

## Proposed designation conditions

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### General Conditions

DC1. The location, design, implementation, and operation of the Works within the designated area shall be undertaken in general accordance with the Notice of Requirement and its associated plans and documents with the information provided by the Requiring Authority (dated 29 September 2023) including:

- a. "Whenuapai Wastewater Servicing Scheme Package 1 – Notice of Requirement – Assessment of Effects on the Environment" prepared by Beca on behalf of Watercare, dated 29 September 2023.
- b. Designation drawings prepared by Beca Ltd titled:
  - Whenuapai Wastewater Servicing Scheme Phase 1 Brigham Creek Road, Whenuapai, Designation – Gravity Pipeline, Rev 3, dated 19 September 2022
  - Whenuapai Wastewater Servicing Scheme Phase 1 Brigham Creek Road, Whenuapai, Designation – Pump Station, Rev 3, dated 19 September 2022
  - Whenuapai Wastewater Servicing Scheme Phase 1 Brigham Creek Road, Whenuapai, Designation – Rising Main, Rev 3, dated 19 September 2022

Except as required by Condition DC2 below, an outline plan shall not be required and is waived unless there are more than minor changes to the referenced plans in which case Watercare Services Limited shall clearly identify these changes to Council at least 20 working days prior to construction, and the Council may then require an outline plan of works to be submitted in terms of section 176A of the RMA.

DC2. The Requiring Authority shall submit and Outline Plan of Works for the construction of the Break Pressure Chamber in accordance with section 176A of the RMA, unless the Council has waived the requirement for an Outline Plan of Works in accordance with Section 176(2)(c) of the RMA.

DC3. Where there may be inconsistencies between information provided by the applicant and conditions of the designation, these conditions prevail.

*Note: The conditions of this designation have been specifically prepared to manage the construction of the project. Within the exception of the following conditions, all conditions will expire and may be removed from this designation in accordance with s182 of the RMA, upon completion of Works:*

- DC4
- DC5
- DC19

DC4. As soon as practicable following completion of commissioning of the Project, the Requiring Authority shall, in consultation with the Council:

- a. review the extent of the area designated for the Project;

- b. identify any areas of designated land that are no longer necessary for the ongoing operation, maintenance, renewal and protection of the Project and associated structures and activities;
- c. identify, in consultation with Auckland Transport any areas of the designation within road reserve that are no longer necessary as the completed infrastructure is otherwise provided for and adequately protected by provisions of the Local Government (Auckland Council) Act 2009 and Utilities Access Act 2010;
- d. give notice to the Council in accordance with Section 182 of the RMA for the removal of those parts of the designation identified in (b) above, which are not required for the long-term operation, maintenance, renewal and protection of the Project; and
- e. provide as-built plans to the Council's Team Leader, Compliance and Monitoring, Resource Consents.

DC5. The designation shall lapse on the expiry of a period of 10 years after the date on which the last of any appeals on all consents and notices of requirement associated with the Project is withdrawn or determined, or, if no appeals are lodged, the date on which the notices of requirement are included in the AUP in accordance with section 184(1)(c) of the RMA, unless:

- a. it has been given effect before the end of that period; or
- b. the Council determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made; and fixes a longer period for the purposes of this subsection.

### Work hours

DC6. Normal working hours for onsite construction activities will be as follows:

- a. 7:30am to 6.00pm Monday to Saturday (excluding public holidays).
- b. Heavy construction vehicles shall be restricted from travelling westbound on Brigham Creek Road between 23-27 Brigham Creek Road and the SH16 roundabout between the hours of 16:30 to 17:30 Monday to Friday.
- c. If any construction work or specialised heavy vehicle movements cannot be reasonably undertaken during normal working hours, these shall be identified in the Construction Environmental Management Plan and/or the Construction Traffic Management Plan required by Condition DC.6).

Other construction related activities, such as site set up or delivery of pipes, may occur outside of the standard hours set out in DC5(a) above, if they meet the noise levels in DC.14.

*Advice note: Heavy construction vehicles refers to all construction vehicles, except for utes, vans or small cars.*

DC7. If required, open trenching works through Brigham Creek Road will occur during the Christmas Holiday period with 1-lane 2 way operation on Brigham Creek Road

*Note: Exemptions to the movement of heavy construction vehicles to and from the site is subject to the requirements of the Corridor Access Request process by the Road Controlling Authority.*

*The Christmas Holiday Period is defined as between the 25th December and the end of the third full week of January) or as agreed with Auckland Transport.*

### **Construction and Environment Management Plan**

DC8. A Construction and Environment Management Plan (CEMP) shall be submitted to Council for certification at least 20 working days prior to the commencement of construction.

The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve this objective the CEMP shall include:

- a. Construction methodologies and construction timeframes, including:
  - i. Details of staging (if required);
  - ii. Details of methods to provide for the stability of any temporary cut or fill faces;
  - iii. Measures for the management of any temporary stockpiling of material on the site;
- b. The proposed hours of work;
- c. Staff and contractors' responsibilities;
- d. Measures to control dust from the works;
- e. Public safety;
- f. Training requirements for employees, sub-contractors and visitors;
- g. Environmental incident, emergency management and spill contingency plan;
- h. Site reinstatement upon completion of the construction activities
- i. Communication and interface procedures;
- j. Complaints management (in accordance with condition DC.22);
- k. Compliance monitoring;
- l. Environmental reporting;
- m. Corrective actions;
- n. Site inspection and environmental auditing procedures; and
- o. Contact details for the person in charge of the works.

### **Construction Traffic Management Plan**

DC9. A Construction Traffic Management Plan (CTMP) prepared in consultation with Auckland Transport shall be provided to Auckland Council for certification at least 20 working days prior to commencement of construction. The purpose of the CTMP is to manage the traffic effects during construction so that safe, adequate, and convenient routes for local movements by all transport modes are maintained throughout the construction of the Project. The CTMP shall be prepared in accordance with the Council's requirements for traffic management plans or CTMPs (as applicable) and the Waka Kotahi Code of Practice for Temporary Traffic Management

The CTMP shall be maintained and implemented throughout the entire construction period. The CTMP must be prepared by a suitably qualified person and include:

- a. Safety control measures such as fencing, barriers, hoarding and signage;
- b. Details of the temporary Site Access Points (SAPs) including:
  - i. The access for SAP1 at 23-27 Brigham Creek Road as required by Condition DC9
  - ii. Measures to enable heavy construction vehicles to operate on a left in / left out basis from the entrance to sites at SAP 1 at 23-27 Brigham Creek Road, and SAP 3 at 20-22 Brigham Creek Road
  - iii. Measures to ensure safe access for heavy vehicles to SAPs such as signage, temporary speed limit zones and deceleration lanes.

- iv. Measures to repair any damage to the road directly caused by heavy vehicles entering or existing the site within two weeks or within an alternative timeframe agreed with Auckland Transport.
- c. Measures to ensure safe turning movements for heavy vehicles using intersections at Trig Road / Spedding Road and Spedding Road / Māmari Road. Measures may include turning restrictions, localised widening, vegetation removal or trimming, use of smaller trucks.
- d. Measures to maintain access for residents and visitors along Brigham Creek Road, Spedding Road, and Mamari Road.
- e. Measures to inform the public and engage with local residents (specifically Spedding and Mamari Road residents), local businesses, Timatanga Community School and other sensitive receivers.
- f. Contact details for appropriate person(s) implementing the CTMP, including after-hours contact details
- g. Measures to prevent mud or other excavated material from being dropped on the road by construction vehicles. This should include cleaning facilities within the site and resources for prompt clean up in the event that material is dropped on the road.

*Note: The CTMP shall be prepared in accordance with the requirements of the Corridor Access Request to the Road Controlling Authority.*

#### **Site Access at 23-27 Brigham Creek Road**

- DC10. For the purposes of construction, the width of the temporary vehicle crossing (SAP 1) at 23-27 Brigham Creek Road shall be at least 15.0m wide, or as otherwise agreed with Auckland Transport.
- DC11. Once construction of the works is complete, the width of the vehicle crossing to Brigham Creek Road shall be reduced to 7.0 m, or as otherwise agreed with Auckland Transport.
- DC12. The Requiring Authority shall provide the final design of the permanent accessway at 23-27 Brigham Creek Road, which has been designed in accordance with Auckland Transport's Transport Design Manual (TDM) standards and approved by Auckland Transport, to Auckland Council.

#### **Construction Noise and Vibration Management Plan**

- DC13. A Construction Noise and Vibration Management Plan (CNVMP) shall be prepared by an appropriately qualified person and submitted to the Council for certification at least 20 working days prior to construction commencing.

The purpose of the CNVMP is to enable the best practicable option to be utilised to minimise construction noise and vibration from the works and to minimise any exceedance of the criteria set out in Condition DC14. The consent holder must implement the certified CNVMP for the duration of construction works and keep an up-to-date copy at the construction site.

As a minimum, the finalised CNVMP must include the following information:

- a. The proposed works, anticipated equipment / processes and their scheduled durations.
- b. Hours of operation including times and days when activities causing noise and/or vibration will occur, including where work is required to be outside normal working hours (as outlined in DC.5).
- c. The construction noise and vibration criteria for the Project.
- d. Mitigation options including alternative strategies to identify and implement the Best Practicable Option (BPO) in accordance with section 16 of the RMA, where full compliance with the relevant noise and/or vibration criteria cannot be achieved.

- e. Identification of any properties that require a pre-construction survey.
- f. Methods and frequency for monitoring and reporting on construction noise and vibration.
- g. Specify an exemption process for approval by the Council for any construction work that cannot be undertaken during approved working hours
- h. Communication, consultation, and complaints response protocols as required by Condition DC.13.
- i. Noise and vibration monitoring and reporting requirements as required by Condition DC.15
- j. Procedures for review of the CNVMP throughout the works.

### Noise Communication Protocols

DC14. At a minimum, communication protocols included in the CNVMP will include provision of written communication to:

- a. all occupants of all neighbouring buildings within 50 m of the extent of the proposed construction works, at least 1 week prior to the Project commencing; and
- b. all occupants of buildings predicted to receive vibration levels exceeding 2 mm/s PPV for more than three days, at least 3 days prior to the works commencing

The written advice shall acknowledge that some activities are predicted to generate high noise and / or vibration levels that may result in disturbance for short periods, and include a brief description of the works, the expected timing of the works, and contact details where any concerns regarding noise and vibration should be directed.

### Construction Noise

DC15. Construction noise shall be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction Noise. The construction noise shall, where practicable, comply with the following criteria for the purposes of the CNVMP:

Time of week	Time period	Contractor Areas (North, Hub and South) and pump station		Laydown Area adjacent to Tamiro Road and pipeline	
		dB LAeq (15min)	dB LAF (max)	dB LAeq (15min)	dB LAF (max)
Weekdays	0630-0730	55	75	60	75
	0730-1800	70	85	75	90
	1800-2000	65	80	70	85
	2000-0630	45	75	45	75
Saturdays	0630-0730	45	75	45	75
	0730-1800	70	85	75	90
	1800-2000	45	75	45	75
	2000-0630	45	75	45	75
Sundays and public holidays	0630-0730	45	75	45	75
	0730-1800	55	85	55	85
	1800-2000	45	75	45	75
	2000-0630	45	75	45	75

Where compliance with the noise standards set out in Condition DC.14 is not practicable, these activities and receivers shall be identified in the CNVMP required by DC123 and the methods for managing or mitigating effects in accordance with the best practicable option shall be specified.

### Construction Vibration

DC16. Except as provided for below, vibration levels arising from construction activity on the site shall not exceed 2 mm/s peak particle velocity in occupied buildings in any axis when measured in the corner

of the floor of the storey of interest for multi-storey buildings, or within 500 mm of ground level at the foundation of a single storey building as specified in AUP (OP) E25.6.30(1)(b).

- a. If measured or predicted vibration from construction activities exceeds 2 mm/s PPV at occupied buildings, the Requiring Authority shall consult with the affected receiver to:
  - i. Discuss the nature of the works and the anticipated days and hours when the exceedances are likely to occur; and
  - ii. Determine whether the exceedances could be timed or managed to reduce the effects on the receiver

The Requiring Authority shall maintain a record of these discussions and make them available to Council on its request.

DC17. A level of 2 mm/s PPV shall not be exceeded for more than three days in any 14 day period at any one occupied building, and must not exceed 5 mm/s PPV at all times, unless agreed in writing with the owner and / or occupier. Those exceedance days are to be made known to the owner and/or occupier of the building, unless agreed in writing with the owner and /or occupier. Any such agreement shall be available to Council on request.

### **Construction Noise and Vibration Monitoring**

DC18. The consent holder must engage a suitably qualified acoustic specialist to carry out noise and vibration monitoring at the first occurrence of activities that generate high noise and / or vibration levels close to receptor sites, for the purpose of validating the levels predicted in the noise and vibration assessment.

### **Landscape and Visual**

DC19. The Requiring Authority shall ensure that all above ground structures associated with the pump station at 23-27 Bringham Creek Road are painted and maintained using paints in recessive colours i.e. dark greys and greens.

DC20. Any vegetation removed (if required) from the Tamiro Road stormwater embankment shall be replaced on a 1 to 1.5 basis or as otherwise agreed with Council.

### **Terrestrial Ecology**

DC21. Prior to the commencement of removal of trees from the works area, the Consent Holder shall engage a suitably qualified bat ecologist to undertake a survey following Department of Conservation best practice methods. The purpose of the survey will be to determine the presence/ activity of bats within the trees proposed for removal.

DC22. If bats are confirmed to be present following the survey required by Condition DC21, then prior to the commencement of removal of the trees the Consent Holder shall submit a Bat Management Plan (BMP) for approval by the Team Leader – Compliance Monitoring. No tree removal shall commence until confirmation from the Team Leader - Compliance Monitoring that the BMP is satisfactory.

DC23. The BMP shall include:

- a. Detailed descriptions of methods to avoid impacts on bats, including bat surveys, salvage protocols, relocation protocols, supervised habitat clearance/transfer protocols.

- b. Roles and responsibilities for persons implementing the BMP including the credentials and contacts details for the ecologist(s) or other specialist(s) (for example, chiropterologist) who will be implementing the plan.
- c. If bats are confirmed to be occupying a tree scheduled for removal, a buffer will be placed around the active roost within which no works can be undertaken until the roost is vacated. If active roosts are identified immediately adjacent to the development footprint, a 50m buffer will be retained for the duration of roosting to preserve microclimate conditions and protect the tree/s from windthrow.
- d. Where bats are confirmed to be present, the trees shall be removed only upon the guidance of the appointed Bat Ecologist who shall be present throughout the tree clearance works.
- e. Timing of the implementation of the BMP.

DC24. If a BMP is required by condition DC23 above, all works shall be undertaken in accordance with the certified Bat Management Plan (BMP).

DC25. Prior to the commencement of any vegetation removal works from the project area, the Consent Holder shall employ a suitably qualified ecologist/herpetologist to undertake a lizard survey to determine if there are sufficient numbers of native lizards, geckos or skinks (or both) present on site to trigger a requirement that a Lizard Management Plan (LMP).

DC26. A LMP will be required if the survey results in the detection of:

- a. 1 or more individuals of a threatened native lizard species or;
- b. 3 or more individuals of a common native lizard species.

DC27. If the survey required by condition DC25 above detects native lizards in sufficient numbers to trigger the need for a LMP, the Consent Holder shall, prior to the commencement of any vegetation removal works, submit and have certified by the Team Leader – North West Monitoring, a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced ecologist/herpetologist.

DC28. The LMP Plan shall follow industry best practice and be designed so as to achieve the following two objectives:

- a. The population of each species of native lizard present on the site at which vegetation clearance is to occur shall be maintained or enhanced, either on the same site or at an appropriate alternative site; and
- b. The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development.

DC29. If an LMP is required by condition DC27 above, all works on site must comply with the certified LMP.

DC30. If an LMP is required by condition DC27 above, upon completion of works, all findings resulting from the implementation of the LMP shall 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 shall be sent to the Team Leader – North West Monitoring.

*Advice Note 1: The Wildlife Act 1953*



*All native lizards are totally protected under the Wildlife Act 1953 under which it is an offence to disturb, harm, or remove them without a permit from the Minister of Conservation.*

*For further information on lizards that are protected under the Wildlife Act and determination of a suitable new habitat please contact the council's Biodiversity team (Team Leader – North West Biodiversity, on biodiversity@aucklandcouncil.govt.nz).*

*Advice Note 2: Correspondence*

*All correspondence relating to lizard management conditions can be emailed to monitoring@aucklandcouncil.govt.nz and cc'd to biodiversity@aucklandcouncil.govt.nz*

- DC31. Vegetation removal shall take place outside of the bird breeding season (early September to end of February inclusive) to the extent practicable. Where vegetation clearance is required to be undertaken during the main native bird nesting season, all suitable nesting vegetation to be cleared shall be inspected by a suitably qualified ecologist, for signs of indigenous birds prior to clearance. If indigenous birds are found nesting, clearance of the nesting vegetation shall be delayed until the residing chicks have fledged.

### **Network Utilities**

- DC32. Prior to works commencing, the consent holder is to arrange a pre-start meeting with the works principal, contractor, and Healthy Waters, to manage risk to Healthy Waters assets.
- DC33. CCTV of the stormwater outlet will be undertaken prior to commencement of construction and at completion of construction for works underneath the Tamiro Road Stormwater Embankment, to identify any damage resulting from the works. Watercare shall provide the post construction CCTV, and a report identifying any damage and potential repair or replacement options, to Healthy Waters (Healthy Waters, Operations North, Team Manager) within one month of completion of construction for works adjacent to the Tamiro Road Stormwater Embankment. Repair or replacement of any damage identified due to the works shall be undertaken by Watercare at no cost to Healthy Waters, and in accordance with the repair or replacement option agreed to with Healthy Waters.

### **Defence**

- DC34. All permanent structures at SECT 1 SO 582220 (8 Spedding Road, Figure 1) must be lower than the level of the designated Obstacle Limitation Surface (OLS)
- DC35. No construction or maintenance machinery or activities at 8 Spedding Road or SECT 2 SO 582220 (32 Mamari Road) shall exceed the level of the designated OLS, unless written approval, including any additional conditions, has been obtained from NZ Defence Force (NZDF). Any such approvals will not be unreasonably withheld.

*Advice Note 1:*

*Some construction works will temporarily breach the OLS level. Including but not limited to, movement of the tunnel boring machine, installation of piles, reinforcing, and foundations. NZDF have indicated that this is acceptable in principle, provided adherence to all other conditions as relevant.*

*Advice Note 2:*

*Civil Aviation Authority (CAA) rules and regulations apply in relation to the height of permanent and temporary obstacles (including but not limited to structures, construction equipment, cranes and*



trees) within the Obstacle Limitation Surface for RNZAF Base Whenuapai. All persons carrying out work under this designation and any related building consent must therefore comply with all obligations arising under CAA rules and regulations, including obligations to notify the Director CAA as outlined in CAA Rules Part 77. Parties are advised to contact CAA for further information

- DC36. At least 20 working days prior to any construction activity occurring at 8 Spedding Road or 32 Mamari Road, a Communications Plan shall be prepared in draft and provided to NZDF for comment, acceptance, finalisation and implementation.

Points of contact for all communications with NZDF and/or RNZAF Base Auckland are:

- a. Airfield Manager,  
Mr Junior Saaga  
Email - WPAirfieldManager@NZDF.mil.nz
- b. Principal Statutory Planner  
Ms Rebecca Davies  
Email – Environment@nzdf.mil.nz

*Advice Note 1:*

*The purpose of the Communications Plan will be to establish appropriate communication and notification procedures with RNZAF Base Auckland specifically in relation to construction and maintenance activities occurring on site. If comment has not been received from NZDF within 20 working days of provision, the Communications Plan shall be deemed accepted*

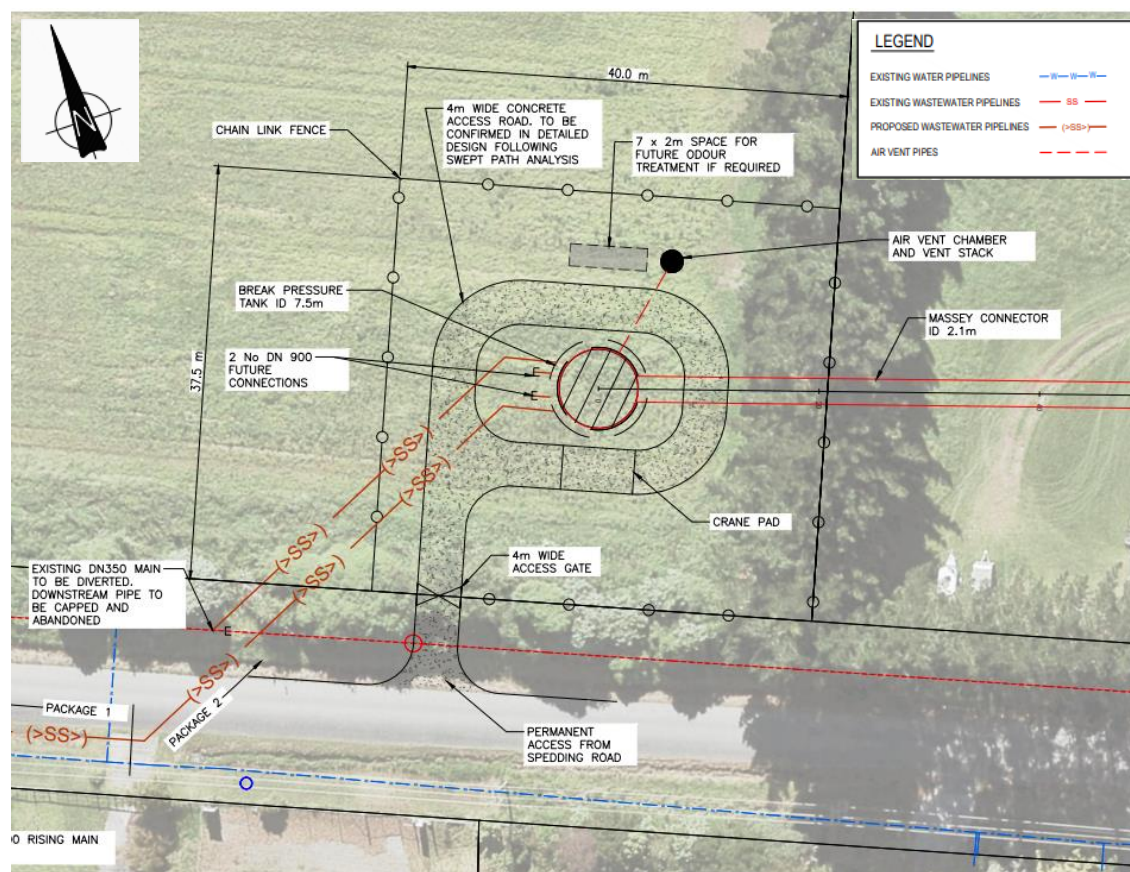


Figure 1. Break Pressure Tank Site Layout 8 Spedding Road