

SCHEDULE OF CONDITIONS

Designation Term

1. This designation shall lapse 20 years after the date on which it is included in the District Plans (the 20 year lapse period) provided that this designation shall lapse 15 years after the date on which it is included in the District Plans (the 15 year lapse period) unless within the 12 month period preceding expiry of the 15 year lapse period, Transit New Zealand has confirmed to the Tauranga and Western Bay of Plenty District Councils in writing its intention to give effect to the designation within the 20 year lapse period.

Scope and Extent of Works

2. The scope and extent of the works to be undertaken within the designation shall be generally in accordance with the notice of requirement and the accompanying documents including the mitigation measures specified in paragraph 5.4.2.5 of the AEE. In the opinion of the Tauranga and Western Bay of Plenty District Councils the notice of requirement and accompanying documents are sufficient to satisfy the provisions of Section 176A(2)(b) of the Resource Management Act 1991.

Noise

3. Not more than two years prior to the commencement of construction, a representative 24-hour survey of the existing environmental sound levels in the area of the route shall be undertaken. Prior to the undertaking of such survey its design and methodology shall be peer-reviewed and confirmed as being in accordance with good acoustical engineering practice by a suitably qualified and experienced person nominated by Transit New Zealand and approved by the District Councils. Similarly, after completion the survey results also be peer-reviewed and the integrity of those results confirmed. The survey shall take into account the possible staging of construction of the route as well as the location and operation of on and off ramps.
4. Following completion of the aforementioned noise survey and prior to the commencement of construction, a noise management plan shall be produced and submitted to the District Councils. The plan shall be prepared with the assistance of a person suitably qualified and experienced in acoustics and peer-reviewed and

confirmed as being in accordance with good acoustical engineering practice by a suitably qualified and experienced person nominated by Transit New Zealand and approved by the District Councils. The plan shall identify those parts of the route where noise mitigation measures are to be implemented to reduce road traffic noise in accordance with the best practicable option as well as specify the actual noise mitigation measures to be implemented to achieve compliance with the requirements set out in the conditions below.

5. Construction activities shall be so conducted as to ensure that construction noise shall not exceed the following noise limits at any dwelling not owned by the requiring authority.

Time Period	Sound Level Not to be Exceeded					
	Weekdays		Saturdays		Sundays and Public Holidays	
	L10	Lmax	L10	Lmax	L10	Lmax
0630-0730	60	70	45	65	45	65
0730-1800	75	90	75	90	55	85
1800-2000	70	85	55	65	55	65
2000-0630	45	70	45	65	45	65

Construction noise shall be measured and assessed in accordance with NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. The adjustments provided in clause 6.1 of NZS 6803P:1984 shall apply.

6. Noise mitigation measures shall be implemented to ensure that the level of road traffic noise from the route and any on- or off-ramps, as at a date 10 years after the scheduled opening of the route, received at any dwelling on land not owned by the requiring authority does not exceed the more stringent of the following limits:

- Transit New Zealand Guidelines (Guidelines for the Management of Road Traffic Noise – State Highway Improvements a draft working document November 1994)

- the existing ambient level (Leq 24-hour) as established by the survey referred to in condition 3) above, plus an increment of 6dBA (eg if the ambient is 50dBA Leq, the limit is 56dBA Leq).
7. For the purposes of this condition the level of noise shall be as received at one metre away from any dwelling existing at the date of the requirement.
 8. The plan shall contain provision for noise monitoring during both construction and operation of the route and shall include provision for responding to complaints and the relaying of results to affected neighbouring residents.
 9. The plan shall include a projected timetable for the implementation of the measures described, sufficient to establish the staging of the measures in relation to the other works that are the subject of the notice of requirement.
 10. Compliance with the foregoing conditions shall be to the satisfaction of the General Manager/Chief Executive of the Tauranga District Council and Western Bay of Plenty District Council and all associated costs shall be met by the requiring authority or any successor.

Landscape and Visual Mitigation

11. A landscape and visual mitigation planting plan, based on the information submitted as part of the application, shall be prepared for the entire designation area and submitted to the District Councils after the final design of the route has been completed and prior to the lodgement of resource consents from the Regional Council to facilitate construction of the route. The plan shall:
 - be generally in accordance with the LA4 proposed landscape and visual mitigation plan numbers SK19, SK20, SK21 and SK22 presented at the hearing in evidence by Mary Buckland as modified by the recommendations contained in the review of proposed conditions of consent by Stephen Brown dated June 2000;
 - be prepared in consultation with tangata whenua representatives;

- replace the proposed willow planting extensions with appropriate indigenous species;
 - be integrated and consistent with ecological mitigation measures required as conditions of resource consents granted by the Regional Council;
 - identify the botanical name, numbers, spacing and size of the plant species to be used;
 - require that where used, indigenous species are from locally sourced genetic stock where practicable;
 - include an implementation and maintenance programme containing information pertaining to the time of planting, an implementation strategy and a maintenance regime aimed at ensuring continued post establishment growth;
 - be reviewed by an independent landscape architect nominated by Transit New Zealand and approved by the District Councils who shall confirm compliance with all foregoing conditions.
12. Planting and other visual mitigation measures shall be implemented as soon as practicable after approval of the landscape mitigation plan referred to in the foregoing condition and wherever practicable prior to construction works actually commencing. As far as practicable, such mitigation measures shall be implemented in the planting season immediately following the time at which any land affected by construction becomes free from construction works or construction related activities.
13. Landform rehabilitation of cut and fill batters shall be based on the batter reshaping proposals presented at the hearing in evidence by Mary Buckland on plan SK19.
14. The landscape and visual mitigation monitoring programme shall be submitted to the District Councils by a qualified landscape architect within 6 months of the works, subject to the designation being commenced. The programme shall include an inspections of the site from the viewpoints 2, 5, 6 and 7 identified in the applicant's visual and landscape assessments section of the AEE. Such inspections shall be undertaken 4 years after establishment. Photographs should be taken at each point for a comparison with the photo-montages (where appropriate relative to the planting plan referred to in the aforementioned condition 11) submitted in the visual

assessments. A post inspection report shall be submitted to the independent reviewer within one month of inspection. The report shall contain copies of all photographs taken (for comparison) and a statement identifying whether the objectives of the landscape and visual mitigation plan are being met and if not, what remedial action has been taken or will be undertaken.

Public Information

15. Between the time this designation is included in the respective District Plans and the completion of construction of the route, the requiring authority shall prepare at least annually (and more frequently during construction) a public information pamphlet to owners of land and businesses in the vicinity of the route. The catchment within which such information is to be distributed shall be as agreed between the requiring authority and the two District Councils. The pamphlet shall advise of progress in relation to the planning and construction (including any proposed staging) of the route and of likely changes in travel patterns which will be required once the route is operational.

Public Access

16. Practical public access at least 4m in width shall be maintained along both banks of the Wairoa River where the river is to be bridged by the new route.

Lighting and Glare

17. Any lighting of the route shall comply with rule 19.2.1.10 of the proposed Tauranga District Plan / rule 13.4.3 of the proposed Western Bay of Plenty District Plan or any subsequent equivalent rule.

Signs

18. In consultation with the Western Bay of Plenty District Council and the owners and operators of businesses at Te Puna, sign posting shall be erected along and within the legal boundaries of the State highway and the new route giving clear and early advice to motorists of the existence of a service centre at Te Puna and how such access to that centre can be gained. All such sign posting shall be in accordance with the road controlling authority's policies at the time and with any relevant District Plan rules. As a minimum, two signs shall be provided which include the words "Te Puna" and

the international symbols appropriate to the services offered within the service centre, one near the west bound exit of Clarke Road and one near the east bound exit to Te Puna from State highway 2.

Whitebait Survey

19. Prior to the lodgement of applications for resource consents required from Environment BOP to facilitate construction of the route, a survey of whitebait spawning sites in the vicinity of the route shall be undertaken. The survey shall be undertaken in consultation with the Department of Conservation and where appropriate the survey findings shall form the basis of ecological mitigation measures proposed in conjunction with the aforementioned resource consent applications.