
I hereby give notice that a hearing by commissioners will be held on:

Date: Monday - Tuesday, 23 and 24 August 2021
Time: 9.30 a.m.
Meeting Room: Council Chamber
Venue: Ground, Auckland Town Hall,
301 Queen Street, Auckland Central

ADDENDUM HEARING REPORT

BELLGROVE PL, AVONDALE HEARING

KAINGA ORA

COMMISSIONERS

Chairperson	David Hill (Chairperson)
Commissioners	Trevor Mackie
	Basil Morrison

Prasta Rai
HEARINGS ADVISOR

Telephone: 09 352 2616 or 021 527 196
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WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual hearing procedure is:

- **the chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- The **applicant** will be called upon to present their case. They may be represented by legal counsel or consultants and call witnesses in support of the application. The hearing panel may ask questions of the speakers.
- The **local board** may wish to present comments. These comments do not constitute a submission however the Local Government Act allows the local board to make the interests and preferences of the people in its area known to the hearing panel.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The **applicant** or their representative then has the right to summarise the application and reply to matters raised. Hearing panel members may further question the applicant. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chairperson** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.
- Decisions are usually available within 15 working days of the hearing closing.

Please note

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A PUBLICLY NOTIFIED NON-COMPLYING ACTIVITY RESOURCE CONSENT
APPLICATION BY KAINGA ORA**

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Addendum on a report on an application for resource consent under the Resource Management Act 1991 (RMA)



Non-complying activity

To: Independent Hearing Commissioners
From: Susie Clemens, Intermediate Planner
Hearing date: 23 August 2021

Note:

- This is an addendum to the original hearing report provided.
- This is not the decision on the application.
- This report sets out the advice and recommendation of the reporting planner.
- This report has yet to be considered by the independent hearing commissioners delegated by Auckland Council to decide this resource consent application.
- The decision will be made by the independent hearing commissioners only after they have considered the application and heard from the applicant, submitters, and council officers.

1. Application description

Application numbers: BUN60364376 (Council Reference)
LUC60364378 (s9 land use consent)
SUB60364377 (s11 subdivision consent)
DIS60364379 (s15 discharge consent)

Applicant: Kāinga Ora – Homes and Communities

Site addresses & legal descriptions:

3 & 5 Bellgrove Place	Lot 4 Deposited Plan 100239
4, 6, 8 & 10 Bellgrove Place	Lot 7 Deposited Plan 100239
7, 9, 11 & 13 Bellgrove Place	Lot 3 Deposited Plan 100239
12, 14 & 16 Bellgrove Place	Lot 6 Deposited Plan 100239
17, 19 & 21 Bellgrove Place	Lot 1 Deposited Plan 100239
18 & 20 Bellgrove Place	Lot 10 Deposited Plan 47104

23 & 25 Bellgrove Place	Lot 1 Deposited Plan 94664
26 & 28 Bellgrove Place	Lot 9 Deposited Plan 47104
27, 29, 31 & 33 Bellgrove Place	Lot 4 Deposited Plan 96572
30, 32, 34 & 36 Bellgrove Place	Lot 6 Deposited Plan 96572
35, 37, 38 & 40 Bellgrove Place	Lot 5 Deposited Plan 96572
1/60 Riversdale Road	Lot 2 Deposited Plan 211664 Lot 5 Deposited Plan 211664 Lot 7 Deposited Plan 96572
2/60 Riversdale Road	Lot 1 Deposited Plan 211664 Lot 5 Deposited Plan 211664 Lot 7 Deposited Plan 96572
3/60 Riversdale Road	Lot 3 Deposited Plan 211664 Lot 5 Deposited Plan 211664 Lot 7 Deposited Plan 96572
4/60 Riversdale Road	Lot 4 Deposited Plan 211664 Lot 5 Deposited Plan 211664 Lot 7 Deposited Plan 96572
5-7/60 Riversdale Road	Lot 2 Deposited Plan 96572 Lot 7 Deposited Plan 96572
5-7/60 Riversdale Road	Lot 2 Deposited Plan 96572 Lot 7 Deposited Plan 96572

68 Riversdale Road	Lot 16 Deposited Plan 44866
70 Riversdale Road	Lot 17 Deposited Plan 44866
1-36/32 Wairau Avenue	Lot 1 Deposited Plan 44836 Lot 2 Deposited Plan 94664
38, 40 & 40A Wairau Avenue	Lot 1 Deposited Plan 340903
40B Wairau Avenue	Lot 2 Deposited Plan 340903
42 Wairau Avenue	Lot 3 Deposited Plan 340903
12A Bellgrove Place (Bellgrove Reserve)	Lot 5 Deposited Plan 100239
15A Bellgrove Place (Bellgrove Reserve)	Lot 2 Deposited Plan 100239
45 Tony Segedin Drive	Lot 31 DP 86900

Lodgement date:	29 September 2020
Notification date:	25 January 2021
Submission period ended:	24 February 2021
Number of submissions received:	3 in support
	1 neutral
	13 in opposition (of which three are duplicate submissions)

2. Response to applicant's evidence

The applicant has provided specialist evidence with respect to arboriculture; architecture and urban design; contamination; engineering, landscape architecture; transport and ecological matters. These have been reviewed by the respective Council specialists and responded to accordingly. Since the receipt of this evidence, Council, representatives from Auckland Transport, and the applicant's team have discussed some of the matters raised in evidence via an online meeting on 23 July 2021.

The evidence of the applicant's planning consultant, Mr Gerard Thompson, draws on the specialist evidence to summarise and also provides comments on the planning matters of the application. With respect to the relevant matters raised in evidence I note the following:

1. Further engagement with Te Ākitai Waiohūa with respect to effects on Mana Whenua values has been undertaken and an amended condition 6X has been provided. I have included this updated condition in the set of amended conditions. I also note that evidence has not been received from Te Ākitai Waiohūa confirming that these conditions (being 6X, 17, 18 and 30) are appropriate to mitigate potential adverse effects on their cultural values and welcome that this is confirmed by them at the hearing.
2. Section 6.2 notes an error in the reasons for consent pertaining to riparian vegetation removal. I agree with this correction and confirm that the reason for consent should read as:
 - To undertake the removal of 12m² of riparian vegetation within 10m of an urban stream for the construction of a stormwater outfall is a restricted discretionary activity under rule E15.4.1(A19).
3. Section 6.3 disputes the determined activity status of the proposal citing that the land to be developed as a park does not become a park until such time it is vested back to Council for the intended use.

To quote from my s42A report:

"I have determined that as Proposed Lot 12 (the new pocket park) is partially within the Mixed Housing Urban Zone and to develop a park within the Residential – Mixed Housing Urban Zone is an activity not provided for under the zone, then the activity is therefore a non-complying activity under H5.4.1 (A1)"

I have sought the opinion of Mr Hayden Wadams, Principal Specialist – Planning (Central Resource Consents) on this matter. In his email dated 30 June 2021 he notes the following:

"The Landscape Masterplan shows that the proposed pocket park will contain various structures including seats, bike racks, bins, and children's play structures, all of which in my view meet the AUP definition of 'public amenities'. No part of the definition confines that activity to Open Spaces zones only. The use and development of public amenities is not provided for in MHU zone, and in this regard I'm comfortable with my previous advice.

Gerard's [i.e. Mr Thompson's] view appears to be based on there being no ability for the public to access that land until such time as the land has been vested. However that is simply a short-term timing issue and it is without contention that this pocket park is being proposed for public use and enjoyment.

That said, we should acknowledge that the non-complying status is a technicality insofar as the public amenities would be a permitted activity if not constructed until after the vesting process (and subsequent rezoning as Open Space) has been completed”.

In this regard, I consider that the non-complying activity status under the AUP(OP) is correct but would amend the reason for consent to read as follows:

- To develop public amenities within the Residential – Mixed Housing Urban Zone is an activity not provided for under the zone and is a non-complying activity under H5.4.1 (A1)

For the reasons outlined in my s42A report I consider that the application satisfies the threshold test of s104D because the adverse effects on the environment will be no more than minor and the proposal will not be contrary to the objectives and policies of the AUP(OP).

3. Amended proposed conditions of consent

The applicant's evidence included a number of edits and amendments to the proposed conditions of consent, these are addressed in order below, as informed by Council specialists where required.

1. As per section 11.2(a) of Mr Thompson's evidence, the suggested minor wording edits and plan references have been accepted in the updated set of conditions. In addition to this, I agree with Mr Thompson's rationale (section 11.2(b)) to exclude the reference to the Stormwater Management Plan from condition 1.
2. The applicant is proposing to remove the following condition of consent:

Road Stopping Agreement

4. No physical works within the road reserve authorised by this resource consent can commence until:
 - Survey Office Plan for the Bellgrove Road road stopping is lodged with Land Information New Zealand and approved as to survey; and
 - The Survey Office Plan for the Bellgrove Road road stopping is gazetted

Advice note:

- *This condition does not preclude the consent holder from seeking other necessary approvals (such as Engineering Plan Approvals and Building Consents).*

I have considered the reasoning set out in Mr Thompson's evidence and note that the physical works provided for under this consent that will take place within the current road reserve (earthworks, contamination remediation, construction of infrastructure etc) are provided for. Once the applicant has completed the physical works of this

consent and obtained s224(c) they will be able to apply for the new Lot titles through Land Information New Zealand (LINZ), at this stage if the road stopping process has occurred then the new titles can be issued. If road stopping has not occurred by this time, then LINZ can decline the application for new titles.

This separate process means that titles for Lots 10, 11 and 12 cannot be issued until road stopping is complete for Bellgrove Place and therefore avoids potential future conflicting zoning of the sites (such as the future residential lots retaining a portion of the site zoned as road). As such, I agree with the removal of this condition of consent.

3. The proposed amendment to Condition 5 to remove reference to the future fence on the boundary of 'Road 1' and 64 Riversdale Road has been reviewed and accepted noting that the wall is fill above existing ground and will be grassed berm on top.
4. The applicant proposed a number of amendments to Condition 6 with regard to clauses (g), (i) and (j). These were discussed at the meeting held between Council, Auckland Transport and the applicant on 23 July. It was decided that with the roads being Council's future asset, the applicant would agree to retain clauses (g), (i) and (j) and the final version of the landscaping plans would respond accordingly to Community Facilities and Auckland Transport's requests.
5. The proposed amendments to condition 9 regarding the Construction Traffic Management Plan by Mr Langwell (applicant's Transport expert, Traffic Planning Consultants) are supported by Auckland Transport and the condition has been updated accordingly. I note Mr Gandhi retains concerns around the ability for trucks to manoeuvre left/right without transgressing into adjacent lanes or other traffic lanes. I consider in this instance that Mr Langwell's opinion that *"it is more appropriate to determine such controls once a contractor is engaged and the construction methodology and programme is determined"* is appropriate and provision to assess manoeuvrability of trucks is retained in the new clause as the applicant will be required to demonstrate the proposed routes to and from the site.
6. The removal of conditions 39, 40, 41 and 48 has been reviewed by Mr Simon Mills, Ecological Advice Manager. He has noted in correspondence dated 1 July 2021 that these can be removed but the advice note reminding the applicant of their obligations under the Wildlife Act 1953 should remain. I adopt Mr Mills' expert opinion on this matter and have amended the condition set accordingly.
7. An amendment to the wording of condition 45 to remove the reference to "private on-site stormwater management system" is proposed. This has been reviewed by Ms Jin Lee (Senior Development Engineer) who has confirmed that the wording is correct and the requirement of the condition of consent pertains to the ongoing maintenance of portions of the stormwater management system which will be on private property. I adopt Ms Lee's expert opinion. The condition has been retained as per the original recommended wording.

8. An amendment to the wording of condition 67 is proposed. This condition describes that no utility devices or structures are permitted on Lot 12 (Local Purpose Recreation Reserve to be vested to Council) or on any of its road frontages or berms. The applicant has noted that this precludes lighting poles and traffic safety signage from being installed in the streetscape on the berm adjacent to the park and have sought to amend the condition to account for this.

I have liaised with Mr Andreas Lilley on this matter and have determined that the intention of this condition is to control; above ground and underground utilities within the new park itself and, above ground utilities located on the adjacent road berms (excluding lighting poles and traffic safety signage). The purpose of this is to maintain the amenity of the new park by avoiding the location of transformers and the like being located directly adjacent to or within the park itself. Limiting underground services within the park reduces potential ongoing maintenance and access issues for Council as the new asset owner. Taking into account the applicant's proposed amendments and the expert advice of Mr Lilley I have included a new version of condition that encapsulates what is required by Parks for the park to vest as a Local Purpose (Recreation) Reserve.

9. The applicant has proposed an amendment to condition 81 which has been reviewed by Ms Lee. In her correspondence dated 1 July she proposes an alternate wording to that provided by the applicant. I adopt Ms Lee's expert opinion and have included this amended version of the condition. I note the applicant's request to include a copy of the Geotechnical Engineering Assessment Report as an appendix to the consent notice and as such have included that aspect of the proposed amendment in the new version of the conditions.

10. The deletion of conditions 87 and 88 in their entirety is proposed. These conditions relate to uncompleted works bonds and maintenance bonds for the streetscaping and parks landscaping works required under conditions 82-86 of SUB60364377. In Mr Thompson's evidence he notes that the applicant is unable to enter into bonds due to limitations placed on them by the Crown Entities Act 2004.

I acknowledge that there is a wider conversation occurring between the applicant and Council with respect to the use of monetary bonds to ensure the completion of consented works, in particular new park assets. Alternatives, such as covenants to perform, are being explored.

Due to Council's current position on this not being finalised at the time of writing this addendum I have chosen to retain conditions 87 and 88 in their entirety in the updated condition set but acknowledge that this may be subject to change prior to / at the hearing.

11. The deletion of conditions 90 and 91 in their entirety is proposed. These conditions relate to the future interface and treatment between the new private lots and Lot 12 (Local Purpose Recreation Reserve) by controlling the height and placement of

boundary fences and retaining walls. The applicant has clarified in their evidence that no fencing is proposed as part of this application and that fencing associated with the new lots will be addressed under subsequent resource consent applications.

Considering the underlying zoning of the adjoining vacant lots is Mixed Housing Urban, the potential fence heights along the interface of the park and pedestrian accessway could be up to 2m solid fencing in parts (notably along the new rear boundary of Lot 11 which abuts the pedestrian accessway).

Parks want to retain oversight as to how Lots 10 and 11 interface with the new park, particularly along the pedestrian accessway connection, to ensure the safety of future users. I acknowledge that subsequent resource consents will be lodged for developments on Lots 10 and 11 and consider that a consent notice on each of these new titles requiring the treatment of these interfaces to be developed with Parks at that time will provide adequate assurance without being unduly limiting to the applicant.

I note that land use consent applications are sent for Parks input only if there is an infringement along the shared boundary and as such the consent notice mechanism provides a check should this not be the case for future land use consents on Lots 10 and 11.

I have included proposed condition 90X in lieu of the original conditions 90 and 91. I acknowledge that the applicant has not reviewed this condition and as such this can be discussed further at the hearing as required.

12. The removal of condition 92 has been agreed to by Council's Traffic Engineer, Mr Gandhi.

A copy of these updated conditions is included in Appendix 1 of this addendum report. My support of the application relies upon these updated conditions to avoid and mitigate adverse effects on the environment and persons.

This addendum is prepared by:

Susie Clemens, Intermediate Planner, Resource Consents

Signed:



Date:

Date: 4 August 2021

Reviewed and approved for release by:

Russell Butchers, Principal Project Lead, Premium
Resource Consents

Signed:

A handwritten signature in dark ink, appearing to read 'Russell Butchers', written in a cursive style.

Date:

Date: 4 August 2021

APPENDIX 1

AMENDED CONDITIONS

Appendix 1 Conditions as amended

Under sections 108 and 108AA and 220, I recommend any grant of these resource consent is subject to the following conditions:

General conditions

These conditions apply to all resource consents.

1. This consent must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application detailed below, and all referenced by the council as resource consent number BUN60364376 (LUC60364378, SUB60364377, DIS60364379)
 - Application Form and Assessment of Environmental Effects prepared by Sarah Rendle of Barker and Associates, dated 17 December 2020.
 - Civil Engineering Assessment 'Proposed Subdivision Bellgrove Place, Avondale', Reference 190069-P (Issue 6.0) prepared by Riley Consultants dated 27 May 2021
 - Geotechnical Engineering Assessment Proposed Subdivision Bellgrove Place, Avondale', Reference 190069-M, prepared by Riley Consultants dated 21 September 2020
 - Flood Assessment 'Bellgrove Place, Avondale', Reference 190069-D (Issue 2.0), prepared by Riley Consultants dated 29 September 2020
 - Remedial Action Plan (RAP) prepared by EHS Support dated 21 September 2020
 - Arboricultural Assessment prepared by Peers Brown Miller, Revision A, dated 11 September 2020
 - Traffic Impact Assessment prepared by Traffic Planning Consultants, Issue B, dated 7 September 2020
 - Ecological Assessment titled 'KĀINGA ORA BELLGROVE – STORMWATER OUTFALL ASSESSMENT OF ECOLOGICAL EFFECTS' prepared by Bioresarches dated 15 September 2020
 - S92 Response prepared by Sarah Rendle of Barker and Associates dated 23 February 2021
 - Ecology S92 response prepared by Mark Delaney of Bioresarches dated 22 February 2021

Drawing title and reference	Author	Rev	Dated
Civil			
190069-200 Drawing List and Locality Plan	RILEY Consultants	5	27/05/21
190069-201 Existing Site Plan	RILEY Consultants	1	25/09/20

190069-202 Proposed Site Plan	RILEY Consultants	2	29/09/20
190069-203 Proposed Road Section	RILEY Consultants	2	15/04/21
190069-204 Cut / Fill Plan	RILEY Consultants	2	29/09/20
190069-205 Contaminated Land Remedial Earthworks	RILEY Consultants	2	29/09/20
190069-206 Proposed Erosion and Sediment Control Plan	RILEY Consultants	2	17/02/21
190069-207 Erosion and Sediment Control Details	RILEY Consultants	1	25/09/20
190069-208 Proposed Stormwater Plan	RILEY Consultants	2	15/03/21
190069-209 Proposed Stormwater Network Extension Plan	RILEY Consultants	1	25/09/20
190069-210 Proposed Stormwater Longsections – Sheet 1	RILEY Consultants	1	25/09/20
190069-211 Proposed Stormwater Longsections – Sheet 2	RILEY Consultants	1	25/09/20
190069-212 Proposed Stormwater Longsections – Sheet 3	RILEY Consultants	1	25/09/20

190069-213 Proposed Stormwater Longsections – Sheet 4	RILEY Consultants	1		25/09/20
190069-214 Proposed Stormwater Longsections – Sheet 5	RILEY Consultants	1		15/03/21
190069-215 Proposed Stormwater Longsections – Sheet 6	RILEY Consultants	2		15/03/21
190069-216 Proposed Stormwater Longsections – Sheet 7	RILEY Consultants	2		15/03/21
190069-217 Proposed Stormwater Longsections – Sheet 8	RILEY Consultants	2		15/03/21
190069-218 Proposed Stormwater Longsections – Sheet 9	RILEY Consultants	2		15/03/21
190069-219 Preliminary Construction Details	RILEY Consultants	2		15/03/21
190069-220 Proposed Wastewater Plan	RILEY Consultants	1		25/09/20
190069-221 Proposed Wastewater Longsections – Sheet 1	RILEY Consultants	1		25/09/20
190069-222 Proposed Wastewater Longsections – Sheet 2	RILEY Consultants		1	25/09/20

190069-223 Proposed Wastewater Longsections – Sheet 3	RILEY Consultants	1	25/09/20
190069-224 Proposed Wastewater Longsections – Sheet 4	RILEY Consultants	1	25/09/20
190069-225 Proposed Wastewater Longsections – Sheet 5	RILEY Consultants	1	25/09/20
190069-226 Proposed Wastewater Longsections – Sheet 6	RILEY Consultants	1	25/09/20
190069-227 Proposed Water Supply Plan	RILEY Consultants	1	25/09/20
190069-228 Combined Services Plan	RILEY Consultants	1	25/09/20
20168 - T.C - (8) Revised Traffic Calming	Traffic Planning Consultants		07.04.21

Landscaping

Contents (page 2)	Resilio Studio	E	22.04.2021
Open Space Context and Analysis (Page 3)	Resilio Studio	E	22.04.2021
Masterplan (Page 5)	Resilio Studio	E	22.04.2021
Connection to Existing Footpaths - Riversdale Road (Page 6)	Resilio Studio	E	22.04.2021
Connection to Existing Footpaths - Riversdale Road (Page 7)	Resilio Studio	E	22.04.2021
Connection to Existing Footpaths - Wairau (Page 8)	Resilio Studio	E	22.04.2021
Hardscape Plan (Page 10)	Resilio Studio	E	22.04.2021
Surfaces (Page 11)	Resilio Studio	E	22.04.2021
Furniture (Page 12)	Resilio Studio	E	22.04.2021
Soft Landscape Plan (Page 14)	Resilio Studio	E	22.04.2021
Soft Landscape Elements (Page 15)	Resilio Studio	E	22.04.2021
Tree Plan (Page 16)	Resilio Studio	E	22.04.2021
Plant Species Trees (Page 17)	Resilio Studio	E	22.04.2021
Amenity Planting + Rain Gardens Plan (Page 18)	Resilio Studio	E	22.04.2021
Amenity Planting (Page 19)	Resilio Studio	E	22.04.2021
Amenity Planting Species (Page 20)	Resilio Studio	E	22.04.2021
Rain Garden (Page 21)	Resilio Studio	E	22.04.2021
Rain Garden Species (Page 22)	Resilio Studio	E	22.04.2021

Auckland Transport Street Design Principles (Page 24)	Resilio Studio	E	22.04.2021
Typical Street Sections - Type 01 (Page 25)	Resilio Studio	E	22.04.2021
Typical Street Sections - Type 02 (Page 26)	Resilio Studio	E	22.04.2021
Typical Street Sections - Type 03 (Page 27)	Resilio Studio	E	22.04.2021
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Typical Street Sections - Type 05 (Page 29)	Resilio Studio	E	22.04.2021
Traffic Calming Tools (Page 31)	Resilio Studio	E	22.04.2021
Traffic Calming + Street Corner – Intersection (Page 32)	Resilio Studio	E	22.04.2021
Traffic Calming + Street Corner - Street Corner (Page 33)	Resilio Studio	E	22.04.2021
Pocket Park Design Principles (Page 35)	Resilio Studio	E	22.04.2021
Pocket Park + Connection Path Plan (Page 36)	Resilio Studio	E	22.04.2021
Pocket Park Proposed Concept Design (Page 37)	Resilio Studio	E	22.04.2021
Pocket Park Sections (Page 38)	Resilio Studio	E	22.04.2021
Pocket Park Planting Strategy (Page 39)	Resilio Studio	E	22.04.2021
Pedestrian Link Planting Strategy (Page 40)	Resilio Studio	E	22.04.2021
Pocket Park – 3D view (Page 41)	Resilio Studio	E	22.04.2021
Pocket Park – 3D view (Page 42)	Resilio Studio	E	22.04.2021
Pocket Park – 3D view (Page 43)	Resilio Studio	E	22.04.2021
Drawing 12 Pocket Park GA	Resilio Studio	E	22.04.2021
Stormwater Outfall Planting Planting Strategy	Resilio Studio	B	22.02.2021
Stormwater Outfall Planting Planting Strategy	Resilio Studio	B	22.02.2021
Stormwater Outfall Planting Maintenance Specification	Resilio Studio	B	22.02.2021

Scheme

2020-182 SC PROP DEV R3 Overall Plan	Hall Surveying Limited	3	28/05/2021
2020-182 SC PROP DEV R3 Sheet 1 of 4	Hall Surveying Limited	3	28/05/2021
2020-182 SC PROP DEV R3 Sheet 2 of 4	Hall Surveying Limited	3	28/05/2021
2020-182 SC PROP DEV R3 Sheet 3 of 4	Hall Surveying Limited	3	28/05/2021
2020-182 SC PROP DEV R3 Sheet 4 of 4	Hall Surveying Limited	3	28/05/2021

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapse
3. The consent holder must pay the council an initial consent compliance monitoring charge of \$3,000 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

Advice note:

The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent(s) have been met, will the council issue a letter confirming compliance on request of the consent holder.

Specific conditions – land use consent LUC60364378

Pre-development

4. Deleted.

Finalised Plans

5. Prior to the commencement of construction of Road 1, the consent holder must provide to the Council for approval, a finalised set of detailed retaining wall design drawings and supporting written documentation which have been prepared by a landscape architect or suitably qualified professional.

The retaining wall proposed along the western side of the entrance of Road 1, adjacent to 64 Riversdale Road, must be of keystone construction or similar.

Advice note:

As part of the approval process, the Council's monitoring team will liaise with landscape architects from the Council's Urban Design Unit to ensure that the submitted drawings and related information are consistent with the originally consented landscape concept plan(s).

6. At Engineering Plan Approval stage, the consent holder must submit detailed streetscape and park landscaping plans for all landscaping for approval by the Council. In particular, the plans must:
 - a. Be prepared by a suitably qualified landscape architect.
 - b. Be in general accordance with the landscape plans 'Bellgrove Place and Riversdale Road Resource Consent s92 Landscape Package' prepared by Resilio Studio, Rev.E, dated 22/04/2021.
 - c. Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, garden bed and tree pit specifications, the overall material palette, location of accessway lights and other service access points.
 - d. Ensure that selected species can maintain appropriate separation distances from paths, roads, streetlights and vehicle crossings in accordance with the Auckland Transport Code of Practice.
 - e. Include planting methodology.
 - f. Comply with Council's latest specifications or relevant Code of Practice for green assets and landscaping.
 - g. Rationalise (reduce) the extent of street amenity gardens shown in the 'Bellgrove Place and Riversdale Road Resource Consent s92 Landscape Package' prepared by Resilio Studio, Rev.E, dated 22/04/2021.
 - h. Include pedestrian bollard lighting within the neighbourhood park and pedestrian link
 - i. Remove all flush pedestrian threshold different surface on carriageway treatment (normal road to continue)
 - j. Remove all traffic calming steps shown in orange, as indicated on the Street Corner + Traffic Calming Tools-Drawings shown in the 'Bellgrove Place and Riversdale Road Resource Consent s92 Landscape Package' prepared by Resilio Studio, Rev.E, dated 22/04/2021.
 - k. Deleted.

Advice note:

- *With respect to point h – the preference is for bollard lighting to be provided within the pocket park (rather than on private lots as previously discussed)*
- *With respect to point l – It has previously been agreed to remove this aspect due to major ongoing maintenance requirements for Auckland Transport*
- *With respect to point j – It has previously been agreed to remove this aspect as it will cause major ongoing carriageway maintenance for Auckland Transport*
- *The Council monitoring officer will liaise with the Team Leader of Parks Planning and Auckland Transport for the review of this plan*

Consultation with Te Ākitai Waiohū

- 6X. Prior to submitting the detailed streetscape and park landscaping plans required under Condition 5 above, the consent holder must consult with Te Ākitai Waiohū on all matters of the landscaping design. If the consent holder has not received any comment from Te Ākitai Waiohū within 10 working days of providing the plans to them, the consent holder may consider Te Ākitai Waiohū has no comments. The consent holder must provide evidence of this consultation in the submitted plans to the Council and explain the input of Te Ākitai Waiohū and how this has been responded to in the landscaping design. If any suggestions are not proposed to be implemented, the consent holder must specify the reasons for this.

Lighting Plan

7. At Engineering Plan Approval stage, the consent holder must provide a Lighting Plan and Certification/Specifications prepared by a qualified Lighting Engineer, to the Council. The purpose of this condition is to provide adequate lighting for the safety of people. The Lighting Plan for the development (where roading is to be vested) must be designed to the AS/NZS1158 Standard and the lighting Technical Design Manual of AT. Only lights and poles from AT's approved list can be used (for areas to be vested).

Advice note:

With reference to the Landscape Package prepared by Resilio Studios:

- *the street lighting indicative does not comply with AT requirements and they need to be kept clear of any trees by at least 10m*
- *bollard lighting does not comply with AT requirements, as they don't meet standards and have ongoing high maintenance issues*

AT can provide a design brief at no charge and a follow-up review of the finished design.

Construction Management Plan

8. The consent holder must provide a Construction Management Plan to the Council for certification at least two weeks prior to any works commencing on site. The Construction Management Plan must specify construction timetable, construction methods, general site management, site reinstatement upon completion of works. The Construction Management Plan must be to the satisfaction of the Council and must be certified prior to the works commencing.

Construction Traffic Management Plan

9. Prior to the commencement of construction or demolition works, the consent holder must submit a detailed Construction Traffic Management Plan (CTMP) to Auckland Council for approval. The Construction Traffic Management Plan (CTMP) must be prepared in accordance the Council's requirements for CTMPs and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management.

No construction activity must commence until confirmation is provided from the Council that the CTMP satisfactorily meets the requirements of the Council's requirements for CTMPs and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management, and all measures identified in that plan as needing to be put in place prior to commencement of works have been.

The CTMP must include the following aspects of the construction process:

- Provide hours of work, staging of the development and construction period.
- Provide a parking management plan for visitors and construction traffic. Parking must be contained within the site.
- Provide the location of loading / working areas.
- Construction loading or unloading from the street is to be permitted only with the approval of Auckland Transport.
- Provide details on number of truck movements and intended routes to and from the site.
- Provide vehicle cleaning facilities within the site to ensure that vehicles are able to be thoroughly cleaned before exiting the site to prevent mud or other excavated material from being deposited on to the road. In the event that material is deposited on the road resources must be available to ensure that the material is removed immediately.
- The CTMP must address the transportation and parking of oversize vehicles.

- Provide a temporary traffic management plan that is in compliance with the latest edition of the NZTA “Code of Practice for Temporary Traffic Management” (COPTTM) document.
- Provide a pedestrian management plan that includes temporary pedestrian routes which must be easily traversable, well-marked and safely separated from moving vehicles.
- The traffic/pedestrian management plans must be approved by the Council prior to the commencement of construction works.
- The site access point must be clearly signposted and ensuring that access to neighbouring properties is not compromised.

Advice notes:

- *The Council will consult with Auckland Transport in relation to any documents submitted under this condition.*
- *A Corridor Access Request (CAR) application is required from Auckland Transport for any works within the road reserve that affects the normal operation of the road, footpath or berm.*
- *Any works done on land affected by an Auckland Transport Designation need written consent from AT before the works can begin.*
- *AT will manage the road network according to its own policies and strategic objectives. The existing parking may become further restricted in the future or reallocated for alternative uses such as bus stops, pedestrian amenity, cycling facilities etc.*
- *Any permanent traffic and parking changes within the road reserve (including the implementation of broken yellow lines, changes to the existing broken yellow lines etc.) as a result of the development will require Traffic Control Committee (TCC) resolutions.*
- *The resolutions, prepared by a qualified traffic engineer, will need to be passed so that the changes to the road reserve can be legally implemented and enforced. The resolution process may require public consultation to be undertaken in accordance with Auckland Transport’s standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to AT TCC for review and approval.*

Contamination

10. The Council must be informed, in writing, at least 10 working days prior to the start date of the works authorised by this consent
11. Earthworks must be undertaken in accordance with the Remedial Action Plan, Bellgrove Development, Avondale, dated 21 September 2020, prepared by EHS Support New Zealand Ltd (‘the RAP’). Any variations to

the RAP or any subsequent contamination site management plan must be submitted to the council for certification that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent

Advice note:

The Council acknowledges that the RAP or any subsequent contamination site management plan 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 Team Leader. The Council's certification of the RAP or any subsequent contamination site management plan 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.

Street tree removal and works within the rootzone of Open Space zone tree

12. Prior to any works starting on site in the vicinity of the street trees and tree in the open space zone (being trees 52, 65 and 81 as identified in the Arboricultural Assessment) the consent holder must appoint a qualified "works site arborist" to monitor, advise and oversee all tree related matters within the site and road reserve. The arborist must have experience in construction and tree protection methods and be familiar with the arborist report written by Simon Webb, from Peers Brown Miller, dated 11/9/2020 Revision A

Advice note:

Prior to any works occurring onsite, the applicant will also be required to obtain a signed copy of a granted Tree Asset Owner Approval Form from the Urban Forest Specialist for the area, Community Facilities, Auckland Council, and all terms and conditions therein will need to be adhered to, along with the arboricultural report written by Simon Webb, from Peers Brown Miller, dated 11/9/2020 Revision A as noted above .

13. Prior to any works starting on site in the vicinity of the street trees and tree in the open space zone (being trees 52, 65 and 81 as identified in the Arboricultural Assessment), a designated pre-commencement meeting must be held to discuss all issues pertaining to the protection of the trees to be retained and protected.

The meeting must take the form of a site induction to present the standards and expectations of the tree protection within the site. The following persons must be present at the meeting:

- The appropriate site managers and site foremen
- The works site arborist
- The Council's compliance and monitoring officer.

14. Temporary protective fencing must be erected around the reserve tree to be retained (i.e. Tree 81 as identified in the arborist report written by Simon Webb, from Peers Brown Miller, dated 11/9/2020 Revision A). The fence must be located as per instructions provided by the works site arborist to completely enclose the open ground area out to the protected root zone of the tree. In addition:
- a. The fence must not be moved by any contractor or site worker at any stage of the construction activities. Any exception would be where the Site Arborist determines that the fence may be moved to execute consented construction activities;
 - b. The fencing must be constructed of 1.8m chain link panels secured to the ground with pins; and
 - c. The protective fence must remain in place until the completion of the project in the vicinity of the tree (some sections of the project may finish well before the overall completion date).

Earthworks

15. Prior to the commencement of earthworks activity on any area of site to which this consent applies, finalised Site-Specific Erosion and Sediment Control Management Plans (ESCP) must be prepared for that area of site in accordance with Auckland Council 'Guidance Document 2016/005 Erosion and Sediment Control Guideline for Land Disturbing Activities (GD05)' and submitted to the Council for certification. No earthworks activity on any area of site to which this consent applies must commence until the Council has certified that that the ESCP satisfactorily meets the requirements of GD05.

The finalised ESCP must contain sufficient detail to address the following matters:

- a. specific erosion and sediment control works including location dimensions of devices.
- b. identification of earthworks within overland flow paths and floodplain extents including provision of supporting information

confirming works will not exacerbate overland flow path or floodplain effects on adjoining property.

- c. supporting calculations and design drawings
 - d. catchment boundaries and contour information
 - e. details of construction methods
 - f. timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks)
 - g. details relating to the management of exposed areas (e.g. grassing, mulching)
 - h. monitoring and maintenance requirements
16. Prior to the commencement of earthworks activity on the subject site for the stormwater reticulation, an earthworks construction methodology for the installation of the stormwater reticulation must be provided to Council for certification. The construction methodology must include (but is not limited to):
- a. Methodology and construction details relating to how the earthworks will be managed during the installation of the stormwater reticulation, including any stockpiling;
 - b. Management of water impounded in the trench and any dewatering requirements to ensure that dewatering is undertaken in accordance with the requirements of GD05.
 - c. Any specific erosion and sediment control measures that may be used.
17. Prior to the commencement of the earthwork activity, the consent holder must hold a pre-start meeting that:
- a. is located on the subject site;
 - b. is scheduled not less than five days before the anticipated commencement of earthworks;
 - c. includes representation from the Council; and
 - d. includes representation from the contractors who will undertake the works

Representatives of Te Ākitai Waiohū must be given five working days' notice of the meeting and reasonable endeavours must be made to accommodate their attendance.

The meeting must discuss the erosion and sediment control measures, construction methodology for the road construction and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

The following information must be made available at the pre-start meeting:

- Timeframes for key stages of the works authorised under this consent;
- Resource consent conditions;
- The Erosion and Sediment Control Plan, listed under Condition 1 and finalised under Condition 15;
- An earthworks construction methodology for the installation of the stormwater reticulation required by Condition 16;
- Relevant cultural induction material as determined by Te Ākitai Waiohūa; and
- Provisions must be made for blessings (karakia) before commencement of earthworks in the project area.

Advice note:

To arrange the pre-construction meeting please contact the Council to arrange this meeting on email at monitoring@aucklandcouncil.govt.nz.

18. At least 10 days prior to the commencement of earthworks, the consent holder must undertake consultation with representatives of Te Ākitai Waiohūa in respect of their request to undertake cultural monitoring. A record of consultation in accordance with this condition must be provided to the Council at least two days prior to the commencement of earthworks.

Development in progress

Construction

Construction work times

19. Construction works must be restricted to the hours between 7.30am and 6.00pm, Monday to Saturday. No works are permitted on Sundays or public holidays.

Advice note:

This restriction does not apply to low noise creating activities such as site set up, or planting, which may occur outside of these hours Monday to Saturday only.

Construction noise limits

20. Construction works on the site must be designed and conducted to ensure that noise does not exceed permitted noise standards set out in Table E25.6.27.1 subject to a minus 5 dBA adjustment in accordance with E25.6.27 (4) when measured or assessed at 1m from occupied buildings in accordance with NZS 6803:1999 Acoustics – Construction noise.

Construction vibration limits

21. Vibration levels arising from construction works on the site must not exceed the limits set out in German Industrial Standard DIN 4150-3 (1999) Structural

Vibration – Part 3 Effects of Vibration on Structures criteria when measured in accordance with that Standard on any structure not on the same site as specified in AUP (OP) E25.6.30 (1) (a)

22. Vibration levels arising from construction works on the site must not exceed a limit of 2mm/s peak particle velocity for more than 3 days in occupied buildings in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building as specified in AUP (OP) Table E25.6.30.1.

Earthworks

23. The earthworks activity must be undertaken in accordance with the finalised Erosion and Sediment Control Plan as approved under condition 15

Advice note:

In the event that minor amendments to the final ESCP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the final ESCP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council, prior to implementation to confirm that they are within the scope of this consent

24. Within 10 working days following implementation and completion of the specific erosion and sediment controls required by the Erosion and Sediment Control Plan (approved under condition 15) and prior to commencement of the earthwork activity, the consent holder must provide to Council written certification prepared by a suitably qualified and experienced person confirming that the erosion and sediment control measures have been constructed in accordance with the finalised Erosion and Sediment Control Plan and Auckland Council's Guideline Document 2016/005 '*Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*' (GD05).

Advice note:

Certification of the sediment and erosion control structures should contain sufficient details to address the following matters:

- *Confirmation of the alignment of all silt fences*
- *Confirmation that the silt fences have been installed in accordance with GD05.*

25. The erosion and sediment controls at the site must be constructed and maintained in accordance with Auckland Council Guideline Document 2016/005 '*Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*' throughout the duration of the earthwork activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Council on request.
26. The site must be progressively stabilised against erosion in accordance with

Auckland Council Guideline Document 2016/005 '*Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*', as soon as practicable as earthworks are finished over various areas of the site.

27. Earthworks must be managed to avoid the deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.
28. Unless specifically provided for by this consent approval, there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks and construction activity. In the event that such damage does occur, the Council must be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition must be met by the consent holder.
29. Immediately upon completion or abandonment of earthworks on the subject site, all areas of bare earth must be permanently stabilised against erosion in accordance with Auckland Council's Guideline Document 2016/005 '*Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*' (GD05).

Advice note:

There must be no airborne or deposited dust beyond the subject site as a result of the earthworks and construction activity, which is in the opinion of the Council's Team Leader Compliance Monitoring Central, is noxious, offensive or objectionable.

It is recommended that you discuss any potential measures with the council's compliance monitoring officer who may be able to provide further guidance on the most appropriate approach to take.

Accidental Discovery

30. If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a Maori cultural artefact, a protected New Zealand object, contamination, or a lava cave greater than 1m in diameter) are discovered, then the protocol set out in standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan (Operative in Part) must be followed. In summary these are:
 - a. All works must cease in the immediate vicinity (at least 20m from the site of the discovery) and the area of the discovery must be secured including a buffer to ensure all sensitive material remains undisturbed.

- b. The consent holder must immediately advise the Council, Heritage New Zealand Pouhere Taonga, and the Police (if human remains are found) and arrange a site inspection with these parties.
- c. If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from those Iwi groups with mana whenua interest in the area are to be provided information on the nature and location of the discovery. The consent holder must specifically notify Te Ākitai Waiohū,
- d. The consent holder must not recommence works until the steps set out in the above-mentioned standards have been followed and commencement of works approved by the Council.

Seasonal Restriction

- 31. Earthworks must not be undertaken between 1 May and 30 September in any year, without the submission of a '*Request for winter works*' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

Contamination

- 32. During earthworks all necessary action must be taken to prevent dust generation and sufficient water must be available to dampen exposed soil, and/or other dust suppressing measures must be available to avoid dust formation. The consent holder must ensure that dust management during the excavation works complies with the *Good Practice Guide for Assessing and Managing Dust* (Ministry for the Environment, 2016).
- 33. In the event of the unexpected discovery of contamination during earthworks which has not been previously identified, the contingency measures outlined in the RAP or any subsequent contamination site management plan must be implemented. Any unexpected contamination and contingency measures implemented must be documented in the Site Validation Report. In the event that the contamination identified is outside the scope of this consent, the council must be notified and advised of the remedial actions proposed.
- 34. Excavated material that exceeds cleanfill criteria and is not re-used on site must be disposed of at an appropriate facility authorised to accept the levels of any identified contamination.
- 35. The consent holder must ensure that the contamination level of any soil imported to the site complies with the definition of 'Cleanfill material', as set out in the AUP(OP).

36. All sampling and testing of contamination on the site must be overseen by a SQEP and must be undertaken in accordance with the *Contaminated Land Management Guidelines No.5: Site Investigation and Analysis of Soils* (Ministry for the Environment, 2011).

Advice note:

In order to comply with the Contaminated Land Management Guidelines No.5 (Ministry for the Environment, revised 2011), all sample analysis should be undertaken in a laboratory with suitable experience and ability to carry out the analysis.

If you are demolishing any building or structure that may have asbestos containing materials (ACM) in it:

- *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.*
- *Work may have to be carried out under the control of person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works.*
- *If any ACM is found, removal or demolition will have to meet the Health and Safety at Work (Asbestos) Regulations 2016.*
- *Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.*

If ACM is found on site following the demolition or removal of the existing buildings, you may be required to further remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance, a further consent application may be required.

Riparian vegetation removal

37. All vegetation removal must be carried out in accordance with the approved Stormwater Outfall Planting prepared by Resilio Studio, dated 22 February 2021. The approved Stormwater Outfall Planting prepared by Resilio Studio, dated 22 February 2021 must be implemented in all respects, unless the Council agrees in writing to any alteration

Advice note:

Council's Team Leader Compliance Monitoring Central will liaise with Council's ecologist to determine if changes are acceptable. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent

38. The consent holder must ensure that all contractors, sub-contractors and workers engaged in all activities covered by this consent are advised of the vegetation protection measures in the conditions of consent and operate in

accordance with the conditions. A copy of the conditions of consent must be available at all times on each work site.

39. Deleted.

40. Deleted.

41. Deleted.

Advice note:

The Wildlife Act 1953

- *All native lizards are totally protected under the Wildlife Act 1953 under which it is an offence to disturb, harm, or remove them without a permit from the Minister of Conservation.*
- *For further information on lizards that are protected under the Wildlife Act and determination of a suitable new habitat please contact the council's Ecological Advice team (Team Leader Ecological Advice, on ecologicaladvice@aucklandcouncil.govt.nz)*

Construction Activities Tree Management Plan

42. Construction activities in the vicinity of the street trees and tree in the open space zone (being trees 52, 65 and 81 as identified in the Arboricultural Assessment must be undertaken in accordance with the following provisions:
- a. All equipment/vehicles must be manoeuvred to/ within the site in a manner that avoids any damage to the root zone and canopy of all trees to be retained, both private and public .
 - b. No machinery or equipment or materials must be stored or deposited within the protected root zone of any tree to be retained (both private and public) (i.e. no products, fluids, machinery, or tools, etc). Special attention must be paid to any petrol/diesel operated machinery to avoid contaminating the soil in the root zone of the trees.
 - c. No tracking or movement of equipment, trucks or machinery is to be undertaken within the rootzone of trees to be retained (both private and public). A mulch accessway or track-mats are to be utilised for the directional drilling machine in order to avoid damage to tree roots if movement is required within any protected rootzone or on the berm.
 - d. Prior to approaching the zones which require supervision, the site manager must engage the site works arborist to assist and direct activities.
 - e. The initial break of the road or pavement surface within the protected root zone may be done by a concrete saw. Thereafter, the pavement may be back peeled with a small digger operating from the existing hard surface. The excavation by the digger may continue, with the Works Arborist acting as a spotter, in conjunction with hand digging.

- f. For excavation within existing open ground area, the initial cut to define the outside edge of the excavation closest to the street tree must be made by hand (spade) by the Works Arborist prior to full excavation by machine. Utmost care must be taken to minimise root strike.
- g. If any significant roots are encountered during excavation in the dripline of any tree to be retained (both private and public), that root must be accommodated, unless the Works Arborist is satisfied that severance of such a root would not cause a deterioration of the health of the tree. No roots beyond the approved thresholds are to be removed. (Roots up to 80mm for tree to be retained (both private and public) , under the supervision of a suitably qualified arborist). Any roots less than permitted diameter may be severed cleanly to the excavated face. All root severance must be undertaken by the Site Arborist.
- h. Any retained roots must be wrapped in hessian and incorporated into the basecourse once reinstatement occurs. A layer of hessian or white polythene must be securely pinned to the excavated face against retained trees to shade the root ends and minimise desiccation.

Traffic

- 43. All new assets including vehicle crossings and footpaths, must be designed and formed to current Auckland Transport Standards. This must be undertaken at the consent holder's expense and to the satisfaction of the Council.

Stormwater

- 44. The consent holder must design and construct a new public stormwater reticulation network and stormwater outfall structure to serve the development in accordance with Civil Engineering Assessment Report Ref: 190069-P (Issue 6.0) dated 27 May 2021 and to the requirements of the stormwater utility service provider.
- 45. The consent holder must design, install and maintain a private on-site stormwater management system. The stormwater management system (SMS) must be completed in accordance with the following specific requirements:
 - a. The stormwater management system (SMS) must be completed in accordance with the Stormwater Management Plan Report Ref: 190069-Q dated 29 September 2020 prepared by Riley Consultants Limited.
 - b. The SMS must provide water quality treatment for trafficable paved areas in accordance with the report titled "Civil Engineering Assessment Report Ref: 190069-P (Issue 6.0) dated 27 May 2021 and Stormwater Management Plan Report Ref: 190069-Q dated 29 September 2020" prepared by Riley Consultants Limited generally in compliance with "Guideline Document 2017/001 Version 1 December 2017 Stormwater Management Devices in the Auckland Region".
 - c. Within 20 working days following completion of these SMS works the consent holder must provide to the satisfaction of Council, evidence that the

completed stormwater management system was installed or built in accordance with the design specifications.

46. To meet the maintenance requirements of the Stormwater Management Plan Report Ref: 190069-Q dated 29 September 2020 prepared by Riley Consultants Limited, the consent holder must provide an Operation and Maintenance Plan detailing maintenance requirements for the water quality treatment devices constructed onsite to be implemented in perpetuity.

Post development

Earthworks

47. Certification from a suitably qualified engineering professional responsible for supervising the earthworks must be provided to the Council confirming that the works have been completed in accordance with the Geotechnical Engineering Assessment Report Ref: 190069-M Issue 1.0 dated 21 September 2020 prepared by Riley Consultants Limited. Written certification must be in the form of a geotechnical completion report, or any other form acceptable to the Council.

Advice note:

Earthworks to form the site(s) must be undertaken in accordance with NZS 4431 and NZS 4404 where applicable and the final earthworks methods and standards must be specified/supervised by a suitably qualified geotechnical professional.

Riparian vegetation removal

48. Deleted.
49. The consent holder must undertake the proposed mitigation planting within the first planting season (1 April to 30 September) following the completion of the works on the site. The planting that must be in accordance with Stormwater Outfall Planting prepared by Resilio Studio, dated 22 February 2021. The replacement trees must be located in a position that takes into consideration their long-term growth and development. Any pest plants present in the revegetation area must be controlled prior to planting.
50. A planting completion report must be provided to the Council within 30 working days of the planting works being completed. This report must confirm that all plantings have been completed in accordance with condition 49.

Advice note:

The planting report will include details of where the trees have been planted/a plan showing the location of revegetation planting, photos of the planted area and an inventory of the specimens planted (species, size & number). This information must be compiled by the applicant.

51. The planting maintenance period must be a minimum of five years and commences once the planting completion report has been certified by Council. Throughout the

five-year establishment period the consent holder must ensure that a pest plant free environment is maintained in the revegetation area.

Park landscaping

52. Within the first planting season (1 April to 30 September) following certification of the final Landscape Plan (in condition 6), the planting and hard landscaping of the pocket park must be fully implemented in accordance with the certified Landscape Plan and must be maintained for a two-year period to the satisfaction of Council.

Contamination

53. Within three months of the completion of earthworks the site, a Site Validation Report (SVR) must be submitted to the Council for certification. The SVR must be prepared by a SQEP in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand (Ministry for the Environment, 2011) and contain sufficient detail to address the following matters:
- a. A summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated;
 - b. Details and results of any testing, including validation testing and/or asbestos air monitoring (if required), and interpretation of the results in the context of the NES:CS and the AUP(OP);
 - c. Records/evidence of the appropriate disposal for any material removed from the site;
 - d. Records of any unexpected contamination encountered during the works and response actions, if applicable;
 - e. Conditions of the final site ground surface and details of any validation sampling undertaken on materials re-used on site or imported to site;
 - f. Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the earthworks; and
 - g. A statement certifying that all works have been carried out in accordance with the requirements of the RAP and consent, otherwise providing details of relevant breaches, if applicable.

Flooding / overland flow path(s)

54. The consent holder must provide evidence in the form of an as-built plan of finished surface levels (including the formation of new roading network) prepared by a licensed cadastral surveyor, and written certification by a suitably qualified engineer, confirming the finished surface levels and overland flow path(s) meet the flood hazard design requirements set out in the reports titled "Flood Assessment Report Ref: 190069-D dated 25 September 2020, Civil Engineering Assessment Report Ref: 190069-P (Issue 6.0) dated 27 May 2021, and Stormwater Management Plan Report Ref: 190069-Q dated 29 September 2020" prepared by Riley Consultants Limited, to the satisfaction of the Council.

Post -works Tree Management Plan

55. Compliance with all conditions of consent relating to tree protection must be monitored by the appointed site works arborist - with the detail of communication and works activities being logged in an end of project memo. The completed log will be provided to the consent holder and the Council within 20 working days of completion of the project.

Specific conditions – discharge permit DIS60364379

56. The contamination conditions 32 to 36 in LUC60364378 also apply to this discharge permit.
57. All excavation in the work areas must be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from the subject site to either land, stormwater drainage systems, watercourses or receiving waters. Erosion and sediment controls must be installed along the boundaries of the disturbance areas in accordance with the General CSMP and Auckland Council Guidance Document 2016/005: *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*. Filter cloths or cover mats must be installed over the stormwater cesspits in the vicinity of the excavation areas. 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 existing stormwater system.

Advice note: Contaminant discharges

Discharges from the site includes the disposal of water (e.g. perched groundwater or collected surface water) from the remediation area.

58. The soils and/or fill material identified for off-site disposal must primarily be loaded directly into trucks and must be covered during transportation off site. If required, temporary stockpiles of material free from separate phase hydrocarbons or odorous petroleum hydrocarbons must be located on an impermeable surface within an area protected by erosion and sediment controls and be covered with tarpaulins anchored at the edges outside working hours and during periods of heavy rain.
59. Any perched groundwater, or surface run-off water encountered within the excavation area requiring removal must be considered potentially contaminated, and must either:
 - a. Be disposed of by a licenced liquid waste contractor; or
 - b. Pumped to sewer, providing the relevant permits are obtained; or
 - c. Discharged to the stormwater system or surface waters provided a SQEP verifies that the contaminant levels are likely to comply with the Australian and New Zealand Environment Conservation Council (ANZECC) *Guidelines for Fresh and Marine Water Quality* (2000) for the protection of 80 percent of freshwater species, with the exception of benzene where the 95 percent protection level must apply.

60. Relocated to 59c. above.
61. Consent DIS60364379 will expire five years from the date of commencement unless it has been surrendered or been cancelled at an earlier date pursuant to the RMA.

Specific conditions – subdivision consent SUB60364377

62. The 12 lot (plus three roads) subdivision must be as described in the application form and assessment of environmental effects prepared by Sarah Rendle of Barker & Associates dated 17 December 2020 and must be carried out in accordance with the plans and information listed in condition 1, and all referenced by the council as consent number SUB60364377 of BUN60364376.

Advice notes:

- *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
 - *Details and specifications for the provision of infrastructure (e.g. public/private drainage, location, and types of connections) and access (including drainage of accessways, construction standards etc) are subject to a separate EPA and/or Building Consent approval process.*
 - *Should it become apparent during the EPA and/or Building Consent process that a component of the granted resource consent cannot be implemented (e.g. detailed tests for soakage fail to achieve sufficient soakage rates, or sufficient gradients for drainage cannot be achieved in accordance with engineering standards/ bylaws etc), changes to the proposal will be required. This may require either a variation to this subdivision consent or a new consent.*
 - *Similarly, should the detailed design stage demonstrate that additional reasons for consent under the AUP are triggered (e.g. after detailed survey the access gradient increases to now infringe or increase an approved infringement to a standard in the plan), a new or varied resource consent is required.*
 - *It is the responsibility of the consent holder to ensure that all information submitted and assessed as part of the subdivision consent is correct and can be implemented as per the subdivision consent (without requiring additional reasons for consent). Any subsequent approval processes (such as the EPA) do not override the necessity to comply with the conditions of this resource consent.*
63. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
- a. A survey plan is submitted to Council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or

- b. An application under section 125 of the RMA is made to the council before the consent lapses to extend the period after which the consent lapses and the council grants an extension.

Survey plan approval (s223) conditions

64. The consent holder must submit a survey plan in accordance with the approved resource consent subdivision scheme plan(s) titled 'PLAN OF PROPOSED SUPERLOTS BELLGROVE PLACE, AVONDALE, prepared by Hall Surveying, dated 28 May 2021. The survey plan must show all lots to vest or dedicate to Council (including roads, parks and reserves), all easements, and any amalgamation conditions, required by this subdivision consent.
65. The service easement over parts of Lot 5 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The consent holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant computer registers (records of title).
66. All of the proposed roads shown as Road 1, Road 2 and Road 3 on the approved plan(s) PLAN OF PROPOSED SUPERLOTS BELLGROVE PLACE, AVONDALE, prepared by Hall Surveying, dated 28 May 2021 must vest in the council as public roads. The consent holder must meet all costs associated with the vesting of the roads. These roads must vest free of easements and encumbrances.
67. The consent holder must vest Lot 12 in Auckland Council as Local Purpose (Recreation) Reserve pursuant to section 239 of the RMA 1991 in accordance with the subdivision plans prepared by Hall Surveying dated 28 May 2021. Lot 12 must vest free of easements and encumbrances and with:
 - a. No utility devices or structures on the land (above ground or under ground); and
 - b. No above ground utility devices or structures on any of its road frontages or berms, other than lighting poles and traffic safety signage.

Advice note:

- *The location of lighting poles and signage within the road reserve adjacent to Lot 12 will be reviewed at Engineering Plan Approval stage*
68. Lot 12 must be shown on the survey plan with the purpose of park to be held in Auckland Council as Local Purpose (Recreation) Reserve at no cost to the Council and without development contributions offset if there is an agreement by the time of application for S223 between the consent holder and Council in relation to the gifting of the land. If, however, there is no such agreement prior to the approval of the survey plan under section 223 RMA, Lot 12 will remain as a balance lot.

69. Pursuant to section 220(1)(b)(ii), Lot 1 and Lot 2 must be endorsed on the survey plan to be held together, and one computer register (record of title) must be issued to include both parcels
70. Pursuant to section 220(1)(b)(ii), Lots 6, 7 and 13 must be endorsed on the survey plan to be held together, and one computer register (record of title) must be issued to include both parcels

Section 224(c) conditions

71. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent SUB60364377 have been complied with, and identify all those conditions that have not been complied with and are subject to the following:
 - a. a consent notice to be issued in relation to any conditions of this consent to which section 221 applies;
 - b. a bond, as required by conditions of this consent, to be entered into by the subdividing owner in compliance with the relevant conditions of this subdivision consent.
 - c. a completion certificate has been issued in relation to any conditions to which section 222 applies.

Stormwater

72. The consent holder must design and construct a stormwater outfall structure in accordance with the requirements of the utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.
73. The consent holder must design and construct connections to the public stormwater reticulation network to serve Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12 in accordance with the requirements of the stormwater utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice notes:

- *Please be aware of any other conditions and requirements pertaining to this outfall, including regional consenting conditions and requirements.*
- *Acceptable forms of evidence for public stormwater works include Engineering Approval Completion Certificates.*
- *Stormwater utility provider is Auckland Council Healthy Waters Department.*
- *Public connections are to be constructed in accordance with the Stormwater Code of Practice.*

- *Alterations to the public stormwater reticulation network require Engineering Plan Approval.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Wastewater

74. The consent holder must design and construct connections to the public wastewater reticulation to serve Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12 in accordance with the requirements of the wastewater utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice notes:

- *Acceptable forms of evidence for the public wastewater works include a Certificate of Acceptance from the wastewater utility provider.*
- *Alterations to the public wastewater reticulation network require Engineering Plan Approval. Additional approval is required from Watercare/Veolia as part of the Engineering Plan Approval Process.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Water Supply

75. The consent holder must design and construct connections to the public water reticulation to serve Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12 in accordance with the requirements of the water utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under the section 224(c) of the RMA.

Advice notes:

- *Acceptable forms of evidence for the public water works include a Certificate of Acceptance from the water utility provider.*
- *Alterations to the public water reticulation network require Engineering Plan Approval. Additional approval is required from Watercare/Veolia as part of the Engineering Plan Approval Process.*
- *Public water supply is required to ensure an acceptable water supply for each lot, including for fire-fighting purposes.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*

- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*

Telecommunications and Electricity

76. The consent holder must make provision for telecommunications and electricity to serve Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12 in accordance with the requirements of the respective utility operators. These utilities must be underground. Certification from the utility providers that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice notes:

The consent holder may also provide gas servicing to the lot(s), but this is not a requirement of the AUP(OP) and no proof is required at time of section 224(c). Any gas lines are required to be installed underground.

Vehicle access

77. The consent holder must design and construct vehicle accessways to serve Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12 in accordance with the approved plans noted in Condition 1 and with the requirements of Auckland Council. Certification from a suitably qualified and experienced engineer that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *Please contact Auckland Council to obtain the current engineering requirements for the construction of the type of vehicle accessway proposed.*

Vehicle Crossing

78. The consent holder must provide a new vehicle crossing to serve Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12. The crossing(s) must be designed and formed in accordance with the requirements of Auckland Transport Code of Practice. The new crossing(s) must maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossing. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *An approval letter and completion certificate from Auckland Transport is required to be submitted to Auckland Council as a verification that Auckland Transport has completed approval and a final vehicle crossing inspection before this condition is considered fulfilled.*
- *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*

- *A vehicle crossing approval permit is required to be obtained from Auckland Transport for these works.*
- *Please note that any redundant vehicle crossings are required to be reinstated.*

Roads

79. The consent holder must design and construct the new public roads Road 1, Road 2 and Road 3 in accordance with the requirements of Auckland Transport. Certification from a suitably qualified and experienced engineer that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

Advice Note:

- *Acceptable forms of evidence include Engineering Approval Completion Certificates.*
- *Construction of public roading requires an Engineering Plan Approval.*
- *Design of public roads must include (but is not limited to), road pavement, pedestrian footpaths, cycle ways, street lighting, street furniture, road marking, traffic calming devices, road stormwater drainage, raingardens, etc. where required.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public works in the absence of that approval.*
- *The consent holder is advised that the national Addressing Standard (AS/NZS 4819:2011) requires that all new public roads and extensions to existing roads and any private road (rights of way or common access lots) that serve more than five allotments and created through a subdivision consent will require a **road name**. All road names must be approved by Council. In order to minimise disruption to construction and survey works, the consent holder is advised to obtain any road name prior to applying for a section 223 certificate. For more details refer to <https://www.aucklandcouncil.govt.nz/building-and-consents/types-resource-consents/subdivision-of-property/Pages/road-naming.aspx>*

Flooding

80. The consent holder must provide evidence in the form of an as-built plan of finished surface levels (including the formation of new roading network) prepared by a licensed cadastral surveyor, and written certification by a suitably qualified engineer, confirming the finished surface levels and overland flow path(s) meet the flood hazard design requirements set out in the reports titled "Flood Assessment Report Ref: 190069-D dated 25 September 2020, Civil Engineering Assessment Report Ref: 190069-P (Issue 6.0) dated 27 May 2021, and Stormwater Management Plan Report Ref: 190069-Q dated 29 September 2020" prepared by Riley Consultants Limited, to the satisfaction of the Council.

Consent Notice – Earthworks – Geotechnical / Stability / Soft Soils

81. The consent holder must have registered against the Record of Title of Lot(s) 1, 3, 4, 5, 7, 8, 9, 10, 11 & 12 a Consent Notice pursuant to s221 of the Resource Management Act 1991 detailing the obligations of any lot owner regarding the consideration of site constraints when undertaking future works on the lot(s). Compliance with these requirements must be on a continuing basis.

The lot owner must ensure that any future development on the lot is undertaken in accordance with the recommendations of the Geotechnical Engineering Assessment Ref: 190069-M Issue 1.0 dated: 21 September 2021 prepared by Riley Consultants Limited or any future Council approved Geotechnical Reporting which has reviewed the Geotechnical Engineering Assessment Ref: 190069-M Issue 1.0 dated: 21 September 2021 prepared by Riley Consultants Limited , and attached as Appendix A to this consent notice

Implementation of park landscape works

82. Prior to lodgement of section 224(c) certification, all hard and soft landscape works within the park must be implemented in accordance with the approved landscape plans to the satisfaction of the Council and landscaped in accordance with Council's latest specifications or relevant Code of Practice for green assets and landscaping, and in particular:
- a. All areas of the reserve that have been grassed must have a 90 percent strike rate, in a mowable condition, and be weed, stone and rubbish free.
 - b. Planted slopes to be a maximum 1:3 grade and grassed slopes to be a maximum 1:5 grade.
 - c. Grassing and planting must be carried out by a suitably qualified landscape contractor in the planting season (April to September) and when the weather is suitable (mild, dull and moist) and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder must inform the Council immediately.
 - d. At practical completion auditing, a chartered professional engineer engaged by the applicant must provide certificates of compliance and producer statements as relevant and certify that the parks construction works have been carried out in accordance with the approved plans and comply with the requirements in condition (s) – above). Written manufacturers guarantee must be supplied for any products where warranties are available or applicable.
 - e. Any defects identified at the practical completion audit are to be remedied by the applicant. The practical completion of the works will be determined by the Council to their satisfaction and this indicates the commencement of the maintenance period.

Advice note:

The consent holder must apply for a practical completion certificate prior to 224(c) application from the Parks Planner to demonstrate reserve development has been satisfactorily implemented and to formalise the commencement of the maintenance period.

Council Subdivisions team will liaise with the Team Leader Parks Planning to review this condition

Implementation of streetscape works

83. Prior to lodgement of section 224(c) certification, all street landscaping must be implemented in accordance with the approved streetscape plans and to the satisfaction of the Council and landscaped in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 7: Green Assets and Landscaping, and in particular the following:
- a. The street must be cleared of any construction material, rubbish and surplus soil, and must be maintained in a neat and tidy condition.
 - b. Should site factors preclude compliance with any of these conditions, the Council must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed to the satisfaction of the Advisor.
 - c. Grassing must only be undertaken when the weather is suitable i.e., mild, dull and moist, and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder must inform Council immediately.

Advice note:

The consent holder must apply for a practical completion certificate prior to 224(c) application from the Parks Planner to demonstrate the streetscape development has been satisfactorily implemented and to formalise the commencement of the maintenance period.

Council Subdivisions team will liaise with the Team Leader Parks Planning to review this condition

Maintenance

84. Prior to the issue of the section 224(c) certificate, the consent holder must provide for the approval of the Council a Maintenance Plan, for all hard and soft landscaping to be established in Lot 12 (Local Purpose Recreation Reserve) and the streetscape. The Maintenance Plan must include:
- a. Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies.
 - b. Details of watering, weeding, trimming, cultivation, pest and disease control, checking of stakes and ties, pruning and other accepted

horticultural operations to ensure normal and healthy plant establishment and growth.

- c. Vandalism eradication policies.

Advice note:

Council Subdivisions team will liaise with the Team Leader Parks Planning to review this condition

- 85. The consent holder must undertake maintenance, in accordance with the approved Maintenance Plan for the hard and soft landscaping within Lot 12 (Local Purpose Recreation Reserve) and the streetscape for a two-year period, commencing on the date that the practical completion certificate is issued. Any maintenance issues deemed unsuitable by the Council during this period must be remedied by the consent holder at their expense.
- 86. If any damage / theft to the hard and soft landscaping occurs during the maintenance period, the consent holder must replace the damaged / stolen landscape feature with the same product / species / height as soon as practicable or within the following planting season, and which must be maintained for a period reflecting that in condition 85 following the replacement of the landscape feature / planting, to the satisfaction of the Council.

Uncompleted Works Bonds (on-demand)

- 87. Prior to the issue of the section 224(c) certificate and in accordance with section 108(2)(b) of the RMA, an unconditional, on demand bond will be entered into where any landscape works required by the conditions of this consent have not been completed in accordance with the approved plans and must be at the Council's discretion. The bond amount must be 1.5 x the contracted rate of any outstanding works and must be agreed in consultation with the Parks Planning Team Leader prior to lodging the bond. The liability of the consent holder must not be limited to the amount of the bond.

Maintenance bond (on-demand)

- 88. Prior to the issue of the s224(c) certificate and in accordance with s108(2)(b) of the RMA, the consent holder will enter into an on-demand bond arrangement on the usual Covenant to Perform terms agreed by Kāinga Ora and Auckland Council in respect of the maintenance of the landscaping works required by the conditions of this consent. The on-demand maintenance bond will be valid for a period of two years from the issue of a practical completion certificate. The amount of the on-demand bond will be 1.5x the contracted rate for maintenance and must be agreed in consultation with the Parks Planning Team Leader (at practical completion audit) prior to the lodging of the bond.

As-built plans

89. Prior to the issue of the 224(c) certificate the consent holder will provide to the Development Engineer and Parks Planning Team Leader as built plans for landscape works (hard and soft) within Lot 12 (Local Purpose Recreation Reserve) and the streetscape in CAD (NZTM 2000) and pdf form in accordance with the Development Engineering As-built requirements v1.3, including the following details;
- a. Asset names.
 - b. All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants.
 - c. All underground services, irrigation and drainage.
 - d. All paint colours, graffiti coatings, pavers and concrete types with names of products to be included on the assets schedule.

Boundary Treatment – consent notice

90. Deleted.

91. Deleted.

- 91X. The consent holder must have registered against the Record of Title of Lot(s) 10 & 11 a Consent Notice pursuant to s221 of the Resource Management Act 1991 detailing the obligations of any lot owner regarding the consideration of the boundary interface with Lot 12 (Local Purpose (Recreation) Reserve) when undertaking future works on the lot(s). Compliance with these requirements must be on a continuing basis.

The lot owner must ensure that any future boundary treatment on the lot where it interfaces with Lot 12 (Local Purpose (Recreation) Reserve) is developed in conjunction with the Auckland Council Parks Planning team.

Consent notice – boundary treatment

92. Deleted.

Contamination

93. Prior to application for section 224(c) approval, the consent holder must provide the Site Validation Report (SVR) associated with the enabling bulk earthworks and remedial works has been prepared and submitted to Council in accordance with condition 53 of consents LUC60364378 and DIS60364379 to the Council

Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring officer unless otherwise specified. Please*

email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

3. For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.
4. If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).
5. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
6. The consent holder is required to submit a Resolution report for approval by Auckland Transport Traffic Control Committee to legalise the proposed traffic control devices (e.g. proposed road markings). This must be done at the consent holder's expense. A copy of the Resolution from Traffic Control Committee must be submitted to Auckland Council Monitoring prior to the commencement the activity provided for by this consent approval. Further information on the resolution process can be found in the following the link: <https://at.govt.nz/about-us/working-with-at/traffic-and-parking-controls>.
7. All applications for temporary use of the road reserve during construction must be submitted to Auckland Transport as a **Corridor Access Request** (CAR). Applications are to be submitted electronically via <https://at.govt.nz/about-us/working-on-the-road/corridor-access-requests/step-3-apply-for-corridor-access-request-car/> and 15 working days should be allowed for approval.
8. Property owners or developers must apply for **Encroachment licences** to AT and receive approval before placing any encroaching object on, under or above a legal road. Applications are to be submitted electronically via <https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/road-encroachment-licences-or-leases/>
9. Deleted,
10. AT will manage the road network according to its own policies and strategic objectives. Once vested, the parking may become further restricted in the

future or reallocated for alternative uses such as bus stops, pedestrian amenity, cycling facilities etc.

11. *Lots 10 and 11 will be subject to spilt zoning (part Open Space Zone - Informal Recreation and part Residential – Mixed Housing Urban Zone). If future development consents for works on these Lots are lodged prior to any subsequent plan changes to amend this zoning then the development will be subject to the respective zone rules.*
12. *The consent holder should accurately locate all existing services (including water, drainage, and utility services) affected by the proposed construction work and notify the appropriate authorities of the details of construction prior to the commencement of any work on site.*