

NOTICE OF REQUIREMENT FOR DESIGNATION OF LAND UNDER s168(2) OF THE RESOURCE MANAGEMENT ACT 1991

TO: Auckland Council

FROM: Auckland Transport

Auckland Transport (AT) (an Auckland Council Controlled Organisation) as a Requiring Authority under section 167 of the Resource Management Act 1991 (RMA) gives notice of requirement (NoR) for a designation in the Auckland Unitary Plan for a public work, being the construction, operation, and maintenance of Eastern Busway 2 on land between the intersection of Ti Rakau Drive/ SEART and Pakuranga Road/William Reeves Road, Pakuranga).

1 SUMMARY

Auckland Transport has sought resource consent and prepared a Notice of Requirement for the Eastern Busway Stage 2 (EB2). EB2 is located at Pakuranga Town Centre and encompasses works on Ti Rakau Drive, Pakuranga Road, Reeves Road, Cortina Place, Palm Avenue, Aylesbury Street, Pennell Place, and the South-Eastern Highway (SEART). EB2 forms part of the wider Eastern Busway Project (the Project), a multi-stage transport project being undertaken between Panmure and Botany to improve the transport networks across south-east Tāmaki Makaurau Auckland. EB2 will help address network congestion, provide improved transport choices, address network safety issues, and support the urban intensification of Tāmaki Makaurau Auckland.

These works will involve an extension of the existing Panmure to Pakuranga busway, with the construction of a new Pakuranga Bus Station. EB2 also involves the construction of the Reeves Road Flyover (RRF), as well as modifications to the on and off ramps of SEART. Lastly, local walking, cycling and stormwater infrastructure will be upgraded.

The purpose of the designation is for the construction, operation, and maintenance of an arterial transport corridor. The activities to be enabled by the designation include environmental mitigation, temporary construction areas, ancillary structures and other activities required for the Project.

The Project Objectives for EB2 are:

1. Provide a multi modal transport corridor that connects Pakuranga and Botany to the wider network and increases access to a choice of transport options
2. Provide transport infrastructure that integrates with existing land use and supports a quality, compact urban form
3. Provide transport infrastructure that improves linkages, journey time and reliability of the public transport network
4. Contribute to accessibility and place shaping by providing better transport connections between, within and to the town centre
5. Provide transport infrastructure that is safe for everyone
6. Safeguard future transport infrastructure required at (or in vicinity of) Botany Town Centre to support the development of a strategic public transport connection to Auckland Airport.



As an approved Requiring Authority under section 176 of the RMA via section 47(1) of the Local Government (Auckland Council) Act 2009, Auckland Transport may designate to construct, operate, and maintain a road and undertake ancillary activities.

2 THE SITE TO WHICH THE REQUIREMENT APPLIES IS AS FOLLOWS:

The affected sites that relate to this NoR are detailed in Table 1 and the record of titles are provided in Appendix 23 to the Assessment of Effects on the Environment (AEE). The land requirement plans for the Project are provided as Appendix 2 to the AEE.

Table 1: Sites affected by the NoR

Property Address	Legal Description	Type of Ownership	Area to be designated (m ²)
1/183, 185, 3/183, 4/183 Pakuranga Road	LOT 5-6 DP 40172, FLAT 1 DP 113712, FLAT 2 DP 205526, FLAT 3, CARPORT 3 and 5 DP192118, FLAT 4, CARPORT 4 DP 192118	Private	139
10 Aylesbury Street	LOT 1 DP 158869	Private	891
11 Reeves Road	LOT 19 DP 52255	Private	86
13R Reeves Road	LOT 22 DP 52255	Auckland Council	1675
140S Pakuranga Road	PT LOT 1 DP 37727, LOT 2 DP 37727, LOT1 DP 39094, PT LOT 12 DP 14882, LOT 67DP 138440, PT ALLT 281 PAROPAKURANGA	Private	294
167 Pakuranga Road	LOT 1 DP 53672	Private	434
1,2,3/169 Pakuranga Road	LOT 1 DP 47230, FLAT 1, 2 & 3 DP 70609	Private	1001
1,2,3/171 Pakuranga Road	LOT 2 DP 47230, FLAT 1, 2 & 3 DP 68355	Private	1002
1,2,4/173 and 173C Pakuranga Road	LOT 3 DP 47230 UNIT A, B, 1C, 1D, DP 86456, AU 1, 2, 3, 4 DP 86456	Auckland Council	1391
1R Dale Crescent	Section 33 SO 70581 and Part Lots 37-41 SO 70581	Auckland Council	2585
2 & 4 Seven Oaks Drive	Part Lot 31 & 32 DP 48712, SO 70581	Auckland Council	690
27R William Roberts Road	LOT 1 DP 51777 Allotment 322, 323, 324 Psh of Pakuranga LOT 101, 102 & 103 DP 52151	Auckland Council	4701
2R Ti Rakau Drive	LOT 12 DP 55286, LOT 3 DP 55286, LOT 2 DP 53672, LOT 4 DP 55286	Auckland Council	12345
7 Aylesbury Street	Unit A, B, C, D, E, F, G, H, I, J, K, L, M, N Lot 2 DP 158869	Private	226
96R Pakuranga Road (Bus Stop Reserve)	PT LOT 5 DP 52174	Auckland Council	1135



26 Ti Rakau Drive	LOT 1 DP 156314	Private	5775
2 William Roberts Road	LOT 1 DP 69718	Auckland Council	582
2A William Roberts Road	LOT 2 DP 69718	Auckland Council	566
3 William Roberts Road	LOT 4 DP 47230	Auckland Council	1156
5, 1/5, 2/5 William Roberts Road	LOT 2 DP 82843, LOT 2 DP 82843 FLAT 1 DP 89655 and FLAT 2 DP 89655	Auckland Council	930
7 William Roberts Road	LOT 1 DP 203448	Auckland Council	356
7A William Roberts Road	LOT 2 DP 205609	Auckland Council	364
7B William Roberts Road	LOT 3 DP 205609	Auckland Council	374
9 William Roberts Road	LOT 5 DP 47230	Auckland Council	943
11 William Roberts Road	PT LOT 6 DP 47230	Auckland Council	926
13 William Roberts Road	LOT 1 DP 60995, PT LOT 12 DP 47230	Auckland Council	1063
15, 1/15, 2/15 William Roberts Road	PT LOT 2 DP 60995, PT LOT 2 DP 60995, FLAT 1 DP 103942 and FLAT 2 DP 103942	Auckland Council	954
17 William Roberts Road	LOT 2 DP 103948	Auckland Council	1380
19 William Roberts Road	LOT 1 DP 103948	Auckland Council	1562
177 Pakuranga Road	LOT 2 DP 40172	Auckland Council	923
179 Pakuranga Road	LOT 3 DP 40172	Auckland Council	923
181 Pakuranga Road	LOT 4 DP 40172	Auckland Council	923
187 Pakuranga Road	LOT 1 DP 200020, 1/2 SH LOT 3 DP 200020	Auckland Council	429
187A Pakuranga Road	LOT 2 DP 200020, 1/2 SH LOT 3 DP 200020	Auckland Council	330
2 Cortina Place	LOT 17 DP 52255, LOT 18 DP 5225	Auckland Council	2494
5 Reeves Road	LOT 3 DP 52255	Auckland Council	994
19 Dale Crescent	PT LOT 36 DP 52096	Auckland Council	680
19A Dale Crescent	SEC 35 SO 52258	Auckland Council	64
21 Dale Crescent	LOT 35 DP 52096	Private	121



6 Seven Oaks Drive	PT LOT 30 DP 48712	Auckland Council	663
8, 1/8, 2/8 Seven Oaks Drive	LOT 29 DP 48712, LOT 29 DP 48712, FLAT 1 DP 106707 and FLAT 2 DP 161861	Auckland Council	878
10, 1/10, 10A Seven Oaks Drive	LOT 28 DP 48712, LOT 28 DP 48712, FLAT 1 DP 120510 and FLAT 2 DP 129251	Auckland Council	918
12 Seven Oaks Drive	LOT 27 DP 48712	Auckland Council	759
14 Seven Oaks Drive	LOT 26 DP 48712	Auckland Council	1191
16 Seven Oaks Drive	LOT 2 DP 192836	Auckland Council	1184
18 Seven Oaks Drive	LOT 24 DP 48712	Auckland Council	675
25, 1/25, 2/25 Ti Rakau Drive	LOT 24 DP 51939, PT LOT 32 DP 14882, LOT 24 DP 51939, FLAT 1 DP 60195, PT LOT 32 DP 14882 and FLAT 2 DP 60195	Auckland Council	726
27 Ti Rakau Drive	LOT 1 DP 206887	Auckland Council	631
27A Ti Rakau Drive	LOT 2 DP 206887	Auckland Council	438
12 Bolina Crescent	LOT 44 DP 48712	Auckland Council	675

Overall, the NoR will designate approximately 6.21 hectares (ha) of land, of which approximately 1 ha is privately held land and 5.21 ha is publicly held land (excluding roads).

3 THE NATURE OF THE PROPOSED WORKS IS:

The proposed public work forms part of the previous Auckland Manukau Eastern Transport Initiative (AMETI) programme which includes a dedicated busway and bus stations between Panmure, Pakuranga and Botany town centres. The dedicated busway will provide an efficient rapid transit network (RTN) service between the town centres, while local bus networks will continue to provide more direct local connections within the town centre areas. EB2 also includes new walking and cycling facilities, as well as modifications and improvements to the road network.

EB2 covers the section of the Eastern Busway between the intersection of Ti Rakau Drive/ SEART and Pakuranga Road/William Reeves Road, Pakuranga and involves the following specific works:

- Road widening of Ti Rakau Drive to provide for a new road layout, including dedicated bus lanes, walking, and cycling infrastructure and a new bus station at Pakuranga Town Centre
- The construction and operation of the Reeves Road flyover
- Modification of the South-Eastern Highway offramp onto Ti Rakau Drive
- Modifications to the intersections of Ti Rakau Drive with Reeves Road, Tiraumea Drive, Reeves Road, Palm Avenue and Aylesbury Street



- An extension of Cortina Place
- The creation of a cul-de-sac, with turning head, at the northern end of William Roberts Road
- Stormwater infrastructure
- Ecological mitigation
- Associated roading infrastructure and landscaping.

Refer to Section 4 of the AEE for further detail on the proposed works.

4 THE NATURE OF THE PROPOSED CONDITIONS THAT WOULD APPLY ARE:

The NoR provides for the designation of 6.21 ha of land for new transport infrastructure within Pakuranga Town Centre (excluding roads). A set of proposed conditions have been provided as Appendix 3 to the AEE. These conditions address the following matters:

- Communications and Engagement with stakeholders, affected parties and the general public
- Works on network utilities
- Construction management of noise, vegetation clearance, coastal works, vibration, traffic, contaminated land, and land disturbance
- Urban design and landscaping
- Ecological management.

It is also noted that regional resource consents are required for bulk earthworks and the disturbance of contaminated soil. These resource consents will be supported by conditions of consent as they relate to the potential adverse effects of construction related activities.

The detail provided by the NoR and associated resource consent application package alleviates the need for a separate outline plan process. As such, the Requiring Authority requests that the requirement of an outline plan is waived by Auckland Council.

5 THE EFFECTS THAT THE PROPOSED WORK WILL HAVE ON THE ENVIRONMENT, AND THE WAYS IN WHICH ANY ADVERSE EFFECTS WILL BE MITIGATED ARE:

The AEE Report contains a description of the existing and likely future environment (Section 6), an assessment of the effects on the environment from the Project (Section 9), and the proposed measures to avoid, remedy or mitigate the adverse effects of the Project (Section 24).

Positive Effects

The Project will generate a range of positive effects. The nature and degree of these positive effects are elaborated on in Section 9.3 of the AEE. In summary, EB2 will have significant positive effects on the environment associated with the resulting improved performance of the local and regional road network, increased capacity, and reliability of public transport, improved active transport infrastructure and improvements to road safety. In addition, the works will support urban intensification, reduce congestion, and support reductions in greenhouse gas emissions.



Adverse Effects

EB2 will have localised adverse environmental effects that are considered to be acceptable in extent. These include those resulting from the following:

- Construction noise and vibration
- Construction traffic
- The potential disturbance of contaminated soil
- Effects on open space
- Effects on terrestrial ecology
- Effects on coastal ecology
- Effects on historic heritage
- Effects on visual amenity, landscape values and character
- Social effects
- Operational noise
- Stormwater effects
- Cultural values effects.

The effects of the proposal will be addressed by a suite of proposed conditions (**Appendix 3** of the AEE) and management plans. These management plans are¹:

- A construction environmental management plan (CEMP)
- An erosion and sediment control plan (ESCP) and an associated chemical treatment management plan
- A construction traffic management plan (CTMP)
- A construction noise and vibration management plan (CNVMP)
- A lizard management plan (LMP)
- A habitat restoration plan (HRP)
- An urban design and landscape management plan (UDLP)
- A communication and consultation plan (CCP).

6 ALTERNATIVE SITES, ROUTES, AND METHODS HAVE BEEN CONSIDERED TO THE FOLLOWING EXTENT:

As part of the preparation of the NoR, consideration has been given to alternative routes and alternative methods available to meet the objectives of Auckland Transport (set out below). The detailed consideration is set out in Sections 2 and 5 of the AEE and documented within the Eastern Busway Options Assessment Report (**Appendix 20** of the AEE).

The preferred alignment for EB2 has been the result of a considered evaluation of a number of options undertaken by AT and the EBA over a number of project stages. Notably the AMETI Eastern Busway 2 (Pakuranga Town Centre) Scheme Assessment Update completed in May 2018 determined from 6 short listed options that the preferred alignment to meet the objectives of AT is a Busway along Ti Rakau Drive including the RRF for traffic and a bus station in Pakuranga Town Centre.

The Scheme Assessment Update was revisited in August 2018 as part of the Specimen Design phase of the project. The Specimen Design further developed the Ti Rakau Drive Busway with the RRF and a bus station at Pakuranga Town Centre, and assessed alternative bus services arrangements, different traffic lane configurations and a revised bus station configuration. The August 2018 Further Options Assessment

¹ Both the CTMP and EIMP will be provided for information purposes only given that they will be subject to their own independent approval processes with Auckland Transport and Transpower New Zealand respectively.



identified a preferred location for the bus station on the corner of Ti Rakau Drive and Reeves Road, centrally within the Pakuranga Town Centre area, and also identified bus lanes beneath the RRF.

Following the establishment of the Eastern Busway Alliance in 2020, the Specimen design was reviewed and retested. Alternative options were developed for the refinement of the RRF and the Pakuranga Bus Station. This alternatives assessment involved considering 21 alignment options and 6 bus station options against the project objectives and assessment criteria. The assessment was undertaken, with technical assessors providing an assessment of each option in relation to specific criteria. The criteria used was consistent with the criteria used in previous option assessments.

The assessment of alternatives has provided AT with information which has assisted it in identifying the preferred alignment and feasible design and construction options for the Eastern Busway 2. This is further discussed in Section 2 and Section 5 of the AEE which supports this NoR

7 THE PROPOSED WORK AND DESIGNATION ARE REASONABLY NECESSARY FOR ACHIEVING THE OBJECTIVES OF THE REQUIRING AUTHORITY BECAUSE:

The public work and alteration to the designation are reasonably necessary for achieving the objectives of the Requiring Authority. This is discussed in detail in sections 3, 5 and 11 of the AEE.

In summary, the public work and alteration to designation is reasonably necessary for achieving the following project objectives:

1. Provide a multi modal transport corridor that connects Pakuranga and Botany to the wider network and increases access to a choice of transport options
2. Provide transport infrastructure that integrates with existing land use and supports a quality, compact urban form
3. Provide transport infrastructure that improves linkages, journey time and reliability of the public transport network
4. Contribute to accessibility and place shaping by providing better transport connections between, within and to the town centre
5. Provide transport infrastructure that is safe for everyone
6. Safeguard future transport infrastructure required at (or in vicinity of) Botany Town Centre to support the development of a strategic public transport connection to Auckland Airport.

The designation and public work are necessary to achieve these objectives as the proposed infrastructure is not specifically provided for under the AUP(OP)'s zone-based controls or the specific provisions for infrastructure (Chapter E26). Establishing the designation will ensure that the corridor is protected for the ongoing construction, operation, and maintenance of regionally significant transport infrastructure and that this is not altered by changes to the AUP(OP) or limited by development on adjacent sites. In addition, it provides the flexibility required to undertake ongoing development in the proposed transport corridor in a manner which supports the project's objectives.

To summarise, the proposal contributes to the following benefits (as provided for by the Eastern Busway Project):

- Provides for improved connections and sustainable travel options for pedestrians, cyclists, motorists, bus, and train customers
- Providing for reliable 40-minute bus and train trips between Botany Town Centre and Britomart (saving 20-minutes)
- Providing for an increase in public transport trips from 3,700 to 18,000 per day by 2028



- Providing for an increase in public transport mode share from 7% to 25% by 2028
- Reduced carbon emissions by 9,292 kg per day by 2028
- 24,000 more people with access to a rapid transit bus station within 1 km from home
- 5 km of busway between Pakuranga and Botany fully separated from other traffic
- 5 new bus stations with quality facilities
- 12 km of safe and separated walking and cycling infrastructure
- RRF to reduce vehicle congestion around Pakuranga Town Centre
- Encourage and support development of a more sustainable urban form and improve urban amenity
- Accommodates electric buses, a key part of AT's low-emission vehicle fleet by 2040.

8 THE FOLLOWING RESOURCE CONSENTS ARE NEEDED FOR THE PROPOSED ACTIVITY AND HAVE BEEN APPLIED FOR:

EB2 will require resource consents for a number of activities to enable the proposed works. The resource consents have been sought in conjunction with the NoR. To summarise, the resource consents required for EB2 are:

- Resource consent for the disturbance of contaminated, or potentially contaminated land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource consents for specified infrastructure works within natural wetlands and their riparian margins under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- Resource consents for the following activities under the Auckland Unitary Plan (Operative in Part):
 - Bulk earthworks
 - Vegetation removal
 - Discharge of contaminants to land
 - Activities within and the occupation of the coastal marine area.

The overall activity status of EB2 is discretionary.

9 THE FOLLOWING CONSULTATION HAS BEEN UNDERTAKEN WITH PARTIES THAT ARE LIKELY TO BE AFFECTED:

Consultation and engagement has been undertaken and will continue with a range of stakeholders, including meetings with individual parties, presenting at formal meetings and informal information sharing. Auckland Transport has engaged with the following parties:

- Mana whenua
- Waka Kotahi NZ Transport Agency
- Transpower New Zealand Limited
- Watercare Services Limited
- Network Utilities



- Howick Local Board
- Local Members of Parliament
- Auckland Council's Planning Committee
- Auckland Council's Community Facilities
- Auckland Council's Regulatory Services Department
- Auckland Council's Healthy Waters Department
- Auckland Council's Plans and Places Department
- Landowners
- Business and community groups.

Auckland Transport has also undertaken engagement exercises with the wider community. This includes open days, social media posts and project updates on AT's own website.

Refer to Section 8 of the AEE for more detail.

10 EXTENDED LAPSE PERIOD PROPOSED:

Under section 184(1) of the RMA a designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless it is given effect to, substantial progress or effort has been made to give effect to, or a different period is specified when incorporated into the plan. There is a need for long term route protection to protect the corridor from inappropriate development until such time as the transport corridor is required to support and facilitate the planned urban growth and funding is allocated. Therefore, pursuant to section 184(1)(c) of the RMA, AT proposes an extended lapse period of fifteen years for implementation of the proposed designation.

11 INFORMATION REQUIRED TO BE INCLUDED IN THIS NOTICE BY THE AUCKLAND UNITARY PLAN OR ANY REGULATION MADE UNDER THE RESOURCE MANAGEMENT ACT 1991:

Auckland Transport attaches the following information required to be included in this notice by a plan or proposed plan, or any regulation made under the Resource Management Act 1991:

- Land requirement plans
- An assessment of effects on the environment
- Records of title
- Drawings of the proposed works
- Options assessment



- Technical assessments for ecology (coastal and terrestrial), noise and vibration (construction and operational), open space, air quality, visual and landscape values, arboriculture, stormwater, archaeology, integrated transport, ground contamination, erosion, and sediment control
- The following management plans:
 - A construction environmental management plan (CEMP)
 - An erosion and sediment control plan (ESCP)
 - A construction traffic management plan (CTMP)
 - A construction noise and vibration management plan (CNVMP)
 - A lizard management plan (LMP)
 - A tree protection management plan (TPMP)
 - A communication and consultation plan (CCP)

Signed on behalf of AT


Jane Small

Group Manager PMO, Strategic Programmes and Property pursuant to authority delegated by
Auckland Transport

Dated: 10 August 2022

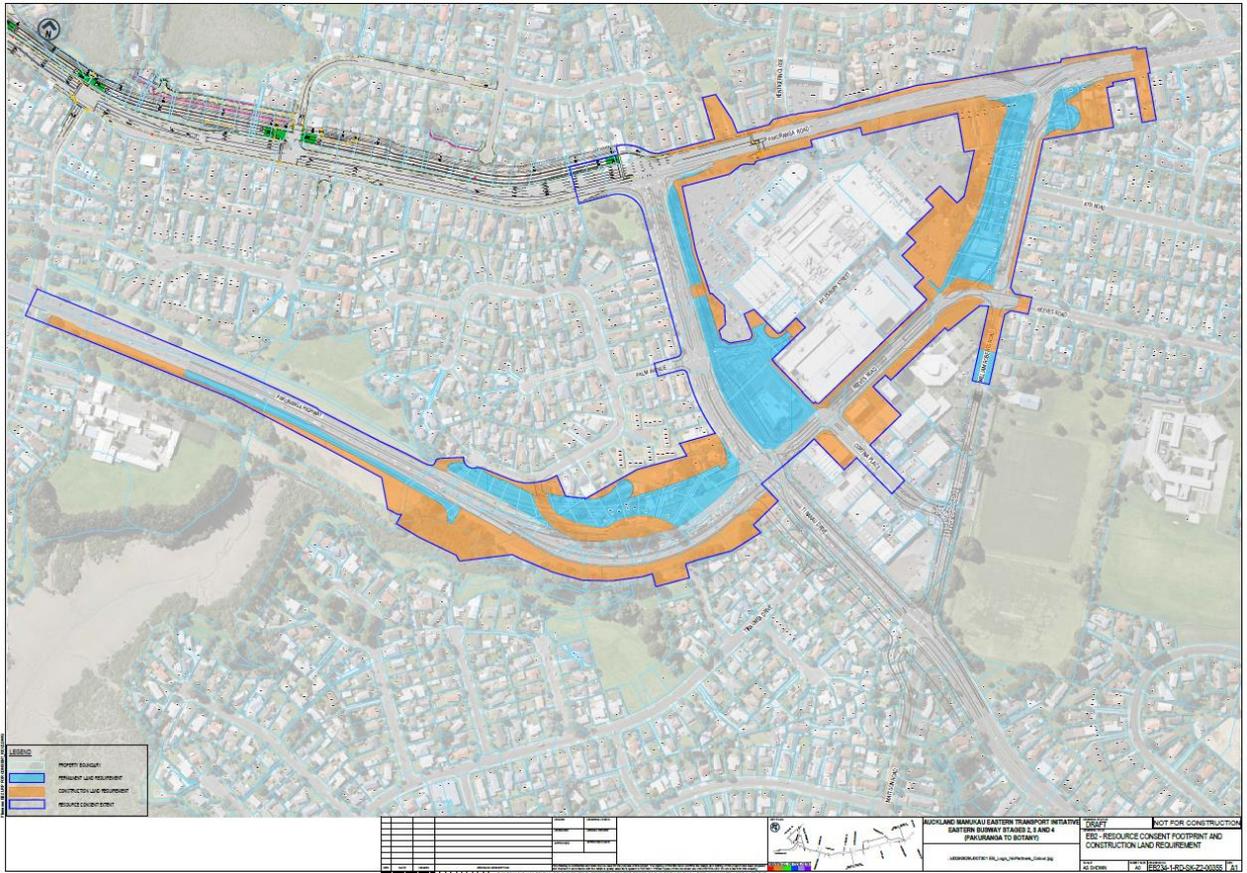
Attachment A – Designation Plans

Attachment B – Schedule of Directly Affected Property

Attachment C – Proposed Conditions for the Designation



Attachment A – Designation Plans





Attachment B – Schedule of Directly Affected Property

Property address	Legal Description	Type of Ownership	AUP(OP) Zoning
1/183, 185, 3/183, 4/183 Pakuranga Road	LOT 5-6 DP 40172, FLAT 1 DP 113712, FLAT 2 DP 205526, FLAT 3, CARPORT 3 and 5 DP192118, FLAT 4, CARPORT 4 DP 192118	Private	Residential – Terrace Housing and Apartment Buildings
10 Aylesbury Street	LOT 1 DP 158869	Private	Business – Town Centre
11 Reeves Road	LOT 19 DP 52255	Private	Business – Town Centre
13R Reeves Road	LOT 22 DP 52255	Public	Open Space – Community
140S Pakuranga Road	PT LOT 1 DP 37727, LOT 2 DP 37727, LOT1 DP 39094, PT LOT 12 DP 14882, LOT 67DP 138440, PT ALLT 281 PAROPAKURANGA	Private	Special Purpose Zone
167 Pakuranga Road	LOT 1 DP 53672	Private	Business – Town Centre Zone
1,2,3/169 Pakuranga Road	LOT 1 DP 47230, FLAT 1, 2 & 3 DP 70609	Private	Business – Town Centre
1,2,3/171 Pakuranga Road	LOT 2 DP 47230, FLAT 1, 2 & 3 DP 68355	Private	Business – Town Centre
1,2,4/173 and 173C Pakuranga Road	LOT 3 DP 47230 UNIT A, B, 1C, 1D, DP 86456, AU 1, 2, 3, 4 DP 86456	Public	Business – Town Centre
1R Dale Crescent	Section 33 SO 70581 and Part Lots 37-41 SO 70581	Public	Residential – Mixed Housing Urban
2 & 4 Seven Oaks Drive	Part Lot 31 & 32 DP 48712, SO 70581	Public	Residential – Mixed Housing Urban
27R William Roberts Road	LOT 1 DP 51777 Allotment 322, 323, 324 Psh of Pakuranga LOT 101, 102 & 103 DP 52151	Public	Open Space – Sport and Active Recreation
2R Ti Rakau Drive	LOT 12 DP 55286, LOT 3 DP 55286, LOT 2 DP 53672, LOT 4 DP 55286	Public	Business – Town Centre
7 Aylesbury Street	Unit A, B, C, D, E, F, G, H, I, J, K, L, M, N Lot 2 DP 158869	Private	Business – Town Centre

Property address	Legal Description	Type of Ownership	AUP(OP) Zoning
96R Pakuranga Road (Bus Stop Reserve)	PT LOT 5 DP 52174	Public	Open Space – Conservation
26 Ti Rakau Drive	LOT 1 DP 156314	Private	Business – Town Centre
2 William Roberts Road	LOT 1 DP 69718	Public	Business – Mixed Use
2A William Roberts Road	LOT 2 DP 69718	Public	Business – Mixed Use
3 William Roberts Road	LOT 4 DP 47230	Public	Business – Town Centre
1/5a, 2/5 William Roberts Road	LOT 2 DP 82843, LOT 2 DP 82843 FLAT 1 DP 89655 and FLAT 2 DP 89655	Public	Business – Town Centre
7 William Roberts Road	LOT 1 DP 203448	Public	Business – Town Centre
7A William Roberts Road	LOT 2 DP 205609	Public	Business – Town Centre
7B William Roberts Road	LOT 3 DP 205609	Public	Business – Town Centre
9 William Roberts Road	LOT 5 DP 47230	Public	Business – Town Centre
11 William Roberts Road	PT LOT 6 DP 47230	Public	Business – Town Centre
13 William Roberts Road	LOT 1 DP 60995, PT LOT 12 DP 47230	Public	Business – Town Centre
1/15, 2/15 William Roberts Road	PT LOT 2 DP 60995, PT LOT 2 DP 60995, FLAT 1 DP 103942 and FLAT 2 DP 103942	Public	Business – Town Centre
17 William Roberts Road	LOT 2 DP 103948	Public	Business – Town Centre
19 William Roberts Road	LOT 1 DP 103948	Public	Business – Town Centre
177 Pakuranga Road	LOT 2 DP 40172	Public	Business – Mixed Use
179 Pakuranga Road	LOT 3 DP 40172	Public	Business – Mixed Use
181 Pakuranga Road	LOT 4 DP 40172	Public	Business – Mixed Use
187 Pakuranga Road	LOT 1 DP 200020, 1/2 SH LOT 3 DP 200020	Public	Residential – Terrace Housing and Apartment Buildings
187A Pakuranga Road	LOT 2 DP 200020, 1/2 SH LOT 3 DP 200020	Public	Residential – Terrace Housing and Apartment Buildings
2 Cortina Place	LOT 17 DP 52255, LOT 18 DP 5225	Public	Business – Town Centre
5 Reeves Road	LOT 3 DP 52255	Public	Business – Town Centre

Property address	Legal Description	Type of Ownership	AUP(OP) Zoning
19 Dale Crescent	PT LOT 36 DP 52096	Public	Residential – Mixed Housing Urban
19A Dale Crescent	SEC 35 SO 52258	Public	Residential – Mixed Housing Urban
21 Dale Crescent	LOT 35 DP 52096	Private	Residential – Mixed Housing Urban
6 Seven Oaks Drive	PT LOT 30 DP 48712	Public	Residential – Mixed Housing Urban
1/8, 2/8 Seven Oaks Drive	LOT 29 DP 48712, LOT 29 DP 48712, FLAT 1 DP 106707 and FLAT 2 DP 161861	Public	Residential – Mixed Housing Urban
1/10, 10A Seven Oaks Drive	LOT 28 DP 48712, LOT 28 DP 48712, FLAT 1 DP 120510 and FLAT 2 DP 129251	Public	Residential – Mixed Housing Urban
12 Seven Oaks Drive	LOT 27 DP 48712	Public	Residential – Mixed Housing Urban
14 Seven Oaks Drive	LOT 26 DP 48712	Public	Residential – Mixed Housing Urban
16 Seven Oaks Drive	LOT 2 DP 192836	Public	Residential – Mixed Housing Urban
18 Seven Oaks Drive	LOT 24 DP 48712	Public	Residential – Mixed Housing Urban
1/25, 2/25 Ti Rakau Drive	LOT 24 DP 51939, PT LOT 32 DP 14882, LOT 24 DP 51939, FLAT 1 DP 60195, PT LOT 32 DP 14882 and FLAT 2 DP 60195	Public	Business – Mixed Use
27 Ti Rakau Drive	LOT 1 DP 206887	Public	Business – Mixed Use
27A Ti Rakau Drive	LOT 2 DP 206887	Public	Business – Mixed Use
12 Bolina Crescent	LOT 44 DP 48712	Public	Residential – Terrace Housing and Apartment Building Zone



Attachment C – Proposed Conditions for the Designation

DESIGNATION CONDITIONS – EB2

General Conditions

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

Table 1: Application Documents

Document Title	Author	Revision	Date

Table 2: Drawings

Drawing Title	Designer	Revision	Date

Table 3: Management Plans

Management Plans	Author	Revision	Date

2. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the “RMA”), this designation will lapse if not given effect to within 10 years from the date on which it is included in the Auckland Unitary Plan (Operative in Part).
3. As soon as practicable, and no later than [X] months from the date the Eastern Busway Package EB2 becomes operational, the Requiring Authority must:
 - a) Identify any areas of the designation that are no longer necessary for the long-term development, operation, maintenance and mitigation effects of the Eastern Busway Project; and
 - b) Give notice to the Auckland Council in accordance with section 182 of the RMA for removal of those parts of the designation identified above

Site Access

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

PRE-CONSTRUCTION CONDITIONS

Mana Whenua Engagement

5. At least 10 working days prior to the commencement of construction, the Requiring Authority shall confirm and submit to Council a framework to ensure appropriate engagement with mana whenua during the construction of the Eastern Busway Project (Package EB2).
6. The framework shall include:
 - a) The methods for identifying and engaging with mana whenua
 - b) The process for involvement of mana whenua in reviewing and the implementation of the management and environmental management plans as they relate to:
 - i. Recognising and providing for the cultural values and interests of mana whenua;
 - ii. Implementing and applying tikanga;
 - iii. Managing and monitoring sediment quality; and
 - iv. Promoting ecology and biodiversity, including the use of native vegetation.
 - c) As a minimum the matters identified in (b) above shall be addressed in the preparation of the following management plans:
 - i. Construction Environmental Management Plan
 - ii. Urban Design and Landscape Plan
 - iii. Habitat Restoration Plan.

MANAGEMENT PLANS – CERTIFICATION AND REVIEW

Advice Note: *Conditions 7 to 11 below, apply to all Management Plans that require certification unless otherwise specified in these conditions or finalised through the Notice of Requirement process. Management Plans listed in Condition 1 are deemed certified.*

7. Unless listed in Condition 1 above or otherwise stated, all Management Plans required by conditions of this designation shall be submitted to Council for certification at least 10 working days prior to commencement of the related construction works (excluding enabling works, site clearance, site investigations, relocation of services and establishment of site entrances and temporary construction fencing). All works shall be carried out in accordance with the approved Management Plans. No related construction works shall commence until written approval or certification of all relevant Management Plans for those works have been received, unless otherwise approved in writing by the Council.
8. If the Requiring Authority does not receive a written response from Council within 10 working days of the Management Plan(s) being submitted for certification, the Management Plan(s) will be deemed to have certification and the Requiring Authority can commence the related construction works.

Advice Note: *The Council will acknowledge receipt of any Management Plan submitted for certification within 2 working days. The Council will confirm if any information required for certification is missing from any submitted Management Plan within 5 working days. Where no further information is required, the Council will provide certification to the Requiring Authority within 10 working days of submission of the Management Plan. If further information has been requested, the Council will provide confirmation of certification to the Requiring Authority within 5 working days of the requested information being provided.*

9. Any certified Management Plan may be amended, if necessary, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of designation. Any amendments are to be agreed by the Council in writing prior to implementation of any changes. Re-certification is not required in accordance with Conditions 7 if the Council confirms those amendments are within scope and any changes to the draft Management Plans are clearly identified.

10. Any amendments to a certified Management Plan that may result in a materially different outcome shall be submitted to the Council in accordance with Condition 7 to certify these amendments are consistent with the relevant designation condition(s) prior to implementation of any changes. Where a Management Plan was prepared in consultation with interested or affected parties, any material changes to that Plan shall be prepared in consultation with those same parties.
11. Management Plans may be submitted in parts or stages to address activities or to reflect the staged implementation of the Project. If submitted in part, Management Plans shall clearly show the linkage with the Management Plans for adjacent stages and interrelated activities.

STAKEHOLDER COMMUNICATION AND ENGAGEMENT

12. The Requiring Authority is required to implement and comply with the Communication and Consultation Plan (CCP) listed in Condition 1, unless otherwise amended by the process in Condition 9. The objective of the CCP is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, affected parties and interest groups during construction of the Eastern Busway Project (Package EB2).
13. Any amendments to the CCP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Condition 14 and 15.
14. The Requiring Authority shall submit the updated or revised CCP to Council for comment. The Requiring Authority shall consider any comments received from Council when finalising the CCP. If the Requiring Authority has not received any comments from Council within 10 working days of submitting the CCP, the Requiring Authority will consider Council has no comments.

Advice Note: *The CCP does not require certification from Council.*

15. The CCP shall set out how the Requiring Authority will for the Eastern Busway Project (Package EB2):
 - a) Inform the community and businesses of construction progress, future construction activities and constraints that could affect them;
 - b) Provide information on key project milestones;
 - c) Provide a process for responding to queries and complaints including, but not limited to:
 - i. Who is responsible for responding;
 - ii. How responses will be provided;
 - iii. The timeframes for responses to be provided; and
 - iv. How complaints will be reviewed and monitored to ensure mitigation is effective.

The CCP shall include:

- a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, community noticeboard, local paper, newsletters or similar, advertising etc.) and any other relevant communication matters;
- b) Details of the Communication and Consultation Manager for the Eastern Busway project, including their contact details (phone, email, project website and postal address);
- c) Methods for identifying, communicating and engaging with people affected by the construction works for the project, including but not limited to:
 - i. All residential and business property owners and occupiers directly affected by construction works;
 - ii. All community and education facilities directly affected to construction works for the project, including methods to assist these facilities to consult with their customers/stakeholders;
 - iii. Key stakeholders (including the Council's Parks Department); and
 - iv. Network utility operators.
- d) Methods for communicating with and notifying directly affected parties in advance where practicable of:
 - i. proposed construction activities outside normal working hours (including night works); and

- ii. Temporary traffic management measures and permanent changes to road networks and layouts.
- b) Details of specific communications proposed for updating stakeholders including affected parties on construction timeframes; and
- c) A list of the stakeholders directly affected to be communicated with.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT

16. The Requiring Authority is required to carry out all works in accordance with the Construction Environmental Management Plan (CEMP) listed in Condition 1, unless otherwise amended by the process in Condition 9. The objective of the CEMP is to set out an overarching framework and construction methods to be undertaken to avoid, remedy or mitigate any adverse effects associated with the construction of the Eastern Busway Project (Package EB2) so far as is reasonably practicable.
17. Any amendments to the CEMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Conditions 18 and 19.
18. The Requiring Authority must submit the updated or revised CEMP to Council for certification in accordance with Conditions 7 to 11 as soon as practicable following identification of the need for an update as a result of a material change. The purpose of the CEMP is to set out an overarching framework and construction methods to be undertaken to avoid, remedy or mitigate any adverse effects associated with the construction of Eastern Busway Project (Package EB2) so far as is reasonably practicable.
19. The CEMP shall include details of:
- a) An outline of the construction programme of the work, including construction hours, indicating linkages to the other subsidiary plans which address management of adverse effects during construction;
 - b) The document management system for administering the CEMP and compliance, including review and Requiring Authority / constructor / Council requirements;
 - c) Training requirements for employees, sub-contractors and visitors for cultural induction, construction procedures, environmental management and monitoring;
 - d) Roles and responsibilities for the implementation of the CEMP;
 - e) Environmental incident and emergency management procedures (including spills);
 - f) Environmental complaint management procedures;
 - g) Specific details of demolition and site clearance works to be undertaken;
 - h) The location of construction compounds and measures adopted to keep them secure;
 - i) Methods to provide for the safety of the general public;
 - j) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place inside the designation boundaries; and
 - k) Site reinstatement measures upon completion of the activities including the removal of any temporary structures used during the construction period.

Advice note: *The CEMP may be prepared as a combined document that also addresses the matters required under the associated resource consents for the Eastern Busway Project (Package EB3R).*

TRANSPORT, ACCESS AND PARKING

20. The Requiring Authority is required to carry out all works in accordance with the Construction Traffic Management Plan (CTMP) listed in Condition 1, unless otherwise amended by the process in Condition 21. The objective of the CTMP is to identify the means to be used to avoid, remedy or mitigate the adverse effects of construction of the Eastern Busway Project (Package EB2) on transport, parking and property access, so far as it is reasonably practicable.
21. Any amendments to the CTMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Condition 22.

22. The Requiring Authority shall submit the updated or revised CTMP to Council for comment. The Requiring Authority shall consider any comments received from Council when finalising the CTMP. If the Requiring Authority has not received any comments from Council within 10 working days of submitting the CTMP, the Requiring Authority will consider Council has no comments.

Advice Note: The CTMP does not require certification from Council.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT

23. Construction noise shall be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 'Acoustics - Construction Noise' (NZS6803:1999) and comply with the noise standards set out in the Tables 3 and 4 as far as practicable.

Table 3 Construction Noise Criteria – Residential Receivers (Irrespective of Zoning)

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

Table 4 Construction Noise Criteria - Commercial and Industrial Receivers

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

24. Where compliance with the noise standards set out in [Error! Reference source not found.](#) and [Error! Reference source not found.](#) above is not practicable, and unless provided for in the Construction Noise Vibration Management Plan (CNVMP) as required by Condition 28, then the methodology in Condition 31 shall apply.

25. Construction vibration shall be measured in accordance with German Standard DIN 4150-3:1999 “Structural Vibration Part 3: Effects of vibration on structures”, and shall comply with the vibration standards set out in Table 5 as far as practicable:

Table 5 Construction Vibration Criteria

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

26. The Category A criteria may be exceeded if the works generating vibration take place for three days or less between the hours of 7am to 6pm, provided that the Category B criteria are complied with, and:
- All occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and
 - The written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.
27. Where compliance with the vibration standards set out in Table 5 above is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 28, then the methodology in Condition 31 shall apply.
28. The Requiring Authority is required to implement and comply with the CNVMP listed in Condition 1, unless otherwise amended by the process in Conditions 9 to 10. The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option (BPO) to avoid, remedy or mitigate the adverse effects on receivers of noise and vibration resulting during construction of the Eastern Busway Project (Package EB2).
29. Any amendments to the CNVMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Conditions 30 and 31.
30. The Requiring Authority must submit the updated or revised CNVMP to Council for certification in accordance with Conditions 7 to 11 as soon as practicable following identification of the need for an update as a result of a material change.
31. The purpose of the CNVMP is to set out a framework to avoid, remedy or mitigate the adverse effects on receivers of noise and vibration resulting during construction of the Eastern Busway Project (Package EB2). To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of (NZS6803:1999) and shall as a minimum, address the following:
- Description of the works, machinery and equipment to be used;
 - Hours of operation, including times and days when construction activities would occur;
 - The construction noise and vibration standards;
 - Identification of receivers where noise and vibration standards apply;
 - Management and mitigation options, and identification of the Best Practicable Option;
 - Methods and frequency for monitoring and reporting on construction noise and vibration;
 - Procedures for communication as set out in the CCP with nearby residents and stakeholders, including:
 - Notification of proposed construction activities,
 - The period of construction activities; and
 - Management of noise and vibration complaints.
 - Contact details for the Communication and Consultation Manager;
 - Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;

- j) Identification of areas where compliance with the noise (Condition 23) and/or vibration standards (Condition 25 Category A or Category B) will not be practicable.
 - k) Procedures for:
 - i. Communicating with affected receivers in accordance with the CCP, where measured or predicted noise or vibration from construction activities exceeds the noise criteria of Condition 23 or the vibration criteria of Condition 25; and
 - ii. Assessing, mitigating and monitoring vibration where measured or predicted vibration from construction activities exceeds the Category B vibration criteria of Condition 25, including the requirement to undertake building consent surveys before and after works to determine whether any damage has occurred as a result of construction vibration; and
 - iii. Requirements for review and update of the CNVMP.
32. Unless otherwise provided for in the CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared in consultation with the owners and occupiers of sites subject to the Schedule, when:
- a) Construction noise is either predicted or measured to exceed the noise standards in Condition 23, except where the exceedance of the LAeq criteria is no greater than 5 decibels and does not exceed:
 - i. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months; or
 - ii. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days;
 - b) Construction vibration is either predicted or measured to exceed the Category B standard set out in Condition 25 at the receivers;
33. The objective of the Schedule is to set out the BPO for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule must include but not be limited to details such as:
- a) Construction activity and location plan, start and finish dates;
 - b) the nearest owners and occupiers of the sites to the construction activity;
 - c) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 23 and/or 25
 - d) the proposed site-specific noise mitigation
 - e) the consultation and outcomes with owners and/or occupiers of properties identified in the Schedule; and
 - f) location, times, and types of monitoring.
34. The Schedule shall be submitted to the Council for certification at least 5 working days, except in unforeseen circumstances, in advance of construction works that are covered by the Schedule and shall form part of the CNVMP. If no response is provided from the Council, prior to the planned work date, the Schedule shall be deemed to be certified.

Building condition surveys [in the event environmental specialists identify building condition surveys are necessary]

35. Prior to construction, a building condition survey must be undertaken of any building or structure that has been identified and assessed as potentially affected by vibration damage arising from construction. The identification and assessment requirement must be determined by an independent and suitability qualified person appointed by the Requiring Authority, and based on the criteria below, unless the relevant industry criteria applied at the time or heightened building sensitivity or other inherent building vulnerability requires it. Factors which may be considered in determining whether a building condition survey must be undertaken include:
- a) Age of the building;
 - b) Construction types;
 - c) Foundation types;
 - d) General building condition;
 - e) Proximity to any excavation;
 - f) Whether the building is earthquake prone or where there is pre-existing damage; and
 - g) Whether any basements are present in the building.
36. Where it is determined by an independent and appropriately qualified person appointed by the Requiring Authority prior to construction that a building condition survey is required:

- a) The Requiring Authority must employ an appropriately qualified person to undertake the building condition surveys and that person is required to be identified in the CEMP;
- b) The Requiring Authority must contact owners of those buildings and structures where a building condition survey is to be undertaken to confirm the timing and methodology for undertaking a pre-construction condition assessment;
- c) Should written agreement from owners and occupiers to enter property and undertake a condition assessment not be obtained within three months from first contact, then the Requiring Authority is not required to undertake these assessments;
- d) Prior to the building condition survey, the Requiring Authority must determine whether the building is classified as a vibration sensitive structure;
- e) The Requiring Authority must provide the building condition survey report to the relevant property owner within 15 working days of the survey being undertaken, and additionally it must notify and provide Council with a copy of the completed survey report within 15 working days;
- f) The Requiring Authority must record all contact, correspondence and communication with owners and occupiers and this record is to be available on request for the Council; and
- g) The Requiring Authority must undertake a visual inspection when undertaking construction activities likely to generate high levels of vibration if requested by the building owner where a pre-construction condition assessment has been undertaken.

37. During construction:

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

38. Following construction:

- a) Within three months of the commencement of operation of the Eastern Busway Project (Package EB2), the Requiring Authority must contact owners of those buildings and structures where a building condition survey was undertaken to confirm the need to undertake a post-construction condition assessment; and
- b) Where a post-construction building condition survey confirms that the building has deteriorated as a direct result of construction works relating to the project, the Requiring Authority must rectify the damage at its own cost. Such repairs, and/or works to repair damage, are limited to what is reasonably required to restore the general condition of the building as described in the building pre-condition survey.

Urban Design and Landscaping Mitigation

- 39.** At least 10 working days prior to the commencement of any construction activity the Requiring Authority shall submit an Urban Design and Landscape Plan (UDLP) to Council for certification in accordance with Conditions 7 to 11 above. The objective of the UDLP is to mitigate any landscape and visual effects of the Eastern Busway Project (Package EB2).

40. The UDLP shall include:

- a) Urban design details for works:
 - i. The Reeves Road Flyover;
 - ii. Pakuranga Bus Station;
 - iii. Ti Rakau Drive widening between Pakuranga Road and Reeves Road
- b) Landscape design details for works at:
 - i. Paul Place Reserve;
 - ii. Bus Stop Reserve;
 - iii. Within Ti Rakau Drive; and
 - iv. SEART.
- c) A maintenance plan and establishment requirements over a three-year period for landscaping and five years for specimen trees following planting.

- d) Lighting, signage and street furniture details for Eastern Busway Project (Package EB2);
- e) Measures to achieve a safe level of transition for cycling and walking modes, including providing advanced warning and signage to cyclists and pedestrians, and safe and convenient cycling transitions at the ends of the project;
- f) Design features and methods for cultural expression; and
- g) Design features associated with the management of stormwater, including both hard and soft landscaping.

41. The Requiring Authority is required to carry out all works out in accordance with the certified UDLP, unless otherwise amended by the process in Conditions 9 to 10.
42. At least 1 month prior to the final handover to the Council for future care and maintenance of landscaping on Council land and reserves, the Requiring Authority's representative is to arrange a site walkover with the Council to inspect the new planting areas, and to document any areas of plant health and maintenance that need to be rectified prior to handover.
43. The UDLP planting requirements must be implemented during the first planting season following the Eastern Busway Project (Package EB2) being operational. If the weather in that planting season is unsuitable for planting, as determined by the Council, the landscaping must instead be implemented at the first practicable opportunity thereafter. The next practicable opportunity must be agreed to by the Council.

Tree Works

44. The Requiring Authority is required to carry out all works in accordance with the Tree Protection and Management Plan (TPMP) listed in Condition 1, unless otherwise amended by the process in Conditions 7 to 11 above. The objective of the TPMP is to avoid, remedy or mitigate any adverse construction effects of Eastern Busway Project (Package EB2) on those trees to be retained, as far as reasonably practicable.
45. Any amendments to the TPMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Conditions 46 and 47.
46. The Requiring Authority must submit the updated or revised TPMP to Council for certification in accordance with Conditions 7 to 11 as soon as practicable following identification of the need for an update as a result of a material change. The purpose of the TPMP is to avoid, remedy or mitigate any adverse construction effects on those trees to be retained as part of the Eastern Busway Project (Package EB2), as far as reasonably practicable.
47. To achieve its objective, the TPMP is to include:
- a) Tree protection measures for trees to be retained;
 - b) Tree pruning measures;
 - c) Demarcation of temporary construction access and storage areas, outside the permeable dripline and / or rootzone areas of retained trees;
 - d) Use of protective barrier fencing;
Procedures for working within the dripline/rootzone of any retained tree, including appointment of a qualified Council approved arborist ("appointed arborist") to oversee directly all works within the dripline and rootzone of the trees located in the designated areas of work for the duration of the site works, until the route is considered completed, and including any reinstatement works that fall outside the area of the designation;
 - e) Specific bio-security removal restrictions that will apply to all elms (*Ulmus* sp.) and kauri (*Agathis australis*), to avoid the risk of spread of Dutch Elm Disease or kauri dieback, including vetting and approving the methodology and treatment of the Elm and kauri material by the Council's arboricultural specialist responsible for handling and treatment of all Elm/kauri material controlled under the Biosecurity Act, prior to any works taking place; and
 - f) Measures to provide for clear marking of all tree removals prior to implementation of each stage of the works, with verification of the removals by the Requiring Authority's arborist in consultation with the Council's arboricultural specialist.
48. If the design of the project is modified so that it becomes apparent that trees protected by the provisions of the AUP(OP) identified as being retained in the approved Tree Plans appended to the Arboricultural Effects Assessment in Condition 1 are required to be removed, then the removal of the trees is appropriate if:

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

Advice Note: *Protected trees refers to trees within the road reserve and Council reserves that more than 4m in height and/or more than 400mm in girth. It also includes any trees listed in Schedule 10 "Notable Trees" in the AUP(OP).*

HERITAGE

49. In the event that any unrecorded historic heritage sites are identified as a result of the Eastern Busway Project (Package EB2), then these sites must be recorded by the Requiring Authority for inclusion in the Council's Cultural Heritage Inventory. The Requiring Authority's historic heritage expert must prepare documentation suitable for inclusion in the Inventory and forward that information to the Manager: Heritage Unit, (heritageconsents@aucklandcouncil.govt.nz) within one calendar month of completion of work on the route.
50. Electronic copies of all historic heritage reports relating to historic heritage investigations of whatever form (i.e., evaluation, monitoring and excavation) in regard to the designation, are to be submitted by the Requiring Authority's project historic heritage expert to the Monitoring officer(s) within 12 months of completion of the Eastern Busway Project (Package EB2).

OPERATIONAL CONDITIONS

Operational Traffic Noise

51. Noise walls of 1.8m in height above ground level constructed from materials compliant with the mitigation requirements of New Zealand Standard NZS 6806:2010 - 'Acoustics – Road traffic noise -New and altered roads, as shown on the approved designation plans listed in Condition 1, shall be installed at 2 and 23B Dale Crescent, Pakuranga prior to Eastern Busway Project (Package EB2) being operational, so far is reasonably practicable.

