

America's Cup 36 Proposed Conditions of Consent

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General

Definition of Terms

1. In these conditions:

- (a) “AC36 event” means the use and operation of land and water space associated with 36th America’s Cup event to be held in the six month period from December 2020 to May 2021 (including pack in and pack out of land based and water based activities/structures) and any subsequent America’s Cup event held within 5 years of the AC36 event;
- (b) “AC36 infrastructure” means the wharves, piles, berths, buildings and other structures and related works associated with the America’s Cup event ;
- (c) “approve”, “approval” and “approved” in relation to plans or management plans means assessed by Council staff acting in a technical certification capacity, and in particular as to whether the document or matter is consistent with, or sufficient to meet, the conditions of this consent, and certified as such for the purposes of the conditions of this Consent;
- (d) “CMA” means the ‘coastal marine area’ or ‘common marine and coastal area’ as defined in the RMA;
- (e) “consent holder” means the applicant, Panuku Development Auckland;
- (f) “Council” means the Auckland Council;
- (g) “Harbourmaster” means the Harbourmaster’s office within Auckland Transport;
- (h) “RMA” means the Resource Management Act 1991;
- (i) “Team Leader – Central Monitoring” means the Team Leader – Central Monitoring for the time being of the Council’s Resource Consent Monitoring unit; and
- (j) “Team Leader - Coastal” means the Team Leader – Coastal for the time being of the Council’s Natural Resources and Specialist Input unit.

Coastal Permit – Construction (Commencement & Expiry)

2. The Consent to construct the structures in the CMA under section 12(1) of the RMA and to occupy the CMA for that purpose under section 12(2) of the RMA will commence in accordance with section 116(1) of the RMA and will expire pursuant to section 123(c) of the RMA ten (10) years from the date it commences, unless it has been given effect, has lapsed, has been surrendered or has been cancelled at an earlier time.

Coastal Permit – AC36 Infrastructure Operation (Commencement & Expiry)

3. The consent to carry out the AC36 event activities on the structures in the CMA under section 12(3) of the RMA and to occupy the CMA for that purpose under section 12(2) of the RMA will commence on the date the construction of the structures in the CMA is complete (as notified to the Team Leader – Coastal pursuant to Condition 40), and expire pursuant to section 123(c) of the RMA thirty- five (35) years after it commences, unless it has lapsed, been surrendered or been cancelled at an earlier time.

Removal of Structures

4. The buildings for syndicate bases 2-8 and the wharf structures under syndicate base buildings 6-8 (excluding the hard stand wharf areas for these bases) shall be removed no later than 10 years following the commencement of consent.

Access to the Site

5. The servants or agents of the Council shall have access to all relevant parts of the site at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.

Monitoring

6. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$3,000.00 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the consents.
7. The \$3,000.00 (inclusive of GST) charge shall be paid prior to the commencement of construction and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.

Review Condition

8. Pursuant to section 128 of the RMA, the conditions of the consent may be reviewed by the Council (at the consent holder's cost):
 - a) At any time during the construction period in relation to activities and structures that are subject to the provisions in sections 15 and 16 of the RMA and where the best practicable option may be necessary to remove or reduce any adverse effect on the environment;
 - b) At any time during the construction period, and thereafter annually for 5 years, and thereafter at 5 yearly intervals, in relation to altering any monitoring requirements as a result of previous monitoring outcomes and/or in response to changes to the environment, and/or changes in engineering and/or scientific knowledge; and
 - c) Within six months from the date the Team Leader – Coastal is notified of completion of the final stage of construction work (in accordance with Condition 40), and thereafter annually for 5 years, and thereafter at 5 yearly intervals, to deal with any adverse effect(s) on the environment which may arise from the exercise of the consent.

Development in Accordance with Plans and Application

9. Subject to conditions 20 and 21 below, construction of the AC36 infrastructure shall be undertaken in accordance with the plans submitted with the application and listed in **Appendix 1**, referenced by the Council as XX/XX/XXXX¹.
10. Construction and operation of the AC36 infrastructure and AC36 event shall be undertaken in general accordance with the reports and application documents listed in **Appendix 2**.
11. In the event of inconsistency between the plans and documents listed in **Appendix 1** and

¹ To be updated when consent references issued by Council.

Appendix 2 and the conditions of this consent, the conditions shall prevail.

Management Plan Certification Process

12. Conditions 13 to 17 below shall apply to all management plans required by these conditions.
13. Unless otherwise specified in the conditions that follow, Management Plans shall be submitted to the Team Leader – Central Monitoring to certify compliance and consistency with the applicable requirements of these conditions at least 20 working days prior to Commencement of Construction (excluding site investigations, demolition and removal of buildings and structures, relocation of services and establishment of site entrances and fencing).
14. Any certified Management Plan may be amended if necessary to reflect any minor changes in design, construction methods or management of effects. Any amendments are to be discussed with and submitted to the Team Leader – Central Monitoring for information, unless those amendments once implemented would result in a materially different outcome to that described in the original plan.
15. Any changes to a certified Management Plan involving a materially different outcome shall be submitted to the Team Leader – Central Monitoring to certify compliance and consistency with the applicable requirements of these conditions. Any material change must be consistent with the purpose of the relevant Management Plan and the requirements of the relevant conditions of these consents. Where a Management Plan was prepared in consultation with affected parties, any material changes to that Plan shall be prepared in consultation with those same parties.
16. All works shall be carried out in general accordance with the certified Management Plans.
17. Management Plans may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the Project. Management Plans submitted shall clearly show the linkage with plans for adjacent stages and interrelated activities.

Mana Whenua Engagement

18. Prior to the commencement of any construction activities authorised by this consent, the consent holder shall provide evidence to the Council that it has prepared a **Mana Whenua Engagement Plan (MWE)** for the project. Mana whenua groups shall be provided with an opportunity to be involved with the formulation and implementation of the MWE and the MWE shall be in collaboration with mana whenua groups that wish to participate. As a minimum, the MWE shall include details of the following matters:
 - a) How mana whenua who have expressed an interest in the project because of their historic associations with the project area and its surrounding waters have been involved in the formulation of the MWE and are to be involved in its implementation;
 - b) The process for involvement of mana whenua in the final preparation of the engineering design, construction management, operational plans as they relate to:
 - (i) Managing water quality during the construction and operation of the AC 36 infrastructure;
 - (ii) Managing underwater noise during construction so as to protect marine animals;

- (iii) Protecting the waters of the area from biosecurity risks;
 - (iv) Providing cultural markers within the AC36 infrastructure to recognise the historic associations of mana whenua with the area and the significance of the land and seascapes of Tikapa Moana to mana whenua; and
 - (v) Enabling use of the AC 36 infrastructure for cultural activities.
- c) Cultural discovery protocols;
 - d) Procedures for the cultural induction of construction workers and AC36 event staff;
 - e) Cultural monitoring procedures and protocols during construction activities; and
 - f) Ongoing mana whenua engagement procedures.

Construction Conditions

Base and Yard Area Design

19. Unless specified by Condition 20 below, Bases 1-8 and associated yard areas shall be constructed in accordance with the Moller Architects drawings contained in **Appendix 1**, subject to the following building and yard structures elements being submitted to the Council (Team Leader – Central Monitoring) for approval prior to construction:

- a) Building materiality, colour and finish;
- b) Building façade detailing and treatment for elements fronting wharf public space areas;
- c) Yard and security fencing design; and
- d) Event branding.

The design of these elements shall be in terms of terms of the AC36 Wynyard Basin Building and Public Space Design Guidelines, dated January 2018 contained in **Appendix 2**.

20. Where the design of Bases 1 – 8 and/or associated yard areas is not in accordance with the Moller Architects drawings contained in **Appendix 1**:

- a) Building height shall not exceed a maximum of 15m above wharf or ground level;
- b) The building footprint shall comply with the Building Footprint areas shown on Plan Drawing Number 3233847-CA-003 Rev B;
- c) The yard areas shall not extend beyond the Syndicate Base Boundary shown on Plan Drawing Number 3233847-CA-003 Rev B;
- d) The new design of the buildings and related yards shall be in terms of the AC36 Wynyard Basin Building and Public Space Design Guidelines, dated January 2018 contained in **Appendix 2** and submitted to the Council (Team Leader – Central Monitoring) for approval prior to construction.

Subject to compliance with a) – d) above, the new base design and/ or associated yard areas shall be submitted to the Council (Team Leader – Central Monitoring) for approval prior to construction

Advice note: *The purpose of condition 20 is to ensure that any proposed changes to design will not result in additional adverse visual or amenity effects on the surrounding environment and is intended to provide an alternative process to a formal s127 variation for design changes within the maximum height limit and the Building Footprint Area,*

excepting that Council reserves the right to require a s.127 application should the proposed change(s) fall outside of the scope of the consented development.

Public Space Design

21. The design of public spaces shall be in terms of the AC36 Wynyard Basin Building and Public Space Design Guidelines, dated January 2018 contained in **Appendix 2** and submitted to the Council (Team Leader – Central Monitoring) for approval prior to construction.

Detailed Engineering Drawings and Details

22. At least 20 working days prior to Commencement of Construction (excluding site investigations, demolition and removal of buildings and structures, relocation of services and establishment of site entrances and fencing), the Consent Holder shall submit detailed engineering designs and drawings of structures in the CMA (including dimensioned cross sections, elevations, site plans of all areas of permanent and temporary structures) to the Team Leader – Central Monitoring, to be prepared in general accordance with the documents listed in Condition 9.
23. The consent holder shall ensure that new wharf piles are designed:
 - a) For a future 1m increase in the height of the wharf deck that can be staged over several increments over the next 100 years; and
 - b) To recognise the marine environment risk factors of corrosion due to chloride attack.

Replacement Bulk Liquid Transfer Pipelines

24. Prior to the de-commissioning of any existing bulk liquid transfer pipelines from Wynyard Wharf and Brigham Street required for AC36, the consent holder shall provide replacement pipelines. The design of the replacement pipelines shall be prepared in consultation with the users of the replacement pipelines. The replacement pipelines shall be constructed, tested and fully commissioned so that bulk liquid transfer operations are maintained.

As Built Drawings

25. Within three months of Completion of Construction for each stage of construction (wharves, services and buildings on each base), the Consent Holder shall supply a complete set of As-Built Drawings to the Team Leader – Central Monitoring. The As-Built Drawings shall show the location, dimensions and typical cross-sections of structures and services.

Construction Environmental Management Plan

26. The Consent Holder shall prepare a **Construction Environmental Management Plan** (CEMP) or plans for the relevant project stage, and submit this to the Team Leader – Central Monitoring in accordance with the process set out in Conditions 13 to 17 for certification that the CEMP has addressed the matters required by Conditions 27 to 33.
27. The purpose of the CEMP is to ensure that the construction works remain within the limits and standards approved under the consent and set out the management procedures and construction methods to be undertaken in order to avoid, remedy or mitigate potential adverse effects arising from construction activities.
28. The CEMP shall incorporate or refer to the following management plans:

- a) Marine Works Safety Management Plan (MWSMP);
 - b) Management Plan for Dredging and Placement of Mudcrete in the CMA (MPDPM);
 - c) Erosion and Sediment Control Plan (ESCP);
 - d) Remediation Action Plan (RAP);
 - e) Groundwater Monitoring and Contingency Plan (GWMCP);
 - f) Construction Traffic Management Plan (CTMP);
 - g) Construction Staff Travel Plan (CSTP);
 - h) Construction Noise and Vibration Management Plan (CNVMP);
 - i) Construction Lighting Management Plan (CLMP);
 - j) Decommissioning Biosecurity Management Plan (DBMP); and
 - k) Inner Viaduct Harbour Environmental Management Plan (IVHEMP).
29. The CEMP shall provide details of the responsibilities, reporting frameworks, coordination and management required for effective site management. The CEMP shall provide information on the following matters:
- a) Construction quality assurance;
 - b) Construction works programming;
 - c) Construction traffic management;
 - d) Site management;
 - e) Wharf, berth and building construction;
 - f) Consultation and communications; and
 - g) Construction lighting.

Construction Quality Assurance

30. The Construction Quality Assurance part of the CEMP requires the establishment of management frameworks, systems and procedures to ensure quality management of all on-site construction activities and compliance with the conditions of this consent. This section shall provide details on the following:
- a) Contact details of the Contractor's site supervisor or project manager and the Consent Holder's Project Liaison Person (phone, postal address, email address);
 - b) Confirmation of the construction methodology, including for permanent and temporary structures;
 - c) System for Hot Work Permits and Underground Services Work Protocols/Permits in general accordance with the Construction Environmental Management Plan Draft Table of Contents in Appendix B, America's Cup 36 Base Infrastructure Technical Report (Beca, January 2018);
 - d) Location of construction site infrastructure including site offices/amenities, contractors' yard access, equipment unloading and storage areas, construction access to the CMA, contractor car parking and security;

- e) Methods and systems to inform and train all persons working on the site of potential environmental issues and how to avoid remedy or mitigate any potential adverse effects;
- f) Procedures for ensuring that residents, businesses, network utility operators and road users in the immediate vicinity of construction areas are given prior notice of the Commencement of Construction and are informed about the expected duration and effects of the work;
- g) Procedures for responding to complaints about construction activities;
- h) Means of providing for the health and safety of the general public;
- i) Measures to be adopted to maintain the CMA and land affected by the works in a tidy condition in terms of disposal / storage of rubbish, storage and unloading of construction materials and similar construction activities;
- j) Procedures for controlling sediment run-off, dust and the removal of soil, debris, demolition and construction materials (if any) from public roads or places adjacent to the work site/s;
- k) Contingency plans in case of unexpected sediment discharges to the CMA during works;
- l) Proposed temporary or permanent fencing or other structures along the boundary of the construction areas with adjacent sites in order to delineate site boundaries, maintain site security, prevent unauthorised access, ensure the safe and practical operation of adjacent sites, and to avoid intrusion of Construction Works beyond the designated land;
- m) Measures to manage the potential impacts of construction on Council street trees and vegetation;
- n) Measures to manage the potential impacts of temporary construction lighting on residents and on local fauna;
- o) Methods to ensure that barges and equipment used in the CMA are clean and certified as free of invasive species identified by the Ministry of Primary Industries;
- p) Procedures for the refuelling, cleaning, maintenance and storage of plant and equipment, methods to be used to minimise the need for these activities in the CMA, and measures to avoid discharges of contaminants from these activities in the CMA;
- q) Measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;
- r) Procedures for incident management; and
- s) Site clean-up following completion of works, including removal of construction materials, temporary structures.

Construction Works Programme

31. This part of CEMP is to ensure that the consent holder has prepared a programme of works that will enable the AC36 infrastructure and all other associated land based works, to be constructed in a manner that is timely, adequately co-ordinated and minimises the adverse effects of construction on the existing users of the affected land and water space. This section shall, among other matters, provide details of the programme for the

construction works throughout all stages of the AC36 infrastructure development process.

Site Management

32. This part of the CEMP is to ensure that procedures are in place to ensure that the site is managed safely and in an appropriate condition throughout the entire construction process. This section shall provide details on the following:
- a) The clear identification and marking of the construction zone within the CMA and the provision of any necessary navigational aids and information to ensure safe and effective access by other parties through the construction zone;
 - b) The extent to which barges and other machinery are expected to operate within the affected water space and the measures that will minimise the disruption to other craft and users;
 - c) The measures to be adopted to maintain the construction zone and adjacent parts of the CMA in a tidy condition in terms of storage and unloading of materials, refuse storage and disposal and other activities;
 - d) The provision of any site office, parking for workers' vehicles and workers' conveniences (e.g. portaloos);
 - e) The location of construction machinery access and storage during the period of site works, including any temporary mooring of the barge(s);
 - f) The procedures for controlling sediment run off into the CMA, and the removal of any debris and construction materials from the CMA; and
 - g) The provision of any artificial lighting associated with construction works and the effects of any such lighting.

Consultation and Communications

33. This part of the CEMP is to outline the consultation undertaken in preparing the CEMP and ongoing communications planned with the following parties:
- a) Auckland Transport;
 - b) Regional Facilities Auckland (Viaduct Events Centre);
 - c) Ports of Auckland Limited;
 - d) Fishing industry including Sanfords and Auckland Fishing Ports (Moana);
 - e) Sealink;
 - f) Bulk liquids industry including BST and Stolthaven;
 - g) New Zealand Maritime Museum; and
 - h) Auckland Seaplanes.

Implementation

34. All works shall be carried out in general accordance with the approved CEMP. All personnel working on the site shall be made aware of the requirements contained in the CEMP. A copy of the approved CEMP shall be held on site at all times while any activity associated with construction is occurring. The approved CEMP shall be implemented and maintained throughout the entire period of the works to the satisfaction of the Team

Leader – Central Monitoring.

35. No construction activity in the coastal marine area (or the affected part of the CMA if staged) shall start until the CEMP is approved by the council and all measures identified in that plan as needing to be put in place prior to the start of works are in place.
36. The Consent Holder shall notify the Team Leader – Central Monitoring in writing of the proposed date of Commencement of Construction at least 20 working days prior to the proposed start date.
37. Within 15 working days prior to Commencement of Construction, the Consent Holder shall arrange and conduct a prestart meeting that:
 - a) Is located on the subject site;
 - b) Is scheduled not less than five days before the anticipated Commencement of Construction;
 - c) Includes Council representatives;
 - d) Includes representation from the contractors who will undertake the works; and
 - e) Includes an invitation to Mana Whenua.
38. The pre-commencement meeting shall discuss the works methodology and shall ensure all relevant parties are aware of and are familiar with the conditions of the resource consents.
39. In the case that any of the invited parties, other than the representative of the Consent Holder, do not attend this meeting, the Consent Holder will have been deemed to have complied with this condition, provided reasonable notice is given to the parties listed above.
40. The Consent Holder shall notify the Team Leader – Central Monitoring in writing of the date of completion within 10 working days of the completion of the last activity relating to works in any CEMP.

Coastal Notifications and Documentation

41. The Consent Holder shall consult the Auckland Harbourmaster in regard to any lighting or navigational aids required for the temporary and/or permanent structures in the CMA.
42. The Consent Holder shall notify the Auckland Harbourmaster, Ports of Auckland Ltd Harbour Control, and the Land Information NZ (LINZ) Hydrographic Office of the location of the marine works and the proposed date of Commencement of Construction in the CMA at least 20 working days prior to the proposed start date.
43. The Consent Holder shall request, as part of the notification in Condition 42, that the Harbourmaster issue a Temporary Notice to Mariners, advising the location of the marine works, to yachting and boating clubs and the Auckland Coastguard at least 5 working days prior to the commencement of the marine works.
44. The Consent Holder shall notify the Auckland Harbourmaster, Ports of Auckland Ltd Harbour Control, and the Land Information NZ (LINZ) Hydrographic Office in writing of the date of completion of the marine works within 10 working days of the completion of the last activity involving wharves and pontoons.

45. The Consent Holder shall provide to the LINZ Hydrographic Office a hydrographic survey of the dredged areas within three months of dredging.

Marine Works Safety Management

46. The consent holder shall prepare a **Marine Works Safety Management Plan (MWSMP)** or Plans for the relevant Project stage and submit this to the Team Leader - Coastal in accordance with the process set out in Conditions 13 to 17. The plan shall identify:
- The showing of day marks and night lights to mark marine work site/s;
 - Operational communications e.g. with Ports of Auckland Ltd Harbour Control; and
 - Notifications to the Auckland Harbourmaster, Ports of Auckland Ltd Harbour Control, and the LINZ Hydrographic Office as set out in Conditions 42 to 45.

Dredging and Placement of Mudcrete in the CMA

Management Plan for Dredging and Placement of Mudcrete in the CMA

47. Prior to commencement of dredging, the Consent Holder shall submit a **Management Plan for Dredging and Placement of Mudcrete in the CMA (MPDPM)** to the Team Leader - Coastal in accordance with the process set out in Conditions 13 to 17 to certify that the MPDPM includes the following matters:
- Details of the equipment and methods to be used for dredging and mixing and placement of mudcrete in the CMA;
 - Details of the locations, quantities and timing of dredging and placement of mudcrete in the CMA;
 - Details of the physical (textural and geological) and chemical (bulk chemistry and leaching potential) characteristics of the dredged materials if these are different from those contained in the documentation provided in support of the application for this consent;
 - Monitoring and reporting (refer to Conditions 49 to 58);
 - Roles and responsibilities of the personnel involved; and
 - Method/s of disposal and location of disposal site/s for dredged material.
48. Any proposed change of dredging or mudcreting equipment and/or method from that previously advised to Council must receive written approval from the Team Leader - Coastal for its use before commencement of the relevant portion of the works. Before such approval is given, the Consent Holder shall provide information to the Team Leader - Coastal, showing that the proposed change of technique will not result in a significant increase in adverse environment effects above those associated with the technique previously approved under this permit.

Water Quality Monitoring for Dredging of North Wharf and Placement of Mudcrete in the CMA - Sampling

49. The Consent Holder shall undertake one-off comprehensive water quality monitoring during the initial phase of the dredging of the North Wharf area and placement of mudcrete in the CMA. The purpose of this monitoring during the initial phase is to confirm

the mixing zone and proposed trigger level specified in Condition 56. Water quality samples shall be collected:

- a) For a neap tide;
 - b) At an updrift control site located approximately within the Waitemata Harbour main channel (for ebb tide) and at least 500 m beyond the operations (for flood tide);
 - c) At dilution gradient sites 10m, 20m and 50m downdrift of the operations aligned approximately along the centreline of the Waitemata Harbour main channel; and
 - d) At a compliance site 200m downdrift of the operations aligned approximately along the centreline of the Waitemata Harbour main channel.
50. Following the initial phase of dredging and placement of mudcrete in the CMA, the Consent Holder shall undertake water quality monitoring once per week whilst dredging and any placement of material in the CMA is underway. Water quality samples shall be collected:
- a) On an ebb tide;
 - b) At an updrift control site located at least 500m beyond the operations;
 - c) At a dilution gradient site 50m downdrift of the operations aligned approximately along the centreline of the Waitemata Harbour main channel; and
 - d) At a compliance site 200m downdrift of the operations aligned approximately along the centreline of the Waitemata Harbour main channel.
51. During each sampling run carried out in accordance with Conditions 49 and 50, records shall be kept of:
- a) Sampling date and time;
 - b) Weather conditions;
 - c) Sea state;
 - d) Sampling location;
 - e) Water depth;
 - f) Time that dredging and placement of dredged material in the CMA commenced; and
 - g) Time of low and high tide on day of sampling.
52. Water samples collected in accordance with Conditions 49 to 51 shall be individual samples from the surface (approximately 0.5 m below surface) and at depth (approximately 0.5m above the seabed) at each site.
53. Water samples shall be collected on a day that dredging is occurring.
54. Dilution gradient and compliance site samples shall be representative of the plume generated by the operations (i.e. not collected before the plume has had a chance to develop upon the start of the operations and not after the plume has had a chance to dissipate upon completion of the operations), and shall be collected as close as practicable to mid-tide to capture the maximum extent of any plume.

55. Samples for water quality monitoring of dredging shall be analysed for total suspended solid levels (TSS). Samples for water quality monitoring of mudcrete placement in the CMA shall be analysed for total suspended solid levels (TSS) and pH.
56. Unless amended in accordance with Condition 59, the proposed trigger level for total suspended solids shall be 25g/m³ above TSS at the control site; and for mudcreting, a pH of 8.5.
57. Following two months of weekly sampling, and subject to written approval of the Team Leader - Coastal, the monitoring programme may be amended, for example compositing of surface and depth samples, and reduction of the frequency (e.g. to fortnightly / monthly).
58. Within three months of completion of all the dredging works, the Consent Holder shall provide the Team Leader - Coastal with the best available estimates of the in-situ volumes of:
 - a) Material dredged; and
 - b) Material placed as mudcrete in the CMA.

Water Quality Monitoring for Dredging and CMA Mudcrete – Trigger Levels and Contingency Plan

59. The Consent Holder shall review the proposed TSS trigger level of 25g/m³ and pH trigger level of 8.5 set out in Condition 56 against the results of the one-off comprehensive monitoring undertaken during the initial phase of the dredging operations. The Consent Holder shall provide a report to the Team Leader - Coastal confirming the above trigger level(s) or proposing alternative trigger level(s) with the basis for the alternative(s). The report shall be provided within 20 working days of the receipt by the Consent Holder of the analytical results for the one off comprehensive water sampling required in Condition 49. The alternative trigger level(s) may be used for regular monitoring subject to approval in writing by the Team Leader - Coastal.
60. During regular monitoring, an exceedance shall be:
 - a) For dredging and for mudcrete placement: a TSS level in any sample collected at the compliance site that exceeds the trigger level plus the TSS level measured in the updrift control sample collected during the same sampling run. The TSS level shall be identified from the analytical results of the water quality samples in accordance with Conditions 50 to 55; and
 - b) For mudcrete placement: a pH in any sample collected at the compliance sites that exceeds the pH trigger level. The pH shall be identified from the analytical results of the water quality samples in accordance with Conditions 50 to 55.
61. In the event of an exceedance the Consent Holder shall prepare a Contingency Plan which sets out the actions to be undertaken. These shall include further monitoring measures, in the first instance, or a site specific effects assessment, and practical modifications to the relevant activities where further monitoring identifies repeated exceedances. Such modifications may include suspending or altering the dredging approach, reducing production rates, focusing dredging activities around slack tide, and using silt fences or other containment approaches. The Contingency Plan shall be

provided to the Team Leader - Coastal at least 5 working days prior to the commencement of dredging.

Aerial Photography Monitoring for Dredging

62. The Consent Holder shall take aerial photographs of the extent of any plume during the dredging. Where water quality for dredging is also being undertaken, the photograph shall be completed at the same time as the sampling runs. Aerial photography sites shall be selected to correspond only to those areas where dredging or placement of dredged material in the CMA are occurring, to confirm sediment plume distribution and aid sampling.

Reporting for Dredging and Placement of Mudcrete in the CMA

63. The Consent Holder shall provide monitoring reports to the Team Leader - Coastal and the Mana Whenua Group as follows:
- a) At completion of the one-off comprehensive water quality monitoring; and
 - b) Every six months for the duration of dredging and placement of mudcrete in the CMA for routine water quality monitoring.

Erosion and Sediment Control

General

64. During construction the Consent Holder shall take all practicable measures to minimise erosion and prevent the discharge of sediment beyond the boundaries of the site of earthworks on land. This includes deposition of mud or other debris on any road or footpath beyond the boundary of the site resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed.
65. Erosion and sediment control measures shall be implemented throughout land-based Construction Works. They shall be constructed and maintained so as to operate and perform in accordance with Auckland Council *GD2016/005: Erosion Sediment Control Guide for Land Disturbing Activities in the Auckland Region* and any amendments to this document, except where a higher standard is detailed in the conditions below in which case the higher standard shall apply.

Advice note: *Standard E26.7.5.1 of the Auckland Unitary Plan (Operative in Part) outlines the Accidental Discovery Rule in relation to Land Disturbance for infrastructure. This standard must be complied with at all times, and should these requirements be unable to be complied with, a further resource consent may be required.*

66. The sediment and erosion controls at the site of the works shall 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 shall be kept of the date, time and any maintenance undertaken in association with this condition, and shall be forwarded to the Team Leader – Central Monitoring on request.
67. The site shall be stabilised against erosion as soon as practicable, and in a progressive manner, as earthworks are finished over the sites. Areas of earthworks not actively

worked for a period of two weeks shall be stabilised until such time as further earthworks occur in a specific area.

68. Notification shall be given to the Team Leader – Central Monitoring within 20 working days of completion of earthworks.

Erosion and Sediment Control Plan

69. Prior to the Commencement of Construction for each specific area and/or activity, an **Erosion and Sediment Control Plan (ESCP)** or plans shall be prepared by a suitably qualified person.
70. The purpose of the ESCP is to set out the measures to be implemented during construction to minimise erosion and the discharge of sediment beyond the boundaries of the site.
71. Unless agreed otherwise with the Team Leader – Central Monitoring, the ESCP shall include, but not be limited to the following information as appropriate to the scale, location and type of earthworks:
 - a) Drawings showing location and quantities of earthworks and any mudcrete placement on land, contour information, catchment boundaries and erosion and sediment controls (location, dimensions, capacity);
 - b) Supporting calculations for erosion and sediment controls;
 - c) Reference to details of measures for contaminated land;
 - d) Details of construction methods to be employed, including timing and duration;
 - e) A programme for managing exposed area, including progressive stabilisation considerations;
 - f) Roles and responsibilities under the ESCP and identification of those holding roles including the suitably qualified person; and
 - g) Monitoring, maintenance and record-keeping requirements.
72. The Consent Holder shall submit the ESCP to the Team Leader – Central Monitoring for certification in terms of the matters in Condition 71 at least 10 working days prior to commencement of construction associated with each specific area and/or activity. No earthworks activity on the subject site shall commence until written certification for the relevant ESCP is received from the Team Leader – Central Monitoring.
73. The operational effectiveness and efficiency of all erosion and sediment control measures required as by the ESCP shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
74. The Consent Holder shall carry out monitoring in accordance with the ESCP and shall keep records detailing:
 - a) The monitoring undertaken;
 - b) The erosion and sediment controls that required maintenance;
 - c) The time when the maintenance was completed; and

- d) Areas of non-compliance with the erosion and sediment control monitoring plan (if any) and the reasons for the non-compliance.

This information shall be made available to the Team Leader – Central Monitoring upon request.

Contaminated Land Management

Detailed Site Investigation and Remediation Action Plan

- 75. Prior to excavation or soil disturbance in areas of known or potentially contaminated land, the Consent Holder shall engage a Suitably Qualified Environmental Practitioner (SQEP) to undertake additional soil and groundwater testing for the assessment of contamination within the areas proposed for soil disturbance. The investigation is to be undertaken in general accordance with Ministry for Environment (MfE) Contaminated Land Guidance. A **Detailed Site Investigation (DSI)** Report is to be prepared and submitted to the Team Leader – Central Monitoring for approval.
- 76. Prior to excavation or disturbance in areas of known or potentially contaminated land, the Consent Holder shall update the **Remediation Action Plan (RAP)**. The updated plan shall be prepared and submitted to the Team Leader – Central Monitoring for approval in terms of the matters in Condition 78.
- 77. The purpose of the RAP is to detail the measures to manage human exposure, and environmental risk associated with works in contaminated material in the Project area, during construction.
- 78. The RAP shall be in general accordance with the Draft Remediation Action Plan included in the consent application, and shall include :
 - a) Any soil, groundwater and gas (if required) investigations undertaken to characterise potential hazards associated with works in those areas and to inform development of the RAP;
 - b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during Construction Works;
 - c) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated material and the potential reuse or disposal options for that material;
 - d) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - (i) Assist with identification of unknown contaminated material; and
 - (ii) Stop work or isolate the area once any such material is identified.
 - e) The measures to be undertaken to manage contaminated land to:
 - (i) Protect the health and safety of workers and the public;
 - (ii) Control stormwater run-on and run-off; and
 - (iii) Remove or manage any contaminated soil.
- 79. The RAP shall be implemented and maintained throughout the entire construction period.

Site Management

80. All sampling and testing of contamination on the site shall be overseen by a suitably qualified person. All sampling shall be undertaken in general accordance with *Contaminated Land Management Guidelines No. 5 Site Investigation and Analysis of Soils* (Revised 2011).
81. Where contaminants are identified that have not been anticipated by the RAP, works in the area containing the unexpected contamination shall cease until the contingency measures outlined in the approved RAP have been implemented, and the discovery and contingency measures undertaken have been notified to the Team Leader – Central Monitoring.
82. To protect the health of workers on the site during excavations, works shall be managed to minimise the generation of dust on the site and be carried out in accordance with the approved RAP.

Groundwater

SCHEDULE A: GROUNDWATER ALERT LEVELS		
Movement	Alert Level 1	Alert Level 2
The distance below the pre-dewatering Seasonal Low Groundwater Level, or the distance above the pre-dewatering Seasonal High Groundwater Level at AC36_PZ01	0.2 m	0.5 m
The distance below the pre-dewatering Seasonal Low Groundwater Level, or the distance above the pre-dewatering Seasonal High Groundwater Level at AC36_PZ02, AC36_PZ03 or AC36_PZ04	0.5 m	1.0 m

Damage Avoidance

83. All excavation, stabilisation and works associated with the diversion or taking of groundwater, shall be designed, constructed and maintained so as to avoid damage to buildings, structures and services on the site and adjacent properties, outside that considered as part of the application process unless otherwise agreed in writing with the asset owner.

Alert Levels

84. The activity shall not cause any groundwater changes greater than the Alert Level thresholds specified in Schedule A. Alert Levels are triggered when the following thresholds are exceeded:

These levels may be amended subject to approval by the Team Leader - Central Monitoring as part of the Groundwater Monitoring and Contingency Plan (GWMCP) approval process under Condition 86, and, after the receipt of pre-dewatering monitoring data and recommendations from a suitably qualified person, but only to the extent that avoidance of damage to building, structures and services can still be achieved.

Advice Note: *There are conditions below that must be complied with when the Alert Level triggers are exceeded. These include actions that must be taken immediately including seeking the advice of a suitably qualified person.*

Alert Level actions

85. In the event of any Alert Level being exceeded the consent holder shall:
- a) Notify the Team Leader – Central Monitoring within 24 hours;
 - b) Re-measure all Monitoring Stations within 50 metres of the affected monitoring location(s) to confirm the extent of apparent movement;
 - c) Ensure the data is reviewed, and advice provided, by a Suitably Qualified Engineering Professional (SQEP) on the need for mitigation measures or other actions necessary to avoid further deformation. Where mitigation measures or other actions are recommended those measures shall be implemented;
 - d) Submit a written report, prepared by the suitably qualified engineering professional responsible for overseeing the monitoring, to the Team Leader – Central Monitoring within 5 working days of Alert Level exceedance. The report shall provide an analysis of all monitoring data relating to the exceedance, actions taken to date to address the issue and recommendations for future remedial actions necessary; and
 - e) Measure and record all Monitoring Stations within 50 metres of the location of any Alert Level exceedance every two days until such time the written report referred to above has been submitted to the Team Leader - Central Monitoring.

Groundwater Monitoring and Contingency Plan

86. At least 20 working days prior to the Commencement of Dewatering, a **Groundwater Monitoring and Contingency Plan (GWMCP)** prepared by a suitably qualified person, shall be submitted to the Team Leader – Central Monitoring to certify that the GWMCP includes the matters listed below. Any proposed amendment of the GWMCP shall also be submitted to the Team Leader - Central Monitoring for written approval in terms of the matters below.

The overall objective of the GWMCP shall be to set out the practices and procedures to be adopted to ensure compliance with the consent conditions and shall include, at a minimum, the following information:

- a) A monitoring location plan showing the location and type of all groundwater monitoring bores based on the plan titled 'Proposed Location of Groundwater Level Monitoring', Figure 5 of the Groundwater Technical Report, prepared by Beca dated January 2018. In any case where the location of a Monitoring Station differs substantively from that shown on "Proposed Location of Groundwater Level Monitoring", Figure 5 of the Groundwater Technical Report, prepared by Beca dated January 2018, a written explanation for the difference shall be provided at the same time that the GWMCP is provided;
- b) Final completed schedule A (as per Condition 84) for the groundwater monitoring programme (including any proposed changes to the monitoring frequency) as required by conditions below;
- c) All groundwater level monitoring data undertaken to date, and required by conditions below;

- d) A bar chart (such as a Gantt chart) showing the timing and frequency of monitoring required by this consent, and, a sample report template for the required 2 monthly monitoring;
 - e) All Alert and Alarm Level triggers (including reasons if changes to such are proposed; for example as a result of recommendations in the building condition surveys or data obtained from pre-dewatering monitoring); and
 - f) Details of the contingency actions to be implemented if Alert or Alarm Levels are exceeded.
87. All construction, dewatering, monitoring and contingency actions shall be carried out in accordance with the approved GWMCP. No bulk excavation (that may affect groundwater levels) or other dewatering activities shall commence until the GWMCP is approved in writing by the Team Leader – Central Monitoring.

Groundwater Monitoring

88. The Consent Holder shall install and maintain groundwater monitoring boreholes at the sites shown in Figure 5 of the report America’s Cup 36: Groundwater Technical Report for Resource Consent Application, Wynyard Basin (Beca, 2018). The Consent Holder shall install the monitoring bores at least 2 months prior to commencement of any in-situ stabilisation.
89. Groundwater level monitoring is to be undertaken in accordance with Schedule B below:

Schedule B: Groundwater Monitoring Frequency					
Bore Name	NZTM Location		Groundwater level monitoring frequency (to an accuracy of 10mm)		
	Easting	Northing	From bore construction until one month before Commencement of Dewatering / Stabilisation	One month before Commencement of, and until Completion of Dewatering / Stabilisation	From Completion of Dewatering / Stabilisation until 6 months later
AC36-PZ01	1756583	5921416	Monthly	Weekly	Monthly
AC36-PZ02	1756673	5921538	Monthly	Weekly	Monthly
AC36-PZ03	1756742	5921606	Monthly	Weekly	Monthly
AC36-PZ04	TBC	TBC	Monthly	Weekly	Monthly

The monitoring frequency may be changed if approved by the Team Leader – Central Monitoring. Any change shall be specified in the GWMCP. In addition, the 6 month monitoring period post Completion of Dewatering may be extended, by the Team Leader – Central Monitoring, if measured groundwater levels are not consistent with inferred seasonal trends or predicted groundwater movement.

Advice Note: *If groundwater level measurements show an inconsistent pattern immediately prior to the Commencement of Dewatering (for example varying more than +/-200mm during a month), then further readings may be required to ensure that an accurate groundwater level baseline is established before dewatering commences.*

Contingency Actions

90. If the consent holder becomes aware of any damage to buildings, structures or services potentially caused wholly, or in part, by the exercise of this consent, the consent holder shall:
- a) Notify the Team Leader – Central Monitoring and the asset owner within 5 working days of the consent holder becoming aware of the damage;
 - b) Seek access permission from the building, structure or asset owner, together with the request that a suitably qualified person is engaged by the consent holder at their its cost, to prepare a report that: describes the damage; identifies the cause of the damage; identifies methods to remedy and/or mitigate the damage that has been caused; identifies the potential for further damage to occur; and describes actions that will be taken to avoid further damage; and
 - c) Provide a copy of the report, prepared under b) above, to the Team Leader – Central Monitoring and the asset owner within 10 working days of notification under a) above.

Reporting

91. At two monthly intervals a report containing all monitoring data required by conditions of this consent shall be submitted to the Team Leader – Central Monitoring. The report shall include a construction progress timeline, a summary interpretation of the monitoring data recorded in that period, and, a comparison of that data with previously recorded data and with the Alert and Alarm Levels for each groundwater bore.

Notice of Completion

92. The Team Leader – Central Monitoring shall be advised in writing within 10 working days of when stabilisation and dewatering has been completed.

Construction Traffic

Construction Traffic Management Plan

93. At least 20 days prior to the commencement of construction activities a **Construction Traffic Management Plan** (CTMP) for the construction activities that is in general accordance with Preliminary CTMP at Appendix 3 to the America's Cup 36: Traffic and Transportation Technical Report for Resource Consent Application, Wynyard Basin and Ferry & Fishing Industry Relocation Facility (Beca, January 2018) shall be submitted to, and approved by, the Council (Team Leader - Central Monitoring in consultation with the Wynyard Quarter Travel Management Association). The purpose of the CTMP is to minimise any potential impacts of construction traffic.
94. The CTMP shall include, but not be limited to:
- a) Appropriate ingress and egress routes to/from the different sites for the construction vehicles, including confirmation of appropriate heavy truck layover areas and over-dimensional vehicle routes;
 - b) Confirmation of typical numbers of truck movements throughout the day;
 - c) Coordination with Panuku and AT regarding other construction sites and streetworks in the Wynyard Precinct;

- d) Restricting parking for workers on construction sites;
- e) Restricting heavy truck movements/ deliveries to and from the construction sites through the Wynyard Precinct from 4pm to 6pm on weekdays;
- f) Undertaking more significant concrete pours in the early hours of the morning where practicable;
- g) Maintaining at least one-way operation of Brigham Street and access to all properties on Brigham Street including the Stolthaven and BST sites from Brigham Street during construction;
- h) Restricting truck movements on Daldy Street;
- i) Monitoring and remediation of any damage to landscaping and pavements on construction haul routes, including (but not limited to) Madden Street;
- j) Specific co-ordination with the Regional Facilities Auckland (Viaduct Events Centre) and New Zealand Maritime Museum regarding access and traffic management arrangements for the wharfs, as well as coordination with other stakeholders;
- k) Specific measures to provide for the safe movement of construction vehicles through high pedestrian demand areas and in the vicinity of site access points;
- l) Restricting or preventing public access to parts of the Halsey Street Extension / Western Viaduct Wharf and the Wynyard Wharf where required for public safety; and
- m) Safe pedestrian access for construction staff to the Wynyard Wharf site.

Construction Staff Travel Plan and Reporting and Monitoring

- 95. At least 20 days prior to the commencement of construction activities a **Construction Staff Travel Plan** (CSTP) for the construction activities shall be submitted to, and approved by, the Council (Team Leader - Central Monitoring in consultation with the Wynyard Quarter Travel Management Association) showing that the activities will be managed to minimise private vehicle travel associated with construction activities.
- 96. The CSTP shall include, but not be limited to:
 - a) Any provision of car or van pooling from contractor depots outside the Wynyard Precinct or City Centre; and
 - b) Providing staff with information on preferential parking locations and rates for those ride sharing.

Construction Noise and Vibration

- 97. Construction noise shall comply with the following Project Standards unless otherwise provided for in the CNVMP (refer Condition 98).

Day	Time	L _{Aeq} (30min)	L _{AFmax}
Monday to Friday	0630 – 1030	75	90
Saturday	0700 – 2300	80	90
Sunday	0900 – 1900	65	85
All other times (night-time)		60	75

98. The draft **Construction Noise and Vibration Management Plan** (CNVMP), prepared by Marshall Day Acoustics (Rp 004 20171213, dated January 2018), must be updated by a suitably qualified person and submitted to the Team Leader – Central Monitoring for certification in terms of the matters in the draft CNVMP and below at least 5 days prior to the commencement of the works. The CNVMP must be implemented throughout the Project, and expanded and updated as appropriate. The CNVMP includes:
- a) A description of the works;
 - b) Hours of operation;
 - c) Contact details for staff responsible for implementation of the CNVMP;
 - d) The construction noise and vibration performance standards for the project;
 - e) Identification of affected sensitive receivers where noise and vibration performance standards apply;
 - f) Management and mitigation options, including the relevant measures from Annex E of NZS 6803:1999 "Acoustics - Construction Noise" and Appendix B of DIN 4150-3:1999 "Structural vibration - Part 3 Effects of vibration on structures", and a procedure to manage the underwater noise effects on marine mammals from impact and vibratory piling methods;
 - g) Methods and frequency of monitoring and reporting; and
 - h) Communication, consultation and complaints response protocol

Construction Lighting Management Plan

99. The Consent holder shall submit a **Construction Lighting Management Plan** (CLMP) or plans to the Team Leader – Central Monitoring for certification in terms of the matters in Condition 100 at least 20 working days prior to commencement of construction.
100. The LMP shall include, but not be limited to:
- a) Construction lighting poles and luminaires that project light forward and sideways (i.e., zero tilt); and
 - b) No lights being directed towards the night sky.

Decommissioning Biosecurity Management Plan

101. In the event that any decommissioning of structures is carried out, the Consent Holder shall submit a **Decommissioning Biosecurity Management Plan** (DBMP) to the Team Leader – Central Monitoring at least six months prior to any works being carried out for certification in terms of the matters in Condition 104.
102. The DBMP shall include, but not be limited to:
- a) Identification of any non-indigenous (threat) species present;
 - b) The potential for transfer of threat species off-site; and
 - c) Measures to minimise transfer of threat species.

Inner Viaduct Harbour Environmental Management Plan

103. The Consent holder shall submit an **Inner Viaduct Harbour Environmental Management Plan** (IVHEMP) to the Team Leader – Central Monitoring for certification in

terms of the matters in Condition 104 at least 20 working days prior to commencement of construction.

104. The IVBEMP shall include, but not be limited to:

- a) Identification of key ecological communities within the Inner Viaduct Harbour and Lighter Quay and the establishment of fixed photo-quadrats on floating pontoons, basin walls and piles. Monitoring of the monitoring points once every 12 months;
- b) Water quality monitoring (covered under the EMP) and aesthetic observations (identification of sheens, floatables, rubbish);
- c) Aesthetic monitoring to be carried out monthly along with photographic record;
- d) Sampling following at least three storm events corresponding to a);
- e) Confirmation of sediment quality at water quality monitoring locations. Sediment quality characterisation to include sediment core photographs, TOC, redox, TPH, copper, lead and zinc;
- f) An assessment of the following matters:
 - (i) Whether water quality in the Inner Viaduct Harbour suitable for contact recreation; and
 - (ii) Whether stormwater discharge to the Inner Viaduct Harbour result in identifiable water quality changes.
- g) Avoidance of new, untreated stormwater discharges from surrounding development into the Inner Viaduct Harbour;
- h) Waste management, including flotsam removal, litter collection from adjacent quays;
- i) Support for any wider Council group initiatives for Freemans Bay catchment stormwater improvement; and
- j) Identification whether the current ecological communities are influenced by the existing flushing within the Inner Viaduct Harbour.

Post Construction Requirements

Industrial and Trade Activities

Industrial and Trade Activities Environmental Management Plans

105. The Consent Holder shall ensure that **Industrial and Trade Activities Hazardous Substances and Environmental Management Plans** (ITA HSEMPs) are prepared for the temporary and permanent America's Cup syndicate bases.
106. The Consent Holder shall submit the ITA HSEMPs to the Team Leader – Central Monitoring for certification in terms of the matters Condition 109 in accordance with the process set out in Conditions 13 to 17.
107. The purpose of the ITA HSEMPs is to set out the Best Practicable Option (BPO) approach to avoid, remedy or mitigate potential adverse effects arising from the ITAs, including treatment devices, operational procedures and management systems.

108. The Consent Holder shall ensure that each site is operated and managed in accordance with the ITA HSEMPs, for the duration that the ITA continues and / or hazardous substance is stored or used at that site.
109. The ITA HSEMPs shall include the following:
- a) Site location, activities, layout and drainage plans;
 - b) Identification of potential contaminants associated with the activities conducted on the site/s and methods to avoid, control and treat discharges of these from the sites as far as practicable;
 - c) Identification of hazardous substances on site;
 - d) Operation and maintenance procedures for treatment devices, which may be contained in a separate plan cross referenced in the ITA HSEMP as required by Condition 119 (design report for stormwater treatment);
 - e) Roles and responsibilities associated with the ITA HSEMP;
 - f) Methods for providing and recording staff training on the ITA HSEMP;
 - g) A programme for auditing site performance against the ITA HSEMP provisions; and
 - h) Reporting and review of the ITA HSEMP.

Stormwater Treatment Devices

110. Stormwater treatment devices for the ITAs shall be provided as set out in Conditions 115 to 124.
111. Stormwater treatment devices for the ITAs shall be operated and maintained in accordance with the ITA HSEMP.

Reporting

112. The Consent Holder shall submit a report to the Team Leader – Central Monitoring every two years in July following the date that ITAs and/or HS handling or storage commenced at the sites. The report shall include:
- a) The performance of the sites against the ITA HSEMP provisions, including the results of any audits required under Condition 109;
 - b) Inspection and maintenance records for the stormwater treatment devices;
 - c) Records of any spills or incidents which occurred within the previous reporting period and the response undertaken; and
 - d) Any updated sections of the ITA HSEMP resulting from the review required under Condition 109.
113. The Consent Holder shall report to the Auckland Harbourmaster or the Auckland Council's 24 Hour Water pollution Hotline (09 377 3107) all spills of Hazardous Substances of Classes 1 to 6, 8 and 9 over 20 litres and all spills of other substances over 50 litres that have entered the stormwater system or a water body from the ITA sites.

Industrial and Trade Activities Spill Response Plans

114. The Consent Holder shall prepare **Industrial and Trade Activities Spill Response Plans** (ITA SRPs) for the temporary and permanent America's Cup syndicate bases (one

SRP), which shall be submitted to the Team Leader – Central Monitoring for certification in terms of the matters in c) below in accordance with the process set out in Conditions 13 to 17:

- a) The purpose of the ITA SRPs is to set out the operational procedures and management systems to mitigate the risk of spills from the ITAs;
- b) The SRP shall apply to each site for the duration that the ITA continues at that site; and
- c) The ITA SRPs shall include the matters in Appendix A to the America's Cup 36: Stormwater and Services Technical Report, for Resource Consent Application, Wynyard Basin and Ferry & Fishing Industry Relocation Facility (Beca, January 2018).

Stormwater Management

Stormwater Systems and Treatment Devices

115. The Consent Holder shall design the stormwater systems and treatment devices in general accordance with the stormwater drawings referred to in Condition 9.
116. Stormwater treatment devices shall be provided on the following structures:
 - a) Wynyard Wharf permanent infill sections;
 - b) Halsey Street Extension Wharf extension; and
 - c) Hobson Wharf extension.
117. The stormwater treatment devices shall be designed to remove 75% of suspended sediment discharges for the design water quality event.
118. The Consent Holder may make modifications to the stormwater systems and treatment devices shown on those drawings, including the use of alternative Council approved stormwater treatment devices, subject to the approval of the Team Leader – Central Monitoring as set out in Conditions 120 and 121.
119. At least 20 working days prior to construction of the proposed stormwater systems and treatment devices, the Consent Holder shall submit a design report, including detailed engineering drawings, specifications, and calculations for the stormwater treatment devices. The details shall include, but not be limited to, the following:
 - a) Confirmation that the design achieves the requirements of Conditions 116 and 117;
 - b) Contributing catchment size and boundaries and impervious percentage;
 - c) Specific design and location of stormwater treatment devices; and
 - d) Supporting calculations for stormwater treatment devices, including capacity and suspended solid removal efficiency.
120. The design report prepared under Condition 119 shall be submitted to the Team Leader – Central Monitoring, and written approval from the Team Leader – Central Monitoring shall be obtained prior to the construction of the stormwater systems and treatment devices that the report includes the matters listed in Condition 119.

121. Any amendments that may affect the performance of the stormwater systems and treatment devices approved under Condition 120 shall be approved by the Team Leader – Central Monitoring prior to the planned implementation of the amendments.
122. Roofs on permanent buildings shall use non high contaminant yielding coatings.

As Built Drawings

123. The Consent Holder shall supply As-Built Drawings for the stormwater systems and treatment devices to the Team Leader – Central Monitoring within 30 working days of the practical completion of the project or of any project stage which is subject to separate practical completion.
124. The As-Built Drawings shall be signed off by a Chartered Professional Engineer and include but not be limited to:
 - a) The as-built locations of stormwater reticulation, treatment devices and outfalls expressed in terms of the New Zealand Transverse Mercator Projection and Chart Datum;
 - b) Stormwater treatment device details including dimensions, design capacity, treatment efficiencies, inlet/outlet levels and discharge rates;
 - c) Photographs at all stormwater outfall locations; and
 - d) Documentation of any discrepancies between the approved design plans under Conditions 120 and 121 and the As-Built Drawings.

Pre-Occupation Conditions

Wynyard Wharf South Area: Bases 6, 7 and 8 Hazardous Substances Risk Emergency Plan

Location of Base Buildings

125. The location of the Base Buildings 6, 7 and 8 shall be in accordance with plans in Condition 9, including the location and layout of the hardstand areas for each base.

Detailed Design

126. Bases 6, 7 and 8 shall be designed and assessed by a chartered engineer to provide fire resistance to an external hydrocarbon fire. The minimum design to be adopted shall ensure that there is sufficient time for an alarm and evacuation to occur without structural compromise or ignition of the building occurring and shall include:
 - a) Design details and materials used to provide fire resistance for the walls, floors and roofs of Base Buildings 6, 7 and 8, including detail of the fire resistance of any windows, doors or entranceways fronting Brigham Street;
 - b) Details regarding the need and suitable location of a sensor (or sensors) to detect a toxic vapour release from the BST and Stolthaven facilities or their external product lines;
 - c) A requirement that occupiers of Base Buildings 6, 7 and 8 cannot fit mechanical ventilation systems (such as air conditioning units) that draw air from outside the building unless the system can be automatically shut down in an emergency;

- d) Location of entrances, access points to the bases and fencing fronting Brigham Street;
- e) Design details of the emergency access route along the eastern side of Wynyard Wharf including openable gates to ensure unimpeded access from Base Buildings 6, 7 and 8 southwards during an emergency; and
- f) Location of any new or replaced product lines to the BST and Stolthaven hazardous substances facilities.

Occupant Numbers

127. The total number of people at any one time at Bases 6, 7 and 8 shall not exceed 100 persons per base.

Activities

128. The use and occupation of Bases 6, 7 and 8 is limited to Marine and Port Activities as defined in the Auckland Unitary Plan.

Emergency Evacuation Plan

129. Prior to the occupation of Base Building 6, 7 and 8, the consent holder shall provide to the satisfaction of the Team Leader – Central Monitoring a comprehensive **Emergency Evacuation Plan** for Bases 6, 7 and 8 prepared by an appropriately qualified person. The Emergency Evacuation Plan shall include (but not exclusively) provisions to cater for an emergency which may arise from a fire, explosion, or the release of toxic vapour occurring on the Stolthaven and BST hazardous substances facilities or their external product lines to Wynyard Wharf. The Emergency Evacuation Plan shall also:

- a) Include an evacuation scheme prepared in accordance with the Fire and Safety Evacuation of Buildings Regulations 2006 which shall also take into account any additional items which may arise and are considered appropriate in respect of any hazardous incident associated with a fire, explosion, or the release of toxic vapour occurring on the Stolthaven and BST hazardous substances facilities or their external product lines to Wynyard Wharf. In particular, consideration shall be given to:
 - (i) Alarm systems;
 - (ii) Evacuation and egress times;
 - (iii) Emergency services access;
 - (iv) Provision of appropriate information;
 - (v) Information on direction of egress; and
 - (vi) Induction and training of staff.
- b) Ensure a continuous route for emergency access is maintained along the eastern side of Wynyard Wharf to North Wharf for occupiers of Base Buildings 6, 7 and 8;
- c) Access for emergency service vehicles is maintained along Brigham Street and via Hamer Street to the Wynyard Wharf South area;
- d) Include a provision requiring the Emergency Evacuation Plan to be reviewed at a minimum of 12 month intervals, commencing from the date of first occupation of the Bases. This shall take into account any learnings from the implementation of the Plan in the prior 12 months in response to a hazardous incident occurring; and

- e) Ensure the Emergency Evacuation Plan is consistent with the guidance in the *Emergency Evacuation Plan: Jellicoe Street, Silo Park & Gateway Plaza, Wynyard Quarter Auckland* (by Holmes Fire Safety, 25 May 2011 Rev B).

Wynyard Wharf South Waterspace area

130. Prior to the berthage of super yachts in the Wynyard Wharf South waterspace area, the current emergency plan for North Wharf (*Emergency Evacuation Plan: Site 14 Redevelopment, Wynyard Quarter Auckland* (by Holmes Fire Safety, 25 May 2011 Rev B)) shall be updated to ensure egress / evacuation arrangements are included for super yachts berthed in this area that could be potentially affected by an ammonia release from the nearby Sanford facility.

Advice Note: *The consent holder and Auckland Transport is advised they will need to ensure adequate access for emergency service vehicles to the Wynyard Wharf South area is maintained for the duration of the occupation of the bases. In particular, the consent holder and Auckland Transport are advised of the following safety-related implementation actions:*

- *Removal of public parking along Brigham Street;*
- *Management of public access onto Hamer Street and Brigham Street during the AC36 event (through the EMP) by establishing access cordons at the Silo park and North Wharf junctions with these streets;*
- *The AC36 event parking and any public parking is limited to land areas in Wynyard Precinct that are south of Jellicoe Street, or are located outside the Precinct.*

Servicing and Delivery Plans

131. At least 20 days prior to the commencement of use of the syndicate bases and superyacht facilities on Hobson Wharf or Halsey Street Extension Wharf / Western Viaduct Wharf a **Servicing and Delivery Plans** (SDPs) shall be submitted to, and approved by, the Council (Team Leader - Central Monitoring in consultation with the Wynyard Quarter Travel Management Association and relevant stakeholders identified in Condition 33). The purpose of the SDPs is to address the management, timing and location of deliveries to the bases for activities prior to the event and the management, timing and location of deliveries to the bases and any other activities including the Viaduct Events Centre, media centre and the NZ Maritime Museum, for activities during the event.

132. The SDPs shall, as applicable to the operations they address, include:
- (a) One SDP each for the Hobson Wharf and Halsey Street Extension Wharf / Western Viaduct Wharf/North Wharf sites addressing both the syndicate bases and superyachts; and
 - (b) Loading zones and the associated changes to the parking on Brigham Street to enable servicing/deliveries to the adjacent syndicate bases, whilst enabling heavy vehicle movements to/from the BST and Stolthaven properties.

Event Management Plan

133. At least 20 days prior to the commencement of a significant AC36 event being held on Hobson Wharf or Halsey Street Extension Wharf / Western Viaduct Wharf an **Event Management Plan** (EMP) and the plans in Condition 135 shall be submitted to, and

approved by, the Council (Team Leader - Central Monitoring in consultation with the Wynyard Quarter Travel Management Association and relevant stakeholders identified in Condition 33). The purpose of the EMP is to provide the overall mitigation of the traffic-related effects of the AC36 event.

134. The EMP shall be implemented when a significant AC36 event is held on Hobson Wharf or Halsey Street Extension Wharf / Western Viaduct Wharf. The EMP shall:
- a) Identify of a range of event modes, which may differ according to location, duration, timing and occupancy;
 - b) Reference and align with the 'Key Principles for Delivering Events' from Auckland Council's Events Policy; and
 - c) Provide details or measures, through the plans identified in Condition 135, (but not be limited to) with regard to the following matters:
 - (i) Marshalling and management of pedestrian and vehicle access to Hobson Wharf and Halsey Street Extension/ Western Viaduct Wharf;
 - (ii) Marshalling and management of vehicle access to Brigham and Hamer Streets, as well as temporary parking restrictions in this area;
 - (iii) Potential marshalling and management of vehicle access to sections of Jellicoe and Halsey Streets, as well as temporary parking restrictions in this area;
 - (iv) Identify public bus service routes and stops in consultation with Auckland Transport;
 - (v) Identify of temporary private bus and coach pick-up / drop-off locations, as well as temporary pick-up / drop-off location/s for taxis and private hire vehicles; and
 - (vi) Identify potentially management measures, as necessary, to address any impacts on or in the vicinity of the Te Wero bridge, which will be informed by more detailed pedestrian modelling and the Pedestrian Management Plan.
135. The EMP shall incorporate or refer to the following management plans:
- a) An **Event Transport Plan** (ETP), including :
 - (i) A Travel Demand Strategy to discourage driving and this will need to be clearly communicated to the public along with the promotion of sustainable modes of travel; and
 - (ii) Any changes to SDPs for activities during the significant event.
 - b) A **Pedestrian Management Plan** (PMP) that shall provide dedicated access routes for different users, identify signage and wayfinding, and implement access control across the wharfs. The PMP shall be informed by further detailed pedestrian modelling.
 - c) A **Traffic Management Plan** (TMP) that shall provide details or measures to manage the circulation of vehicle and parking movements in combination with the Event Transport Plan. The TMP shall include Site-Specific Traffic Management Plan (SSTMPs), which shall address any temporary parking restrictions and road closures during the event; and
 - d) An **Emergency Management Plan** (EmMP) that shall:

- (i) Incorporate operational and emergency management plans, including evacuation requirements that are integrated with other local evacuation plans;
 - (ii) Identify public address and communications plans for the event site;
 - (iii) Provide signage and wayfinding; and
 - (iv) Establish an operational and emergency control rooms.
- e) A **Lighting Management Plan** (LMP) that shall include:
- (i) A map of surrounding light sensitive areas;
 - (ii) AUP:OP requirements for pre-curfew and curfew levels for spill light and glare and general lighting planning rules;
 - (iii) Design to be in accordance with CPTED principles and consistent with E24.6.1 General Standards in the AUP:OP – Rules as applicable;
 - (iv) Layout and luminaire type of temporary lighting
 - (v) Location and orientation of big screens, feature lighting and lighting for hospitality features
 - (vi) Outside broadcast area location; and
 - (vii) 10pm shut down time for temporary additional event lighting.

Syndicate Staff Travel Plans (SSTPs)

136. At least 20 days prior to the occupation of each syndicate base a **Syndicate Staff Travel Plan** for the base activities both prior to and during the AC36 event shall be submitted to, and approved by, the Council (Team Leader - Central Monitoring in consultation with the Wynyard Quarter Travel Management Association) showing that the activities will be managed to minimise private vehicle travel associated with base activities.

Operational Noise Management Plan

137. Noise events (excluding crowd noise) shall comply with requirements of Auckland Unitary Plan - Operative in Part (AUP OIP) Standards I214.6.4 (4) and I211.6.1, except the noise limits in Standards I214.6.4 (4) (a) and I211.6.1 (a) (ii) shall be replaced with the following:

- a) High noise events: 82 dB L_{Aeq} and 90 dB L_{A01}
- b) Medium noise events: 72 dB L_{Aeq} and 80 dB L_{A01}