

## EPA 10/2.017 – (ARC: 38322)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

**Type:** Discharge Consent

**Description:** **Discharge To the Water Table of a Road (Sectors 1-9):**

Diversion and discharge of stormwater from impermeable areas into the water table of a road.

**Duration:** 35 years

**Code:** RC = Standard Resource Consent Conditions

SW = Stormwater Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.
- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the

first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.

If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.

Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.

- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:

- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
- (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);
- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);

- (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) SW.11 The NZTA shall inform the Major Infrastructure Team Manager, Auckland Council in writing at least 10 working days prior to the start date of the works authorised by this resource consent.
- 10) SW.12 The NZTA shall submit the final design of the operational stormwater system to the Major Infrastructure Team Manager, Auckland Council for approval at least 20 working days prior to the commencement of construction works on the permanent stormwater system. The final design will incorporate the design philosophy contained in Technical Report G.27: Stormwater Design Philosophy Statement (including that it shall best practicably mimic the existing hydrologic regime and setting, to deliver outcome objectives that remedy or mitigate adverse environmental effects , while also considering any measures to improve current flood issues in the catchment.
- For certification purposes, these designs shall include, but not be limited to:
- (a) Design calculations for the following:
    - (i) flow attenuation devices,
    - (ii) stormwater treatment device sizing,
    - (iii) bypass device design,
    - (iv) stormwater treatment device efficiency;
  - (b) Design drawings, including all structures, outfalls, treatment devices, bypass devices, wetlands and ponds;
  - (c) Planting plans and schedules for all stormwater treatment devices;
  - (d) Catchment plans detailing the area draining to each device; and
  - (e) Outfall locations.
- 11) SW.13 Any subsequent amendments to the final design of the operational stormwater system shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 12) SW.14 The NZTA shall arrange and conduct pre-construction site meetings between the Auckland Council and all relevant parties, including the site stormwater engineer, for the installation of each of the operational stormwater management works. The Council shall be provided with 5 working days written notice of the date and time of each pre-construction site meeting prior to construction of the permanent stormwater devices. Any resulting amendments to

the design of the works may be reviewed at that time and shall be approved in accordance with Condition SW.12.

### **CONSTRUCTION CONDITIONS**

- 13) SW.20 Any stormwater outfalls authorised by this Consent shall incorporate energy dissipation and/or erosion protection measures to minimise the occurrence of bed scour and bank erosion. The design of stormwater outfalls shall assess various rainfall events and tailwater levels (stream and sea levels) to ensure the critical storm event is considered in the design.

### **POST-CONSTRUCTION CONDITIONS**

- 14) SW.15 Within 30 days of the practical completion of each part of the stormwater management system, "As Built" plans and documentation of the stormwater system which are certified as a true record of the stormwater management system by a suitably qualified Chartered Professional Engineer shall be supplied to the Major Infrastructure Team Manager, Auckland Council.

- 15) SW.16 The NZTA shall submit to the Major Infrastructure Team Manager, Auckland Council within three months of the completion of installation of the stormwater management system an updated and final version of the Operational Stormwater Management Plan (OSMP) submitted with the application, to certify it meets the performance standards specified in Technical Report G.15. The purpose of the OSMP is to set out operation and maintenance requirements for the long term operation of stormwater systems implemented as part of the Project.

The OSMP shall include a monitoring programme for tunnel water quality to be agreed with the Major Infrastructure Team Manager, Auckland Council. The monitoring programme shall have a duration of two years. The water quality report shall be submitted to the Major Infrastructure Team Manager, Auckland Council at the end of each year. The OSMP shall be updated at the end of the monitoring programme to revise procedures for the treatment and disposal of tunnel water.

The OSMP shall include, but not be limited to:

- (a) A programme for regular maintenance and inspection of works;
  - (b) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
  - (c) A programme for inspection and maintenance of outfall erosion;
  - (d) A programme for post-storm maintenance;
  - (e) General inspection checklists for all aspects of the stormwater management system;
  - (f) Details of the person or bodies that will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process.
- 16) SW.17 Any amendments to the OSMP shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 17) SW.18 The NZTA shall arrange and conduct a post construction site meeting within 30 days of completion of installation of each part of the stormwater management works between the Auckland Council and all relevant parties, including the site stormwater engineer. The "As Built" plans and documentation required by condition SW.15 shall be made available at the site meeting.

- 18) SW.19 The NZTA shall ensure that, for major overland flow paths in excess of the capacity of the primary systems, secondary flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100-year ARI event, to discharge with the minimum of nuisance and damage.

*Advice note: For the purposes of this consent "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger, or with peak overland flow exceeding 0.5 m<sup>3</sup>/s in the 100-year ARI event.*

- 19) SW.22 In the second year of operation of stormwater treatment wetlands, during the months of December to February, the NZTA shall arrange and conduct a site meeting between the Auckland Council and the NZTA, including the design stormwater engineer, in order to assess plant health of the stormwater treatment wetlands. Any resulting amendments to the wetland design may be reviewed at that time and shall be approved by the Major Infrastructure Team Manager, Auckland Council.

## EPA 10/2.018 – (ARC: 38323)

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**Type:** Discharge Consent

**Description:** **Discharge of Water from Roads (Sectors 1-9):**

Diversion and discharge of stormwater into any watercourse for the purpose of draining roads.

**Duration:** 35 years

**Code:** RC = Standard Resource Consent Conditions

SW = Stormwater Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.
- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the

first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.

If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.

Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.

- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:

- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
- (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);
- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);

- (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) SW.11 The NZTA shall inform the Major Infrastructure Team Manager, Auckland Council in writing at least 10 working days prior to the start date of the works authorised by this resource consent.
- 10) SW.12 The NZTA shall submit the final design of the operational stormwater system to the Major Infrastructure Team Manager, Auckland Council for approval at least 20 working days prior to the commencement of construction works on the permanent stormwater system. The final design will incorporate the design philosophy contained in Technical Report G.27: Stormwater Design Philosophy Statement (including that it shall best practicably mimic the existing hydrologic regime and setting, to deliver outcome objectives that remedy or mitigate adverse environmental effects , while also considering any measures to improve current flood issues in the catchment.
- For certification purposes, these designs shall include, but not be limited to:
- (a) Design calculations for the following:
    - (i) flow attenuation devices,
    - (ii) stormwater treatment device sizing,
    - (iii) bypass device design,
    - (iv) stormwater treatment device efficiency;
  - (b) Design drawings, including all structures, outfalls, treatment devices, bypass devices, wetlands and ponds;
  - (c) Planting plans and schedules for all stormwater treatment devices;
  - (d) Catchment plans detailing the area draining to each device; and
  - (e) Outfall locations.
- 11) SW.13 Any subsequent amendments to the final design of the operational stormwater system shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 12) SW.14 The NZTA shall arrange and conduct pre-construction site meetings between the Auckland Council and all relevant parties, including the site stormwater engineer, for the installation of each of the operational stormwater management works. The Council shall be provided with 5 working days written notice of the date and time of each pre-construction site meeting prior to construction of the permanent stormwater devices. Any resulting amendments to

the design of the works may be reviewed at that time and shall be approved in accordance with Condition SW.12.

## CONSTRUCTION CONDITIONS

- 13) SW.10 The permanent stormwater measures shall be installed and operated in accordance with the plans and information submitted with this application and the information contained within Technical Report G.15 *Assessment of Stormwater and Streamworks Effects*. In particular, this requires the construction and completion of stormwater management works to the treatment standards for the catchment areas detailed in Table 3. Stormwater treatment shall also be provided for adjunct activities associated with the Project including access roads and carparks for the tunnel ventilation buildings.

Table 3: Catchment areas and treatment standards for Operational Phase of the Waterview Connection Project by Sector.

Sector	Existing Impervious		Additional Impervious		Total		Treatment		
	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	TSS removal*1 (%)	Flood attenuation *2	Erosion protection require*3
1	8.05	100	3.67	100	11.72	100	80	No	No
2	1.45	100	0.72	100	2.17	100	80	No	No
3	3.88	100	1.47	100	5.35	100	80	No	No
4	8.37	100	3.40	100	11.77	100	80	No	No
5	6.62	92.1	3.43	100	10.05	94.8	80	No	No
6	4.08	68.7	1.06	100	5.14	75.2	75	No	Yes
7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
9	1.04	100	8.49	100	9.53	100	75	Yes	Yes
Total	33.49	94.5	22.25	100	55.74	96.8			

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 100 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

- 14) SW.20 Any stormwater outfalls authorised by this Consent shall incorporate energy dissipation and/or erosion protection measures to minimise the occurrence of bed scour and bank erosion. The design of stormwater outfalls shall assess various rainfall events and tailwater levels (stream and sea levels) to ensure the critical storm event is considered in the design.

## POST-CONSTRUCTION CONDITIONS

- 15) SW.15 Within 30 days of the practical completion of each part of the stormwater management system, "As Built" plans and documentation of the stormwater system which are certified as a true record of the stormwater management system by a suitably qualified Chartered Professional Engineer shall be supplied to the Major Infrastructure Team Manager, Auckland Council.
- 16) SW.16 The NZTA shall submit to the Major Infrastructure Team Manager, Auckland Council within three months of the completion of installation of the stormwater management system an updated and final version of the Operational Stormwater Management Plan (OSMP) submitted with the application, to certify it meets the performance standards specified in Technical Report G.15. The purpose of the OSMP is to set out operation and maintenance requirements for the long term operation of stormwater systems implemented as part of the Project.
- The OSMP shall include a monitoring programme for tunnel water quality to be agreed with the Major Infrastructure Team Manager, Auckland Council. The monitoring programme shall have a duration of two years. The water quality report shall be submitted to the Major Infrastructure Team Manager, Auckland Council at the end of each year. The OSMP shall be updated at the end of the monitoring programme to revise procedures for the treatment and disposal of tunnel water.
- The OSMP shall include, but not be limited to:
- (a) A programme for regular maintenance and inspection of works;
  - (b) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
  - (c) A programme for inspection and maintenance of outfall erosion;
  - (d) A programme for post-storm maintenance;
  - (e) General inspection checklists for all aspects of the stormwater management system;
  - (f) Details of the person or bodies that will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process.
- 17) SW.17 Any amendments to the OSMP shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 18) SW.18 The NZTA shall arrange and conduct a post construction site meeting within 30 days of completion of installation of each part of the stormwater management works between the Auckland Council and all relevant parties, including the site stormwater engineer. The "As Built" plans and documentation required by condition SW.15 shall be made available at the site meeting.
- 19) SW.19 The NZTA shall ensure that, for major overland flow paths in excess of the capacity of the primary systems, secondary flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100-year ARI event, to discharge with the minimum of nuisance and damage.

*Advice note: For the purposes of this consent "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger, or with peak overland flow exceeding 0.5 m<sup>3</sup>/s in the 100-year ARI event.*

## EPA 10/2.019 – (ARC: 38324)

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<b>Type:</b>	Discharge Consent
<b>Description:</b>	<b>Stormwater Discharge – Network Operator Activities with Urban Areas (Sectors 1, 3, 5, 6, 7, 9):</b>  Stormwater discharge onto land and water. This includes discharges into Oakley Creek, Meola Stream and Pixie Stream.
<b>Duration:</b>	35 years
<b>Code:</b>	RC = Standard Resource Consent Conditions  SW = Stormwater Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
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  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.
- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the

implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.

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Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.

- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

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- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer

- (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
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- 10) SW.12 The NZTA shall submit the final design of the operational stormwater system to the Major Infrastructure Team Manager, Auckland Council for approval at least 20 working days prior to the commencement of construction works on the permanent stormwater system. The final design will incorporate the design philosophy contained in Technical Report G.27: Stormwater Design Philosophy Statement (including that it shall best practicably mimic the existing hydrologic regime and setting, to deliver outcome objectives that remedy or mitigate adverse environmental effects , while also considering any measures to improve current flood issues in the catchment.
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    - (i) flow attenuation devices,
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  - (c) Planting plans and schedules for all stormwater treatment devices;
  - (d) Catchment plans detailing the area draining to each device; and
  - (e) Outfall locations.
- 11) SW.13 Any subsequent amendments to the final design of the operational stormwater system shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 12) SW.14 The NZTA shall arrange and conduct pre-construction site meetings between the Auckland Council and all relevant parties, including the site stormwater engineer, for the installation of each of the operational stormwater management works. The Council shall be provided with 5 working days written notice of the date and time of each pre-construction site meeting

prior to construction of the permanent stormwater devices. Any resulting amendments to the design of the works may be reviewed at that time and shall be approved in accordance with Condition SW.12.

## CONSTRUCTION CONDITIONS

- 13) SW.10 The permanent stormwater measures shall be installed and operated in accordance with the plans and information submitted with this application and the information contained within Technical Report G.15 *Assessment of Stormwater and Streamworks Effects*. In particular, this requires the construction and completion of stormwater management works to the treatment standards for the catchment areas detailed in Table 3. Stormwater treatment shall also be provided for adjunct activities associated with the Project including access roads and carparks for the tunnel ventilation buildings.

Table 3: Catchment areas and treatment standards for Operational Phase of the Waterview Connection Project by Sector.

Sector	Existing Impervious		Additional Impervious		Total		Treatment		
	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	TSS removal*1 (%)	Flood attenuation *2	Erosion protection require*3
1	8.05	100	3.67	100	11.72	100	80	No	No
2	1.45	100	0.72	100	2.17	100	80	No	No
3	3.88	100	1.47	100	5.35	100	80	No	No
4	8.37	100	3.40	100	11.77	100	80	No	No
5	6.62	92.1	3.43	100	10.05	94.8	80	No	No
6	4.08	68.7	1.06	100	5.14	75.2	75	No	Yes
7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
9	1.04	100	8.49	100	9.53	100	75	Yes	Yes
Total	33.49	94.5	22.25	100	55.74	96.8			

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 100 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

- 14) SW.20 Any stormwater outfalls authorised by this Consent shall incorporate energy dissipation and/or erosion protection measures to minimise the occurrence of bed scour and bank erosion. The design of stormwater outfalls shall assess various rainfall events and tailwater levels (stream and sea levels) to ensure the critical storm event is considered in the design.

## POST-CONSTRUCTION CONDITIONS

- 15) SW.15 Within 30 days of the practical completion of each part of the stormwater management system, "As Built" plans and documentation of the stormwater system which are certified as a true record of the stormwater management system by a suitably qualified Chartered Professional Engineer shall be supplied to the Major Infrastructure Team Manager, Auckland Council.
- 16) SW.16 The NZTA shall submit to the Major Infrastructure Team Manager, Auckland Council within three months of the completion of installation of the stormwater management system an updated and final version of the Operational Stormwater Management Plan (OSMP) submitted with the application, to certify it meets the performance standards specified in Technical Report G.15. The purpose of the OSMP is to set out operation and maintenance requirements for the long term operation of stormwater systems implemented as part of the Project.
- The OSMP shall include a monitoring programme for tunnel water quality to be agreed with the Major Infrastructure Team Manager, Auckland Council. The monitoring programme shall have a duration of two years. The water quality report shall be submitted to the Major Infrastructure Team Manager, Auckland Council at the end of each year. The OSMP shall be updated at the end of the monitoring programme to revise procedures for the treatment and disposal of tunnel water.
- The OSMP shall include, but not be limited to:
- (a) A programme for regular maintenance and inspection of works;
  - (b) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
  - (c) A programme for inspection and maintenance of outfall erosion;
  - (d) A programme for post-storm maintenance;
  - (e) General inspection checklists for all aspects of the stormwater management system;
  - (f) Details of the person or bodies that will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process.
- 17) SW.17 Any amendments to the OSMP shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 18) SW.18 The NZTA shall arrange and conduct a post construction site meeting within 30 days of completion of installation of each part of the stormwater management works between the Auckland Council and all relevant parties, including the site stormwater engineer. The "As Built" plans and documentation required by condition SW.15 shall be made available at the site meeting.
- 19) SW.19 The NZTA shall ensure that, for major overland flow paths in excess of the capacity of the primary systems, secondary flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100-year ARI event, to discharge with the minimum of nuisance and damage.

*Advice note: For the purposes of this consent "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger, or with peak overland flow exceeding 0.5 m<sup>3</sup>/s in the 100-year ARI event.*

## EPA 10/2.020 – (ARC: 38325)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

<b>Type:</b>	Discharge Consent
<b>Description:</b>	<b>Discharge of contaminants from an industrial or trade process (that is listed as high risk in Schedule 3) (Sector 9):</b>  The discharge of contaminants to air, land and water from a rock crusher.
<b>Duration:</b>	10 years
<b>Code:</b>	RC = Standard Resource Consent Conditions  CEMP = Construction Environment Management Plan Conditions  PI = Public Information Conditions  SW = Stormwater Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.

- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.
- If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.
- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.
- In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:
- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
  - (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);

- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);
  - (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) CEMP.1 Except where provided for in Condition CEMP.1A below, the NZTA shall update and finalise the draft Construction Environmental Management Plan (CEMP) including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until certification is obtained.
- Advice note: For clarity the CEMP will be updated and finalised in accordance with the conditions. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.*
- Advice Note: Particular care must be taken with development and operation of Construction Yard 7. When the CEMP is being updated and finalised, consideration must be given to the contents of the draft SSCEMP prepared for Construction Yard 7 (Row 41, Schedule A) recognising changes required by inclusion of the ventilation stack in this yard.*
- 10) CEMP.1B For the purposes of staging works, as some works may commence well in advance of others, the NZTA may provide staged or site specific CEMPs for those works to the Major Infrastructure Team Manager, Auckland Council. The NZTA shall consult with the Team Manager about the need and timing for any other site-specific or staged CEMPs and shall provide any required site-specific or staged CEMPs to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to commencement of such the specific stage (including enabling) or site works.
- 11) CEMP.2 The certification process of the CEMP (and its appendices) shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in CEMP.6, and that it includes details of:
- (a) Staff and contractors' responsibilities;
  - (b) Training requirements for employees, sub-contractors and visitors;

- (c) Environmental incident and emergency management;
  - (d) Communication and interface procedures (in accordance with the Communication Plan required under Condition PI.2);
  - (e) Environmental complaints management (including the procedures required under Condition PI.4);
  - (f) Compliance monitoring;
  - (g) Reporting (including detail on the frequency of reporting to the Auckland Council);
  - (h) Environmental auditing; and
  - (i) Corrective action.
- 12) CEMP.3 The management of key environmental effects associated with the construction phase of the Project is detailed within environmental management plans that are included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:
- (a) Construction Noise and Vibration Management Plan (CNVMP);
  - (b) Construction Air Quality Management Plan (CAQMP);
  - (c) Erosion and Sediment Control Plan (ESCP);
  - (d) Temporary Stormwater Management Plan (TSMP);
  - (e) Ecological Management Plan (ECOMP);
  - (f) Groundwater Management Plan (GWMP);
  - (g) Settlement Effects Management Plan (SEMP);
  - (h) Contaminated Soils Management Plan (CSMP);
  - (i) Hazardous Substances Management Plan (HSMP);
  - (j) Archaeological Site Management Plan (ASMP);
  - (k) Construction Traffic Management Plan (CTMP);
  - (l) Concrete Batching and Crushing Plant Management Plan (CBCPMP);
  - (m) Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP) (to be prepared in accordance with Condition CEMP.15);
  - (n) Waste Management Plan (to be prepared in accordance with Condition CEMP.10) ;  
and
  - (o) Temporary Construction Lighting Management Plan (to be prepared in accordance with Condition L.2).
- 13) CEMP.6 The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the Project. The certification process of the CEMP shall confirm that the CEMP includes details of the following:
- (a) details of the site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
  - (b) The location of large notice boards that clearly identify the NZTA and the Project name, together with the name, telephone, email address and address for service of the site or Project manager and the community liaison person;
  - (c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;
  - (d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;
  - (e) Measures to be adopted to maintain the land affected by the works in a tidy condition

- (f) Location of worker's offices and conveniences (e.g. portaloos);
- (g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
- (h) Methods to stabilise ingress and egress points to construction sites, to the standard required by ARC Technical Publication 90 (Nov 2007);
- (i) Procedures for ensuring that residents within 100m of construction areas or other people whose use of an area may be disrupted by construction works (for example the Te Atatu Boating Club for works on the Whau River) are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;
- (j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;
- (k) Means of ensuring the safety of the general public;
- (l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;
- (m) Methods of mitigating the local and network wide effects of construction of individual elements of the Project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;
- (n) All temporary boundary/ security fences shall be maintained in good order, with any graffiti removed as soon as possible;
- (o) Confirmation of a Project Arborist and completion of a STEM assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE to confirm the final Amenity Trees; and
- (p) The process to minimise removal of Amenity Trees, maximise the protection of those retained, undertake relocation of Amenity Trees and replacement planting of specimen trees (in accordance with Conditions LV.10 and ARCH.9)).
- (q) *Advice note: For the purposes of CEMP.6(o) and (p), Amenity Tree is defined as a tree or trees that contribute significantly to amenity, taking into account its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE).*

- 14) PI.1 A community liaison person shall be appointed by the NZTA for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the Project. The liaison person's name and contact details shall be made available in the CEMP and on site signage by the NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.
- 15) PI.2 The NZTA shall prepare and implement a Communications Plan that sets out procedures detailing how the public, Ministry of Social Development, Housing New Zealand Corporation and other organisations representing the particular demographic characteristics of the community (including but not limited to Primary Health Organisations, general practitioners, youth, education organisations, aged care groups and groups representing ethnic and migrant communities) will be communicated with throughout the construction and

monitoring periods (as prescribed in the designation and consent conditions).

In preparing the Communications Plan, the NZTA will liaise with Auckland Council to access its community liaison databases. The Communications Plan will include details of:

- (a) The site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
- (b) In accordance with these Conditions, the database of the key construction activities and monitoring requirements that are the subject of the Communications Plan;
- (c) The database of stakeholders and residents who will be communicated with;
- (d) Communication methods, an assessment of how these methods reach the different audience/stakeholder groups (including those methods set out in Condition CEMP.6), and detail on when each of these methods will be used (e.g. regular communication or event specific methods);
- (e) The appointed specialist in Environmental and Occupational Medicine, including contact details (as per Condition SO.13);
- (f) Any stakeholder specific communication plans required; and
- (g) Monitoring and review procedures for the Communications Plan.

The Communications Plan shall be written in accordance with the external communication procedures set out in the CEMP and provided at least 20 working days prior to construction commencing, to the Major Infrastructure Team Manager, Auckland Council, Working Liaison Group and the Community Liaison Group(s) established by Condition PI.5. The structure of the communication groups set out in these conditions is attached as Figure PI.A.

16) PI.5

The NZTA shall establish Community Liaison Group(s) at least two months prior to construction commencing in each of the following key construction areas:

- (a) Te Atatu (including the SH16 Causeway)
- (b) Waterview (including works to St Lukes on SH16 and on the Waterview Estuary and Causeway Bridges)
- (c) Owairaka

and hold regular meetings (at least three monthly) throughout the construction period and up to 24 months following construction completion relevant to these areas (or less if the members of the Group agree), so that on-going monitoring information can continue to be disseminated.

The Community Liaison Group(s) shall be open to all interested parties within the Project area including, but not limited to the following groups:

- (a) Auckland Council and Auckland Transport;
- (b) Educational facilities within the Project area (including schools, kindergartens, childcare facilities and Unitec Institute of Technology);
- (c) Relevant community/ environmental groups (including but not limited to Friends of Oakley Creek, Star Mills Preservation Group, Cycle Action Auckland and representatives from those organisations identified in the Communications Plan (as required by Condition PI.2) and local residents;
- (d) Department of Conservation;
- (e) Local Boards;
- (f) Iwi groups with Mana Whenua;
- (g) Public transport providers; and
- (h) Housing New Zealand Corporation.

*Advice note: The purpose of the Community Liaison Group(s) is to provide a regular forum through which information about the Project can be provided to the community, and an opportunity for concerns or issues to be raised.*

- 17) SW.2 The NZTA shall inform the Auckland Council in writing at least 10 working days prior to the start date of the works authorised by this consent.
- 18) SW.3 The NZTA shall submit the final design of the construction stormwater system for approval to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to the commencement of construction works. This certification shall confirm the final design meets Condition SW.1, including:
- (a) Design calculations for the following:
    - (i) flow attenuation devices,
    - (ii) stormwater treatment device sizing,
    - (iii) bypass device design,
    - (iv) stormwater treatment device efficiency;
  - (b) Design drawings, including all structures, outfalls, treatment devices, bypass devices, wetlands and ponds, swales and overland flow paths;
  - (c) Catchment plans detailing the area draining to each device; and
  - (d) Outfall locations.
- 19) SW.4 Any subsequent amendments to the final designs required by Condition SW.3 shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 20) SW.5 The NZTA shall arrange and conduct pre-construction site meetings between the Auckland Council and all relevant parties, including the site stormwater engineer, with regard to each component of the temporary stormwater management works. The Council shall be provided with 5 working days written notice of the date and time of each pre-construction site meeting, prior to construction of these works. Any resulting amendments to the design of the works may be reviewed at that time and shall be approved in accordance with Condition SW.3.
- 21) SW.6 The NZTA shall finalise and implement the Temporary Stormwater Management Plan (TSMP) submitted with this application, as part of the CEMP. The purpose of the TSMP is to ensure appropriate controls are in place to manage stormwater during construction.
- 22) SW.21 The NZTA shall finalise and implement through the CEMP, the Concrete Batching and Crushing Management Plan (CBCMP) submitted with the application. The CBCMP shall include, but not be limited to, details of:
- (a) Design and location of the stormwater treatment device(s);
  - (b) Monitoring and auditing requirements;
  - (c) Procedures to be undertaken in the event of unexpected discharges, including an emergency spill response plan; and
  - (d) Complaints, investigation, monitoring and reporting.
- The operation of any concrete batching plant or rock crushing shall not commence until certification is obtained

## **CONSTRUCTION CONDITIONS**

- 23) CEMP.4 The CEMP shall be implemented and maintained throughout the entire construction period.

- 24) CEMP.5 A copy of the CEMP shall be held on each construction site at all times and be available for inspection on request by the Auckland Council.
- 25) CEMP.12 The CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the Project. The review shall take into consideration:
- (a) Compliance with designation and consent conditions;
  - (b) Any changes to construction methods;
  - (c) Key changes to roles and responsibilities within the Project;
  - (d) Changes in industry best practice standards;
  - (e) Changes in legal or other requirements;
  - (f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and
  - (g) Public complaints.
- A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Team Manager, Auckland Council and made available (with any related data) to the Auckland Council upon request.
- 26) CEMP.13 Following the review process (as described in Condition CEMP.12), the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.'
- Advice Note: Material change will include amendment to any base information informing the CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation / remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.*
- 27) PI.3 At least 15 working days prior to the commencement of construction, and at 15 working day intervals thereafter, or as required depending on the scale of works and effects on the community, advertisements will be placed in the relevant local newspapers and community noticeboards (as identified in Condition CEMP.6(b)) detailing the nature of the forthcoming works, the location of the forthcoming works and hours of operation. All advertisements will include reference to a 24 hour toll free complaints telephone number. Where relevant, advertisements will also include but not be limited to details of:
- (a) Any traffic disruptions or controls or changes to property access, pedestrian/ cycle routes and bus stops; and
  - (b) Any other construction activities, including night time works, blasting, and structure-borne noise, as identified in the conditions.
- 28) PI.4 The NZTA shall manage, investigate and resolve (as appropriate) all complaints for the duration of the construction works in accordance with the environmental complaints section of the CEMP. The implementation strategy for complaints includes:
- (a) A 24 hour toll free telephone number and email address, which shall be provided to all potentially affected residents and businesses. The number shall be available and answered at all times during the entire duration of the works for the receipt and management of any complaints. A sign containing the contact details shall be located at each site specific work activity;
  - (b) The NZTA shall maintain a record of all complaints made to this number, email or any site office, including the full details of the complainant and the nature of the complaint;

- (c) Upon receiving a complaint, within 10 days of complaint receipt, a formal written response will be provided to the complainant and Auckland Council;
- (d) The NZTA shall undertake corrective action where necessary to resolve any problem identified. All action taken and relevant information shall be documented. For the avoidance of doubt, 'where necessary' refers to where the works are not being carried out in accordance with conditions of this designation;
- (e) Where issues and complaints about effects cannot be resolved through the CEMP complaints management process, a meeting shall be held between the NZTA, the complainant and the Auckland Council representative(s) to discuss the complaint and ways in which the issue may be resolved. If parties cannot agree on a resolution, an independent qualified mediator will be appointed, agreeable to all parties and at the shared cost of all parties, to undertake mediation of the dispute or concerns; and
- (f) All information collected in Conditions PI.4 (b), (c) and (d) shall be detailed in a Construction Compliance Report (including the means by which the complaint was addressed, whether resolution was reached and how the response was carried out) prepared by the NZTA. This Report shall be submitted to the Major Infrastructure Team Manager, Auckland Council on a quarterly basis commencing at the beginning of the works and for the entire duration of construction.

29) PI.6

The Community Liaison Group(s) shall be provided opportunities to review and comment on the following (amongst other things):

- (a) The Outline Plan of Works detailing designs for the northern and southern ventilation buildings and stacks (the outcomes of this consultation will be reported in accordance with the processes required in DC.8(n) and DC.9(k);
- (b) The Open Space Restoration Plans (as required by Condition OS.3);
- (c) Finalisation and amendment to Urban Design and Landscape Plans (UDL Plans) (as required by Condition LV.1);
- (d) The Oakley Inlet Heritage Plan (as required by Conditions OS.5(b)(i) and ARCH.6);
- (e) The detail of the Oakley Creek restoration (as required by Condition STW.20);
- (f) Publicly available results of environmental monitoring as required by the designation and/or these Consents (e.g. air quality monitoring); and
- (g) The finalisation of the STEM assessment required by CEMP.6(o) and a schedule of trees that are required to be removed for consideration of timber use in heritage projects as required by Condition SO.7.

*Advice Note: Attention is drawn to the Vegetation conditions concerning identification and protection of Significant Vegetation and Valued Vegetation.*

- (h) Detailed design features of the Te Atatu underpass (e.g. lighting and architectural treatment).

30) SW.1

Stormwater management during construction shall be undertaken in accordance with the plans and information submitted with this application and the information contained within Technical Report G.15 Assessment of Stormwater and Streamworks Effects. In particular this requires the construction and completion of stormwater management works to the treatment standards detailed in Tables 1 and 2 below:

Table 1: Motorway catchment areas and treatment standards for Construction Phase of the Waterview Connection Project.

Sector	Existing Impervious		Additional Impervious		Total		Treatment		
	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	TSS removal* <sup>1</sup> (%)	Flood attenuation * <sup>2</sup>	Extended detention require* <sup>3</sup>
1	8.05	0	3.67	11.3	11.72	4.4	75	No	No
2	1.45	0	0.72	0	2.17	0	75	No	No
3	3.88	13.6	1.47	0	5.35	9.9	75	No	No
4	8.37	18 – 70* <sup>4</sup>	3.40	100	11.77	35 - 100	75	No	No
5	6.62	30.3	3.43	100	10.05	54	75	No	No
6	4.08	0	1.07	0	5.15	0	75	No	Yes
7	na	na	na	na	na	na	na	na	na
8	na	na	na	na	na	na	na	na	na
9	1.04	100	8.49	100	9.53	100	75	Yes	Yes
Total	33.49		22.25		55.74				

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 20 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

\*4 Range depends on construction stage refer to Technical Report G.15 for details.

Table 2: Construction Yard Catchment Areas for Water Quality Treatment during Construction Phase of the Waterview Connection Project

Sector	Construction Yards	New Impervious Construction Working Catchments		Treatment		
		Area (ha)	Percentage proposed treatment (%)	TSS removal*1 (%)	Flood attenuation *2	Extended detention require*3
1	1	4.20	100	75	No	No
2		na	na	75	No	No
3	2	0.37	100	75	No	No
4		na	na	75	No	No
5	3 & 4	7.78	100	75	No	No
6	5	1.22	100	75	No	Yes
7	6 & 7	1.90	100	75	No	Yes/No*4
8		na	na	Na	Na	na
9	8, 9, 10, 11 & 12	4.99	100	75	Yes	Yes
Total		20.46				

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 20 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

\*4 Extended detention is to be provided for stormwater devices discharging to Oakley Creek (upstream of Great North Road), but is not required for stormwater devices discharging to Oakley Inlet (downstream of Great North Road).

31) SW.7 The NZTA shall undertake regular inspections of all stormwater treatment devices installed during construction to ensure they are operating in accordance with the consent conditions and TSMP. All records of these inspections shall be submitted to the Council on a monthly basis.

32) SW.9 The NZTA shall ensure that, for stormwater flows in excess of the capacity of the primary systems, major overland flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100-year average recurrence interval (ARI) event, to discharge with the minimum of nuisance and damage.

*Advice note: For the purposes of this Consent, "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger or with peak overland flow exceeding 0.5 m<sup>3</sup>/s in the 100-year ARI event.*

- 33) SW.20 Any stormwater outfalls authorised by this Consent shall incorporate energy dissipation and/or erosion protection measures to minimise the occurrence of bed scour and bank erosion. The design of stormwater outfalls shall assess various rainfall events and tailwater levels (stream and sea levels) to ensure the critical storm event is considered in the design.

#### **POST-CONSTRUCTION CONDITIONS**

- 34) SW.8 The NZTA shall arrange and conduct a post construction site meeting within 30 days of completion of installation of the stormwater management works between Auckland Council and all relevant parties, including the site stormwater engineer.

## EPA 10/2.021 – (ARC: 36474)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

<b>Type:</b>	Discharge Consent
<b>Description:</b>	<b>Discharge of contaminants to land or water from contaminated land (that is undergoing disturbance or remediation) (Sectors 1, 3, 5, 6, 7, 8 and 9):</b>  It cannot be determined at this time whether compliance with Rule 5.5.44 can be met and so, in an abundance of caution consent is being sought under Rule 5.5.44A.
<b>Duration:</b>	35 years
<b>Code:</b>	RC = Standard Resource Consent Conditions  CEMP = Construction Environment Management Plan Conditions  PI = Public Information Conditions  CL = Contaminated Land and Contaminated Discharges Conditions  SW = Stormwater Conditions  F = Freshwater Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.

- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.
- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.
- If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.
- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.
- In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:
- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation

- (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);
  - (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);
  - (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) CEMP.3 The management of key environmental effects associated with the construction phase of the Project is detailed within environmental management plans that are included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:
- (a) Construction Noise and Vibration Management Plan (CNVMP);
  - (b) Construction Air Quality Management Plan (CAQMP);
  - (c) Erosion and Sediment Control Plan (ESCP);
  - (d) Temporary Stormwater Management Plan (TSMP);
  - (e) Ecological Management Plan (ECOMP);
  - (f) Groundwater Management Plan (GWMP);
  - (g) Settlement Effects Management Plan (SEMP);
  - (h) Contaminated Soils Management Plan (CSMP);
  - (i) Hazardous Substances Management Plan (HSMP);
  - (j) Archaeological Site Management Plan (ASMP);
  - (k) Construction Traffic Management Plan (CTMP);
  - (l) Concrete Batching and Crushing Plant Management Plan (CBCPMP);
  - (m) Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP) (to be prepared in accordance with Condition CEMP.15);
  - (n) Waste Management Plan (to be prepared in accordance with Condition CEMP.10) ;  
and
  - (o) Temporary Construction Lighting Management Plan (to be prepared in accordance with Condition L.2).

- 10) PI.1 A community liaison person shall be appointed by the NZTA for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the Project. The liaison person's name and contact details shall be made available in the CEMP and on site signage by the NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.
- 11) PI.2 The NZTA shall prepare and implement a Communications Plan that sets out procedures detailing how the public, Ministry of Social Development, Housing New Zealand Corporation and other organisations representing the particular demographic characteristics of the community (including but not limited to Primary Health Organisations, general practitioners, youth, education organisations, aged care groups and groups representing ethnic and migrant communities) will be communicated with throughout the construction and monitoring periods (as prescribed in the designation and consent conditions).
- In preparing the Communications Plan, the NZTA will liaise with Auckland Council to access its community liaison databases. The Communications Plan will include details of:
- (a) The site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
  - (b) In accordance with these Conditions, the database of the key construction activities and monitoring requirements that are the subject of the Communications Plan;
  - (c) The database of stakeholders and residents who will be communicated with;
  - (d) Communication methods, an assessment of how these methods reach the different audience/stakeholder groups (including those methods set out in Condition CEMP.6), and detail on when each of these methods will be used (e.g. regular communication or event specific methods);
  - (e) The appointed specialist in Environmental and Occupational Medicine, including contact details (as per Condition SO.13);
  - (f) Any stakeholder specific communication plans required; and
  - (g) Monitoring and review procedures for the Communications Plan.
- The Communications Plan shall be written in accordance with the external communication procedures set out in the CEMP and provided at least 20 working days prior to construction commencing, to the Major Infrastructure Team Manager, Auckland Council, Working Liaison Group and the Community Liaison Group(s) established by Condition PI.5. The structure of the communication groups set out in these conditions is attached as Figure PI.A.
- 12) PI.5 The NZTA shall establish Community Liaison Group(s) at least two months prior to construction commencing in each of the following key construction areas:
- (a) Te Atatu (including the SH16 Causeway)
  - (b) Waterview (including works to St Lukes on SH16 and on the Waterview Estuary and Causeway Bridges)
  - (c) Owairaka
- and hold regular meetings (at least three monthly) throughout the construction period and up to 24 months following construction completion relevant to these areas (or less if the members of the Group agree), so that on-going monitoring information can continue to be disseminated.
- The Community Liaison Group(s) shall be open to all interested parties within the Project area including, but not limited to the following groups:
- (a) Auckland Council and Auckland Transport;
  - (b) Educational facilities within the Project area (including schools, kindergartens, childcare

- (c) Relevant community/ environmental groups (including but not limited to Friends of Oakley Creek, Star Mills Preservation Group, Cycle Action Auckland and representatives from those organisations identified in the Communications Plan (as required by Condition PI.2) and local residents;
- (d) Department of Conservation;
- (e) Local Boards;
- (f) Iwi groups with Mana Whenua;
- (g) Public transport providers; and
- (h) Housing New Zealand Corporation.

*Advice note: The purpose of the Community Liaison Group(s) is to provide a regular forum through which information about the Project can be provided to the community, and an opportunity for concerns or issues to be raised.*

- 13) CL.1 The NZTA shall finalise and implement through the CEMP, the Contaminated Soil Management Plan (CSMP) submitted with this application prior to commencement of any site works. The CSMP shall include, but not be limited to:
- (a) Measures to be undertaken in the handling, storage and disposal of all material excavated during the construction works;
  - (b) Soil validation testing and groundwater testing;
  - (c) Soil verification testing to be undertaken to determine the nature of the excavated spoil and potential reuse or disposal options;
  - (d) Measures to be undertaken in the event of unexpected contamination being identified during construction activities; and
  - (e) Measures to be undertaken for the handling of asbestos containing material.
- 14) CL.2 Prior to the main construction works commencing, the baseline quality of soils and groundwater within Sector 5 (the southern bank of Oakley Creek coincident with the location of the former tannery) and Sector 7 (particularly in relation to works in the vicinity of Great North Road) shall be investigated and established. The investigations shall be carried out in accordance with appropriate Ministry for the Environment and Auckland Council guidelines. The findings of the soil and groundwater investigations shall be used to determine the specific constructions methods during work in this area to manage any likely environmental effects in relation to the Project.
- 15) CL.3 Prior to the main construction works commencing, soils and fill materials within Alan Wood Reserve (Sector 9) shall be further classified so as to determine the distribution and extent of cleanfill, managed fill and contaminated/hazardous fill materials.
- 16) SW.2 The NZTA shall inform the Auckland Council in writing at least 10 working days prior to the start date of the works authorised by this consent.
- 17) SW.3 The NZTA shall submit the final design of the construction stormwater system for approval to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to the commencement of construction works. This certification shall confirm the final design meets Condition SW.1, including:
- (a) Design calculations for the following:
    - (i) flow attenuation devices,
    - (ii) stormwater treatment device sizing,
    - (iii) bypass device design,

- (iv) stormwater treatment device efficiency;
  - (b) Design drawings, including all structures, outfalls, treatment devices, bypass devices, wetlands and ponds, swales and overland flow paths;
  - (c) Catchment plans detailing the area draining to each device; and
  - (d) Outfall locations.
- 18) SW.4 Any subsequent amendments to the final designs required by Condition SW.3 shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 19) SW.5 The NZTA shall arrange and conduct pre-construction site meetings between the Auckland Council and all relevant parties, including the site stormwater engineer, with regard to each component of the temporary stormwater management works. The Council shall be provided with 5 working days written notice of the date and time of each pre-construction site meeting, prior to construction of these works. Any resulting amendments to the design of the works may be reviewed at that time and shall be approved in accordance with Condition SW.3.
- 20) SW.6 The NZTA shall finalise and implement the Temporary Stormwater Management Plan (TSMP) submitted with this application, as part of the CEMP. The purpose of the TSMP is to ensure appropriate controls are in place to manage stormwater during construction.
- 21) SW.21 The NZTA shall finalise and implement through the CEMP, the Concrete Batching and Crushing Management Plan (CBCMP) submitted with the application. The CBCMP shall include, but not be limited to, details of:
  - (a) Design and location of the stormwater treatment device(s);
  - (b) Monitoring and auditing requirements;
  - (c) Procedures to be undertaken in the event of unexpected discharges, including an emergency spill response plan; and
  - (d) Complaints, investigation, monitoring and reporting.The operation of any concrete batching plant or rock crushing shall not commence until certification is obtained
- 22) F.1 The NZTA shall finalise, and implement through the CEMP, the ECOMP submitted with this application. The ECOMP shall be updated to ensure compliance with the conditions of this consent and include changes to the details of construction processes prior to construction commencing. The ECOMP shall include, but not be limited to details of:
  - (a) Monitoring of freshwater ecology;
  - (b) Monitoring of freshwater and stream sediment quality;
  - (c) Trigger event criteria for undertaking additional monitoring;
  - (d) Procedures for responding to accidental discharges of contaminants to the freshwater environment; and
  - (e) Contingency plans and/or remedial measures in the event monitoring results identify adverse effects.

## CONSTRUCTION CONDITIONS

- 23) PI.3 At least 15 working days prior to the commencement of construction, and at 15 working day intervals thereafter, or as required depending on the scale of works and effects on the community, advertisements will be placed in the relevant local newspapers and community noticeboards (as identified in Condition CEMP.6(b)) detailing the nature of the forthcoming works, the location of the forthcoming works and hours of operation. All advertisements will include reference to a 24 hour toll free complaints telephone number. Where relevant, advertisements will also include but not be limited to details of:
- (a) Any traffic disruptions or controls or changes to property access, pedestrian/ cycle routes and bus stops; and
  - (b) Any other construction activities, including night time works, blasting, and structure-borne noise, as identified in the conditions.
- 24) PI.4 The NZTA shall manage, investigate and resolve (as appropriate) all complaints for the duration of the construction works in accordance with the environmental complaints section of the CEMP. The implementation strategy for complaints includes:
- (a) A 24 hour toll free telephone number and email address, which shall be provided to all potentially affected residents and businesses. The number shall be available and answered at all times during the entire duration of the works for the receipt and management of any complaints. A sign containing the contact details shall be located at each site specific work activity;
  - (b) The NZTA shall maintain a record of all complaints made to this number, email or any site office, including the full details of the complainant and the nature of the complaint;
  - (c) Upon receiving a complaint, within 10 days of complaint receipt, a formal written response will be provided to the complainant and Auckland Council;
  - (d) The NZTA shall undertake corrective action where necessary to resolve any problem identified. All action taken and relevant information shall be documented. For the avoidance of doubt, 'where necessary' refers to where the works are not being carried out in accordance with conditions of this designation;
  - (e) Where issues and complaints about effects cannot be resolved through the CEMP complaints management process, a meeting shall be held between the NZTA, the complainant and the Auckland Council representative(s) to discuss the complaint and ways in which the issue may be resolved. If parties cannot agree on a resolution, an independent qualified mediator will be appointed, agreeable to all parties and at the shared cost of all parties, to undertake mediation of the dispute or concerns; and
  - (f) All information collected in Conditions PI.4 (b), (c) and (d) shall be detailed in a Construction Compliance Report (including the means by which the complaint was addressed, whether resolution was reached and how the response was carried out) prepared by the NZTA. This Report shall be submitted to the Major Infrastructure Team Manager, Auckland Council on a quarterly basis commencing at the beginning of the works and for the entire duration of construction.
- 25) PI.6 The Community Liaison Group(s) shall be provided opportunities to review and comment on the following (amongst other things):
- (a) The Outline Plan of Works detailing designs for the northern and southern ventilation buildings and stacks (the outcomes of this consultation will be reported in accordance with the processes required in DC.8(n) and DC.9(k);
  - (b) The Open Space Restoration Plans (as required by Condition OS.3);
  - (c) Finalisation and amendment to Urban Design and Landscape Plans (UDL Plans) (as

- (d) The Oakley Inlet Heritage Plan (as required by Conditions OS.5(b)(i) and ARCH.6);
- (e) The detail of the Oakley Creek restoration (as required by Condition STW.20);
- (f) Publicly available results of environmental monitoring as required by the designation and/or these Consents (e.g. air quality monitoring); and
- (g) The finalisation of the STEM assessment required by CEMP.6(o) and a schedule of trees that are required to be removed for consideration of timber use in heritage projects as required by Condition SO.7.

*Advice Note: Attention is drawn to the Vegetation conditions concerning identification and protection of Significant Vegetation and Valued Vegetation.*

- (h) Detailed design features of the Te Atatu underpass (e.g. lighting and architectural treatment).

- 26) CL.4 All excavated soil shall be tested by the NZTA in general accordance with the CSMP, prior to either reuse on site or disposal off site. The testing regime shall be submitted for approval by the Major Infrastructure Team Manager, Auckland Council.
- 27) CL.5 The NZTA shall notify the Major Infrastructure Team Manager, Auckland Council within 5 working days of identification of any contamination at the site which was not identified in the reports submitted in support of this application, including contaminated soil, surface water or groundwater.
- 28) CL.6 The removal of any excavated contaminated soil shall be in accordance with the CSMP. The removal and disposal of any contaminated groundwater/ surface water from the site shall be in accordance with the GWMP and the ESCP.
- 29) CL.7 The NZTA shall engage a suitably qualified contaminated land specialist to supervise the works, excavation and removal of any contaminated soils from the site and undertake sampling (if required) of imported material.
- 30) CL.8 All testing / sampling techniques shall be carried out in accordance with the Ministry for the Environment Contaminated Land Management Guidelines or other equivalent standards approved in writing by the Major Infrastructure Team Manager, Auckland Council.

31) SW.1

Stormwater management during construction shall be undertaken in accordance with the plans and information submitted with this application and the information contained within Technical Report G.15 Assessment of Stormwater and Streamworks Effects. In particular this requires the construction and completion of stormwater management works to the treatment standards detailed in Tables 1 and 2 below:

Table 1: Motorway catchment areas and treatment standards for Construction Phase of the Waterview Connection Project.

Sector	Existing Impervious		Additional Impervious		Total		Treatment		
	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	TSS removal*1 (%)	Flood attenuation *2	Extended detention require*3
1	8.05	0	3.67	11.3	11.72	4.4	75	No	No
2	1.45	0	0.72	0	2.17	0	75	No	No
3	3.88	13.6	1.47	0	5.35	9.9	75	No	No
4	8.37	18 – 70*4	3.40	100	11.77	35 - 100	75	No	No
5	6.62	30.3	3.43	100	10.05	54	75	No	No
6	4.08	0	1.07	0	5.15	0	75	No	Yes
7	na	na	na	na	na	na	na	na	na
8	na	na	na	na	na	na	na	na	na
9	1.04	100	8.49	100	9.53	100	75	Yes	Yes
Total	33.49		22.25		55.74				

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 20 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

\*4 Range depends on construction stage refer to Technical Report G.15 for details.

Table 2: Construction Yard Catchment Areas for Water Quality Treatment during Construction Phase of the Waterview Connection Project

Sector	Construction Yards	New Impervious Construction Working Catchments		Treatment		
		Area (ha)	Percentage proposed treatment (%)	TSS removal*1 (%)	Flood attenuation *2	Extended detention require*3
1	1	4.20	100	75	No	No
2		na	na	75	No	No
3	2	0.37	100	75	No	No
4		na	na	75	No	No
5	3 & 4	7.78	100	75	No	No
6	5	1.22	100	75	No	Yes
7	6 & 7	1.90	100	75	No	Yes/No*4
8		na	na	Na	Na	na
9	8, 9, 10, 11 & 12	4.99	100	75	Yes	Yes
Total		20.46				

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 20 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

\*4 Extended detention is to be provided for stormwater devices discharging to Oakley Creek (upstream of Great North Road), but is not required for stormwater devices discharging to Oakley Inlet (downstream of Great North Road).

32) SW.7 The NZTA shall undertake regular inspections of all stormwater treatment devices installed during construction to ensure they are operating in accordance with the consent conditions and TSMP. All records of these inspections shall be submitted to the Council on a monthly basis.

33) SW.9 The NZTA shall ensure that, for stormwater flows in excess of the capacity of the primary systems, major overland flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100-year average recurrence interval (ARI) event, to discharge with the minimum of nuisance and damage.

*Advice note: For the purposes of this Consent, "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger or with peak overland flow exceeding 0.5 m<sup>3</sup>/s in the 100-year ARI event.*

- 34) SW.20 Any stormwater outfalls authorised by this Consent shall incorporate energy dissipation and/or erosion protection measures to minimise the occurrence of bed scour and bank erosion. The design of stormwater outfalls shall assess various rainfall events and tailwater levels (stream and sea levels) to ensure the critical storm event is considered in the design.

## **POST-CONSTRUCTION CONDITIONS**

- 35) CL.11 The NZTA shall submit to the Major Infrastructure Team Manager, Auckland Council, a Site Closure Report no later than three (3) months after the completion of the earthworks. The Report shall be prepared in accordance with Schedule 13 (Schedules for Reporting on Contaminated Land) of the Proposed Auckland Regional Plan: Air Land and Water and include:
- (a) Results of any soil reuse and imported material testing carried out to ensure compliance with the CSMP;
  - (b) Volumes of soil removed from site;
  - (c) Copies of the waste disposal receipts; and
  - (d) Reports of any non-compliance with the CSMP procedures or complaints received while undertaking the site works.
- 36) SW.8 The NZTA shall arrange and conduct a post construction site meeting within 30 days of completion of installation of the stormwater management works between Auckland Council and all relevant parties, including the site stormwater engineer.

## **MONITORING**

- 37) CL.9 During and following the tunnel construction works beneath Sector 8, groundwater quality monitoring shall be carried out at locations within and down hydraulic gradient of Phyllis Street Landfill. Monitoring shall be undertaken on at least a monthly basis, and for a period up to 12 months following completion of the tunnel construction works. The monitoring programme shall be submitted for approval by the Auckland Council as landowner.
- 38) CL.10 Prior to, during and following tunnel construction works beneath Phyllis Street Landfill, monitoring for landfill gas shall be carried out from existing monitoring boreholes within the landfill. Monitoring shall be undertaken on at least a monthly basis, for a period of no less than 6 months prior to, and up to 12 months following completion of the tunnelling works. The monitoring programme shall be submitted for approval by the Auckland Council as landowner.
- 39) F.2 The NZTA shall engage a suitably qualified ecologist and water quality scientist to undertake freshwater monitoring programme prior to, during and following construction to monitor the effect of the Project on the freshwater ecology. The freshwater monitoring shall be undertaken in Oakley Creek, Pixie Stream and Meola Creek. The freshwater monitoring programme shall be undertaken in accordance with the details set out in the ECOMP and include:
- (a) Cross sectional profiles;
  - (b) Macro invertebrate sampling; and
  - (c) Freshwater fish monitoring.
- 40) F.3 The freshwater monitoring programme shall, as a minimum, be undertaken in accordance with the following frequency:
- (a) Prior to construction – two baseline ecological surveys.

- (b) During construction – twice per year for fish and macro invertebrates and cross sectional profiles, within one month prior to the beginning of the earthworks season and within one month either side of the end of the earthworks season.
- (c) Post construction – on an annual basis for a maximum period of three years, or less if the Major Infrastructure Team Manager, Auckland Council is satisfied that no adverse effects have occurred or are likely to occur from the Project.
- (d) Monthly water quality samples at the five existing Oakley Creek sample locations to be analysed for pH, turbidity, suspended solids, metals (Zn, Cu and Pb) and nutrients.
- (e) Four “event based” samples per annum from each of the current two Oakley Creek sites. The samples are to be analysed for pH, turbidity, suspended solids, metals (Zn, Cu and Pb), hydrocarbons (TPH) and nutrients.
- (f) Two sediment quality samples per annum (January and July) at the five existing water quality Oakley Creek sites (if there is sufficient sediment to sample). The samples are to be analysed for metals (Zn, Cu and Pb), polycyclic aromatic hydrocarbons (PAH), hydrocarbons (TPH) and semi-volatile organic compounds.

Advice note: The sample collection and analysis required under sub-clauses (d) to (f) shall be undertaken following an IANZ accredited methodology by a suitably accredited laboratory (International Accreditation New Zealand).

- 41) F.4 The NZTA shall undertake additional freshwater monitoring in the event of a ‘trigger event’ for freshwater habitats. For the purposes of this consent, a ‘trigger event’ for freshwater habitats is defined in the ECOMP.
- 42) F.5 The NZTAs ecologist/hydrologist (required by condition F.2) shall review, every six months, the freshwater monitoring results, provided from Conditions F.2 to F.4, and results in monitoring detailed in earthworks Conditions E.9 and E.19 and Groundwater Condition G.10. In the event that potential adverse effects are identified, including through review of the Condition G.10 monitoring results by the hydrologist and freshwater ecologist required by Condition G.12, the NZTA shall develop and submit for the approval of the Major Infrastructure Team Manager, Auckland Council appropriate contingency plans and/or remedial measures in accordance with the measures set out in the ECOMP.

## REPORTING

- 43) F.6 Freshwater monitoring reports shall be compiled from the monitoring undertaken pursuant to Conditions F.2 to F.4 and the review of Condition F.5, and a report provided to the Major Infrastructure Team Manager, Auckland Council every 6 months.

## EPA 10/2.022 – (ARC: 38326)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

<b>Type:</b>	Discharge Consent
<b>Description:</b>	<b>Discharge of contaminants from an industrial or trade process (Sectors 5 and 9):</b>  The discharge of contaminants to land and water from a concrete batching plant.
<b>Duration:</b>	10 years
<b>Code:</b>	RC = Standard Resource Consent Conditions  CEMP = Construction Environment Management Plan Conditions  PI = Public Information Conditions  SW = Stormwater Conditions  F = Freshwater Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent

stages and interrelated activities.

- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.

If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.

Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.

- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:

- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
- (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks

- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);
  - (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) CEMP.1 Except where provided for in Condition CEMP.1A below, the NZTA shall update and finalise the draft Construction Environmental Management Plan (CEMP) including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until certification is obtained.
- Advice note: For clarity the CEMP will be updated and finalised in accordance with the conditions. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.*
- Advice Note: Particular care must be taken with development and operation of Construction Yard 7. When the CEMP is being updated and finalised, consideration must be given to the contents of the draft SSCEMP prepared for Construction Yard 7 (Row 41, Schedule A) recognising changes required by inclusion of the ventilation stack in this yard.*
- 10) CEMP.1B For the purposes of staging works, as some works may commence well in advance of others, the NZTA may provide staged or site specific CEMPs for those works to the Major Infrastructure Team Manager, Auckland Council. The NZTA shall consult with the Team Manager about the need and timing for any other site-specific or staged CEMPs and shall provide any required site-specific or staged CEMPs to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to commencement of such the specific stage (including enabling) or site works.
- 11) CEMP.2 The certification process of the CEMP (and its appendices) shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in CEMP.6, and that it includes details of:
- (a) Staff and contractors' responsibilities;

- (b) Training requirements for employees, sub-contractors and visitors;
  - (c) Environmental incident and emergency management;
  - (d) Communication and interface procedures (in accordance with the Communication Plan required under Condition PI.2);
  - (e) Environmental complaints management (including the procedures required under Condition PI.4);
  - (f) Compliance monitoring;
  - (g) Reporting (including detail on the frequency of reporting to the Auckland Council);
  - (h) Environmental auditing; and
  - (i) Corrective action.
- 12) CEMP.3 The management of key environmental effects associated with the construction phase of the Project is detailed within environmental management plans that are included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:
- (a) Construction Noise and Vibration Management Plan (CNVMP);
  - (b) Construction Air Quality Management Plan (CAQMP);
  - (c) Erosion and Sediment Control Plan (ESCP);
  - (d) Temporary Stormwater Management Plan (TSMP);
  - (e) Ecological Management Plan (ECOMP);
  - (f) Groundwater Management Plan (GWMP);
  - (g) Settlement Effects Management Plan (SEMP);
  - (h) Contaminated Soils Management Plan (CSMP);
  - (i) Hazardous Substances Management Plan (HSMP);
  - (j) Archaeological Site Management Plan (ASMP);
  - (k) Construction Traffic Management Plan (CTMP);
  - (l) Concrete Batching and Crushing Plant Management Plan (CBCPMP);
  - (m) Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP) (to be prepared in accordance with Condition CEMP.15);
  - (n) Waste Management Plan (to be prepared in accordance with Condition CEMP.10) ;  
and
  - (o) Temporary Construction Lighting Management Plan (to be prepared in accordance with Condition L.2).
- 13) CEMP.6 The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the Project. The certification process of the CEMP shall confirm that the CEMP includes details of the following:
- (a) details of the site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
  - (b) The location of large notice boards that clearly identify the NZTA and the Project name, together with the name, telephone, email address and address for service of the site or Project manager and the community liaison person;
  - (c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;
  - (d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;

- (e) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage and unloading of building materials and similar construction activities;
- (f) Location of worker's offices and conveniences (e.g. portaloos);
- (g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
- (h) Methods to stabilise ingress and egress points to construction sites, to the standard required by ARC Technical Publication 90 (Nov 2007);
- (i) Procedures for ensuring that residents within 100m of construction areas or other people whose use of an area may be disrupted by construction works (for example the Te Atatu Boating Club for works on the Whau River) are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;
- (j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;
- (k) Means of ensuring the safety of the general public;
- (l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;
- (m) Methods of mitigating the local and network wide effects of construction of individual elements of the Project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;
- (n) All temporary boundary/ security fences shall be maintained in good order, with any graffiti removed as soon as possible;
- (o) Confirmation of a Project Arborist and completion of a STEM assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE to confirm the final Amenity Trees; and
- (p) The process to minimise removal of Amenity Trees, maximise the protection of those retained, undertake relocation of Amenity Trees and replacement planting of specimen trees (in accordance with Conditions LV.10 and ARCH.9)).
- (q) *Advice note: For the purposes of CEMP.6(o) and (p), Amenity Tree is defined as a tree or trees that contribute significantly to amenity, taking into account its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE).*

- 14) PI.1 A community liaison person shall be appointed by the NZTA for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the Project. The liaison person's name and contact details shall be made available in the CEMP and on site signage by the NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.
- 15) PI.2 The NZTA shall prepare and implement a Communications Plan that sets out procedures detailing how the public, Ministry of Social Development, Housing New Zealand Corporation and other organisations representing the particular demographic characteristics of the community (including but not limited to Primary Health Organisations, general practitioners, youth, education organisations, aged care groups and groups representing ethnic and

migrant communities) will be communicated with throughout the construction and monitoring periods (as prescribed in the designation and consent conditions).

In preparing the Communications Plan, the NZTA will liaise with Auckland Council to access its community liaison databases. The Communications Plan will include details of:

- (a) The site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
- (b) In accordance with these Conditions, the database of the key construction activities and monitoring requirements that are the subject of the Communications Plan;
- (c) The database of stakeholders and residents who will be communicated with;
- (d) Communication methods, an assessment of how these methods reach the different audience/stakeholder groups (including those methods set out in Condition CEMP.6), and detail on when each of these methods will be used (e.g. regular communication or event specific methods);
- (e) The appointed specialist in Environmental and Occupational Medicine, including contact details (as per Condition SO.13);
- (f) Any stakeholder specific communication plans required; and
- (g) Monitoring and review procedures for the Communications Plan.

The Communications Plan shall be written in accordance with the external communication procedures set out in the CEMP and provided at least 20 working days prior to construction commencing, to the Major Infrastructure Team Manager, Auckland Council, Working Liaison Group and the Community Liaison Group(s) established by Condition PI.5. The structure of the communication groups set out in these conditions is attached as Figure PI.A.

16) PI.5

The NZTA shall establish Community Liaison Group(s) at least two months prior to construction commencing in each of the following key construction areas:

- (a) Te Atatu (including the SH16 Causeway)
- (b) Waterview (including works to St Lukes on SH16 and on the Waterview Estuary and Causeway Bridges)
- (c) Owairaka

and hold regular meetings (at least three monthly) throughout the construction period and up to 24 months following construction completion relevant to these areas (or less if the members of the Group agree), so that on-going monitoring information can continue to be disseminated.

The Community Liaison Group(s) shall be open to all interested parties within the Project area including, but not limited to the following groups:

- (a) Auckland Council and Auckland Transport;
- (b) Educational facilities within the Project area (including schools, kindergartens, childcare facilities and Unitec Institute of Technology);
- (c) Relevant community/ environmental groups (including but not limited to Friends of Oakley Creek, Star Mills Preservation Group, Cycle Action Auckland and representatives from those organisations identified in the Communications Plan (as required by Condition PI.2) and local residents;
- (d) Department of Conservation;
- (e) Local Boards;
- (f) Iwi groups with Mana Whenua;
- (g) Public transport providers; and

(h) Housing New Zealand Corporation.

*Advice note: The purpose of the Community Liaison Group(s) is to provide a regular forum through which information about the Project can be provided to the community, and an opportunity for concerns or issues to be raised.*

- 17) SW.2 The NZTA shall inform the Auckland Council in writing at least 10 working days prior to the start date of the works authorised by this consent.
- 18) SW.3 The NZTA shall submit the final design of the construction stormwater system for approval to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to the commencement of construction works. This certification shall confirm the final design meets Condition SW.1, including:
- (a) Design calculations for the following:
    - (i) flow attenuation devices,
    - (ii) stormwater treatment device sizing,
    - (iii) bypass device design,
    - (iv) stormwater treatment device efficiency;
  - (b) Design drawings, including all structures, outfalls, treatment devices, bypass devices, wetlands and ponds, swales and overland flow paths;
  - (c) Catchment plans detailing the area draining to each device; and
  - (d) Outfall locations.
- 19) SW.4 Any subsequent amendments to the final designs required by Condition SW.3 shall be submitted for approval in writing by the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to implementation.
- 20) SW.5 The NZTA shall arrange and conduct pre-construction site meetings between the Auckland Council and all relevant parties, including the site stormwater engineer, with regard to each component of the temporary stormwater management works. The Council shall be provided with 5 working days written notice of the date and time of each pre-construction site meeting, prior to construction of these works. Any resulting amendments to the design of the works may be reviewed at that time and shall be approved in accordance with Condition SW.3.
- 21) SW.6 The NZTA shall finalise and implement the Temporary Stormwater Management Plan (TSMP) submitted with this application, as part of the CEMP. The purpose of the TSMP is to ensure appropriate controls are in place to manage stormwater during construction.
- 22) SW.21 The NZTA shall finalise and implement through the CEMP, the Concrete Batching and Crushing Management Plan (CBCMP) submitted with the application. The CBCMP shall include, but not be limited to, details of:
- (a) Design and location of the stormwater treatment device(s);
  - (b) Monitoring and auditing requirements;
  - (c) Procedures to be undertaken in the event of unexpected discharges, including an emergency spill response plan; and
  - (d) Complaints, investigation, monitoring and reporting.
- The operation of any concrete batching plant or rock crushing shall not commence until certification is obtained
- 23) F.1 The NZTA shall finalise, and implement through the CEMP, the ECOMP submitted with this application. The ECOMP shall be updated to ensure compliance with the conditions of this consent and include changes to the details of construction processes prior to construction

commencing. The ECOMP shall include, but not be limited to details of:

- (a) Monitoring of freshwater ecology;
- (b) Monitoring of freshwater and stream sediment quality;
- (c) Trigger event criteria for undertaking additional monitoring;
- (d) Procedures for responding to accidental discharges of contaminants to the freshwater environment; and
- (e) Contingency plans and/or remedial measures in the event monitoring results identify adverse effects.

## **CONSTRUCTION CONDITIONS**

- 24) CEMP.4 The CEMP shall be implemented and maintained throughout the entire construction period.
- 25) CEMP.5 A copy of the CEMP shall be held on each construction site at all times and be available for inspection on request by the Auckland Council.
- 26) CEMP.12 The CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the Project. The review shall take into consideration:
  - (a) Compliance with designation and consent conditions;
  - (b) Any changes to construction methods;
  - (c) Key changes to roles and responsibilities within the Project;
  - (d) Changes in industry best practice standards;
  - (e) Changes in legal or other requirements;
  
  - (f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and
  - (g) Public complaints.

A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Team Manager, Auckland Council and made available (with any related data) to the Auckland Council upon request.
- 27) CEMP.13 Following the review process (as described in Condition CEMP.12), the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.  
*Advice Note: Material change will include amendment to any base information informing the CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation / remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.*
- 28) PI.3 At least 15 working days prior to the commencement of construction, and at 15 working day intervals thereafter, or as required depending on the scale of works and effects on the community, advertisements will be placed in the relevant local newspapers and community noticeboards (as identified in Condition CEMP.6(b)) detailing the nature of the forthcoming works, the location of the forthcoming works and hours of operation. All advertisements will include reference to a 24 hour toll free complaints telephone number. Where relevant, advertisements will also include but not be limited to details of:
  - (a) Any traffic disruptions or controls or changes to property access, pedestrian/ cycle

- (b) Any other construction activities, including night time works, blasting, and structure-borne noise, as identified in the conditions.

29) PI.4

The NZTA shall manage, investigate and resolve (as appropriate) all complaints for the duration of the construction works in accordance with the environmental complaints section of the CEMP. The implementation strategy for complaints includes:

- (a) A 24 hour toll free telephone number and email address, which shall be provided to all potentially affected residents and businesses. The number shall be available and answered at all times during the entire duration of the works for the receipt and management of any complaints. A sign containing the contact details shall be located at each site specific work activity;
- (b) The NZTA shall maintain a record of all complaints made to this number, email or any site office, including the full details of the complainant and the nature of the complaint;
- (c) Upon receiving a complaint, within 10 days of complaint receipt, a formal written response will be provided to the complainant and Auckland Council;
- (d) The NZTA shall undertake corrective action where necessary to resolve any problem identified. All action taken and relevant information shall be documented. For the avoidance of doubt, 'where necessary' refers to where the works are not being carried out in accordance with conditions of this designation;
- (e) Where issues and complaints about effects cannot be resolved through the CEMP complaints management process, a meeting shall be held between the NZTA, the complainant and the Auckland Council representative(s) to discuss the complaint and ways in which the issue may be resolved. If parties cannot agree on a resolution, an independent qualified mediator will be appointed, agreeable to all parties and at the shared cost of all parties, to undertake mediation of the dispute or concerns; and
- (f) All information collected in Conditions PI.4 (b), (c) and (d) shall be detailed in a Construction Compliance Report (including the means by which the complaint was addressed, whether resolution was reached and how the response was carried out) prepared by the NZTA. This Report shall be submitted to the Major Infrastructure Team Manager, Auckland Council on a quarterly basis commencing at the beginning of the works and for the entire duration of construction.

30) PI.6

The Community Liaison Group(s) shall be provided opportunities to review and comment on the following (amongst other things):

- (a) The Outline Plan of Works detailing designs for the northern and southern ventilation buildings and stacks (the outcomes of this consultation will be reported in accordance with the processes required in DC.8(n) and DC.9(k));
- (b) The Open Space Restoration Plans (as required by Condition OS.3);
- (c) Finalisation and amendment to Urban Design and Landscape Plans (UDL Plans) (as required by Condition LV.1);
- (d) The Oakley Inlet Heritage Plan (as required by Conditions OS.5(b)(i) and ARCH.6);
- (e) The detail of the Oakley Creek restoration (as required by Condition STW.20);
- (f) Publicly available results of environmental monitoring as required by the designation and/or these Consents (e.g. air quality monitoring); and
- (g) The finalisation of the STEM assessment required by CEMP.6(o) and a schedule of trees that are required to be removed for consideration of timber use in heritage projects as required by Condition SO.7.

*Advice Note: Attention is drawn to the Vegetation conditions concerning identification*

*and protection of Significant Vegetation and Valued Vegetation.*

- (h) Detailed design features of the Te Atatu underpass (e.g. lighting and architectural treatment).

31) SW.1

Stormwater management during construction shall be undertaken in accordance with the plans and information submitted with this application and the information contained within Technical Report G.15 Assessment of Stormwater and Streamworks Effects. In particular this requires the construction and completion of stormwater management works to the treatment standards detailed in Tables 1 and 2 below:

Table 1: Motorway catchment areas and treatment standards for Construction Phase of the Waterview Connection Project.

Sector	Existing Impervious		Additional Impervious		Total		Treatment		
	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	Area (ha)	Percentage proposed treatment (%)	TSS removal* <sup>1</sup> (%)	Flood attenuation * <sup>2</sup>	Extended detention require* <sup>3</sup>
1	8.05	0	3.67	11.3	11.72	4.4	75	No	No
2	1.45	0	0.72	0	2.17	0	75	No	No
3	3.88	13.6	1.47	0	5.35	9.9	75	No	No
4	8.37	18 – 70* <sup>4</sup>	3.40	100	11.77	35 - 100	75	No	No
5	6.62	30.3	3.43	100	10.05	54	75	No	No
6	4.08	0	1.07	0	5.15	0	75	No	Yes
7	na	na	na	na	na	na	na	na	na
8	na	na	na	na	na	na	na	na	na
9	1.04	100	8.49	100	9.53	100	75	Yes	Yes
Total	33.49		22.25		55.74				

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 20 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

\*4 Range depends on construction stage refer to Technical Report G.15 for details.

Table 2: Construction Yard Catchment Areas for Water Quality Treatment during Construction Phase of the Waterview Connection Project

Sector	Construction Yards	New Impervious Construction Working Catchments		Treatment		
		Area (ha)	Percentage proposed treatment (%)	TSS removal*1 (%)	Flood attenuation *2	Extended detention require*3
1	1	4.20	100	75	No	No
2		na	na	75	No	No
3	2	0.37	100	75	No	No
4		na	na	75	No	No
5	3 & 4	7.78	100	75	No	No
6	5	1.22	100	75	No	Yes
7	6 & 7	1.90	100	75	No	Yes/No*4
8		na	na	Na	Na	na
9	8, 9, 10, 11 & 12	4.99	100	75	Yes	Yes
Total		20.46				

\*1 TSS removal is on a long term average basis.

\*2 Attenuation of the peak post-development runoff to the peak pre-development runoff for the 2, 10 and 20 year ARI rainfall events

\*3 Extended detention of the 34.5mm rainfall event for 24 hours in accordance with ARC TP10 (2003) guidelines.

\*4 Extended detention is to be provided for stormwater devices discharging to Oakley Creek (upstream of Great North Road), but is not required for stormwater devices discharging to Oakley Inlet (downstream of Great North Road).

32) SW.7 The NZTA shall undertake regular inspections of all stormwater treatment devices installed during construction to ensure they are operating in accordance with the consent conditions and TSMP. All records of these inspections shall be submitted to the Council on a monthly basis.

33) SW.9 The NZTA shall ensure that, for stormwater flows in excess of the capacity of the primary systems, major overland flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100-year average recurrence interval (ARI) event, to discharge with the minimum of nuisance and damage.

*Advice note: For the purposes of this Consent, "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger or with peak overland flow exceeding 0.5 m<sup>3</sup>/s in the 100-year ARI event.*

- 34) SW.20 Any stormwater outfalls authorised by this Consent shall incorporate energy dissipation and/or erosion protection measures to minimise the occurrence of bed scour and bank erosion. The design of stormwater outfalls shall assess various rainfall events and tailwater levels (stream and sea levels) to ensure the critical storm event is considered in the design.

## POST-CONSTRUCTION CONDITIONS

- 35) SW.8 The NZTA shall arrange and conduct a post construction site meeting within 30 days of completion of installation of the stormwater management works between Auckland Council and all relevant parties, including the site stormwater engineer.

## MONITORING

- 36) F.2 The NZTA shall engage a suitably qualified ecologist and water quality scientist to undertake freshwater monitoring programme prior to, during and following construction to monitor the effect of the Project on the freshwater ecology. The freshwater monitoring shall be undertaken in Oakley Creek, Pixie Stream and Meola Creek. The freshwater monitoring programme shall be undertaken in accordance with the details set out in the ECOMP and include:
- (a) Cross sectional profiles;
  - (b) Macro invertebrate sampling; and
  - (c) Freshwater fish monitoring.

- 37) F.3 The freshwater monitoring programme shall, as a minimum, be undertaken in accordance with the following frequency:
- (a) Prior to construction – two baseline ecological surveys.
  - (b) During construction – twice per year for fish and macro invertebrates and cross sectional profiles, within one month prior to the beginning of the earthworks season and within one month either side of the end of the earthworks season.
  - (c) Post construction – on an annual basis for a maximum period of three years, or less if the Major Infrastructure Team Manager, Auckland Council is satisfied that no adverse effects have occurred or are likely to occur from the Project.
  - (d) Monthly water quality samples at the five existing Oakley Creek sample locations to be analysed for pH, turbidity, suspended solids, metals (Zn, Cu and Pb) and nutrients.
  - (e) Four “event based” samples per annum from each of the current two Oakley Creek sites. The samples are to be analysed for pH, turbidity, suspended solids, metals (Zn, Cu and Pb), hydrocarbons (TPH) and nutrients.
  - (f) Two sediment quality samples per annum (January and July) at the five existing water quality Oakley Creek sites (if there is sufficient sediment to sample). The samples are to be analysed for metals (Zn, Cu and Pb), polycyclic aromatic hydrocarbons (PAH), hydrocarbons (TPH) and semi-volatile organic compounds.

Advice note: The sample collection and analysis required under sub-clauses (d) to (f) shall be undertaken following an IANZ accredited methodology by a suitably accredited laboratory (International Accreditation New Zealand).

- 38) F.4 The NZTA shall undertake additional freshwater monitoring in the event of a ‘trigger event’ for freshwater habitats. For the purposes of this consent, a ‘trigger event’ for freshwater habitats is defined in the ECOMP.
- 39) F.5 The NZTAs ecologist/hydrologist (required by condition F.2) shall review, every six months, the freshwater monitoring results, provided from Conditions F.2 to F.4, and results in

monitoring detailed in earthworks Conditions E.9 and E.19 and Groundwater Condition G.10. In the event that potential adverse effects are identified, including through review of the Condition G.10 monitoring results by the hydrologist and freshwater ecologist required by Condition G.12, the NZTA shall develop and submit for the approval of the Major Infrastructure Team Manager, Auckland Council appropriate contingency plans and/or remedial measures in accordance with the measures set out in the ECOMP.

## **REPORTING**

- 40) F.6 Freshwater monitoring reports shall be compiled from the monitoring undertaken pursuant to Conditions F.2 to F.4 and the review of Condition F.5, and a report provided to the Major Infrastructure Team Manager, Auckland Council every 6 months.

## EPA 10/2.023 – (ARC: 38327)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

**Type:** Discharge Consent

**Description:** **Discharge to Air – Crusher Activities (Sector 9):**

The discharge of contaminants into air from the temporary crushing of concrete, masonry products, minerals, ores and/or aggregates with a mobile crusher at a rate not exceeding a total on-site capacity of 60 tonnes per hour that does not comply with Rule 4.5.48. This consent is sought as the potential is that material from the crusher will be removed off-site (depending on the feasibility of reuse, which is the first preference).

**Duration:** 10 years

**Code:** RC = Standard Resource Consent Conditions

CEMP = Construction Environment Management Plan Conditions

PI = Public Information Conditions

AQ = Air Quality Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent

stages and interrelated activities.

- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.
- If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.
- Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.
- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.
- In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:
- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
  - (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);
  - (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and

- (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
  - (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8)); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) CEMP.1 Except where provided for in Condition CEMP.1A below, the NZTA shall update and finalise the draft Construction Environmental Management Plan (CEMP) including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until certification is obtained.
- Advice note: For clarity the CEMP will be updated and finalised in accordance with the conditions. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.*
- Advice Note: Particular care must be taken with development and operation of Construction Yard 7. When the CEMP is being updated and finalised, consideration must be given to the contents of the draft SSCEMP prepared for Construction Yard 7 (Row 41, Schedule A) recognising changes required by inclusion of the ventilation stack in this yard.*
- 10) CEMP.1B For the purposes of staging works, as some works may commence well in advance of others, the NZTA may provide staged or site specific CEMPs for those works to the Major Infrastructure Team Manager, Auckland Council. The NZTA shall consult with the Team Manager about the need and timing for any other site-specific or staged CEMPs and shall provide any required site-specific or staged CEMPs to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to commencement of such the specific stage (including enabling) or site works.
- 11) CEMP.2 The certification process of the CEMP (and its appendices) shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in CEMP.6, and that it includes details of:
- (a) Staff and contractors' responsibilities;
  - (b) Training requirements for employees, sub-contractors and visitors;
  - (c) Environmental incident and emergency management;
  - (d) Communication and interface procedures (in accordance with the Communication Plan

- (e) Environmental complaints management (including the procedures required under Condition PI.4);
  - (f) Compliance monitoring;
  - (g) Reporting (including detail on the frequency of reporting to the Auckland Council);
  - (h) Environmental auditing; and
  - (i) Corrective action.
- 12) CEMP.3 The management of key environmental effects associated with the construction phase of the Project is detailed within environmental management plans that are included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:
- (a) Construction Noise and Vibration Management Plan (CNVMP);
  - (b) Construction Air Quality Management Plan (CAQMP);
  - (c) Erosion and Sediment Control Plan (ESCP);
  - (d) Temporary Stormwater Management Plan (TSMP);
  - (e) Ecological Management Plan (ECOMP);
  - (f) Groundwater Management Plan (GWMP);
  - (g) Settlement Effects Management Plan (SEMP);
  - (h) Contaminated Soils Management Plan (CSMP);
  - (i) Hazardous Substances Management Plan (HSMP);
  - (j) Archaeological Site Management Plan (ASMP);
  - (k) Construction Traffic Management Plan (CTMP);
  - (l) Concrete Batching and Crushing Plant Management Plan (CBCPMP);
  - (m) Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP) (to be prepared in accordance with Condition CEMP.15);
  - (n) Waste Management Plan (to be prepared in accordance with Condition CEMP.10) ;  
and
  - (o) Temporary Construction Lighting Management Plan (to be prepared in accordance with Condition L.2).
- 13) CEMP.6 The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the Project. The certification process of the CEMP shall confirm that the CEMP includes details of the following:
- (a) details of the site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
  - (b) The location of large notice boards that clearly identify the NZTA and the Project name, together with the name, telephone, email address and address for service of the site or Project manager and the community liaison person;
  - (c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;
  - (d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;
  - (e) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage and unloading of building materials and similar construction activities;

- (f) Location of worker's offices and conveniences (e.g. portaloos);
- (g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
- (h) Methods to stabilise ingress and egress points to construction sites, to the standard required by ARC Technical Publication 90 (Nov 2007);
- (i) Procedures for ensuring that residents within 100m of construction areas or other people whose use of an area may be disrupted by construction works (for example the Te Atatu Boating Club for works on the Whau River) are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;
- (j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;
- (k) Means of ensuring the safety of the general public;
- (l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;
- (m) Methods of mitigating the local and network wide effects of construction of individual elements of the Project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;
- (n) All temporary boundary/ security fences shall be maintained in good order, with any graffiti removed as soon as possible;
- (o) Confirmation of a Project Arborist and completion of a STEM assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE to confirm the final Amenity Trees; and
- (p) The process to minimise removal of Amenity Trees, maximise the protection of those retained, undertake relocation of Amenity Trees and replacement planting of specimen trees (in accordance with Conditions LV.10 and ARCH.9)).
- (q) *Advice note: For the purposes of CEMP.6(o) and (p), Amenity Tree is defined as a tree or trees that contribute significantly to amenity, taking into account its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE).*

14) PI.1 A community liaison person shall be appointed by the NZTA for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the Project. The liaison person's name and contact details shall be made available in the CEMP and on site signage by the NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.

15) PI.2 The NZTA shall prepare and implement a Communications Plan that sets out procedures detailing how the public, Ministry of Social Development, Housing New Zealand Corporation and other organisations representing the particular demographic characteristics of the community (including but not limited to Primary Health Organisations, general practitioners, youth, education organisations, aged care groups and groups representing ethnic and migrant communities) will be communicated with throughout the construction and monitoring periods (as prescribed in the designation and consent conditions).

In preparing the Communications Plan, the NZTA will liaise with Auckland Council to

access its community liaison databases. The Communications Plan will include details of:

- (a) The site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
- (b) In accordance with these Conditions, the database of the key construction activities and monitoring requirements that are the subject of the Communications Plan;
- (c) The database of stakeholders and residents who will be communicated with;
- (d) Communication methods, an assessment of how these methods reach the different audience/stakeholder groups (including those methods set out in Condition CEMP.6), and detail on when each of these methods will be used (e.g. regular communication or event specific methods);
- (e) The appointed specialist in Environmental and Occupational Medicine, including contact details (as per Condition SO.13);
- (f) Any stakeholder specific communication plans required; and
- (g) Monitoring and review procedures for the Communications Plan.

The Communications Plan shall be written in accordance with the external communication procedures set out in the CEMP and provided at least 20 working days prior to construction commencing, to the Major Infrastructure Team Manager, Auckland Council, Working Liaison Group and the Community Liaison Group(s) established by Condition PI.5. The structure of the communication groups set out in these conditions is attached as Figure PI.A.

16) PI.5

The NZTA shall establish Community Liaison Group(s) at least two months prior to construction commencing in each of the following key construction areas:

- (a) Te Atatu (including the SH16 Causeway)
- (b) Waterview (including works to St Lukes on SH16 and on the Waterview Estuary and Causeway Bridges)
- (c) Owairaka

and hold regular meetings (at least three monthly) throughout the construction period and up to 24 months following construction completion relevant to these areas (or less if the members of the Group agree), so that on-going monitoring information can continue to be disseminated.

The Community Liaison Group(s) shall be open to all interested parties within the Project area including, but not limited to the following groups:

- (a) Auckland Council and Auckland Transport;
- (b) Educational facilities within the Project area (including schools, kindergartens, childcare facilities and Unitec Institute of Technology);
- (c) Relevant community/ environmental groups (including but not limited to Friends of Oakley Creek, Star Mills Preservation Group, Cycle Action Auckland and representatives from those organisations identified in the Communications Plan (as required by Condition PI.2) and local residents;
- (d) Department of Conservation;
- (e) Local Boards;
- (f) Iwi groups with Mana Whenua;
- (g) Public transport providers; and
- (h) Housing New Zealand Corporation.

*Advice note: The purpose of the Community Liaison Group(s) is to provide a regular forum through which information about the Project can be provided to the community, and an*

*opportunity for concerns or issues to be raised.*

- 17) AQ.1 The NZTA shall finalise and implement, through the CEMP, the Construction Air Quality Management Plan (CAQMP) and Concrete Batching and Crushing Management Plan (CBCMP) submitted with the application.
- The CAQMP and CBCMP shall be provided to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CAQMP and CBCMP includes the following details:
- (a) Daily visual monitoring of dust emissions;
  - (b) Procedures for responding to process malfunctions and accidental dust discharges;
  - (c) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site;
  - (d) Continuous monitoring of Total Suspended Particulate (TSP) concentrations and meteorology;
  - (e) Monitoring of the times of detectable odour emissions from the ground;
  - (f) Procedures for responding to discharges of odour (including in the event of excavation of contaminated sites);
  - (g) Monitoring of construction vehicle maintenance;
  - (h) Process equipment inspection, maintenance, monitoring and recording, including baghouses, pressure relief valves and high level alarms;
  - (i) Complaints investigation, monitoring and reporting; and
  - (j) The identification of staff and contractors' responsibilities.

## **CONSTRUCTION CONDITIONS**

- 18) CEMP.4 The CEMP shall be implemented and maintained throughout the entire construction period.
- 19) CEMP.5 A copy of the CEMP shall be held on each construction site at all times and be available for inspection on request by the Auckland Council.
- 20) CEMP.12 The CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the Project. The review shall take into consideration:
- (a) Compliance with designation and consent conditions;
  - (b) Any changes to construction methods;
  - (c) Key changes to roles and responsibilities within the Project;
  - (d) Changes in industry best practice standards;
  - (e) Changes in legal or other requirements;
  - (f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and
  - (g) Public complaints.
- A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Team Manager, Auckland Council and made available (with any related data) to the Auckland Council upon request.
- 21) CEMP.13 Following the review process (as described in Condition CEMP.12), the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.'

*Advice Note: Material change will include amendment to any base information informing the*

*CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation / remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.*

- 22) PI.3 At least 15 working days prior to the commencement of construction, and at 15 working day intervals thereafter, or as required depending on the scale of works and effects on the community, advertisements will be placed in the relevant local newspapers and community noticeboards (as identified in Condition CEMP.6(b)) detailing the nature of the forthcoming works, the location of the forthcoming works and hours of operation. All advertisements will include reference to a 24 hour toll free complaints telephone number. Where relevant, advertisements will also include but not be limited to details of:
- (a) Any traffic disruptions or controls or changes to property access, pedestrian/ cycle routes and bus stops; and
  - (b) Any other construction activities, including night time works, blasting, and structure-borne noise, as identified in the conditions.
- 23) PI.4 The NZTA shall manage, investigate and resolve (as appropriate) all complaints for the duration of the construction works in accordance with the environmental complaints section of the CEMP. The implementation strategy for complaints includes:
- (a) A 24 hour toll free telephone number and email address, which shall be provided to all potentially affected residents and businesses. The number shall be available and answered at all times during the entire duration of the works for the receipt and management of any complaints. A sign containing the contact details shall be located at each site specific work activity;
  - (b) The NZTA shall maintain a record of all complaints made to this number, email or any site office, including the full details of the complainant and the nature of the complaint;
  - (c) Upon receiving a complaint, within 10 days of complaint receipt, a formal written response will be provided to the complainant and Auckland Council;
  - (d) The NZTA shall undertake corrective action where necessary to resolve any problem identified. All action taken and relevant information shall be documented. For the avoidance of doubt, 'where necessary' refers to where the works are not being carried out in accordance with conditions of this designation;
  - (e) Where issues and complaints about effects cannot be resolved through the CEMP complaints management process, a meeting shall be held between the NZTA, the complainant and the Auckland Council representative(s) to discuss the complaint and ways in which the issue may be resolved. If parties cannot agree on a resolution, an independent qualified mediator will be appointed, agreeable to all parties and at the shared cost of all parties, to undertake mediation of the dispute or concerns; and
  - (f) All information collected in Conditions PI.4 (b), (c) and (d) shall be detailed in a Construction Compliance Report (including the means by which the complaint was addressed, whether resolution was reached and how the response was carried out) prepared by the NZTA. This Report shall be submitted to the Major Infrastructure Team Manager, Auckland Council on a quarterly basis commencing at the beginning of the works and for the entire duration of construction.
- 24) PI.6 The Community Liaison Group(s) shall be provided opportunities to review and comment on the following (amongst other things):
- (a) The Outline Plan of Works detailing designs for the northern and southern ventilation buildings and stacks (the outcomes of this consultation will be reported in accordance

- (b) The Open Space Restoration Plans (as required by Condition OS.3);
- (c) Finalisation and amendment to Urban Design and Landscape Plans (UDL Plans) (as required by Condition LV.1);
- (d) The Oakley Inlet Heritage Plan (as required by Conditions OS.5(b)(i) and ARCH.6);
- (e) The detail of the Oakley Creek restoration (as required by Condition STW.20);
- (f) Publicly available results of environmental monitoring as required by the designation and/or these Consents (e.g. air quality monitoring); and
- (g) The finalisation of the STEM assessment required by CEMP.6(o) and a schedule of trees that are required to be removed for consideration of timber use in heritage projects as required by Condition SO.7.

*Advice Note: Attention is drawn to the Vegetation conditions concerning identification and protection of Significant Vegetation and Valued Vegetation.*

- (h) Detailed design features of the Te Atatu underpass (e.g. lighting and architectural treatment).
- 25) AQ.2 The NZTA shall review the CAQMP and CBCMP at least annually and as a result of any material change to the Project. Any consequential changes will be undertaken in accordance with Condition CEMP.13.
- 26) AQ.3 All construction activities shall be operated, maintained, supervised, monitored and controlled at all times so that all emissions authorised by this consent are maintained at the minimum practicable level.
- 27) AQ.4 The NZTA shall undertake construction activities in accordance with the CEMP, CAQMP and CBCMP, such that:
- (a) Hard surfaced areas of the construction yards and active construction areas are vacuum swept or scraped down at least twice each week and additionally as reasonably required;
  - (b) All unsealed areas of the site used for vehicle movement are maintained visibly damp by the use of water sprays or a water cart during weather conditions where the potential for dust emissions exist;
  - (c) Wheel wash systems are installed at all truck exits from unpaved areas of the site onto public roads are used for all trucks that depart from the site;
  - (d) All stockpiles are constructed and positioned to minimise the potential for dust emissions. The surfaces of all stockpiles are maintained adequately damp at all times to minimise the release of particulate matter;
  - (e) Belt conveyors for moving dry materials are fitted with water sprays or enclosed to minimise wind entrainment of dust. Where installed, water suppression is used whenever the conveyors are used for moving dry materials.
- 28) AQ.5 Unless expressly provided for by conditions of this consent, there shall be no odour, dust or fumes beyond the site boundary caused by discharges from the site which, in the opinion of an enforcement officer, is noxious, offensive or objectionable.
- 29) AQ.6 All offensive or objectionable dust beyond the boundary of the site caused as a result of processes on the site shall be mitigated forthwith in accordance with the requirements of the Construction Air Quality Management Plan.
- 30) AQ.7 Beyond the site boundary there shall be no hazardous air pollutant caused by discharges from the site that causes, or is likely to cause, adverse effects on human health, environment or property.

- 31) AQ.8 No discharges from any activity on site shall give rise to visible emissions, other than water vapour, to an extent which, in the opinion of an enforcement officer, is noxious, dangerous, offensive or objectionable.
- 32) AQ.12 Air extract ventilation from the rock crushing plant shall be ducted to a baghouse that shall either discharge entirely within the building or be designed to meet a particulate discharge concentration limit of  $30 \text{ mg/m}^3$ , a collection efficiency of 99.9% and a maximum air to cloth ratio of  $3.0 \text{ m}^3/\text{m}^2/\text{min}$ . If the baghouse does not discharge entirely within the building, the pressure drop across this baghouse shall be continuously monitored.
- 33) AQ.13 No part of the rock crushing process shall be operated without the associated emission control equipment being fully operational and functioning correctly.

## **MONITORING**

### ***Construction***

- 34) AQ.14 The NZTA shall undertake visual inspections of dust emissions as follows:
- (a) Visual inspections of all active construction areas at least three times daily during October to April inclusive, whenever there are construction activities. The results of visual monitoring shall be logged.
  - (b) Visual inspections of dust emissions from the concrete batching plants and rock crushing plant shall be undertaken daily while the plant is operating.
- 35) AQ.15 The operation of water sprays shall be checked at least once each day.
- 36) AQ.16 Continuous monitoring of TSP concentrations shall be undertaken in at least one location in Sector 1, in at least two locations in Sectors 5 and/or 7, and in at least two locations in Sector 9 while construction activities are being undertaken in those Sectors. The locations of continuous TSP monitors shall, as far as practicable, comply with the requirements of AS/NZ 3580.1.1:2007 Method for Sampling and Analysis of Ambient Air – Guide to Siting Air Monitoring Equipment.
- 37) AQ.17 Continuous monitoring of wind speed and direction shall be undertaken in at least one location in each of Sector 1, Sectors 5 or 7 and Sector 9 while construction activities are being undertaken in those Sectors. The locations of wind speed and direction monitors shall, as far as practicable, comply with the requirements of AS 2923:1987 Ambient Air – Guide for the Measurement of Horizontal Wind for Air Quality Applications and be at the same locations as the TSP monitors required by Condition AQ.16.
- 38) AQ.18 The locations and types of continuous TSP and meteorological monitoring sites required by Conditions AQ.16 and AQ.17 shall be selected by the NZTA in consultation with the Auckland Council.
- In the event of a failure of the monitoring equipment, this shall be repaired or replaced within 2 working days.

## **REPORTING**

### ***Construction***

- 39) AQ.19 All records, logs, monitoring and test results that are required by the conditions of this consent shall be made available on request, during operating hours, to an Auckland Council enforcement officer and shall be kept for the duration of the consent.
- 40) AQ.20 If the monitoring required by Condition AQ.16 shows that concentrations of TSP in ambient air at or beyond the boundary of the site exceeds  $80 \text{ micrograms/m}^3$  as a 24-hour average,

the NZTA shall undertake an investigation into the cause of the exceedance in accordance with the CAQMP.

- 41) AQ.21 A report into the outcome of any investigation required by Condition AQ.20 shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 10 working days of the exceedance. If the cause of the exceedance is identified as being an activity undertaken on the site, the report shall also identify additional measures to be taken to reduce discharges of particulate matter into air from that activity.
- 42) AQ.22 Log books shall be maintained that record all relevant information that is required to demonstrate compliance with the conditions of this consent. This information shall include, but is not limited to:
- (a) Visual assessments of any dust emissions from the site and the source;
  - (b) Any dust control equipment malfunction and any remedial action taken;
  - (c) When a water cart was used and, if so, the frequency of use and the volume of water used (including identification of location);
  - (d) All relevant details of the TSP and meteorological monitoring required by Conditions AQ.16 and AQ.17;
  - (e) Any additional dust control measures undertaken; and
  - (f) The date and time of the entry and the signature of the person entering the information.
- 43) AQ.23 The NZTA shall maintain a log of any complaints received relating to air quality. Details of each complaint received shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 24 hours of receipt of the complaint. The log shall include any complaints lodged with the Auckland Council where the Council has informed the NZTA of the complaint. The log shall include, but not be limited to the following:
- (a) The date, time, location and nature of the complaint;
  - (b) Weather conditions at the time of the complaint (including approximate wind speed, wind direction, cloud cover);
  - (c) Any possible other contributing factors (such as a fire, smoky vehicle, a local chimney emission, etc.);
  - (d) The name, phone number and address of the complainant (unless the complainant elects not to supply these details);
  - (e) Any remedial actions undertaken; and
  - (f) The date and time of the entry and the signature of the person entering the information.

## EPA 10/2.024 – (ARC: 38328)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

**Type:** Air Discharge Permit

**Description:** **Discharge to Air – Concrete Batching Plant (Sectors 5 and 9):**

The discharge of contaminants into air, through a bag filter system, from the mixing of cement powder with other materials to manufacture concrete or concrete products at a rate exceeding a total production capacity of 110 tonnes per day.

**Duration:** 10 years

**Code:** RC = Standard Resource Consent Conditions

CEMP = Construction Environment Management Plan Conditions

PI = Public Information Conditions

AQ = Air Quality Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.
- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the

implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.

If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.

Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.

- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:

- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
- (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);
- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);
- (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9),

- (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
  - (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
    - (i) Extend these areas in geographic extent to provide for the works identified in the Management Plan notations identified in the OS Conditions (in particular OS.5 and OS.6). (e.g. these areas will (as relevant) include Eric Armishaw Park, Howlett Reserve and Waterview Esplanade Reserve); and
    - (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) CEMP.1 Except where provided for in Condition CEMP.1A below, the NZTA shall update and finalise the draft Construction Environmental Management Plan (CEMP) including all the Management Plans which form part of the CEMP and are included as appendices, submitted with this application to ensure compliance with the consent and designation conditions imposed by the Board of Inquiry. The CEMP shall be provided to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Construction shall not commence until certification is obtained.
- Advice note: For clarity the CEMP will be updated and finalised in accordance with the conditions. Any amendments will be limited to reflecting the requirements of the conditions, specifying personnel, and completing the Environmental Risk Register.*
- Advice Note: Particular care must be taken with development and operation of Construction Yard 7. When the CEMP is being updated and finalised, consideration must be given to the contents of the draft SSCEMP prepared for Construction Yard 7 (Row 41, Schedule A) recognising changes required by inclusion of the ventilation stack in this yard.*
- 10) CEMP.1B For the purposes of staging works, as some works may commence well in advance of others, the NZTA may provide staged or site specific CEMPs for those works to the Major Infrastructure Team Manager, Auckland Council. The NZTA shall consult with the Team Manager about the need and timing for any other site-specific or staged CEMPs and shall provide any required site-specific or staged CEMPs to the Major Infrastructure Team Manager, Auckland Council for review at least 20 working days prior to commencement of such the specific stage (including enabling) or site works.
- 11) CEMP.2 The certification process of the CEMP (and its appendices) shall confirm that the CEMP gives effect to the relevant conditions, as well as those matters in CEMP.6, and that it includes details of:
- (a) Staff and contractors' responsibilities;
  - (b) Training requirements for employees, sub-contractors and visitors;
  - (c) Environmental incident and emergency management;
  - (d) Communication and interface procedures (in accordance with the Communication Plan required under Condition PI.2);
  - (e) Environmental complaints management (including the procedures required under Condition PI.4);

- (f) Compliance monitoring;
  - (g) Reporting (including detail on the frequency of reporting to the Auckland Council);
  - (h) Environmental auditing; and
  - (i) Corrective action.
- 12) CEMP.3 The management of key environmental effects associated with the construction phase of the Project is detailed within environmental management plans that are included in the CEMP as appendices. This suite of management plans as shown on Figure CEMP.A comprises:
- (a) Construction Noise and Vibration Management Plan (CNVMP);
  - (b) Construction Air Quality Management Plan (CAQMP);
  - (c) Erosion and Sediment Control Plan (ESCP);
  - (d) Temporary Stormwater Management Plan (TSMP);
  - (e) Ecological Management Plan (ECOMP);
  - (f) Groundwater Management Plan (GWMP);
  - (g) Settlement Effects Management Plan (SEMP);
  - (h) Contaminated Soils Management Plan (CSMP);
  - (i) Hazardous Substances Management Plan (HSMP);
  - (j) Archaeological Site Management Plan (ASMP);
  - (k) Construction Traffic Management Plan (CTMP);
  - (l) Concrete Batching and Crushing Plant Management Plan (CBCPMP);
  - (m) Electrical Infrastructure Site Development and Construction Management Plan (EISDCMP) (to be prepared in accordance with Condition CEMP.15);
  - (n) Waste Management Plan (to be prepared in accordance with Condition CEMP.10) ;  
and
  - (o) Temporary Construction Lighting Management Plan (to be prepared in accordance with Condition L.2).
- 13) CEMP.6 The finalised CEMP shall include specific details on demolition, construction and management of all works associated with the Project. The certification process of the CEMP shall confirm that the CEMP includes details of the following:
- (a) details of the site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);
  - (b) The location of large notice boards that clearly identify the NZTA and the Project name, together with the name, telephone, email address and address for service of the site or Project manager and the community liaison person;
  - (c) An outline construction programme of the work indicating in particular likely time periods for road closures and anticipated traffic diversion effects;
  - (d) The hours of work, which should reflect the need to ensure that residents enjoy reasonable freedom from noisy or intrusive construction activity in their neighbourhood at night, on Sundays and during public holidays;
  - (e) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage and unloading of building materials and similar construction activities;
  - (f) Location of worker's offices and conveniences (e.g. portaloos);
  - (g) Procedures of controlling sediment run-off, dust and the removal of soil, debris and demolition and construction materials from public roads or places. Dust mitigation

- (h) Methods to stabilise ingress and egress points to construction sites, to the standard required by ARC Technical Publication 90 (Nov 2007);
- (i) Procedures for ensuring that residents within 100m of construction areas or other people whose use of an area may be disrupted by construction works (for example the Te Atatu Boating Club for works on the Whau River) are given notice of the commencement of construction activities and are informed about the expected duration of the works, including potentially through the community liaison person;
- (j) Procedures to be followed to ensure that those working in the vicinity of identified heritage and ecological features are aware of the heritage or ecological values of these features and the steps which need to be taken to meet the conditions applying to work on the site;
- (k) Means of ensuring the safety of the general public;
- (l) Procedures for the community liaison person to receive and respond to complaints about construction activities, including dust and odour from the works;
- (m) Methods of mitigating the local and network wide effects of construction of individual elements of the Project, including measures to ensure that parking of staff vehicles on surrounding streets is restricted;
- (n) All temporary boundary/ security fences shall be maintained in good order, with any graffiti removed as soon as possible;
- (o) Confirmation of a Project Arborist and completion of a STEM assessment of the preliminary list of Amenity Trees in Schedule E.7 of the AEE to confirm the final Amenity Trees; and
- (p) The process to minimise removal of Amenity Trees, maximise the protection of those retained, undertake relocation of Amenity Trees and replacement planting of specimen trees (in accordance with Conditions LV.10 and ARCH.9)).
- (q) *Advice note: For the purposes of CEMP.6(o) and (p), Amenity Tree is defined as a tree or trees that contribute significantly to amenity, taking into account its form, size, health, ecological or historical significance (a preliminary list of these trees is provided in Appendix E.7 of the AEE).*

14) PI.1 A community liaison person shall be appointed by the NZTA for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the Project. The liaison person's name and contact details shall be made available in the CEMP and on site signage by the NZTA. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.

15) PI.2 The NZTA shall prepare and implement a Communications Plan that sets out procedures detailing how the public, Ministry of Social Development, Housing New Zealand Corporation and other organisations representing the particular demographic characteristics of the community (including but not limited to Primary Health Organisations, general practitioners, youth, education organisations, aged care groups and groups representing ethnic and migrant communities) will be communicated with throughout the construction and monitoring periods (as prescribed in the designation and consent conditions).

In preparing the Communications Plan, the NZTA will liaise with Auckland Council to access its community liaison databases. The Communications Plan will include details of:

- (a) The site or Project manager and the community liaison person, including their contact details (phone, facsimile, postal address, email address);

- (b) In accordance with these Conditions, the database of the key construction activities and monitoring requirements that are the subject of the Communications Plan;
- (c) The database of stakeholders and residents who will be communicated with;
- (d) Communication methods, an assessment of how these methods reach the different audience/stakeholder groups (including those methods set out in Condition CEMP.6), and detail on when each of these methods will be used (e.g. regular communication or event specific methods);
- (e) The appointed specialist in Environmental and Occupational Medicine, including contact details (as per Condition SO.13);
- (f) Any stakeholder specific communication plans required; and
- (g) Monitoring and review procedures for the Communications Plan.

The Communications Plan shall be written in accordance with the external communication procedures set out in the CEMP and provided at least 20 working days prior to construction commencing, to the Major Infrastructure Team Manager, Auckland Council, Working Liaison Group and the Community Liaison Group(s) established by Condition PI.5. The structure of the communication groups set out in these conditions is attached as Figure PI.A.

- 16) PI.5 The NZTA shall establish Community Liaison Group(s) at least two months prior to construction commencing in each of the following key construction areas:

- (a) Te Atatu (including the SH16 Causeway)
- (b) Waterview (including works to St Lukes on SH16 and on the Waterview Estuary and Causeway Bridges)
- (c) Owairaka

and hold regular meetings (at least three monthly) throughout the construction period and up to 24 months following construction completion relevant to these areas (or less if the members of the Group agree), so that on-going monitoring information can continue to be disseminated.

The Community Liaison Group(s) shall be open to all interested parties within the Project area including, but not limited to the following groups:

- (a) Auckland Council and Auckland Transport;
- (b) Educational facilities within the Project area (including schools, kindergartens, childcare facilities and Unitec Institute of Technology);
- (c) Relevant community/ environmental groups (including but not limited to Friends of Oakley Creek, Star Mills Preservation Group, Cycle Action Auckland and representatives from those organisations identified in the Communications Plan (as required by Condition PI.2) and local residents;
- (d) Department of Conservation;
- (e) Local Boards;
- (f) Iwi groups with Mana Whenua;
- (g) Public transport providers; and
- (h) Housing New Zealand Corporation.

*Advice note: The purpose of the Community Liaison Group(s) is to provide a regular forum through which information about the Project can be provided to the community, and an opportunity for concerns or issues to be raised.*

- 17) AQ.1 The NZTA shall finalise and implement, through the CEMP, the Construction Air Quality Management Plan (CAQMP) and Concrete Batching and Crushing Management Plan

(CBCMP) submitted with the application.

The CAQMP and CBCMP shall be provided to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CAQMP and CBCMP includes the following details:

- (a) Daily visual monitoring of dust emissions;
- (b) Procedures for responding to process malfunctions and accidental dust discharges;
- (c) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site;
- (d) Continuous monitoring of Total Suspended Particulate (TSP) concentrations and meteorology;
- (e) Monitoring of the times of detectable odour emissions from the ground;
- (f) Procedures for responding to discharges of odour (including in the event of excavation of contaminated sites);
- (g) Monitoring of construction vehicle maintenance;
- (h) Process equipment inspection, maintenance, monitoring and recording, including baghouses, pressure relief valves and high level alarms;
- (i) Complaints investigation, monitoring and reporting; and
- (j) The identification of staff and contractors' responsibilities.

## CONSTRUCTION CONDITIONS

- 18) CEMP.4 The CEMP shall be implemented and maintained throughout the entire construction period.
- 19) CEMP.5 A copy of the CEMP shall be held on each construction site at all times and be available for inspection on request by the Auckland Council.
- 20) CEMP.12 The CEMP shall be reviewed by the NZTA at least annually or as a result of a material change to the Project. The review shall take into consideration:
  - (a) Compliance with designation and consent conditions;
  - (b) Any changes to construction methods;
  - (c) Key changes to roles and responsibilities within the Project;
  - (d) Changes in industry best practice standards;
  - (e) Changes in legal or other requirements;
  
  - (f) Results of inspections, monitoring, incidents, corrective actions, internal or external assessments; and
  - (g) Public complaints.

A summary of the review process undertaken shall be kept by the NZTA, provided annually to the Major Infrastructure Team Manager, Auckland Council and made available (with any related data) to the Auckland Council upon request.

- 21) CEMP.13 Following the review process (as described in Condition CEMP.12), the CEMP may require updating. Any material change proposed to the CEMP (including appended Management Plans) shall be submitted for approval to the Major Infrastructure Team Manager, Auckland Council at least 10 working days prior to the proposed changes taking effect.'

*Advice Note: Material change will include amendment to any base information informing the CEMP or any process, procedure or method of the CEMP (such as the environmental constraints map, compliance monitoring process, complaints procedure or mitigation /*

*remedial methods identified) which has the potential to increase adverse effects on a particular value. For clarity changes to personnel and contact schedules do not constitute a material change.*

- 22) PI.3 At least 15 working days prior to the commencement of construction, and at 15 working day intervals thereafter, or as required depending on the scale of works and effects on the community, advertisements will be placed in the relevant local newspapers and community noticeboards (as identified in Condition CEMP.6(b)) detailing the nature of the forthcoming works, the location of the forthcoming works and hours of operation. All advertisements will include reference to a 24 hour toll free complaints telephone number. Where relevant, advertisements will also include but not be limited to details of:
- (a) Any traffic disruptions or controls or changes to property access, pedestrian/ cycle routes and bus stops; and
  - (b) Any other construction activities, including night time works, blasting, and structure-borne noise, as identified in the conditions.
- 23) PI.4 The NZTA shall manage, investigate and resolve (as appropriate) all complaints for the duration of the construction works in accordance with the environmental complaints section of the CEMP. The implementation strategy for complaints includes:
- (a) A 24 hour toll free telephone number and email address, which shall be provided to all potentially affected residents and businesses. The number shall be available and answered at all times during the entire duration of the works for the receipt and management of any complaints. A sign containing the contact details shall be located at each site specific work activity;
  - (b) The NZTA shall maintain a record of all complaints made to this number, email or any site office, including the full details of the complainant and the nature of the complaint;
  - (c) Upon receiving a complaint, within 10 days of complaint receipt, a formal written response will be provided to the complainant and Auckland Council;
  - (d) The NZTA shall undertake corrective action where necessary to resolve any problem identified. All action taken and relevant information shall be documented. For the avoidance of doubt, 'where necessary' refers to where the works are not being carried out in accordance with conditions of this designation;
  - (e) Where issues and complaints about effects cannot be resolved through the CEMP complaints management process, a meeting shall be held between the NZTA, the complainant and the Auckland Council representative(s) to discuss the complaint and ways in which the issue may be resolved. If parties cannot agree on a resolution, an independent qualified mediator will be appointed, agreeable to all parties and at the shared cost of all parties, to undertake mediation of the dispute or concerns; and
  - (f) All information collected in Conditions PI.4 (b), (c) and (d) shall be detailed in a Construction Compliance Report (including the means by which the complaint was addressed, whether resolution was reached and how the response was carried out) prepared by the NZTA. This Report shall be submitted to the Major Infrastructure Team Manager, Auckland Council on a quarterly basis commencing at the beginning of the works and for the entire duration of construction.
- 24) PI.6 The Community Liaison Group(s) shall be provided opportunities to review and comment on the following (amongst other things):
- (a) The Outline Plan of Works detailing designs for the northern and southern ventilation buildings and stacks (the outcomes of this consultation will be reported in accordance with the processes required in DC.8(n) and DC.9(k);
  - (b) The Open Space Restoration Plans (as required by Condition OS.3);

- (c) Finalisation and amendment to Urban Design and Landscape Plans (UDL Plans) (as required by Condition LV.1);
- (d) The Oakley Inlet Heritage Plan (as required by Conditions OS.5(b)(i) and ARCH.6);
- (e) The detail of the Oakley Creek restoration (as required by Condition STW.20);
- (f) Publicly available results of environmental monitoring as required by the designation and/or these Consents (e.g. air quality monitoring); and
- (g) The finalisation of the STEM assessment required by CEMP.6(o) and a schedule of trees that are required to be removed for consideration of timber use in heritage projects as required by Condition SO.7.

*Advice Note: Attention is drawn to the Vegetation conditions concerning identification and protection of Significant Vegetation and Valued Vegetation.*

- (h) Detailed design features of the Te Atatu underpass (e.g. lighting and architectural treatment).
- 25) AQ.2 The NZTA shall review the CAQMP and CBCMP at least annually and as a result of any material change to the Project. Any consequential changes will be undertaken in accordance with Condition CEMP.13.
- 26) AQ.3 All construction activities shall be operated, maintained, supervised, monitored and controlled at all times so that all emissions authorised by this consent are maintained at the minimum practicable level.
- 27) AQ.4 The NZTA shall undertake construction activities in accordance with the CEMP, CAQMP and CBCMP, such that:
- (a) Hard surfaced areas of the construction yards and active construction areas are vacuum swept or scraped down at least twice each week and additionally as reasonably required;
  - (b) All unsealed areas of the site used for vehicle movement are maintained visibly damp by the use of water sprays or a water cart during weather conditions where the potential for dust emissions exist;
  - (c) Wheel wash systems are installed at all truck exits from unpaved areas of the site onto public roads are used for all trucks that depart from the site;
  - (d) All stockpiles are constructed and positioned to minimise the potential for dust emissions. The surfaces of all stockpiles are maintained adequately damp at all times to minimise the release of particulate matter;
  - (e) Belt conveyors for moving dry materials are fitted with water sprays or enclosed to minimise wind entrainment of dust. Where installed, water suppression is used whenever the conveyors are used for moving dry materials.
- 28) AQ.5 Unless expressly provided for by conditions of this consent, there shall be no odour, dust or fumes beyond the site boundary caused by discharges from the site which, in the opinion of an enforcement officer, is noxious, offensive or objectionable.
- 29) AQ.6 All offensive or objectionable dust beyond the boundary of the site caused as a result of processes on the site shall be mitigated forthwith in accordance with the requirements of the Construction Air Quality Management Plan.
- 30) AQ.7 Beyond the site boundary there shall be no hazardous air pollutant caused by discharges from the site that causes, or is likely to cause, adverse effects on human health, environment or property.
- 31) AQ.8 No discharges from any activity on site shall give rise to visible emissions, other than water vapour, to an extent which, in the opinion of an enforcement officer, is noxious, dangerous,

offensive or objectionable.

- 32) AQ.9 Air displaced from concrete batching plant during silo filling or concrete batching shall be vented to atmosphere via filter units as follows:
- (a) Cement silos – a pulse jet baghouse mounted on top of the silo designed to meet a particulate discharge concentration limit of  $30 \text{ mg/m}^3$ , a collection efficiency of 99.9% and a maximum air to cloth ratio of  $3.0 \text{ m}^3/\text{m}^2/\text{min}$ .
  - (b) Cement weigh hopper - a static baghouse mounted on top of the weigh hopper designed to meet a particulate discharge concentration limit of  $30 \text{ mg/m}^3$ , a collection efficiency of 90% and a maximum air to cloth ratio of  $1.0 \text{ m}^3/\text{m}^2/\text{min}$ .
  - (c) Mixer drum – either via the cement silo or via a separate baghouse designed to meet a particulate discharge concentration limit of  $30 \text{ mg/m}^3$ , a collection efficiency of 99.9% and a maximum air to cloth ratio of  $3.0 \text{ m}^3/\text{m}^2/\text{min}$ . If a separate baghouse is used, the pressure drop across this baghouse shall be continuously monitored.
- 33) AQ.10 Each cement silo on site shall be fitted with a high fill alarm that shall be adequately maintained and be operating whenever bulk cement is being transferred into that silo. In the event of the alarm operating, filling into that silo shall cease immediately and shall not be resumed until the cause has been located and remedied.
- 34) AQ.11 No part of the concrete batching process shall be operated without the associated emission control equipment being fully operational and functioning correctly.

## MONITORING

### **Construction**

- 35) AQ.14 The NZTA shall undertake visual inspections of dust emissions as follows:
- (d) Visual inspections of all active construction areas at least three times daily during October to April inclusive, whenever there are construction activities. The results of visual monitoring shall be logged.
  - (e) Visual inspections of dust emissions from the concrete batching plants and rock crushing plant shall be undertaken daily while the plant is operating.
- 36) AQ.15 The operation of water sprays shall be checked at least once each day.
- 37) AQ.16 Continuous monitoring of TSP concentrations shall be undertaken in at least one location in Sector 1, in at least two locations in Sectors 5 and/or 7, and in at least two locations in Sector 9 while construction activities are being undertaken in those Sectors. The locations of continuous TSP monitors shall, as far as practicable, comply with the requirements of AS/NZ 3580.1.1:2007 Method for Sampling and Analysis of Ambient Air – Guide to Siting Air Monitoring Equipment.
- 38) AQ.17 Continuous monitoring of wind speed and direction shall be undertaken in at least one location in each of Sector 1, Sectors 5 or 7 and Sector 9 while construction activities are being undertaken in those Sectors. The locations of wind speed and direction monitors shall, as far as practicable, comply with the requirements of AS 2923:1987 Ambient Air – Guide for the Measurement of Horizontal Wind for Air Quality Applications and be at the same locations as the TSP monitors required by Condition AQ.16.
- 39) AQ.18 The locations and types of continuous TSP and meteorological monitoring sites required by Conditions AQ.16 and AQ.17 shall be selected by the NZTA in consultation with the Auckland Council.
- In the event of a failure of the monitoring equipment, this shall be repaired or replaced

within 2 working days.

## REPORTING

### **Construction**

- 40) AQ.19 All records, logs, monitoring and test results that are required by the conditions of this consent shall be made available on request, during operating hours, to an Auckland Council enforcement officer and shall be kept for the duration of the consent.
- 41) AQ.20 If the monitoring required by Condition AQ.16 shows that concentrations of TSP in ambient air at or beyond the boundary of the site exceeds 80 micrograms/m<sup>3</sup> as a 24-hour average, the NZTA shall undertake an investigation into the cause of the exceedance in accordance with the CAQMP.
- 42) AQ.21 A report into the outcome of any investigation required by Condition AQ.20 shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 10 working days of the exceedance. If the cause of the exceedance is identified as being an activity undertaken on the site, the report shall also identify additional measures to be taken to reduce discharges of particulate matter into air from that activity.
- 43) AQ.22 Log books shall be maintained that record all relevant information that is required to demonstrate compliance with the conditions of this consent. This information shall include, but is not limited to:
- (a) Visual assessments of any dust emissions from the site and the source;
  - (b) Any dust control equipment malfunction and any remedial action taken;
  - (c) When a water cart was used and, if so, the frequency of use and the volume of water used (including identification of location);
  - (d) All relevant details of the TSP and meteorological monitoring required by Conditions AQ.16 and AQ.17;
  - (e) Any additional dust control measures undertaken; and
  - (f) The date and time of the entry and the signature of the person entering the information.
- 44) AQ.23 The NZTA shall maintain a log of any complaints received relating to air quality. Details of each complaint received shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 24 hours of receipt of the complaint. The log shall include any complaints lodged with the Auckland Council where the Council has informed the NZTA of the complaint. The log shall include, but not be limited to the following:
- (a) The date, time, location and nature of the complaint;
  - (b) Weather conditions at the time of the complaint (including approximate wind speed, wind direction, cloud cover);
  - (c) Any possible other contributing factors (such as a fire, smoky vehicle, a local chimney emission, etc.);
  - (d) The name, phone number and address of the complainant (unless the complainant elects not to supply these details);
  - (e) Any remedial actions undertaken; and
  - (f) The date and time of the entry and the signature of the person entering the information.

## EPA 10/2.025 – (ARC: 38329)

This document has been prepared in compliance with conditions of the “*Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, Volume 2, Conditions of Consent*”. Schedule B of Volume 2 identifies the Conditions relevant to this Consent by the code and number as referenced throughout this document. In the event of dispute, Schedule B of Volume 2 shall take precedence over this Consent.

<b>Type:</b>	Air Discharge Permit
<b>Description:</b>	<b>Discharge to Air – Roadworks:</b>  Taking precautionary approach consent is sought for discharges to air associated with roadworks (including dust emissions)
<b>Duration:</b>	10 years
<b>Code:</b>	RC = Standard Resource Consent Conditions  AQ = Air Quality Conditions

### GENERAL CONDITIONS

- 1) RC.1 Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by the New Zealand Transport Agency (NZTA), in the resource consent applications and the supporting documents (as detailed in Condition DC.1), and in the supplementary information provided in evidence by the NZTA.
- 2) RC.1A The NZTA shall implement the conditions of these consents in accordance with Schedule B, which sets out the Conditions that are to be applied to each consent including the duration of each consent.
- 3) RC.2 The Conditions of these consents may be reviewed by the Major Infrastructure Team Manager, Auckland Council, pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, on the one year anniversary of the commencement of the consents and every year thereafter in order:
  - (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4) RC.4 Any Management Plans submitted to the Major Infrastructure Team Manager, Auckland Council for approval or certification may be submitted in stages to reflect any proposed staging of the physical works. Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.
- 5) RC.5 In the event of any dispute, disagreement or inaction arising as to any Auckland Council Manager certification/ approvals required by the consent conditions, or as to the implementation of or monitoring required by the conditions, matters shall be referred in the first instance to the NZTA Regional State Highway Manager and to the Resource Consents Manager, Auckland Council to determine a process of resolution.  
  
If a resolution cannot be agreed, then the matter may be referred to an independent

appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

The independent appropriately qualified expert shall be appointed within 10 working days of the NZTA or Auckland Council giving notice of their intention to seek expert determination. The expert shall, as soon as possible, issue his or her decision on the matter. In making the decision, the expert shall be entitled to seek further information and hear from the parties as he or she sees fit.

Advice note: The dispute resolution process provided for in this condition does not prejudice any party's right to take enforcement action in relation to the implementation of the designation conditions. However, the dispute resolution process will be applied before any formal enforcement action is taken by the Council except in urgent situations.

- 6) RC.6 Pursuant to Section 36(1)(d) of the RMA, the requiring authority is required to pay to Auckland Council any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of designation conditions.
- 7) RC.7 The servants of agents of Auckland Council shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.

## **PRE-CONSTRUCTION CONDITIONS**

- 8) RC.3 Within 3 months of the resource consents commencing for the Project (or at least 1 month prior to any Auckland Council approvals or certifications required by these Conditions, whichever is the earlier), the NZTA shall update and finalise to the satisfaction of the Major Infrastructure Team Manager, Auckland Council all drawings and Plans cited in Schedule A, together with a full set of the information and documentation referred to in Condition DC.1 and provide these to the Major Infrastructure Team Manager, Auckland Council. At the same time the NZTA shall prepare to the satisfaction of Auckland Council, a document for each resource consent which sets out the resource consent and have attached to it in text format a comprehensive set of the conditions imposed by the Board of Inquiry in its Final Decision as summarised in Schedule B, inclusive of any standard conditions and advice notes.

In particular (but not limited to), the following Plans will need to be amended in light of the Final Conditions:

- (a) F.2 Operational Scheme Plans (refer Schedule A, Row 3) require amendment detailing the amended location of the ventilation stacks and southern ventilation buildings;
- (b) F.5 Construction Scheme Plans (refer Schedule A, Row 4) require amendment to detail changes to construction footprint for the amended location of ventilation stacks and southern ventilation buildings and reconfiguration of Construction Yard 1);
- (c) F.6 Construction Yard Plans 101 and 107 (refer Schedule A, Row 7), detailing amendments to the Construction Yard 1 in light of the reconfiguration of this Yard and for Construction Yard 7 in light of the relocation of the northern ventilation stack (refer Schedule A, Row 34);
- (d) F.8 Plans of Structures and Architectural Features (refer Schedule A, Row 9), detailing the amended location of the Northern Ventilation Stack and the design and location of the Southern Ventilation Building and Stack;
- (e) The CNVMP (including flow diagram and the supplementary evidence produced by Ms Wilkening) (refer Schedule A, Rows 36, 37 and 39);
- (f) Update to the areas of the Open Space Restoration Plans (Schedule A, Row 30) to:
  - (i) Extend these areas in geographic extent to provide for the works identified in the

- (ii) Exclude the operational area of designation required for the northern ventilation stack (as identified through the OPW process (refer Condition DC.8); and
  - (g) Schedule A, Row 28 the Plan detailing proposed open space impacts and replacements needs to be updated to recolour the two land parcels on Hendon Avenue (which are excluded from the replacement calculations) to 'brown' to confirm they are part of the operational impact and will not be returned as open space.
- 9) AQ.1 The NZTA shall finalise and implement, through the CEMP, the Construction Air Quality Management Plan (CAQMP) and Concrete Batching and Crushing Management Plan (CBCMP) submitted with the application.
 

The CAQMP and CBCMP shall be provided to the Major Infrastructure Team Manager, Auckland Council at least 20 working days prior to construction activities being undertaken for review and certification that the CAQMP and CBCMP includes the following details:

  - (a) Daily visual monitoring of dust emissions;
  - (b) Procedures for responding to process malfunctions and accidental dust discharges;
  - (c) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site;
  - (d) Continuous monitoring of Total Suspended Particulate (TSP) concentrations and meteorology;
  - (e) Monitoring of the times of detectable odour emissions from the ground;
  - (f) Procedures for responding to discharges of odour (including in the event of excavation of contaminated sites);
  - (g) Monitoring of construction vehicle maintenance;
  - (h) Process equipment inspection, maintenance, monitoring and recording, including baghouses, pressure relief valves and high level alarms;
  - (i) Complaints investigation, monitoring and reporting; and
  - (j) The identification of staff and contractors' responsibilities.

## **CONSTRUCTION CONDITIONS**

- 10) AQ.2 The NZTA shall review the CAQMP and CBCMP at least annually and as a result of any material change to the Project. Any consequential changes will be undertaken in accordance with Condition CEMP.13.
- 11) AQ.3 All construction activities shall be operated, maintained, supervised, monitored and controlled at all times so that all emissions authorised by this consent are maintained at the minimum practicable level.
- 12) AQ.4 The NZTA shall undertake construction activities in accordance with the CEMP, CAQMP and CBCMP, such that:
  - (a) Hard surfaced areas of the construction yards and active construction areas are vacuum swept or scraped down at least twice each week and additionally as reasonably required;
  - (b) All unsealed areas of the site used for vehicle movement are maintained visibly damp by the use of water sprays or a water cart during weather conditions where the potential for dust emissions exist;
  - (c) Wheel wash systems are installed at all truck exits from unpaved areas of the site onto

- (d) All stockpiles are constructed and positioned to minimise the potential for dust emissions. The surfaces of all stockpiles are maintained adequately damp at all times to minimise the release of particulate matter;
  - (e) Belt conveyors for moving dry materials are fitted with water sprays or enclosed to minimise wind entrainment of dust. Where installed, water suppression is used whenever the conveyors are used for moving dry materials.
- 13) AQ.5 Unless expressly provided for by conditions of this consent, there shall be no odour, dust or fumes beyond the site boundary caused by discharges from the site which, in the opinion of an enforcement officer, is noxious, offensive or objectionable.
- 14) AQ.6 All offensive or objectionable dust beyond the boundary of the site caused as a result of processes on the site shall be mitigated forthwith in accordance with the requirements of the Construction Air Quality Management Plan.
- 15) AQ.7 Beyond the site boundary there shall be no hazardous air pollutant caused by discharges from the site that causes, or is likely to cause, adverse effects on human health, environment or property.
- 16) AQ.8 No discharges from any activity on site shall give rise to visible emissions, other than water vapour, to an extent which, in the opinion of an enforcement officer, is noxious, dangerous, offensive or objectionable.

## **MONITORING**

### ***Construction***

- 17) AQ.14 The NZTA shall undertake visual inspections of dust emissions as follows:
- (a) Visual inspections of all active construction areas at least three times daily during October to April inclusive, whenever there are construction activities. The results of visual monitoring shall be logged.
  - (b) Visual inspections of dust emissions from the concrete batching plants and rock crushing plant shall be undertaken daily while the plant is operating.
- 18) AQ.15 The operation of water sprays shall be checked at least once each day.
- 19) AQ.16 Continuous monitoring of TSP concentrations shall be undertaken in at least one location in Sector 1, in at least two locations in Sectors 5 and/or 7, and in at least two locations in Sector 9 while construction activities are being undertaken in those Sectors. The locations of continuous TSP monitors shall, as far as practicable, comply with the requirements of AS/NZ 3580.1.1:2007 Method for Sampling and Analysis of Ambient Air – Guide to Siting Air Monitoring Equipment.
- 20) AQ.17 Continuous monitoring of wind speed and direction shall be undertaken in at least one location in each of Sector 1, Sectors 5 or 7 and Sector 9 while construction activities are being undertaken in those Sectors. The locations of wind speed and direction monitors shall, as far as practicable, comply with the requirements of AS 2923:1987 Ambient Air – Guide for the Measurement of Horizontal Wind for Air Quality Applications and be at the same locations as the TSP monitors required by Condition AQ.16.
- 21) AQ.18 The locations and types of continuous TSP and meteorological monitoring sites required by Conditions AQ.16 and AQ.17 shall be selected by the NZTA in consultation with the Auckland Council.
- In the event of a failure of the monitoring equipment, this shall be repaired or replaced within

2 working days.

## REPORTING

### **Construction**

- 22) AQ.19 All records, logs, monitoring and test results that are required by the conditions of this consent shall be made available on request, during operating hours, to an Auckland Council enforcement officer and shall be kept for the duration of the consent.
- 23) AQ.20 If the monitoring required by Condition AQ.16 shows that concentrations of TSP in ambient air at or beyond the boundary of the site exceeds 80 micrograms/m<sup>3</sup> as a 24-hour average, the NZTA shall undertake an investigation into the cause of the exceedance in accordance with the CAQMP.
- 24) AQ.21 A report into the outcome of any investigation required by Condition AQ.20 shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 10 working days of the exceedance. If the cause of the exceedance is identified as being an activity undertaken on the site, the report shall also identify additional measures to be taken to reduce discharges of particulate matter into air from that activity.
- 25) AQ.22 Log books shall be maintained that record all relevant information that is required to demonstrate compliance with the conditions of this consent. This information shall include, but is not limited to:
- (a) Visual assessments of any dust emissions from the site and the source;
  - (b) Any dust control equipment malfunction and any remedial action taken;
  - (c) When a water cart was used and, if so, the frequency of use and the volume of water used (including identification of location);
  - (d) All relevant details of the TSP and meteorological monitoring required by Conditions AQ.16 and AQ.17;
  - (e) Any additional dust control measures undertaken; and
  - (f) The date and time of the entry and the signature of the person entering the information.
- 26) AQ.23 The NZTA shall maintain a log of any complaints received relating to air quality. Details of each complaint received shall be forwarded to the Major Infrastructure Team Manager, Auckland Council within 24 hours of receipt of the complaint. The log shall include any complaints lodged with the Auckland Council where the Council has informed the NZTA of the complaint. The log shall include, but not be limited to the following:
- (a) The date, time, location and nature of the complaint;
  - (b) Weather conditions at the time of the complaint (including approximate wind speed, wind direction, cloud cover);
  - (c) Any possible other contributing factors (such as a fire, smoky vehicle, a local chimney emission, etc.);
  - (d) The name, phone number and address of the complainant (unless the complainant elects not to supply these details);
  - (e) Any remedial actions undertaken; and
  - (f) The date and time of the entry and the signature of the person entering the information.