

Attachment A

Notice of Requirement Conditions

1. General conditions

- 1.1 Except as modified by the conditions below and subject to final design, the works shall be undertaken in accordance with the information provided by the Requiring Authority in the Notice of Requirement dated February 2019, and supporting documents being:
- a) Assessment of Effects on the Environment, titled "Grey Lynn Tunnel – Notice of Requirement, Resource Consent Application and Assessment of Environmental Effects" prepared by Jacobs, dated February 2019.
 - b) Drawings as detailed below:
 - 'Land Requirement Plan Tawariki Street Shaft Site', Rev A by Jacobs, undated.
 - 'Grey Lynn Tunnel Western Springs to Tawariki Street Plan and Profile Sheet 1', Rev 0, by Watercare, dated 20 Feb 2019.
 - 'Grey Lynn Tunnel Western Springs to Tawariki Street Plan and Profile Sheet 2', Rev 0, by Watercare, dated 20 Feb 2019.
 - 'Grey Lynn Tunnel Western Springs to Tawariki Street Plan and Profile Sheet 1', Rev 0, by Watercare, dated 20 Feb 2019.
 - 'Grey Lynn Tunnel – Tawariki Street Site Plan', Rev 0, by Boffa Miskell, dated April 2019.
 - 'Grey Lynn Tunnel – Tawariki Street Fence Options, Rev 0, by Boffa Miskell, dated April 2019.
 - 'Grey Lynn Tunnel – Tawariki Street Section and Elevation Location Plan, Rev 0, by Boffa Miskell, dated April 2019.
 - 'Grey Lynn Tunnel – Tawariki Street Cross Sections, Rev 0, by Boffa Miskell, dated April 2019.
 - 'Grey Lynn Tunnel – Tawariki Street Retaining Wall Elevations, Rev 0, by Boffa Miskell, dated April 2019.
 - 'Grey Lynn Tunnel – Tawariki Street Panorama View from 39 Tawariki Street – Following Site Reinstatement, Rev 0, by Boffa Miskell, dated April 2019.
 - c) Technical Reports as detailed below:
 - Ecological Assessment, prepared by Bioresarches Group Ltd, dated 18 February 2019.
 - Archaeological and Historic Heritage Assessment, prepared by Clough & Associates Ltd, dated February 2019.

- Traffic Impact Assessment, prepared by Commute, dated 21 February 2019.
- Noise Assessment, prepared by Marshall Day Acoustics, 13 February 2019.
- Vibration Assessment, prepared by McMillen Jacobs Associates, dated 21 December 2019.
- Settlement Assessment, prepared by McMillen Jacobs Associates, dated 31 January 2018.
- Contamination Report, prepared by AECOM, dated 21 February 2019.
- Visual Impact and Landscape Assessment, prepared by Boffa Miskell Ltd, dated 20 February 2019.
- Arborist Report, prepared by Greenscene NZ, dated 20 February 2019.

d) Section 92 responses dated 18 April and 24 May 2019

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

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

1.3 A liaison person shall be appointed by the Requiring Authority 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 designation and construction work. The liaison person's name and contact details shall be advised to affected parties by the Requiring Authority. This person must be reasonably available for on-going consultation on all matters of concern to affected persons arising from the Project. If a liaison person will not be available for any reason, an alternative contact person shall be nominated to ensure that a Project contact person is available by telephone 24 hours per day seven days per week during the construction phase.

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

- a) it has been given effect before the end of that period; or
 - b) the Council determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made; and fixes a longer period for the purposes of this subsection.
- 1.5 Except as provided for in Condition 1.6 below, the Requiring Authority shall submit an Outline Plan of Works (OPW) for the Project for each of the relevant Project stages in accordance with section 176A of the RMA.
- 1.6 An OPW need not be submitted if the Council has waived the requirement for an OPW in accordance with section 176A(2)(c) of the RMA.
- 1.7 The OPW shall include the following Management Plans, relevant to the stage of works sought for the Project:
- a) Construction Management Plan (CMP);
 - b) Construction Traffic Management Plan;
 - c) Communications Plan;
 - d) Construction Noise and Vibration Management Plan (CNVMP); and
 - e) Site Reinstatement Plan.

2. Construction Management

- 2.1 The Requiring Authority shall prepare Construction Management Plans (CMP) for each of the relevant Project stages. The purpose of the CMP(s) is to set out the detailed management procedures and construction methods to be undertaken in order to avoid, remedy or mitigate potential adverse effects arising from construction activities and to achieve compliance with the specific conditions of this designation that relate to the matters referred to items (c) to (o) of Condition 2.2 below. The CMP(s) shall be submitted to the Council with the relevant OPW for the stage to which they relate.
- 2.2 The CMP(s) required by Condition 2.1 above shall include specific details relating to the management of all construction activities associated with the relevant Project stage, including:
- a) Details of the site or project manager and the construction liaison person identified in Condition 1.3, including their contact details (phone, postal address, email address);
 - b) An outline construction programme;
 - c) The proposed hours of work, including activities that may occur outside the typical working day hours;
 - d) 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 construction materials and similar construction activities;

- e) Location of site infrastructure including site offices, site amenities, site access for the contractors yard, equipment unloading and storage areas, contractor car parking, and security;
- f) Procedures for controlling sediment run-off, dust and the removal of soil, debris, demolition and construction materials (if any) from public roads and / or other places adjacent to the work site including removal of any unreasonable levels of dust (as determined by the Council's Team Leader Compliance Monitoring Central) deposited on any adjacent dwellings;
- g) Procedures for ensuring that residents, road users and businesses in the immediate vicinity of construction areas are given prior notice of the commencement of construction activities and are informed about the expected duration and effects of the works;
- h) Means of providing for the health and safety of the general public and for pedestrian management as required by Condition 6.1;
- i) Procedures for the management of works which directly affect or are located in close proximity to existing network utility services;
- j) Procedures for responding to complaints about construction activities;
- k) Procedures for the refuelling of plant and equipment;
- l) A Construction Noise and Vibration Management Plan (CNVMP) containing measures to address the management of noise and vibration as identified in Condition 3.1;
- m) Measures for the protection and management of trees as identified in Condition 10.1; and
- n) Measures to address CPTED issues within and around the site; and
- o) In relation to the owners of 39 and 41 Tawariki Street, a parking plan will be developed in consultation with the owners that provides parking for the owners of 39 and 41 Tawariki Street either on the road beside the properties or a reasonable alternative as agreed with the owners prior to the works commencing.

2.3 The CMP shall be implemented and maintained throughout the entire construction period for the Project or relevant Project stage to manage potential adverse effects arising from construction activities. The CMP or any specific component of the CMP shall be updated as necessary and provided to the Council in accordance with Condition 2.1.

3. Construction Noise and Vibration

3.1 A Construction Noise and Vibration Management Plan (CNVMP) either as part of the CMP, or as a standalone plan, shall be prepared by a suitably qualified person, and shall be submitted to the Council with the OPW to which it relates. The purpose of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option ('BPO') for management of all construction noise and vibration effects and to define the procedures to be followed when full compliance with the construction noise and vibration standards of Conditions 3.2 to 3.9 are not met following adoption of the BPO.

3.2 Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise, and shall comply with the following noise limits, unless

varied in accordance with Condition 3.5:

Time and Day	Noise Limits	
	L _{Aeq} dB	L _{Amax} dB
Monday to Saturday 0730 – 1800	70	85
At All Other Times and Public Holidays	45	75

- 3.3 Construction works which exceed a level of LAeq 45dB at the most exposed receiver(s) are restricted to between 0730 to 1800 on weekdays and Saturdays, with no noisy works permitted on Sundays and Public Holidays. Each CNVMP shall define which activities will comply with a limit of LAeq 45dB and can therefore be undertaken outside of these hours in compliance with Condition 8.1.
- 3.4 Each CNVMP shall, in demonstrating compliance with Condition 3.2, as a minimum, address the following aspects with regard to construction noise:
- a) a description of noise sources, including machinery, equipment and construction techniques to be used;
 - b) predicted construction noise levels;
 - c) hours of operation, including times and days when noisy construction work would occur;
 - d) physical noise mitigation measures, including prohibiting the use of tonal reverse alarms, maintenance of access roads (to ensure they are smooth), acoustic screening around the site, plant selection and maintenance procedures, and site layout;
 - e) construction noise criteria for any specific areas and sensitive receivers such as schools, child care centres, medical or aged care facilities;
 - f) the identification of activities and locations that will require the design of specific noise mitigation measures;
 - g) the consultation undertaken by the Requiring Authority with affected stakeholders to develop the proposed noise management measures and any feedback received from those stakeholders, along with the noise management measures that will be adopted based on this consultation;
 - h) methods for monitoring and reporting on construction noise;
 - i) methods for receiving and responding to complaints about construction noise; and
 - j) construction operator training procedures.
- 3.5 Where a CNVMP predicts that noise levels from a particular activity will or will likely exceed

the noise limits set out in Condition 3.2, or where noise measurements show that compliance is not being achieved, the Requiring Authority shall prepare and submit for the certification of the Council an Activity Specific Construction Noise Management Plan (ASCNMP). The ASCNMP(s) shall be submitted to the Council for review and approval at least 7 working days prior to the proposed works commencing.

Works subject to the ASCNMP(s) shall not commence until certification is received from the Council. If monitoring shows that levels specified in an ASCNMP are being exceeded, work generating the exceedance shall stop and not recommence until further mitigation is implemented in accordance with an amended ASCNMP certified by the Council.

In addition to the requirements of Condition 3.4, an ASCNMP must:

- a) describe the activity (including duration), plant and machinery that is expected not to comply with the noise limits in Condition 3.2;
- b) describe the mitigation measures proposed to reduce the noise levels as far as practicable, including any options that have been discounted due to cost or any other reason;
- c) provide predicted noise levels for all receivers where the noise levels will not be compliant with the limits in Condition 3.2, including the effect of mitigation specified in 3.5(b);
- d) provide a set of noise limits that are Activity – Specific;
- e) describe the noise monitoring that will be undertaken to determine compliance with the Activity – Specific noise limits; and
- f) describe any additional noise mitigation measures that may be implemented to maintain compliance with Activity Specific noise limits.

3.6 Each CNVMP shall also describe measures adopted to meet the requirements of German Standard DIN4150-3:1999, and as a minimum shall address the following aspects with regard to construction vibration:

- a) vibration sources, including machinery, equipment and construction techniques to be used;
- b) subject to agreement with the landowner and occupier, preparation of building condition reports on 160-178 Surrey Crescent, the 490 and 510 Richmond Road and residences at 24, 26 30, 2/20, 32, 34 and 38 Sackville Street' and 35, 37, 39, 41 and 42 Tawariki Street prior to, and after completion of works (refer to Appendix 1, 3 Reference maps);
- c) use of building condition surveys to determine the sensitivity of the building(s) on the adjacent sites to ground movement in terms of the Line 1-3 criteria of the DIN standard;
- d) identification of any particularly sensitive activities in the vicinity of the proposed works (e.g. commercial activity using sensitive equipment such as radiography or mass-spectrometry), along with the details of consultation with the land owners of the sites where the sensitive activities are located and any management measures that will be adopted based on this consultation;
- e) the consultation undertaken by the Requiring Authority with affected stakeholders to develop the proposed vibration management measures and any feedback received from

those stakeholders, along with the vibration management measures that will be adopted based on this consultation;

- f) methods for monitoring and reporting on construction vibration; and
- g) methods for receiving and responding to complaints about construction vibration.

3.7 Construction activities shall comply with the Guideline vibration limits set out in DIN 4150-3:1999 unless varied in accordance with Condition 3.8.

3.8 The Guideline vibration limits set out in DIN4150 must not be exceeded except where the Requiring Authority can demonstrate to the satisfaction of the Council:

- a) that the receiving building(s) are capable of withstanding higher levels of vibration and what the new vibration limit is. The investigation required to demonstrate this must include an assessment of the building(s) by a suitably experienced and qualified structural engineer and a full pre-condition survey; and
- b) that the Requiring Authority has obtained the written agreement of the building owner(s), that a higher limit may be applied.

3.9 Each CNVMP shall be implemented and maintained throughout the entire construction period. Each CNVMP shall be updated when necessary and any updated CNVMP shall be submitted to the Council in accordance with Condition 3.1.

4. Operational Noise

4.1 The noise arising from any operational activities undertaken on the designated land, shall not exceed the following noise limits when measured at or within the boundary of any site zoned as follows:

Residential	
Time	Noise Limit*
0700-2200 hours	50 dB LAeq
2200-0700 hours	40 dB LAeq 75 dB LAmax
<u>Special Purpose – School</u>	
<u>Time</u>	<u>Noise Limit</u>
<u>Monday to Saturday 0700-2200 hours</u>	<u>55 dB LAeq</u>
<u>Sunday 0900-1800 hours</u>	
<u>All other times</u>	<u>40 dB LAeq</u> <u>75 dB LAmax</u>

Business	
Time	Noise Limit
At all times	60 dB LAeq

**Notes:*

(1) These noise limits relate to noise generated by the normal operation of permanent works associated with the Project and do not apply to short term maintenance activities.

(2) Noise levels shall be measured and assessed in accordance with New Zealand Standards NZS6801:2008 Acoustics - Measurement of Environmental Sound and NZS6801:2008 Acoustics - Environmental Noise.

5. Traffic Management

- 5.1 A detailed Construction Traffic Management Plan (CTMP) or plans shall be prepared for the Project or relevant Project stage by a suitably qualified person, in consultation with Auckland Transport and St Pauls College, and submitted as part of the CMP. The purpose of the CTMP is to:
- a) Manage the road transport network for the duration of construction to manage congestion and minimise delays to road users;
 - b) Inform the public about traffic management on the road transport network for the duration of construction;
 - c) Protect public safety including the safe passage of pedestrians and cyclists;
 - d) Maintain pedestrian access to private property at all times;
 - e) Provide vehicle access to private property to the greatest extent possible; and
 - f) Manage traffic effects from construction yards on adjacent properties.
- 5.2 The CTMP(s) shall describe the measures that will be taken to avoid, remedy, or mitigate the traffic effects associated with construction of the Project or Project stage. In particular, the CTMP(s) shall describe:
- a) Traffic management measures to maintain traffic capacity, and safety, or minimise the impact on traffic capacity during weekdays and weekends;
 - b) Measures to ensure that Parawai Crescent is not used by heavy vehicles travelling to or from the site and that all heavy vehicles travelling to the site utilise a left turn only from Richmond Road into Mokau Street.
 - c) Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses;
 - d) Methods to manage the effects of the delivery of construction material, plant and machinery;

- e) Measures to maintain pedestrian access at all times and existing vehicle access to property where practicable, or to provide alternative access arrangements;
- f) Measures to maintain pedestrian and cyclist movements and reduce the impact on mobility impaired users on roads and footpaths adjacent to the construction works. Such access shall be safe, clearly identifiable and seek to minimise significant detours;
- g) Any proposed monitoring to measure the impact of the works on traffic and the impact of the traffic management measures. If safety or operational issues are evident, measures to be implemented to address these issues;
- h) Measures to manage the proposed access to the site should the access be unable to cater for two- way traffic passing at the same time, and in particular to minimise reverse movements and blocking of the road;
- i) The availability of on-street and off-street parking if the designated site is unable to accommodate all contractor parking. This shall include an assessment of available parking (if any) for contractors on street and identify measures to meet and/or reduce contractor parking demand for on-street parking;
- j) Means for communicating options to site staff for travel to and from the work site including public transport, walking, cycling and carpooling, for the purpose of minimising demand for on-street parking generated by site staff;
- k) Reconstruction of the residential vehicle crossings to Auckland Transport commercial vehicle crossing standards at 33 and 40 Tawariki Street to provide for heavy vehicle manoeuvring; and.
- l) Methods to ensure public refuse collection can be maintained for all properties.

5.3 The CTMP(s) shall be consistent with the New Zealand Transport Agency Code of Practice for Temporary Traffic Management, which applies at the time of construction.

5.4 Any damage in the road corridor directly caused by heavy vehicles entering or exiting the site shall be repaired as within two weeks or within an alternative timeframe to be agreed with Auckland Transport.

6. Pedestrian Management

6.1 Any temporary accessways shall be designed as far as practicable in accordance with CPTED (Crime Prevention Through Environmental Design) principles and provide appropriate lighting and signage where necessary.

7. Work within Road Reserve

7.1 The Requiring Authority shall not require Auckland Transport or network utility operators with existing infrastructure within the road reserve to seek written consent under Section 176 of the RMA for on-going access, to enable works associated with the routine construction operation, maintenance, upgrade, replacement, urgent repairs and renewal works of existing assets. Furthermore, this exemption to s176 approval does not alleviate the need for Works Over approval from Watercare.

7.2 Works within transport corridors shall be undertaken in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors (November 2011), or any approved update of that code, unless otherwise agreed between the Requiring Authority and the Corridor Manager.

8. Construction Hours

8.1 Construction hours shall be as follows, except where work is necessary outside the specified days or hours for the purposes specified in Condition 8.2 below.

- a) Tunnelling activities – 24 hours a day, 7 days a week operations for all tunnelling activities, including the main tunnel works and the link tunnels.
- b) General site activities – 7am to 6pm, Monday to Friday, 8am to 6pm Saturday.
- c) Truck movements – 7am to 6pm, Monday to Friday, 8am to 6pm Saturday. Truck movements shall be managed to avoid, as far as practicable, entering and exiting Mokau Street between 8:15am and 9:15am and 2:45pm and 3:45pm Monday to Friday during school term times for St Paul's College. and Marist School Herne Bay.

8.2 Purposes for which work may occur outside of the specified days or hours are:

- a) where, due to unforeseen circumstances, it is necessary to complete an activity that has commenced;
- b) where work is specifically required to be planned to be carried out at certain times;
- c) for delivery of large equipment or special deliveries required outside of normal hours due to traffic management requirements;
- d) in cases of emergency
- e) for the securing of the site or the removal of a traffic hazard; and/or
- f) for any other reason specified in the CMP or CTMP.

Where any work is undertaken pursuant to paragraphs (a) – (f), the Requiring Authority shall, within five working days of the commencement of such work, provide a report to Team Leader Compliance Monitoring Central detailing how the work was authorised under those paragraphs.

9. Community Information and Liaison

9.1 The Requiring Authority shall prepare a Communications Plan (CP) for the construction phase of the Project or for each Project stage and submit the plan in accordance with Condition 1.7. The CP shall set out:

- a) the method(s) of consultation and liaison with key stakeholders, including the Catholic Diocese of Auckland, and the owners/occupiers of neighbouring properties regarding the likely timing, duration and effects of works;
- b) details of prior consultation or community liaison undertaken with the parties referred to in (a) above, including outlining any measures developed with such persons or groups to manage or to mitigate any adverse effects or inconvenience that may arise;

- c) details of the consultation undertaken with the owners of 39 and 41 Tawariki Street in relation to the proposed landscaping of the site at 44 and 46 Tawariki.
- d) full contact details for the person appointed in accordance with Condition 1.3 to manage the public information system and be the point of contact for related enquiries; and
- e) the information required by Conditions 3.4(g) and (i) and 3.6(e) and (g).

10. Archaeology and Heritage

- 10.1 If any archaeological material, including human remains are exposed during site work then the Accidental Discovery Protocol according to Standard E12.6.1 of the Auckland Unitary Plan shall apply.

11. Site Reinstatement

- 11.1 Prior to commencement of works at all surface construction sites, or an alternative timeframe as agreed in writing with the Team Leader Compliance Monitoring Central, the Requiring Authority shall prepare a Reinstatement Plan for the site,. The Reinstatement Plan shall be submitted to the Council in accordance with Condition 1.7. The Reinstatement Plan shall include:

- a) Any existing structures or features on the site to be protected during works or reinstated on completion of works.
- b) The location and design of permanent wastewater infrastructure including the design of lid structures and chamber covers including the associated contouring of ground.
- c) The location and design of permanent access to the wastewater infrastructure.
- d) Details of proposed landscaping and planting, including implementation and maintenance programmes.

And shall take into account the following matters:

- e) As far as practicable, permanent all-weather access for heavy vehicles shall minimise areas of new impermeable surfaces and, in open space areas, the use of grass cell, or similar, shall be preferred.
- f) The extent to which the buildings are appropriate to their context and minimise potential adverse effects on the amenity of the surroundings; including the use of visually recessive design, appropriate colours, textures, and modulation.
- g) the configuration of multiple surface elements to minimise their prominence and visual clutter;
- h) site configuration that maximises the use of Crime Prevention Through Environmental Design (CPTED) principles;
- i) The use of building materials which are sufficiently robust and minimise the potential for graffiti and vandalism;
- j) consultation with the owners of 39 and 41 Tawariki Street.

- 11.2 When contractors' yards or other temporary works areas are no longer required for any construction or operational purpose, site works, including site offices, storage and equipment sheds, fencing and hard stand areas shall be removed, and the area reinstated in accordance with Conditions 12.1.

12 Detailed Landscape Design Drawings, Maintenance Requirements and Implementation

- 12.1 Prior to the commencement of any work on site, the Requiring Authority shall provide to the Council's Team Leader Compliance Monitoring Central, a finalised set of detailed landscape design drawings and supporting written documentation which have been prepared by a landscape architect. The purpose of the detailed landscape drawings and information is to demonstrate that adverse visual and amenity effects arising from the development of permanent features on the site are appropriately mitigated. Particular regard shall be had to:

- a) Adverse visual effects on 35, 37, 39, 41 and 42 Tawariki Street;
- b) Adverse effects on the character of the Tawariki Street streetscape; and
- c) The planting at the western embankment on St Paul's College land (183 Richmond Road) to screen views from the east of the site

- 12.2 The submitted information shall be generally consistent with the approved landscape concept plan(s) (prepared by Boffa Miskell dated April 2019) and shall include the design changes certified through consultation with 39 & 41 Tawariki Street; and at a minimum, shall include the following visual mitigation and planting maintenance measures:

- a) Reinstatement planting on site, including plant type and size, within Tawariki Street road reserve and St Paul's College grounds;
- b) Planting, including plant type and size, along the western and southern boundary to partially screen views from 42, 41, 39 and 37 Tawariki Street and provide a vegetated backdrop (on site) for the above ground elements and buildings - specifically the future-proof-planned height of the air vent (8 metres);
- c) Provision of retaining walls, fences, lighting, signage and other structural landscape design elements of a design, material and colour that reflects the treatment of neighbouring residential dwellings.
- d) A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design covering a minimum for 3 years, including in relation to the following requirements: soil preparation, irrigation, watering, drainage, staking, mulching, tree pits and garden bed details, weed removal/spraying and pest control, plant replacement for all plants including specimen trees and climbers which are severely damaged or die for a period of, covering a minimum 3 years, inspection timeframes, contractor responsibilities and ongoing maintenance requirements after contractors approved maintenance period.

- 12.3 The landscape design shall be implemented within the next planting season after completion of works on site, retained and maintained for a minimum three (3) years in accordance with the implementation and maintenance programme, to the satisfaction of Council's Team Leader Monitoring (Central) .