

Te Ara Hauāuru Northwest Rapid Transit – Proposed Regional Consent Conditions

All Resource Consents

These consents authorise the activities under sections 9(1), 9(2), 12, 13, 14 and 15 of the Resource Management Act 1991 (RMA) including Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) and Resource Management (National Environmental Standards for Freshwater Management) Regulations 2020 (NES-FW) as described in Table 1 for the purposes of the construction, operation, maintenance and improvement of the Project within the Site.

Definitions

The table below defines the acronyms and terms used in these conditions. Defined terms are capitalised in these conditions.

Acronyms and defined terms

Acronym/term	Definition/meaning
AEP	Annual Exceedance Probability
AUP	Auckland Unitary Plan
CCMP	Coastal Construction Management Plan
Coastal margin	Within 20m of mean high water springs
Consent Holder	NZ Transport Agency
Council	Auckland Council
CMA	Coastal Marine Area
Designation	The designation(s) for the Project, included in the Auckland Unitary Plan
ESC	Erosion and Sediment Control
Manager	The Manager – Resource Consents of Council, or authorised delegate
NES-CS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
NES-FW	National Environmental Standards for Freshwater Management
Project	Te Ara Hauāuru Northwest Rapid Transit
Riparian margin	Within 20m of the centreline of a permanent or intermittent watercourse
RMA	Resource Management Act 1991
SEA	Significant Ecological Area
Site	The area defined by the boundary of the Designation(s) and extent of coastal permits as shown in Schedule A for the Project
SQP	Suitably Qualified Person
SQEP(B)	Suitably Qualified and Experienced Practitioner (Biodiversity)
SQEP(CL)	Suitably Qualified and Experienced Practitioner for the purpose of the assessment of contaminated land
Watercourse(s)	A river or stream, excluding overland flow paths, as defined in the AUP

Commented [CW1]: Recommended to align with AUP definition which includes native trees within 150m of MHWS

Commented [CW2]: Recommended to align with AUP definition

Conditions

Proposed conditions

Reference	Number	Condition																																								
GENERAL CONDITIONS																																										
ALL	1.	Table 1 Resource Consent lapse and expiry (a) The consents <u>shall/must</u> lapse as set out below from the date of commencement, unless they have been given effect, surrendered or been cancelled at an earlier date. (b) The consents <u>shall/must</u> expire as set out below from the date of commencement. <table><tr><th>Reference</th><th>Resource consents - Resource Management Act 1991</th><th>Proposed lapse date</th><th>Proposed Expiry date</th></tr><tr><td colspan="4">Land disturbance activities</td></tr><tr><td>LUCXXX</td><td>Land use (s.9) (1) – Disturbance of potentially contaminated material (NES:CS)</td><td>25 years</td><td>Unlimited duration</td></tr><tr><td>LUCXXX</td><td>Land use (s.9(2)) – earthworks, vegetation alteration and removal</td><td>25 years</td><td>Unlimited duration</td></tr><tr><td colspan="4">Coastal Consents and Permits</td></tr><tr><td>CSTXXX</td><td>Coastal marine area (s.12) –including construction and use of structures (including temporary occupation for construction) in the coastal marine area, occupation of the seabed and ancillary activities at Wai-o-Pareira / Henderson Creek and Huruhuru Creek such as disturbance of substrate and alteration or removal of mangroves.</td><td>25 years</td><td>35 years from the date of commencement</td></tr><tr><td colspan="4">Works in watercourses</td></tr><tr><td>LUSXXX</td><td>Land use (s.13) – including new or upgraded structures in, on, under or over the bed of rivers, streams (including intermittent streams), works in watercourses, structures, stormwater infrastructure, erosion protection and temporary diversions. Placement, use, alteration or reconstruction of a culvert in, on, or over the bed of a river (NES:FW)</td><td>25 years</td><td>35 years from date of commencement</td></tr><tr><td colspan="4">Diversion of Water</td></tr><tr><td>WATXXX</td><td>Water permit (s.14) – Diversion of groundwater and dewatering during construction, diversion of stormwater associated with new permanent impervious structures</td><td>25 years</td><td>35 years from the date of commencement</td></tr></table>	Reference	Resource consents - Resource Management Act 1991	Proposed lapse date	Proposed Expiry date	Land disturbance activities				LUCXXX	Land use (s.9) (1) – Disturbance of potentially contaminated material (NES:CS)	25 years	Unlimited duration	LUCXXX	Land use (s.9(2)) – earthworks, vegetation alteration and removal	25 years	Unlimited duration	Coastal Consents and Permits				CSTXXX	Coastal marine area (s.12) –including construction and use of structures (including temporary occupation for construction) in the coastal marine area, occupation of the seabed and ancillary activities at Wai-o-Pareira / Henderson Creek and Huruhuru Creek such as disturbance of substrate and alteration or removal of mangroves.	25 years	35 years from the date of commencement	Works in watercourses				LUSXXX	Land use (s.13) – including new or upgraded structures in, on, under or over the bed of rivers, streams (including intermittent streams), works in watercourses, structures, stormwater infrastructure, erosion protection and temporary diversions. Placement, use, alteration or reconstruction of a culvert in, on, or over the bed of a river (NES:FW)	25 years	35 years from date of commencement	Diversion of Water				WATXXX	Water permit (s.14) – Diversion of groundwater and dewatering during construction, diversion of stormwater associated with new permanent impervious structures	25 years	35 years from the date of commencement
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MANAGEMENT PLANS																																										

Commented [CW3]: Absence of Condition 1 - to be further discussed

Commented [CW4]: References to be updated

Commented [CW5R4]: BUN60461580
LUC60461581
DIS60461582 (contamination)
DIS60466273 (stormwater)
CST60461583 (structures)
CST60461584 (disturbance of seabed (other))
CST60461585 (veg removal)
WAT60461586 (groundwater)
LUS60461587 (structure)
LUS60461588 (works)

Te Ara Hauāuru Northwest Rapid Transit



Reference	Number	Condition
ALL	2.	(a) Management plan shall/must: (i) be prepared and implemented in accordance with the relevant management plan condition; (ii) be prepared by a Suitably Qualified Person(s); (iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or stage of work to which it relates; (b) The Consent Holder may prepare management plans in parts or in stages to address specific activities or to reflect the staged implementation of the Project. (c) In preparing the Management Plans listed in Condition 3(b) the Consent Holder shall/must consult with: (i) Te Kawerau ā Maki for works between Brigham Creek Station and west of Te Whau River/ SH16 causeway; (ii) Ngāti Whātua o Kaipara for works between Brigham Creek Station and Westgate; (iii) Ngāti Whātua Ōrākei, Te Ākitai Waiohū and Ngaati Te Ata for works east from Te Whau / SH16 causeway to Ian McKinnon Drive.
ALL	3.	Certification (a) The management plans or other plans listed in (b)(i)-(iii) below shall/must be submitted to the Manager at least twenty (20) working days prior to the anticipated start of construction to be certified. The certification shall/must confirm that the management plan has been prepared in accordance with the condition(s) to which it relates. (b) The following plans shall/must be submitted for certification: (i) Erosion and Sediment Control Plan(s) (ii) Contaminated Soils Management Plan(s) (iii) Remedial Action Plan(s) (iv) Coastal Construction Management Plan (c) Any certified management plan may be updated or revised to reflect any changes in design, construction methods or management of effects: (i) Management plans may be amended to reflect minor changes in design, construction methods or management of effects. Re-certification is not required. (ii) If there is a material change proposed to a management plan that has been submitted to Council for certification then the Consent Holder is required to update a management plan by submitting the amendment in writing to Council for certification.
CONSTRUCTION CONDITIONS		
	4.	Cultural Monitoring Plan (Augier condition) (a) Prior to the start of construction, a Cultural Monitoring Plan (CMP) for each stage of work shall/must be prepared by a Suitably Qualified Person(s) identified in collaboration with: (i) Te Kawerau ā Maki for works between Brigham Creek Station and west of Te Whau River and SH16 Causeway; (ii) Ngāti Whātua o Kaipara for works between Brigham Creek Station and Westgate; (iii) Ngāti Whātua Ōrākei, Te Ākitai Waiohū and Ngaati Te Ata for works east from Te Whau /SH16 causeway to Ian McKinnon Drive. (b) The objective of the CMP is to specify cultural monitoring methods and activities to be undertaken during construction works. (c) To achieve the objective, the CMP shall/must specify: (i) requirements and protocols for cultural inductions for contractors and subcontractors;

Commented [CW6]: Additional/Amended Management Plans eg Contaminated Site Management Plan, Streamworks, Lizard, - to be further discussed

Reference	Number	Condition
		(ii) activities, sites and areas where cultural monitoring is required during particular construction works, and what that cultural monitoring will comprise; and (iii) the number of personnel who will undertake cultural monitoring, together with any geographic areas in which they will undertake it. (d) The CMP does not need to be submitted to Council for certification.
LUCXXX CSTXXX	5.	<u>Erosion and Sediment Control Plan (ESCP)</u> (a) Prior to the start of construction, the Consent Holder <u>shall must</u> engage a SQP to prepare an ESCP. The purpose of the ESCP is to set out measures to be implemented during construction to minimise erosion and the discharge of sediment beyond the boundaries of the Site. (b) The ESCP(s) <u>shall must</u> be prepared in accordance with Auckland Council's Guidance Document 005 – Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) or updated version except as otherwise provided for in these conditions. (c) The ESCP <u>shall must</u> include the following information: (i) Location of the work. (ii) Contour information. (iii) Details of construction methods. (iv) ESC measures for the works being undertaken within a particular construction area. (v) Catchment boundaries of works and devices installed (vi) Design criteria, typical and site-specific details of ESC. (vii) The identification of staff who will monitor compliance with the ESCP. (viii) Design details for managing the treatment, disposal and/or discharge of contaminants (e.g. concrete wash water). (ix) Chemical (or organic) treatment design and details including batch dosing. (x) Pumping procedures where dewatering is required. (xi) Earthworks programme and measures for the period between 1 May and 30 September. (xii) Methodology, timing, staging and sequencing of stream works including culvert extensions and replacements, and any erosion sediment control measures to be employed to mitigate the effects on waterbodies.
LUCXXX	6.	<u>Stabilisation</u> If areas are stripped and exposed to erosion, and works are not to occur within that area within a subsequent 14-day period, then stabilisation <u>shall must</u> occur. This may include temporary stabilisation during staging of earthworks.
CONTAMINATED LAND		
LUC60461581 DIS60461582LUCXXX, DISXXXX	7.	<u>Contaminated Land</u> (a) <u>The Team Leader, Central Compliance Monitoring, Licensing & Regulatory Compliance, Auckland Council (the council), must be informed, in writing, at least ten working days prior to the start date of the works authorised by this consent.</u> (a) <u>Prior to commencement of earthworks, the Consent Holder shall must engage a SQEP to undertake a Detailed Site Investigation (DSI) within the Site for land identified in Schedule B as being potentially contaminated. The DSI, sampling and testing shall must be overseen by a SQEP.</u> (b) <u>Where a DSI prepared in accordance with Condition 7(a) above confirms the likely presence of contaminated soils, a SQEP shall must prepare a Contaminated Soils Management Plan (CSMP). The purpose of the CSMP is to</u>

Commented [CW7]: Earthworks and Groundwater to be discussed separately including trigger for provision, prior to land disturbance

Commented [CW8]: NB. Replacement conditions follow standard sequence of DSI and subsequent CSMP rather than consolidating into a single condition.

Reference	Number	Condition
		identify measures to manage potential risks from disturbance of contaminated soils to the health of workers and the environment. The CSMP shall must contain procedures that are appropriate to mitigate the risks to the environment from the type, concentration and extent of contamination that was confirmed as likely being present during the DSI. (c) If the CSMP identifies contaminated soils requiring remediation within the Site, the Consent Holder must prepare a Remedial Action Plan. The purpose of the Remedial Action Plan is to identify a remedial strategy and controls to mitigate the risk posed by any contaminants identified in the CSMP. (c) The Remedial Action Plan shall must include: (iv) The remediation or management goal; (iv) Remediation methodology, including the rationale; (iv) Contingency measures if the remediation methodology fails to reach the remediation or management goal; and (iv) Site validation sampling plan and reporting.
	8.	<u>At least 10 working days prior to the commencement of earthworks, a Detailed Site Investigation (DSI) must be submitted to the council for review and certification. The DSI must:</u> <u>a. Detail sampling undertaken to characterise the site's contamination;</u> <u>b. Be prepared in accordance with the Contaminated Land Management Guidelines No.1 & No.5: (Ministry for the Environment, revised 2021) or updated version;</u> <u>c. Include a map of sampling locations and tabulated sampling results;</u> <u>d. Include an interpretation of the sampling results against the Soil Contaminant Standards (SCS_{health}) for the protection of human health as set out in the <i>National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health</i> (NES:CS) or updated version and the Permitted Activity soil acceptance criteria detailed by Standard E30.6.1.4 of the AUP(OP); and</u> <u>e. Be prepared by a Suitably Qualified and Experienced contaminated land Practitioner (SQEP(CL)).</u>
	9.	<u>At least 10 working days prior to the commencement of earthworks, a Contamination Site Management Plan (CSMP) must be submitted to the council for review and certification. The CSMP must:</u> <u>a. Detail the procedures and controls required during and following the works to minimise potential effects on human health and the environment as a result of actual and potential soil contamination;</u> <u>b. Detail how the site's surface soils are to be remediated to achieve compliance with the relevant Soil Contaminant Standards (SCS_{health}) for the protection of human health as set out in the <i>National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health</i> (NES:CS) and the Permitted Activity soil acceptance criteria detailed by Standard E30.6.1.4 of the AUP(OP);</u> <u>d. Be prepared in accordance with the <i>Contaminated Land Management Guidelines No.1</i> (Ministry for the Environment, revised 2011) or updated version</u> <u>e. Account for the soil contamination profile as detailed in the report Detailed Site Investigation, referred to in condition 8.</u> <u>e. Detail validation sampling or other verification to be undertaken following remedial works to demonstrate that the works have achieved the remediation targets for the protection of human health and to minimise contaminant discharges; and</u>

Reference	Number	Condition
		<u>f. Be prepared by a Suitably Qualified and Experienced contaminated land Practitioner (SQEP(CL)).</u>
	<u>10.</u>	<u>Earthworks must be undertaken in accordance with the Contaminated Site Management Plan referred to in condition (9).</u> <u>Any variations to the CSMP must be submitted to the council for review and certification that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent, prior to implementation.</u> <u>Advice Note: Contamination Site Management Plan</u> <u>The council acknowledges that the CSMP is intended to provide flexibility of the management of the works and contaminant discharges. Accordingly, the management plan may need to be updated. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact the council. The council's certification of the CSMP relates only to those aspects of the plans that are relevant under the RMA. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, the Building Act 2004 or the Health and Safety at Work Act 2015.</u>
	<u>11.</u>	<u>Dust</u> <u>Discharges of dust must not cause offensive or objectionable effects at any location beyond the boundary of the Site, in the opinion of an enforcement officer when assessed in accordance with the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment, 2016) or updated version. The consent holder must ensure that dust management during the works generally complies with the recommendations of this Good Practice Guide and minimises dust generation as far as practicable. This includes having sufficient water to dampen exposed soil and unsealed areas, and/or other dust suppressing measures available as necessary.</u>
	<u>12.</u>	<u>Accidental Discovery</u> <u>In the event of the accidental discovery of contamination during earthworks which has not been previously identified, including asbestos material, the consent holder must immediately cease the works in the vicinity of the contamination, notify the council, and engage a Suitably Qualified and Experienced contaminated land Practitioner (SQEP(CL)) to assess the situation (including possible sampling and revision of the CSMP) and decide on the best option for managing the material.</u> <u>Advice Note: Accidental discovery of contamination</u> <u>Where unanticipated contamination is discovered during the works, a revision of the CSMP may be required to ensure that the contamination is appropriately managed. Any revision of the CSMP is required to be submitted to Council for certification prior to its implementation.</u>
	<u>13.</u>	<u>Asbestos</u> <u>The disturbance of soils where asbestos has been found to be present must avoid discharges of dust beyond the boundary of the site and be undertaken in accordance with the NZ Guidelines for Assessing and Managing Asbestos in Soil (BRANZ, 2017) or any updates to this document and the CSMP.</u> <u>Advice Note: Asbestos Containing Materials</u> <u>If you are demolishing any building that may have asbestos containing materials (ACM) in it:</u>

Reference	Number	Condition
		<u>You have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM.</u> <u>Work may have to be carried out under the control of a person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.</u> <u>If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016 or updated version.</u> <u>Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.</u> <u>If ACM is found on site following the demolition or removal of the existing buildings, you may be required to remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance a further consent application may be required.</u>
	<u>14.</u>	<u>Any excavated material that is not re-used on site must be disposed of at an appropriate facility or site authorised to accept the levels of contamination identified. Evidence of the locations where excavated material has been disposed of must be retained by the consent holder during the works and made available to the council on request.</u>
	<u>15.</u>	<u>Works Completion Report</u> <u>Within three months of the completion of earthworks on the site, a Works Completion Report must be submitted to the Council for review and certification. The Works Completion Report must contain sufficient detail to address the following matters:</u> <u>A summary of the works undertaken, including the locations and dimensions of excavations and the volume of soil excavated;</u> <u>Conditions of the final site contamination profile, including details and results of any validation testing undertaken (with a map of sampling locations and tabulated sampling results) and interpretation of the results in the context of the NES:CS and the AUP(OP) for each proposed lot;</u> <u>Details and results of any other contamination testing undertaken during the works (including any sampling undertaken on materials re-used on site or imported to site);</u> <u>Records/evidence of the appropriate disposal for any material removed from the site;</u> <u>Records of any unexpected contamination encountered during the works and response actions, if applicable;</u> <u>Any on-going monitoring and/or management measures required to minimise risks to human health or the environment as a result of the final site contamination profile;</u> <u>Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and</u> <u>A statement certifying that all works have been carried out in accordance with the requirements of the CSMP and consent, otherwise providing details of relevant breaches, if applicable.</u>
<u>DIS60461582</u>	<u>16.</u>	<u>The disturbance of soils containing elevated levels of contaminants must be managed in accordance with the CLMP to minimise the discharge of contaminants (including debris, soil, silt, sediment or sediment-laden water) from the subject site to either land, stormwater drainage systems, watercourses or receiving waters:</u>

Reference	Number	Condition
		a. <u>Erosion and sediment controls must be installed along the boundaries of the disturbance areas in accordance with the CLMP and Auckland Council guidance document 2016/005: <i>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region</i> or updated version.</u> b. <u>The excavation areas must be maintained in a damp state while works are occurring to suppress the generation of dust during the works.</u> c. <u>Filter cloths or cover mats must be installed over the stormwater cesspits in the vicinity of the excavation areas.</u> d. <u>Vehicles must be inspected prior to leaving the works area and wheels brushed/cleaned as required to avoid the potential for sediment to leave the site on vehicle tyres and enter the stormwater system; and</u> e. <u>Any truckloads of excess excavated material leaving the site must be covered during transportation.</u> <u>Advice Note: Contaminant discharges</u> <u>Discharges from the site include the disposal of water (including groundwater or collected surface water) from the land-disturbance area.</u>
	17.	<u>Stockpiling of excavated soils containing elevated levels of contaminants is to be minimised. If required, temporary stockpiles of excavated soils containing elevated levels of contaminants must be located within an area protected by erosion and sediment controls and be covered outside working hours and during periods of heavy rain. Stockpiling of material containing separate phase hydrocarbons or odorous petroleum hydrocarbons must not take place.</u> <u>Advice Note: Stockpiles</u> <u>To minimise contaminant discharges, soils containing elevated levels of contaminants should primarily be loaded directly into trucks for any off-site disposal.</u>
	18.	<u>Any perched groundwater or surface run-off water encountered within excavation areas where soils containing elevated levels of soil contaminants are present that require removal must be considered potentially contaminated, and must either:</u> a. <u>Be disposed of by a licensed liquid waste contractor; or</u> b. <u>Pumped to sewer, providing the relevant permits are obtained; or</u> c. <u>Discharged to the stormwater system or surface waters provided a SQEP(CL) verifies compliance with the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> (Water Quality Policy Sub-Committee and National Water Reform Committee, 2018) (or any updates to this document) for the protection of 80 percent of species, with the exception of benzene where the 95 percent protection level applies, and that it is free from Separate Petroleum Hydrocarbons and hydrocarbon sheen. The SQEP(CL)'s verification must include sampling taken at a minimum frequency of one sample per day of dewatering in accordance with the <i>Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand</i> (Ministry for the Environment, revised 2011) or updated version. The samples must be tested by an accredited laboratory for concentrations of polycyclic aromatic hydrocarbons and heavy metals.</u>
	19.	<u>The conditions of this consent may be reviewed every two years from the date of granting pursuant to section 128 of the RMA, by giving notice pursuant to section 129 of the RMA, for the following purposes:</u>

Reference	Number	Condition						
		a. <u>To deal with any significant adverse effect on the environment arising or potentially arising from the exercise of the consent and which was not apparent at the time of granting the consent.</u> b. <u>In the case of contamination, to require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.</u> c. <u>In the case of earthworks, to alter monitoring requirements as a result of previous monitoring outcomes, and/or in response to changes to the environment and/or hydro-geological knowledge.</u> d. <u>To deal with any adverse effect on the environment arising or potentially arising from the exercise of this consent and in particular effects on: water quality; sediment transport; and functioning of natural ecosystems; through altering or providing specific performance standards.</u>						
STORMWATER								
LUC60461581 DIS60466273	<u>20.</u> (Augier condition)	<u>Stormwater Treatment (Augier condition)</u> (a) The Consent Holder <u>shall</u> must design the Project to direct all stormwater from impervious surfaces constructed for the Project to a stormwater treatment system before it is discharged to the environment. (b) The stormwater treatment system <u>shall</u> must be designed to achieve a minimum of 75% total suspended solids removal.						
LUC60461581 DIS60466273	<u>8-21.</u>	The Consent Holder <u>shall</u> must design the Project so that the discharge of stormwater from the Project does not increase stream velocity downstream of the stormwater outfall by more than 5% in a 95 percentile storm event. <u>Advice Note: Geomorphologist peer review</u> <u>Confirmation from a geomorphologist is required to confirm that stream erosion at point of discharge or downstream will not be exacerbated with a 5% increase in stream velocities.</u>						
LUC60461581 DIS60466273	<u>9-22.</u>	Within three months of completion of construction works, the Consent Holder <u>shall</u> must provide as-built plans of the stormwater management system for the Project to the Council.						
	<u>23.</u>	<u>Stormwater Management Works</u> <u>The following Stormwater Management Works must be constructed for the catchment areas and design requirements. The works must be completed prior to construction of further impervious surfaces.</u> <table border="1"> <thead> <tr> <th><u>Works to be undertaken</u></th><th><u>Catchment area: impervious (total)</u></th><th><u>Design requirement(s)</u></th></tr> </thead> <tbody> <tr> <td><u>Example New Wetland</u></td><td><u>Example Catchment Area</u></td><td> <u>In accordance with</u> <u>Guideline Document</u> <u>2017/001 Version 1</u> <u>(GD01)</u> </td></tr> </tbody> </table>	<u>Works to be undertaken</u>	<u>Catchment area: impervious (total)</u>	<u>Design requirement(s)</u>	<u>Example New Wetland</u>	<u>Example Catchment Area</u>	<u>In accordance with</u> <u>Guideline Document</u> <u>2017/001 Version 1</u> <u>(GD01)</u>
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<u>Example New Wetland</u>	<u>Example Catchment Area</u>	<u>In accordance with</u> <u>Guideline Document</u> <u>2017/001 Version 1</u> <u>(GD01)</u>						

Te Ara Hauāuru Northwest Rapid Transit



Reference	Number	Condition		
		Example Outfall	Example Catchment Area	• In accordance with Guideline Document 2017/001 Version 1 (GD01) • Hydrology Mitigation requirements in accordance with E10.6.3.1.1

	<u>24.</u>	<u>Operation and Maintenance Plan</u> An Operation and Maintenance Plan must be provided to council and certified by council 5 working days prior to the post-construction meeting required by this consent. The stormwater management system must be managed in accordance with the final Operation and Maintenance Plan. The plan must include: a. details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process. b. a programme for regular maintenance and inspection of the stormwater management system. c. a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices. d. a programme for post storm inspection and maintenance. e. a programme for inspection and maintenance of the outfall; and f. general inspection checklists for all aspects of the stormwater management system, including visual checks.
	<u>25.</u>	Any amendments or alterations to the operation and maintenance plan must be submitted to Council for certification, in writing prior to implementation.
WORKS IN WATERCOURSES		
LUS60461587 (structure) LUS60461588 (works) LUSXXX	<u>40-26.</u>	Tōtara Creek The Consent Holder shallmust design the Project so that it does not permanently divert or reclaim the bed of the Tōtara Creek as shown in Schedule C.
DISXXXX, LUCXXX, WATXXX, LUSXXX		Scour Protection (b) The Consent Holder shallmust design scour protection for the Project in accordance with Technical Report 2013/018 (Auckland Council 2013) for the following: (iv) Stormwater outfalls using 176mm for the 10% AEP 24 hour rainfall depth that includes a 2.1 degree Celsius increase in temperature for climate change. (iv) Culvert inlets and outlets using 332mm for the 1% AEP 24 hour rainfall depth that includes a 3.8 degree Celsius increase in temperature for climate change.
DISXXXX, WATXXX, LUCXXX		Fish Passage Fish passage shallmust be provided in all new culverts unless deemed by a SQP to be: (b) unnecessary because: (iv) there is no upstream fish habitat; or (iv) there are other existing barriers to fish passage; or (b) impracticable. Advice note: This condition does not apply to culvert extensions or any culvert that complies with the conditions in regulation 70 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

<u>27.</u>	<u>Final Outfall Design</u> Prior to any streamworks commencing for construction of each outfall, the consent holder must submit a final Outfall Design including long section and cross section design drawings to the Council for certification. The designs must demonstrate the outfall structure in relation to the stream bed, details/dimensions of the riprap and angle of discharge to the stream to minimise erosion and scour of the stream bed. Construction of each outfall must not commence until Council has provided written certification. The outfall(s) must be constructed in accordance with the certified Outfall Design(s).
<u>28.</u>	<u>Final Culvert Design</u> Prior to any streamworks commencing for construction of each culvert, the consent holder must submit a final culvert design to the Council for certification. The designs must demonstrate that fish passage is provided through each culvert, unless there is no upstream habitat available above the culvert(s). Construction of each culvert must not commence until Council has provided written certification. The culvert(s) must be constructed in accordance with the certified Culvert Design(s). The final Culvert Designs must include the following details: a. <u>Culvert dimensions.</u> b. <u>Culvert grade.</u> c. <u>Percentage of embedment.</u> d. <u>Proposed velocities through the culvert compared to existing velocities.</u> e. <u>Provision for bed substrate within the culvert.</u> f. <u>Native fish species present which need to be catered for.</u>
<u>29.</u>	<u>Final Bridge Design</u> Prior to any streamworks commencing for construction of each bridge, the consent holder must submit a final Bridge Design to the Council for certification. The design must include long section and cross section drawings, demonstrate that piles are located outside the stream/river bed, and detail the 1% AEP level. Construction of each bridge must not commence until Council has provided written certification. The bridge(s) must be constructed in accordance with the certified Bridge Design(s).
<u>30.</u>	<u>Streamworks Management Plan</u> Prior to the commencement of the streamworks activity, a finalised streamworks management plan (StMP), must be submitted to the Council for certification. The purpose of the StMP is to provide a finalised streamworks methodology and management measures that enables effects of streamworks to be managed during construction in accordance with best practice. Streamworks activity must not commence until written certification is provided from the council. The StMP must include as a minimum but not be limited to: a. <u>management measures to demonstrate how erosion and sediment controls will avoid sediment or sediment laden water entering the stream in accordance with best practice;</u> b. <u>management of contaminants to water (e.g. hydrocarbons, construction materials);</u> c. <u>maintenance of fish passage during and after the streamworks;</u> d. <u>methodology for diverting upstream flows during the streamworks, including how sufficient flow will be maintained at all times below the site of the works to maintain in-stream biota;</u> e. <u>a detailed methodology for the installation of the structure(s) / disturbance / reclamation [amend depending on type of stream works activity] and</u>

		<u>f. details of final streambed remediation or stabilisation upon completion of stream works.</u>
ECOLOGICAL MANAGEMENT		
<u>LUC60461581-LUCXXX</u>	<u>44-31.</u>	<i>Terrestrial Native Vegetation Removal</i> (a) If native vegetation within the Designation is removed in the SEAs shown Schedule D, in a coastal margin, <u>in a natural inland wetland or its buffer</u>, or in a riparian margin, the Consent Holder shall<u>must</u>: (i) for temporary construction works, plant <u>ecosystem appropriate</u> native vegetation in those areas where vegetation was removed. (ii) for permanent <u>habitat loss</u> works, plant an equal area (in m²): <u>provided a Biodiversity Accountancy Model (BOAM)</u> <u>A. within a SEA or elsewhere within the Designation; or</u> <u>within 1500m of the boundary of the Designation</u> (b) Any mitigation planting undertaken in accordance Condition 15 can also be counted as mitigation planting under Condition 14 for removal of vegetation in riparian margins. <u>(b) The vegetation removal must account for staging of the construction</u> (c) For planting under (a) the Consent Holder shall<u>must</u>: (i) engage a <u>SQP SQEP(B)</u> to advise to demonstrate compliance with the following: eco-system specification, appropriate location and determine plant species and eco-sourcing, density and sizing, in accordance with the specifications detailed in Te Haumanu Taiao; (ii) undertake <u>eco-sourced</u> planting within the first planting season following completion of construction where practicable; (iii) undertake pest <u>animal and</u> plant control for <u>no less than</u> a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).
	<u>32.</u>	<i><u>Tree Removal</u></i> <u>An Arboricultural report prepared by a suitably qualified and experienced Arborist must be prepared and submitted to the Council for certification prior to the commencement of construction. The report must include detail to demonstrate that tree impacts on mature specimens are avoided, minimized and reduced through retention in the first instance, and provide for mitigation or offset planting to ensure there is no net loss of canopy coverage within the different habitats and areas including: SEAs, riparian margins, coastal land within 150m MHWS, road berm and open space zoned land. Construction works must not commence until Council has certified that there will be no net loss of canopy cover within each of the habitats.</u>
<u>LUC60461581-LUCXXX</u>	<u>42-33.</u>	<i>Works in Watercourses</i> (b)(a) If native vegetation is permanently removed for bridging of a watercourse, the Consent Holder shall<u>must</u> plant the riparian margin of: (iv) the same stream; or (iv) another stream that intersects the Designation. (b) The area of riparian margin planting under (a) shall<u>must</u> be no less than the area of the permanent vegetation removal. (b) For any new (including extension of) permanent culverts and stormwater outfalls in a watercourse, the Consent Holder shall<u>must</u> plant the riparian margin of: (iv) the same stream; or another stream that intersects the Designation<u>undertake an evaluation of the impact using the Stream Ecological Valuation (SEV) methodology;</u> <u>The riparian margin planting under (c) shall</u>must <u>be 1.5x the length of the watercourse occupied by the culvert or outfall and a minimum of 5m wide on each side of the watercourse (from the edge of the channel).</u> <u>Any mitigation planting undertaken in accordance Condition 14 for removal of vegetation in riparian margins</u> can also<u>cannot</u> be counted as mitigation planting under Condition 15 <u>and.</u>

		(e)(b) For planting under (a) and (e) the Consent Holder <u>shall must</u>: (i) engage a SQEP(B) to <u>demonstrate compliance with the following: eco-system specification, appropriate advise on location and determine plant species and eco-sourcing, density and sizing;</u> (ii) undertake <u>eco-sourced</u> planting within the first planting season following completion of construction <u>where practicable</u>; (iii) undertake pest plant control for <u>no less than</u> a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).
LUC60461581 LUCXXX	13.34.	Native Birds If <u>Where</u> vegetation clearance (excluding vegetation on land zoned residential) is to occur during the native bird nesting period (September-August to February-March inclusive), the Consent Holder <u>shall must</u> engage a SQEP(B) to: (a) Undertake native bird nesting surveys <u>within ten days</u> before vegetation is cleared (b) <u>The surveys must take into account the staging of construction.</u> (b)(c) If active native bird nests are found, identify <u>a 20m</u> set back distances for construction works until the young birds have fledged or the nest is naturally abandoned. <u>The set back distance is to be extended where wetland avifauna are present, to a distance of no less than 50m.</u>
LUS60461587 (structure) LUS60461588 (works) LUSXXX	14.35.	Fish Salvage and Relocation (a) The Consent Holder <u>shall must</u> salvage and relocate native freshwater fish and kākahi to the extent practicable prior to any dewatering or diversion in a section of a watercourse that a SQP determines supports a population of native fish. (b) The salvaged native fish and kākahi should be relocated within the same stream with similar hydrological conditions or other suitable habitat determined by a SQP.
LUC60461581 LUCXXX	15.36.	Bat management Between 1 October – 30 April inclusive, and within 5-days prior. Prior to the removal of any trees in the area shown in Schedule E that, in the opinion of a SQP, may be used as roost for bats, then the Consent Holder <u>shall must</u> <u>appoint a Specialist Bat Ecologist with the level 3 competencies of the NZ Bat Recovery Group, as specified below, to apply the Department of Conservation Bat Roost Protocols (Protocols for minimising the risk of felling occupied bat roosts October 2024) or updated version.</u> <u>Any tree greater than or equal to 15 cm diameter at breast height (DBH) to be removed, or to be pruned (removal of woody limbs with maximum diameter >30cm, or removal of >10% of the canopy cover) is to be surveyed and demonstration made that there is no Long-Tailed Bat Activity. The results of the survey is to be certified by Auckland Council prior to felling. Monitoring must be undertaken overnight (from one hour before dusk until dawn), for a minimum of two fine nights using an Automatic Bat Monitor (ABM, or multiple ABMs as required). A fine night is when the temperature is above 8° with no, to very little precipitation during the first four hours after sunset. Surveys must not commence if the dusk temperature is below 8°C.</u> <u>Any potential roost features (PRF's) present in a tree or group of high-risk trees, as identified in habitat the survey, a Specialist Bat Ecologist with the level 3 competencies of the NZ Bat Recovery Group which are required for the task being undertaken must conduct surveys, immediately prior to felling and/or pruning using one or more of the following methods:</u> • <u>visual inspection of PRFs (Competency 3.3 required);</u> • <u>ABM deployment for at least two consecutive valid nights (Competency 3.1 required);</u> • <u>roost watches for at least two consecutive valid nights (Competency 3.2 required).</u>
LUC60461581 LUCXXX	16.37.	Kauri Die-Back Management

		(a) The Consent Holder <u>shall</u> must implement kauri dieback management measures for the kauri tree identified in Schedule F in the event that the kauri tree is present at the time of construction. (b) Kauri dieback management measures <u>shall</u> must be in accordance with Biosecurity Order 2022 (National Pest Management Plan for <i>Phytophthora agathidicida</i>), <u>the Kauri Hygiene Standard Operating Procedures (Auckland Council, 2021)</u>, and the Auckland Regional Pest Management Plan 2020 – 2030 (Auckland Council, 2021) or updated versions.
	38.	<u>Lizard Management Plan</u> Prior to the commencement of any vegetation removal work the Consent Holder must present, to the Auckland Council, a Lizard Management Plan (LMP), to be certified and implemented. The LMP must consider and take into account any staging of the construction. The LMP must address the following: • <u>Credentials and contact details of the ecologist/herpetologist who will implement the plan.</u> • <u>Timing of the implementation of the LMP to be undertaken during fine weather between September - April (inclusive);</u> • <u>A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols, nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols.</u> • <u>A description of the relocation site; including discussion of:</u> a) <u>provision for additional refugia, if required e.g. depositing salvaged logs, wood particles or debris for newly released skinks that have been rescued;</u> b) <u>any protection mechanisms (as required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc.;</u> c) <u>weed and animal pest management to ensure the relocation site is prepared in advance and maintained as appropriate habitat.</u> • <u>Monitoring methods, including but not limited to baseline surveying within the site; baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites, ongoing annual surveys to evaluate translocation success, pre and post – translocation surveys and monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control.</u>
COASTAL PERMIT		
<u>CST60461583 (structures)</u> <u>CST60461584 (disturbance of seabed (other))</u> <u>CST60461585 (veg removal)</u> <u>CSTXXXX</u>	47-39.	<u>Coastal Construction Management Plan (CCMP)</u> (c) Prior to the commencement of works within the Coastal Marine Area (CMA), the Consent Holder shall <u>must</u> prepare a CCMP. The objective of the CCMP is manage construction effects in the Coastal Marine Area. The CCMP shall <u>must</u> include; (d) Timing, staging and sequencing of coastal works (e) A final construction methodology and plans of the temporary and permanent structures within the CMA (f) The route to be used for accessing the site for construction purposes (g) Methods to ensure that, where practical, when removing mangroves, mangroves are cut as close to the sediment as possible and leave root masses intact where possible; (h) Methods to maintain a safe navigation channel where practicable past the works site, and periods where navigation past the site may be restricted, and how this will be communicated to affected channel users; (i) The construction footprint, demarcating those areas in the CMA and coastal edges which need to be physically marked onsite, with access (for vehicles and staff) restricted to the footprint; (j) Contingency plans in case of discharges to the coastal marine area during works; (k) General site management, including details of: (l) the bunding or containment of fuels and lubricants to prevent the discharge of contaminants;

Commented [CW9]: As recommended by Bredin Ecological Assessment

Commented [CW10]: Similarities between two versions to be reviewed.

		(m) methods to ensure that any equipment or machinery to be stored on the temporary staging is appropriately secured above mean high water springs, and methods to ensure that no spills into the coastal marine area will occur; (n) methods to maintain or restrict public access to and along the coastal marine area while the activities are being carried out; (o) A removal methodology for temporary platform and piles extraction, for mangrove removal and disposal for cleared mangroves and spoil from drilling for piles; and (p) Details of reinstatement upon completion of the activities in the CMA. A minimum of 20 working days prior to the proposed commencement of works within the CMA, a finalised Construction Management Plan (CMP) must be submitted for certification by the Council. The CMP must specify the following: (a) a construction timetable including mangrove removal. (b) The final construction methodology including details of: - Installation of temporary structures in the CMA. - The route to be used for accessing the site for construction purposes and any mitigation measures to avoid more than minor adverse effects on the environment. - A removal methodology for the temporary platform/staging and sheet piles extraction, mangrove removal, and disposal for cleared mangrove plants, and spoil from drilling for piles. - Methods to maintain a safe navigation channel past the works site, detailing periods during when there may be restrictions on navigation past the site. (c) a construction methodology that minimises mangrove removal/pruning as far as reasonably practicable. (d) Identification of all access points to the CMA, and the intended location of stockpiles of cleared vegetation. (e) general site management, including details of: - site access, including methods to clearly identify and delineate all entry and exit points to the coastal marine area. - the bunding or containment of fuels and lubricants to prevent the discharge of contaminants. - a spill contingency plan in the event that there is any discharge of contaminants to the coastal marine area. - restrictions and methods necessary to maintain public health and safety, including means for restricting and notifying the public of any restrictions on public access to and along the coastal marine area. - management of public access to and along the coastal marine area while the activities are being carried out. - removal of all spoils from the CMA. (f) site reinstatement upon completion of the construction activities. The consent holder must undertake works in accordance with the approved Construction Management Plan
	<u>40.</u>	<u>Biosecurity</u> The consent holder must ensure that any piles or structures brought to the site are free of encrusting marine organisms prior to taking to site.
	<u>41.</u>	<u>Underwater noise</u> The consent holder must implement the following measures where practicable as below to minimise the underwater noise during impact driving and vibratory piling: (a) Use piling methods that minimise underwater noise e.g. 'soft starts' (gradually increasing the intensity of impact piling). (b) Use a non-metallic 'dolly' or 'cushion cap' between the impact piling hammer and the driving helmet (e.g. plastic or plywood)

Commented [CW11]: No assessment in Bredin Ecological Assessment about marine mammals. In absence of detailed plans and a condition 1, difficult to confirm extent of piling



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| | | <p>(c) <u>Not commencing or stopping piling (generation of underwater noise) if a marine mammal or diver is identified within 220m from the site; and</u></p> <p>(d) <u>Only undertake piling (generation of underwater noise) when marine mammals/divers are not present within 220m from the site</u></p> |
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	<u>42.</u>	<u>Disposal of mangroves and other material</u> (a) <u>All mangrove plants removed under this permit must be disposed of outside the coastal marine area (CMA) at the completion of each week of work, or as agreed by the Council</u> (b) <u>Any spoil from drilling pile holes or any other materials, must be disposed of outside the CMA.</u>
	<u>43.</u>	<u>Occupation of the common marine and coastal area</u> The occupation of the common marine and coastal area by the authorised structures is not an exclusive right of occupancy. The general public or any person(s) must not be excluded from the area(s) or any part of the area(s) to which this consent applies, unless necessary for the primary purpose of the structure(s), and only to the extent necessary to enable the primary purpose of the structure(s).
	<u>44.</u>	<u>Maintenance</u> The infrastructure structures must be maintained in good and sound condition, and any repairs that are necessary must be made, subject to obtaining any necessary resource consents.
	<u>45.</u>	<u>Review condition</u> Under section 128 of the RMA the conditions of this consent may be reviewed by the Manager Resource Consents at the consent holder's cost on a five (5) yearly basis to deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage, in particular adverse effects on coastal environment or surrounding structures.
CSTXXXX		<u>Bridge Crossings of Henderson and Huruhuru Creek</u> The Consent Holder shall design the permanent bridge crossings of Wai-o-Pareira / Henderson Creek and Huruhuru Creek so that the minimum freeboard height of any bridge soffit above mean high water springs is no less than that of the existing adjacent SH16 bridges that cross these watercourses.
CSTXXXX		<u>Permanent Occupation</u> The Consent Holder shall provide as built plans of all structures occupying the CMA to the Manager within 3 months of the completion of construction.

Commented [CW12]: To be discussed