduction performance as far as practicable.

Proposed Conditions for EB4L Resource Consents

GLOSSARY

Acronym	Full Term
AUP(OP)	Auckland Unitary Plan (Operative in Part)
ChTMP	Chemical Treatment Management Plan
CEMP	Construction Environmental Management Plan
CLMP	Contaminated Land Management Plan
ESCP	Erosion and Sediment Control Plan
HHMP	Historic Heritage Management Plan
HRP	Habitat Restoration Plan
LEAM Plan(s)	Landscape, Ecology and Arboricultural Management Plan(s)
LMP	Lizard Management Plan
NFCRP	Native Fish Capture and Relocation Plan
SCR	Site Completion Report
SQEP	Suitably Qualified and Experienced Practitioner
SSESCP	Site Specific Erosion and Sediment Control Plan
GD05	Auckland Council's Guideline Document 2016/005 <i>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05)</i> , incorporating any amendments

General Accordance – All Resource Consents

1. Except as modified by the conditions below, the activity must be carried out in general accordance with the plans and information submitted with the application, as detailed in Tables 1 and 2.

Table 1: Application Documents

Document Title	Author	Revision	Date

Table 2: Drawings

Drawing Title	Designer	Revision	Date

Where there may be an inconsistency between the documents listed in Condition 1 above and the requirements of the following conditions, the following conditions prevail.

- The Landscape, Ecological and Arboricultural Mitigation (LEAM) Plans listed in Condition 1 may be amended, if necessary, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of consent. Any amendments are to be agreed by the Council in writing prior to implementation of any changes.

Advice Note: *Where amendments to the LEAM plans are not within scope of the plans listed in Condition 1, the Consent Holder will be required to make an alteration to the relevant consent conditions.*

Monitoring– All Resource Consents

- The Consent Holder must pay the Council an initial consent compliance monitoring charge of \$X (GST inclusive) plus any further monitoring charge(s) to recover the actual and reasonable costs incurred to ensure compliance with the conditions of these consents.

Site Access

- Subject to compliance with the Consent Holder’s health and safety requirements and provision of reasonable notice, servants or agents of Council are permitted to have access to relevant parts of the construction site(s) at reasonable times for the purpose of carrying out inspections, surveys, investigations and/or to take samples.

Lapse Date - All Resource Consents

- Under section 125 of the RMA, these consents will lapse 5 (five) years after the date they commence unless:
 - These consents are given effect to; or
 - On application, the Council determines to extend the period after which the consent will lapse.

Expiry Dates - All Resource Consents

- Resource consent LUCX (earthworks) expires 10 (ten) years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
- Resource consent WATX expires 10 (ten) years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

8. Resource consent DISX (contamination) expires 10 (ten) years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
9. The duration to occupy watercourses with stormwater culvert Outfall 1-1 (WATX) expires on [day/month/2058] (35 years) unless it has lapsed, surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.

Management Plan Certification - All Resource Consents

Advice Note: *Condition 10 applies to all Management Plans.*

10. The following general provisions relate to all Management Plans:
 - a) Management Plans must be submitted to the Council for certification or written approval (as determined by the relevant conditions) as follows:
 - i. At least forty (40) working days prior to the start of works, the Consent Holder must provide Council with a schedule detailing the timing of all relevant Management Plans that will be provided to the Council for certification or written approval. The schedule must be updated and provided to Council prior to any new stage;
 - ii. Management Plans must be submitted at least twenty (20) working days prior to the Commencement of Construction (excluding enabling works, site clearance, site investigations, relocation of services and establishment of site entrances and temporary construction fencing).
 - b) Any certified Management Plan may be amended, if necessary, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of designation. Any amendments are to be agreed by the Council in writing prior to implementation of any changes. Re- certification is not required in accordance with Condition 10 if the Council confirms those amendments are within scope and any changes to the draft Management Plans are clearly identified;
 - c) Any amendments to a certified Management Plan other than minor amendments or editing changes must be submitted to the Council to certify these amendments are consistent with the relevant designation condition(s) prior to implementation of any changes. Any change to the management approach must be consistent with the purpose of the relevant Management Plan and the requirements of the relevant conditions of the designation. Where a Management Plan was prepared in consultation with interested or affected parties, any changes to that Plan other than minor amendments or editing changes must be prepared in consultation with those same parties;
 - d) Management Plans may be submitted in parts or stages to address activities or to reflect the staged implementation of the Project, and when provided in part or for a stage must be submitted at least twenty (20) working days prior to Commencement of Construction of that part of stage unless otherwise specified in the conditions. If submitted in part, Management Plans must clearly show the linkage with the Management Plans for adjacent stages and interrelated activities; and

- e) All works must be carried out in accordance with the approved Management Plans. Works must not commence until written approval or certification of all the relevant Management Plans for that stage have been received unless otherwise approved in writing by the Council.

Earthworks (LUCX)

- 11. Prior to the commencement of earthworks the Consent Holder must submit an Erosion and Sediment Control Plan (ESCP) and Chemical Treatment Management Plan (ChTMP) to Council for certification in accordance with Condition 10. The purpose of the ESCP is to provide overarching principles and procedures to manage the environmental impacts associated with erosion and sediment control (ESC) during construction of the Eastern Busway Project (Package EB4L).
- 12. Prior to the commencement of earthworks within a given area or stage, a Site-Specific Erosion and Sediment Control Plan (SSESCP) must be prepared in accordance with Auckland Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Guideline Document 2016/005 ("GD05") and submitted to Council for certification in accordance with Condition 1010. Earthworks activity within the specific area or stage must not commence until the Council has certified that the SSESCP satisfactorily meets the requirements of GD05.

The SSESCPs must contain sufficient detail to address the following matters, where applicable:

- a) Contour information (existing and post-earthworks);
- b) Identify the location of any permanent and intermittent streams or inland wetlands within 10m of the proposed earthworks;
- c) Erosion and sediment control measures for the works being undertaken within a particular construction area, including confirmation of (where applicable) decanting earth bund design to meet outcomes of GD05, or a relevant higher standard as referred to through the conditions below;
- d) Chemical treatment design and details, including bench testing results and confirmation of rainfall activated methodology were possible;
- e) Confirmation of/updates to Dewatering Procedures to be used (where applicable) to meet Condition 21;
- f) Catchment boundaries of works and devices installed;
- g) Location of the work;
- h) Details of construction methods;
- i) Design criteria, typical and site-specific details of erosion and sediment control;
- j) Design details for managing the treatment, disposal and/or discharge of contaminants (e.g. concrete wash water);
- k) Monitoring and maintenance requirements;
- l) Details of stabilisation measures; and
- m) Details of measures to isolate and protect active work areas below Mean Highwater Spring
- n) Management practices specific to works within riparian margins:
 - i. Plan showing the length of stream works required and to demonstrate stream works will be minimised to the length required to install the structure;
 - ii. Management of contaminants to water (e.g., hydrocarbons, construction materials);

- iii. Methodology for diverting upstream flows during the streamworks, including how sufficient flow will be maintained at all times below the site of the works to maintain in-stream biota;
 - iv. A detailed methodology for the installation of the structures and
 - v. Details of final streambed remediation or stabilisation upon completion of stream works.
13. The erosion and sediment control measures must be constructed and maintained in general accordance with the Council's GD05 and any amendments to that document, except where a higher standard is detailed in the documents listed in these consent conditions, in which case the higher standard is to apply.
14. Within 10 (ten) working days following implementation and completion of the specific erosion and sediment control works referred to in a SSESCP required by Condition 12, and prior to the commencement of earthworks activity within the subject area or stage referred to in the SSESCP, a suitably qualified and experienced person must provide written certification that the erosion and sediment controls have been constructed and completed in accordance with the SSESCP for that particular area of stage, the ESCP, GD05 and any higher standard referred to through the conditions below.

Certified controls must include the decanting earth bunds, any other impoundment device, dewatering devices, clean and dirty water diversions, silt fences, and stabilised construction entrances. Information supplied, if applicable, must include:

- a) Details on the contributing catchment area;
- b) Size of structure;
- c) Retention volume of structure (dead storage and live storage measured to the top of the primary spillway);
- d) Dimensions and shape of structure;
- e) Position of inlets/outlets; and
- f) Stabilisation of the structure.

Advice Note: *Suitable documentation for certification of erosion and sediment control devices, can be obtained in Appendix C of Guidance Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 2 (GD05): Erosion and Sediment Control construction quality checklists.*

15. Prior to the commencement of consented earthworks for EB4L, the Consent Holder must hold a pre-start meeting that:
- a) Is located on the subject site;
 - b) Is scheduled not less than 5 (five) days before the anticipated commencement of earthworks;
 - c) Includes representation from Auckland Council's Compliance Monitoring Team; and
 - d) Includes representation from the contractors who will undertake the works.
 - e) The Consent Holder must ensure that the erosion and sediment control measures, management plans, the earthworks methodology, streamworks methodology and monitoring regime are discussed at the meeting.

16. The Consent Holder must ensure that the erosion and sediment control measures, management plans, the earthworks methodology, streamworks methodology and monitoring regime are discussed at the pre-start meeting. The Consent Holder must also ensure all relevant parties are aware and familiar with the necessary conditions of these consents.
17. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required in Conditions 12 to 14 must be maintained throughout the duration / each stage of earthworks activity, or until the site is permanently stabilised against erosion.
18. All perimeter controls must be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site itself must be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.
19. Unless otherwise agreed through a SSESCP, all Decanting Earth Bunds utilised during earthworks must be designed and constructed in accordance with GD05, including having a 3:1 length to width ratio (and no greater than 5:1).
20. The decanting earth bunds and any other authorised impoundment device utilised as part of the earthworks must be chemically treated in accordance with the approved Chemical Treatment Management Plan (ChTMP) required by Condition 11 and the current certified chemical treatment details.
21. All dewatering from the construction of the Eastern Busway Project (Package EB4L) must be undertaken in accordance with the Dewatering Procedures listed in the ESCP required by Condition 12 and any updates to this plan certified by the SSECPs. All related discharges must achieve a minimum of 100mm depth of clarity prior to discharge in accordance with GD05.
22. Prior to the removal of any erosion and sediment control device required as a condition of resource consent, written certification must be provided to the Council by a suitably qualified and experienced person to confirm that all areas of bare earth have been permanently stabilised against erosion in accordance with GD05 and can be directed to a Clean Water Diversion.
23. The Consent Holder must take all practical measures to prevent deposition of soil on roads and footpaths outside the works area of Eastern Busway Project (Package EB4L). In the event that deposition of earth, mud, dirt or other debris on any road or footpath outside the works area resulting from earthworks activity on the project area occurs, it must be removed immediately. Roads and/or footpaths must not be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses and/or receiving waters.

Advice Note: *The following methods may be adopted to prevent or address discharges should they occur:*

- a) Provision of a stabilised entry and exit(s) point for vehicles;*
- b) Provision of wheel wash facilities;*
- c) Ceasing vehicle movements until materials are removed;*
- d) Cleaning road surfaces using street-sweepers;*
- e) Silt and sediment traps; and*
- f) Catchpits.*

In no circumstances should washing deposited materials into drains be advised or otherwise condoned. It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Council for more details. Alternatively, please refer to GD05.

- 24. The site must be progressively stabilised against erosion at all stages of the earthworks and streamworks activities and must be sequenced to minimise the discharge of contaminants to surface water in accordance with the approved ESCP.
- 25. Immediately upon completion or abandonment of earthworks, all areas of bare earth must be permanently stabilised against erosion as defined by GD05.
- 26. The sediment and erosion controls at the site of the works must be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record must be maintained of the date, time and any maintenance undertaken in association with this condition which is to be forwarded to the Council on request.
- 27. EB4L related earthworks and streamworks must not be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the Consent Holder.

Dust Management and Monitoring (LUCX)

- 28. Discharges of dust must not cause offensive or objectionable effects at any location beyond the boundary of the Site, in the opinion of an enforcement officer when assessed in accordance with the "Good Practice Guide for Assessing and Managing Dust" (Ministry for the Environment, 2016).

The Consent Holder must ensure that dust management during the works generally complies with the recommendations of this Good Practice Guide and minimises dust generation as far as practicable. This includes having sufficient water to dampen exposed soil and unsealed areas, and/or other dust suppressing measures detailed by the ESCP, available as necessary.

Advice Note: *In assessing whether the effects are offensive or objectionable, the following factors will form important considerations:*

- *The frequency of dust nuisance events*
- *The intensity of events, as indicated by dust quantity and the degree of nuisance*
- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

Advice Note: *It is recommended that potential measures as discussed with the council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader Compliance Monitoring South at monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions."*

29. The Consent Holder must undertake targeted community monitoring during all land disturbance activities for the Eastern Busway Project (Package EB4L). This monitoring must include:

- a) Visual monitoring, such as:
 - i. Regular checking of internal and external access road surfaces for tracked dust that requires cleaning;
 - ii. Checking the effectiveness and maintenance of truck rumble grids and wheel wash;
 - iii. Checking the integrity of shelter fences;
 - iv. Inspecting surfaces outside the site boundary near sensitive receptors for signs of dust deposition;
 - v. Observing whether there is visible dust suspended in air carrying beyond construction site boundary; and
 - vi. Using closed-circuit television (CCTV) monitoring (or similar, potentially connected to the boundary instrumental monitoring to start video recording when alert thresholds are exceeded) of boundaries and/or dust sources.
- b) Fenceline instrumental monitoring at the northeast boundary of the main construction zones, such as with Dustrak or SiteHive.

30. In order to undertake the above detailed monitoring in Condition 29, the Consent Holder must undertake the following:

- a) Place monitoring equipment downwind of the construction areas under the prevailing wind direction, to the northeast of any construction compounds or construction activities involving earthworks or fill activities with heightened risk of dust emissions;
- b) Move monitoring equipment as the construction programme progresses and the locations of dust-generating activities changes;
- c) Regularly review monitoring data to assess the effectiveness of dust controls and identify any additional mitigation required; and
- d) Ensure the monitor equipment has the capability to send alarms to site managers if dust concentration thresholds are exceeded. These thresholds are to be adjusted and determined on a site-specific basis depending on the sensitivity of the immediate receiving environment.

Advice Note: *The air quality monitoring required by Conditions 29 and 30 may be incorporated by the Consent Holder in the ESCP (Condition 11).*

Vegetation Clearance (LUCX)

31. Prior to the commencement of any construction activity within riparian and/or coastal margins, the Consent Holder must submit a Lizard Management Plan (LMP) as prepared by a suitably qualified expert herpetologist, to Council for certification in accordance with Condition 10 above.

The purpose of the LMP is to avoid, remedy or mitigate adverse effects on native lizards associated with vegetation and site clearance, as far as is reasonably practicable.

Advice Note: *A permit under the Wildlife Act 1953 will be required from the Department of Conservation to enable lizard salvage to occur.*

32. The LMP must address the following (as appropriate):

- a) Credentials and contact details of the ecologist/herpetologist who will implement the plan;
- b) Timing of the implementation of the LMP;
- c) A description of methodology for survey, salvaging and relocation of lizards rescued including but not limited to:
 - i. Salvage protocols;
 - ii. Relocation protocols (including method used to identify suitable relocation site(s));
 - iii. Diurnal capture protocols;
 - iv. Supervised habitat clearance/transfer protocols;
 - v. Artificial cover object protocols; and
 - vi. Opportunistic relocation protocols.
- d) A description of the relocation site(s) (refer also Condition 34) including discussion of:
 - i. Provision for additional refugia, if required (e.g., depositing salvaged logs, wood or debris for newly released skinks that have been rescued);
 - ii. Any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc; and
 - iii. Any weed and pest management to ensure the relocation site is maintained as appropriate habitat.
- e) Monitoring methods and reporting, including but not limited to the following:
 - i. Ongoing surveys to evaluate translocation success pre- and post-translocation surveys for 3 years;
 - ii. Monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control; and
 - iii. Annual report for 3 years on translocation success with recommendations for adaptive management measures if required.
- f) A post vegetation clearance for remaining lizards;
- g) A suitably qualified and experienced ecologist/herpetologist approved to oversee the implementation of the LMP must certify that the lizard related works have been carried

out according to the certified LMP within two weeks of completion of the vegetation clearance works; and

- h) Upon completion of works, all findings resulting from the implementation of the LMP must be recorded by a suitably qualified and experienced ecologist/herpetologist approved by the Council on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) which must be sent to Council.
33. Prior to the commencement of any construction activity within riparian and/or coastal margins, the Consent Holder must submit a Habitat Restoration Plan (HRP) to Council for certification in accordance with Condition 10.
34. The purpose of the HRP is to detail the site-specific lizard habitat restoration measures which addresses the impacts of the Eastern Busway Project (Package EB4L) on lizard habitat as identified within the 'Eastern Busway EB3 Commercial and EB4 Link Road: Terrestrial and Freshwater Ecological Assessment':
- a) The HRP must be developed to be consistent with the conditions of the LMP (Conditions 31 to 32) and must ensure that lizard relocation sites are complimentary with lizard habitat restoration areas.
 - b) The HRP must be consistent with the LEAM plans listed in Condition 1;
 - c) The HRP must include:
 - i. Identification of areas to be restored as lizard habitat to the quantum of 1.75 ha as identified in 'Eastern Busway EB3 Commercial and EB4 Link Road: Terrestrial and Freshwater Ecological Assessment';
 - ii. Detail of the restoration required at each site to replace and enhance lizard habitat, including the planting design (including vegetation to be retained) and supplementary refuges;
 - iii. All plantings must be demarcated and protected by fencing (where appropriate);
 - iv. A programme of establishment and post establishment protection and maintenance of plants (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, maintenance programme). All plantings must be maintained for a minimum of the 3 (three) years and a final compliance check after 10 (ten) years; and
 - v. Details of the proposed plant species, plant sourcing (locally EcoSourced native pioneer species that are adapted to the Tāmaki Makaurau Auckland environment are preferred in the first instance), plant sizes at time of planting, plan of the planted area within the planting area required, density of planting, and timing of planting.
35. The HRP planting requirements must be implemented during the first planting season following the Eastern Busway Project (Package EB4L) being operational. If the weather in that planting season is unsuitable for planting, as determined by the Council, the landscaping must instead be implemented at the first practicable opportunity thereafter. The next practicable opportunity must be agreed to by the Council.

36. Vegetation must not be removed between 1 September and 28 February (bird nesting season) unless the matters below have been undertaken:
- a) A suitably qualified ecologist (the 'project ecologist') has completed a survey at least one week before any vegetation is to be cleared to ensure that there is no active native bird nesting occurring at the time; and
 - b) If any active nests of native birds are recorded within the vegetation scheduled for removal, vegetation clearance must not be undertaken until the birds have finished fledging. The project ecologist must monitor the birds until they have finished fledging and provide written confirmation to the clearance contractor when clearance may commence.

Streamworks (WATX)

37. Prior to the commencement of streamworks, a final construction methodology should be included within the relevant SSES CP required in accordance with Condition 12. Details to be provided should include, but should not be limited to timing, staging and sequencing of stream works, and the erosion sediment control measures to be employed to mitigate the effects on the receiving environment. The related streamworks must be undertaken in accordance with the relevant SSES CP.
38. Any changes to an approved SSES CP must be submitted to the Council demonstrating that the changes to the management plan incorporates best practice methodologies for managing effects from the streamworks and that the adverse effects from the streamworks remain the same or less. Any changes to the approved plan must only be implemented once certified in writing by the Council.
39. Within ten (10) working days prior to commencement of works at each stream works site, a suitably qualified and experienced freshwater ecologist must undertake a survey to identify Fish Spawning Habitat within the area of stream works, including all areas within the extent of any dam and diversion required for stream work construction. The Fish Spawning Habitat must be identified on a drawing of suitable scale and submitted to Auckland Council prior to commencement of works at each stream works site.
40. To protect downstream fish (inanga) spawning habitat, streamworks must not be undertaken within or downstream of any Fish Spawning Habitat areas, as identified in Condition 39 during the spawning season (March to June).
41. Unless otherwise agreed in writing by the Council, the Consent Holder must complete the construction of the erosion and scour protection and associated streamworks activity to the stage of finalised re-vegetation and / or stabilisation of stream beds within a five (5) day period from the commencement of the activity.
42. The Consent Holder must ensure that all exposed work areas associated with the streamworks, including the bed and banks of the stream and any adjacent overland surface flow paths (for normal flows at the time of year the works are undertaken) are stabilised at the end of each construction day.

43. All water discharged from the streamworks site and associated sediment control devices during the streamworks operation must achieve a minimum of 100mm depth of clarity prior to discharge in accordance with GD05.
44. All pumps used to dewater the stream must have a 3mm mesh screen to prevent fish from entering the pump and be elevated to avoid pumping of sediments from the stream bed.
45. Machinery must not enter the wetted cross section of the bed of the stream at any time and machinery associated with the streamworks activity must be operated (including maintenance, lubrication and refuelling) in a way, which ensures no hazardous substances such as fuel, oil or similar contaminants are discharged. In the event that any discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified.
46. The use of construction materials, such as concrete products or grout, must only occur outside the wetted cross section of the bed of the stream. Any mixing of construction materials must occur outside the 100-year floodplain and using methods so that if a spillage does occur it will be contained to avoid it entering the waterbody.
47. Any sediment or material excavated from the bed of the stream must be stockpiled outside the 100-year flood plain area, with appropriate erosion and sediment control measures in accordance with GD05.
48. Prior to any re-diversion of stream flows on the new erosion and scour protection, the stream bed and banks must be stabilised against erosion using best practice methods.
49. At least 10 (ten) working days prior to the commencement of works on Outfall 1-1, the Consent Holder must submit a Native Fish Capture and Relocation Plan (NFCRP) to Council for certification in accordance with Condition 10.
50. The purpose of the NFCRP is to safely capture and relocate native fish prior to the commencement of works on Outfall 1-1. The NFCRP must be prepared by a suitably qualified and experienced Freshwater Ecologist and must include:
 - a) Details on timing of plan implementation;
 - b) Methodologies to capture native fish;
 - c) Details of the qualified ecologist to undertake the capture and relocation and to be present on-site during dewatering to rescue and relocate any remaining fish present;
 - d) Details of the relocation site(s) and confirmation on the habitat availability of the relocation site to support fish at the time of streamworks;
 - e) Storage and transport measures including, prevention of predation and death during capture; and
 - f) Euthanasia methods for diseased or pest species.

51. Native fish capture and relocation must be undertaken in accordance with the certified NFCRP and must only be undertaken by a suitably qualified and experienced freshwater ecologist. The freshwater ecologist must also be onsite during the dewatering process to ensure that any remaining native fish that are not caught during de-fishing are salvaged.
52. The Consent Holder must provide a Fish Salvage Report detailing the relocation site, the species and number of freshwater fauna relocated prior to and during dewatering, to the Council within 5 (five) days of completion of the native fish capture and relocation. These results must be uploaded into NIWA's New Zealand native freshwater fish database.

Contaminated Land (LUCX and DISX)

53. Prior to the commencement of earthworks associated at or beside 451 Ti Rakau Drive and 550 Ti Rakau Drive, the Consent Holder must submit a Contaminated Land Management Plan (CLMP), as prepared by a suitably qualified expert practitioner (SQEP), to Council for certification in accordance with Condition 10 above.

The objective of the CLMP is to manage the potential environmental and human health risks associated with the disturbance of contaminated materials

54. The CLMP must contain the following:
 - a) A summary of information and an overview of the proposed alignment construction methodology;
 - b) A summary of any soil sampling works undertaken;
 - c) The roles and responsibilities and contact details for the parties involved in the land disturbance activities, including the SQEP
 - d) Identify potential and known hazards arising from contamination (if present)
 - e) Identify specific management procedures developed for construction earthworks including:
 - i. On-site soil management practices;
 - ii. Off-site soil transport and disposal;
 - iii. Erosion and sediment control;
 - iv. Management of dust and odour;
 - f) Contingency measures in the event of accidental/unexpected discovery (asbestos, unknown fill, odours, staining etc.); and
 - g) Post development controls (if required).
55. Discharges from disturbance of contaminated soil must be carried out in accordance with the Contaminated Land Management Plan (CLMP) listed in Condition 53 unless otherwise modified by the conditions below or in accordance with Condition 10 above.
56. All sampling and testing of contamination on the site must be overseen by the appropriately qualified and experienced contaminated land practitioner. All sampling is to be undertaken in

accordance with the Contaminated Land Management Guidelines, No-5 - Site Investigation and Analysis of Soils, Ministry for the Environment, revised 2021.

57. The Council must be informed in writing about the commencement of the Eastern Busway Project (Package EB4L) works associated with the properties listed in Condition 53 at least 2 (two) working days prior to commencement.

Advice Note: *Discharge from the site includes the disposal of water (e.g. perched groundwater or collected surface water) from the remediation area.*

58. An appropriately qualified and experienced contaminated land specialist must be engaged to oversee the earthworks in areas of potential contamination.
59. Any soils and/or fill material identified as contaminated and requiring off-site disposal are to be loaded directly into trucks and covered during transportation off site in accordance with the CLMP. All soil removed from the land disturbance area must be deposited at a suitably certified facility.
60. All imported fill must comply with the definition of 'cleanfill', in accordance with 'Technical Guidelines for Disposal to Land Revision 3', Waste Management Institute New Zealand (2022).

Advice Note: *Background levels for the Auckland region can be found in the Council's technical publication TP153 "Background concentrations of inorganic elements in soils from the Auckland Region" (2001).*

61. Within 3 (three) months of the completion of the soil disturbance activities within the project area, a Site Completion Report (SCR) must be provided to the Council.
62. The SCR must contain sufficient detail to address the following matters:
- a) A summary of the works undertaken, including a statement confirming whether the excavation of the site has been completed in accordance with the CLMP;
 - b) A summary of inspections and oversight completed by the SQEP;
 - c) The location and dimensions of the excavations carried out, including a site plan;
 - d) A summary of testing undertaken (if applicable) including tabulated analytical results;
 - e) Records of any unexpected contamination encountered during the works and contingency measures undertaken (if applicable);
 - f) Details of any validation soil sampling completed in areas of unexpected soil contamination and vicinity of fill material previously identified as exceeding the adopted soil acceptance criteria (if applicable);
 - g) Copies of the disposal docket for the contaminated fill and 'cleanfill' material removed from the site;
 - h) Copies of the SQEP site inspection documentation;
 - i) Details regarding any complaints and/or breaches of the procedures set out in the certified CLMP, and how any incidents or complaints were addressed;
 - j) Results of testing, if required, of any spoil disposed offsite;

- k) Results of testing of any imported fill material; and
- l) Identification of any areas which need on-going monitoring and management.

63. Where contaminants are identified that have not been anticipated by the application, the unexpected discovery procedures in the CLMP must be employed, including notifying the Council. Any unexpected contamination and contingency measures must be documented in the SCR.

Advice Notes: *Unexpected contamination may include contaminated soil, perched water or groundwater. The Consent Holder is advised that where unexpected contamination is significantly different in extent and concentration from that anticipated by the original site investigations, handling the contamination may be outside the scope of this consent. Advice should be sought from the Council as to whether carrying out any further work in the area of the unexpected contamination is within scope of this consent.*

If you are demolishing any building/structures that may have asbestos containing materials (ACM) in it:

- *You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.*
- *Work may have to be carried out under the control of person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.*
- *If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.*
- *Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.*
- *If ACM is found on site following the demolition or removal of the existing buildings/structure, you may be required to further remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance, a further consent application may be required.*