

Decision following the hearing of an application for resource consent under the Resource Management Act 1991



Proposal:

To demolish a character-supporting building, undertake alterations and additions to a character-defining building and to construct a new building for mixed use activities.

These resource consents are **GRANTED**. The reasons are set out below.

Application numbers:	LUC60323662, WAT60336197
Site address:	42, 44-48 Ponsonby Road, Ponsonby
Applicant:	Samson Corporation Limited
Hearing commenced:	Tuesday 29 and Wednesday 30 October 2019, 9.30am
Hearing panel:	Kim Hardy (Chairperson) Trevor Mackie Heike Lutz
Appearances:	<p><u>For the Applicant:</u> Jeremy Brabant (Legal) Marco Creemers (Corporate) Andrew Patterson (Architecture) David Hillier (Visualisation) John Leeves (Geotechnical) Adair Brimelow (Civil Engineering) Kevin Prosee (Noise) Adam Wild (Heritage) Rebecca Skidmore (Urban Design) Jeff Brown (Planning) Philip Smith and Rob Bark (Landscape) tabled Tricia Love (Sustainability) tabled Andre Koolen (Construction Management) tabled Phillip Brown (Traffic) tabled</p> <p><u>For the Submitters:</u> Foundation North</p> <ul style="list-style-type: none"> - Alan Webb (Legal) - Liam Sheridan (Chief Financial Officer) - Pat Shorten (Geotechnical) - George Downey (Engineer)

	<ul style="list-style-type: none"> - Brian Putt (Planning) - Jeremy Salmond (Heritage) tabled <p>Civic Trust</p> <ul style="list-style-type: none"> - Allan Matson <p>McGregor Bailey Holdings Limited</p> <ul style="list-style-type: none"> - Douglas Allan (Legal) - David Pearson (Heritage) - Michele Schitko-Saboonchi (Planning) - Mr McGregor <p>Jimmy Gardner (by phone)</p> <p><u>For Council:</u> Matthew Wright, Team Leader Rebecca Fogel, Heritage Yu-Ning Liu, Urban Designer Julia Wick, Landscape Architect Andrew Gordon, Noise Consultant Larissa Rew, Hearings Advisor</p>
Hearing adjourned	Wednesday 30 th October
Commissioners' site visit	Tuesday 22 nd October
Hearing Closed:	Wednesday 27 th November

Introduction

1. This decision is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioners Kim Hardy (Chairperson), Trevor Mackie and Heike Lutz appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (“**the RMA**”).
2. This decision contains the findings from our deliberations on the application for resource consent and has been prepared in accordance with section 113 of the RMA.
3. The applications were publicly notified on 30 May 2019. A total of 21 submissions were received, with 12 in support, 1 neutral and 8 in opposition.

Summary of proposal and activity status

4. The applicant proposes to demolish a character-supporting building, undertake alterations and additions to a character-defining building and to construct a new

building for mixed use activities. The proposal requires resource consent for the following reasons.

Land use consent (s9) – LUC60323662

Auckland Unitary Plan (Operative in part)

Business – Town Centre Zone

- New buildings are a **restricted discretionary** activity under Rule H10.4.1 (A35). The proposal involves development (additions, accessory building, fencing) that fails to meet the following core standards and is a **restricted discretionary activity** under Rule C1.9(2):
 - Standard H10.6.0: The activity involves outdoor eating areas within 30m of a residential area.
 - Standard H10.6.1: The maximum building height is 17.15m, being 4.15m greater than the 13m height variation control for the subject site and 6.15m greater than occupiable building height.

Note: The height standard is 11m for occupiable height, with 2m of roof form, with a total building height of 13m.

Transport

- Parking, loading and access which is an accessory activity, but which does not comply with the standards for parking, loading and access is a **restricted discretionary** activity under E27.4.1 (A2).
 - Standard E27.6.3.2.1: restricted discretionary consent required in relation to loading standards;
 - Standard E27.6.4.2 (T144): restricted discretionary consent required in relation to width and number of vehicle crossings – distance from existing crossing to the south;
- Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and the establishment of the vehicle crossing is to relocate an existing vehicle crossing, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site is a **restricted discretionary** activity under E27.4.1 (A7).

Land Disturbance

- The proposed volume of earthworks (4,700m³) exceeds that permitted (2,500m³) and is a **restricted discretionary** activity under Rule E12.4.1 (A10).

Special Character Overlay – Business Ponsonby

- Additions to a character defining building is a **restricted discretionary** activity under Rule D18.4.2 (A8).
- New buildings are a **restricted discretionary** activity under Rule D18.4.2 (A12).
- Demolition exceeding 30% of a character-supporting building is a **restricted discretionary** activity under Rule D18.4.2 (A18).

Noise and Vibration

- Activities that do not comply with a permitted activity standard are a restricted discretionary activity under Rule E25.4.1(A2):
 - Temporary construction noise is expected to exceed permitted levels at 38 Ponsonby Road, 2 Crummer Road and 17 Maidstone Street by up to 20dB (unmitigated).
 - Temporary construction vibration may potentially be infringed at 38 Ponsonby Road.

It was noted in the reporting officer's s42A report that the details of the proposed construction methodology and equipment had not yet been determined by the applicant, with an indication of potential noise limits being based on typical equipment.

Groundwater Damming and Diversion

- Dewatering or groundwater level control associated with a groundwater diversion authorised as a restricted discretionary activity under the Unitary Plan, not meeting permitted activity standards or is not otherwise listed is a restricted discretionary activity under E7.4.1 (A20):
 - The groundwater take for construction will exceed 30 days;
 - The groundwater take will continue beyond the completion of construction on the southern wall.
- The diversion of groundwater caused by an excavation, (including trench) or tunnel that does not meet the permitted activity standards or not otherwise listed is a restricted discretionary activity under E7.4.1 (A28):

- The distance to any existing buildings or structure on an adjoining site from the edge of any open excavation that extends below natural groundwater level must be at least equal to the depth of excavation. The basement wall lies on the boundary adjacent to the neighbouring building at 38 Ponsonby Road.
- Groundwater will be impeded over a length of more than 20m and will extend more than 2m below natural groundwater level by the proposed basement wall.

The reasons for consent were considered together in the s42A report as a restricted discretionary activity overall.

5. The application was lodged and assessed as a Restricted Discretionary Activity. However for the purposes of this decision we have considered the proposal a Discretionary activity for the reasons set out below.

Procedural matters

6. Under sections 37 and 37A of the RMA, the time limit for the receipt of submissions is waived to accept the late submissions of the Civic Trust, Auckland for the following reasons.
 - a. The submission did not introduce any new issues.
 - b. The applicant did not oppose acceptance of the late submission.
7. Prior to commencement of the hearing Mr Brabant raised the issue of perception of bias specifically in relation to Commissioner Lutz's ability to act independently and advised us that he was concerned the business relationship and connection between Ms Lutz and Mr Wild, poses a risk of *'compromising the decision maker's capacity to make decisions lawfully and fairly.'* He drew our attention to the common law of bias and *'...whether a fair minded lay observer would reasonably apprehend that the decision maker might not bring an impartial mind to the resolution of the question.'* The Chairperson's response to this issue was set out in the direction of 5th September and confirmed that Ms Lutz would remain on the hearing panel.
8. Following that direction a further question of bias was raised by Mr Alan Webb on behalf of Foundation North and from Audrey van Ryn on behalf of the Civic Trust Auckland. A second direction was issued on 4th October 2019 and confirmed that the following specific matters were taken into account in reaching the determination of 5th September that Ms Lutz would remain on the panel:
 - a. The business relationship between Ms Lutz and Mr Wild ceased some time ago.

- b. There is no ongoing or residual contractual relationship between Ms Lutz and Mr Wild.
 - c. Ms Lutz has no ongoing contact with Mr Wild and does not have any contact with any member of the applicants team.
9. The Chairperson was satisfied, based on the matters set out above, that *‘a fair-minded observer would reasonably think that Commissioner Lutz will not unfairly regard with favour (or disfavour) the case of the applicant’*. The determination of 5th September that Ms Lutz was not conflicted and will bring an impartial mind to the decision therefore remained and Ms Lutz remained as an Independent Hearing Commissioner on this Auckland Council appointed Independent Hearing Panel.
10. A third direction was issued in response to advice from Mr Alan Webb that Mr Salmond was unable to attend the hearing. A timetable was subsequently set out to provide Mr Salmond with an opportunity to respond to the character and heritage matters addressed in evidence at the hearing. Specifically Mr Salmond was to provide a written statement responding to:
 - a. The evidence on character and heritage presented over the two days of the hearing.
 - b. The proposed condition 40 requiring the installation of 3 replica chimneys on the Palace.
 - c. The images presented by Mr Paterson on behalf of the applicant during the course of the hearing showing the establishment of 4 replica chimneys on the palace.

Relevant statutory provisions considered

10. In accordance with section 104 of the RMA, we have had regard to the relevant statutory provisions including the relevant sections of Part 2 and section(s) 9, 14 and 104B.

Relevant standards, policy statements and plan provisions considered

11. In accordance with section 104(1)(b)(i)-(vi) of the RMA, we have had regard to the relevant policy statements and plan provisions of the following documents.
 - Auckland Unitary Plan (Operative in Part)
 - Hauraki Gulf Marine Park Act 2000
 - Auckland Council Regional Policy Statement
12. No other matters were considered to be relevant and reasonably necessary to determine the application in accordance with section 104(1)(c) of the RMA.

Local Board comments

13. No comments were received from the Waitemata Local Board.

Summary of evidence heard

14. The Council planning officer's recommendation report was circulated prior to the hearing and taken as read.
15. The evidence presented at the hearing responded to the issues and concerns identified in the Council planning officer's recommendation report, the application itself and the submissions made on the application.
16. The evidence presented by the applicant at the hearing is summarised below.

Mr Marco Creemers - Projects Director Samson Corporation Limited ('Samson')

17. Mr Creemers has been working for Samson since 1990. He is currently a Projects Director and was previously General Manager from 1995 – 2015. Mr Creemers explained Samson Corporation's background, philosophy and approach to commercial development. He told us that Samson is a property investment company and has been investing in Auckland commercial properties for 79 years. Samson buys, refurbishes and constructs buildings to hold and lease as long-term property investments. The company has a particular interest in sustainable buildings and is responsible for:
- 'The first 'as built' certified 5 Star Green Star Building. Ironbank at 150 Karangahape Road, Auckland City.
 - The first 6 Star Green Star NZ Certified Building both in design and an as built rating. Geyser at 100 Parnell Road, Parnell.
 - Samson intends that the building planned for 42 Ponsinby Road will be Auckland's first commercial office and retail complex that will achieve a Living Building Challenge, which means that the building will be completely self sufficient / off grid (and should give back to the environment.'
18. Mr Creemers then took us through examples of some of the commercial buildings held within the Samson portfolio. This included a number of buildings within the wider Ponsonby area comprising a mix of new and character buildings.

Mr Andrew Patterson – Architect Patterson Associates Limited ('Pattersons')

19. Mr Paterson is an experienced Architect of over 30 years and is the founding director of Patterson Associates Limited ('Pattersons'). He has received numerous awards and accolades for his work locally and internationally including the NZIA Gold Medal. Pattersons is the Lead Architect for the project, appointed by Samson as a result of a design competition in 2016. Mr Patterson is the Concept Director.
20. Many of Mr Patterson's projects are of a similar scale to the proposal and include significant heritage elements. Pattersons' work on the Len Lye Centre in New Plymouth, the Christchurch Botanic Gardens, Threepwood and Annandale

farmhouses in the South Island all included significant heritage elements. Buildings of a similar scale to the proposal include Geysler, Cumulus and Axis in Parnell; Site 3 in Grafton, D72 and Anvil in Dominion Road.

21. Mr Patterson explained the overarching vision for the development, the context and particular constraints informing the design and the design response. He also took us through the design changes made specifically to respond to Council officer feedback and submissions. These included the height and sun shading, dominance and character effects.
22. He explained the key measures of success for the project including enhancement of the character defining Palace together with the Living Building Challenge. Design changes made to address issues raised through the consent process include:
 - Reducing the height of the building by an average of 2.4m, further setting back the top storey (to around 2.5m); and further modulating the façade treatment, materiality and colour.
 - The internal floor to ceiling heights were lowered to reduce the overall height. The crawl space required for the roof photovoltaic cells was also lowered.
 - The top storey at the SW corner adjacent to 2-4 Crummer Road was also further modulated and set back.
 - Adjusting the verandah design, visually lightening the bridge between the buildings; and further referencing the demolished annex in the laneway and treatment of the Palace's rear façade.
23. Mr Patterson considered that the proposed new building was not inappropriately dominant by reference to surrounding buildings and the Palace. *'The simple fact that the new building is higher than the existing building being retained is not determinative – I am personally aware of many examples of beautiful heritage and character buildings surrounded by higher buildings that maintain or enhance their character.'*¹
24. In his written statement of evidence Mr Patterson advised us that he agreed with Mr Wild's assessment that the proposed faux chimneys as suggested by the Council *'...particularly as they would be referencing elements demolished over 50 years ago so are not intrinsic to the Palace's character. Chimneys would also likely adversely impact on the views and amenity of users of the new building so would be awkward to incorporate'*.²
25. He also advised us that he did not agree with Condition 8 as proposed by Ms Liu requiring the submission of detailed design plans. This is because he did not consider another step was necessary in advance of submitting the building consent plans.

¹ Statement of Evidence of Andrew Patterson para 30 page 9.

² *ibid* para 36, page 10.

Ms Patricia Love – Sustainability Challenge

26. Ms Love is a Mechanical Services Engineer and Sustainability Consultant with 26 years' experience as an Engineer and 15 years as a sustainability consultant. We advise Ms Love in advance of the hearing that the Commissioners had no specific questions for her. Her evidence was taken as read on the day of the hearing.
27. Ms Love was instructed by Samson to provide sustainability design advice including in particular the Living Building Challenge certification.
28. Ms Love's evidence explains the living building challenge philosophy and how that informs building design and construction methodologies.

Mr Adam Wild – Special Character

29. Mr Wild is an experienced architect, heritage and character specialist. He is a Director of Archifact – architecture and conservation Ltd ('Archifact'). Mr Wild is a registered architect and Fellow of the NZIA.
30. Mr Wild provided us with substantial evidence on the character of the site, its context and the buildings on the site and immediate surrounds. He specifically addressed the demolition of the character supporting building, the modifications and improvements proposed to the Palace building and the proposed new building. He also provided his views on the requests from the Council's experts in relation to the overall building character and form of the development.
31. In conclusion Mr Wild's view was that:
 - The proposed alterations to the character defining Palace building have both had regard and respond positively to the building and the area, but also enhance those special characteristics.
 - The proposed demolition of the character supporting building at 42 Ponsonby Road will not result in an erosion or loss of value to the special character of the area and will be more than balanced by the proposed treatment of the new building where it addresses the street edge and contributes to the streetscape character.
 - He rejected the conditions 2, 4, and 6 in Ms Fogel's attachment to her memo adopted by Ms Perkins.

Ms Rebecca Skidmore – Urban Design

- 32 Ms Rebecca Skidmore an experienced Urban Designer and Landscape Architect provided an urban design assessment of the proposal. Ms Skidmore had been involved with the project since 2018 and provided an urban design report for inclusion in the resource consent application AEE. She also reviewed the Council's Urban Design Specialist report and Visual Effects Memo.

33. Ms Skidmore advised us that the proposal had been further refined through consideration of submissions and feedback and request for further information from the Council's design reviewers. In her opinion the design amendments enhance the proposal and its relationship to the immediately surrounding environment; both surrounding private properties and the public realm. She maintained the conclusion of her urban design assessment report that the proposal balances the retention of the character defining building on the corner of Ponsonby and Crummer roads and the low intensity use of this portion of the site, with development of a greater scale around it. She considers the new building, while of greater scale and intensity as being sensitive to the character palace building. Overall the proposal will make a positive contribution to the vitality and evolving character of the area.

Mr Philip Smith and Rob Bark – Landscape

34. Mr Smith and Mr Bark provided a joint statement of evidence setting out a summary of the landscape design work they have carried out for the project. They reviewed the Council's assessment of the landscape design and concurred with the finding that their proposed landscaping was appropriate.

Mr Kevin Prosee – Noise

35. Mr Prosee has over 15 years of experience as an acoustic consultant with Marshall Day. His evidence set out his assessment of the acoustic context and his noise predictions based on the proposed activities. Overall he concluded that the operational noise levels are expected to comply with the relevant noise limits in the Unitary Plan provided that:
- 34.1 the front outdoor dining area is not used between 10.00pm and 11.30pm Mondays to Saturdays or between 6.00pm and 11.30pm on Sundays;
 - 34.2 No loud music is played/emitted from any of the outdoor dining areas, including the covered veranda.
36. He also considered the activity proposed on the application site would be similar in character to that which is currently established in the area. And that with achieving compliance with the relevant noise limits and taking into account the elevated noise environment from traffic and the similar character of activity proposed as ie existing, any noise effects would be acceptable and reasonable in terms of Section 16 of the RMA.
37. He explained that two conditions were recommended to ensure compliance with the construction noise standards. To address concerns of submitters and in particular those residents on Hopetown Street he recommended further conditions that 'loud' music should not be played outdoors at any time and that use of the front outdoor dining area be limited to residential daytime hours.

38. The potential vibration effects are also addressed including specifically potential impacts on Allendale house. Mr Prosee noted that in his experience trucks driving on roads do not generate noticeable vibration levels unless they drive at speed or on uneven road surfaces or imperfections in the road surface such as poorly aligned (proud or sunken) manhole covers, corrugations or potholes.

Mr John Leeves – Noise

39. Mr Leeves a Geotechnical Engineer with 23 years' experience gave evidence on the Geotechnical Investigation Report and Groundwater and Settlement Monitoring and Contingency Plan. Mr Leeves concluded that:
- 39.1 In geotechnical terms the site is generally suitable for the proposed development provided the recommendations in the Geotechnical Investigation Report are considered in the detailed design.
 - 39.2 the risk of settlement effects to neighbouring buildings, structures and services resulting from groundwater drawdown and/or lateral deflection of the perimeter retaining wall is low.
 - 39.3 The Council assessment carried out by Mr Nick Hazard concludes that the geotechnical and groundwater related effects of the proposal are generally assessed as low. Mr Leeves concurs with Mr Haszard's assessment.
 - 39.4 Overall he concluded that there are no geotechnical reasons to prevent the grant of consent to the proposal.

Mr Andre Koolen – Project Management

40. Mr Koolen is a Project Manager and Senior Associate at Resource Co-ordination Partnership. He holds a Bachelor of Architectural Studies. His evidence addressed the Construction and Traffic Management Plan (CTMP). He provided us with a draft CTMP taking into account the conditions proposed by the applicant for construction noise and vibration and the need to prepare and implement a Construction Noise and Vibration Management Plan.

Mr David Hillier – Vibration

41. Mr Hillier His evidence explained the methodology used to set up the visual simulation work and the purpose of that work being to demonstrate the effects of the proposed building from various viewpoints. He confirmed that the visual simulations dated September 2019 remain correct.

Mr Philip Brown - Traffic

42. Mr Brown, has 34 years experience in Traffic Engineering and is Managing Director of Traffic Engineering and Management Limited. Mr Brown advised us that the Council Officer's conclusions aligned with his own and that he fully supports the conclusions the Council has reached. He noted that the reporting officer, Council's specialist traffic reviewer and he all agree that the traffic related effects of the application are acceptable – subject to the details of the recommended conditions of consent. He further said that he was confident the CTMP will manage the effects of the construction in a manner that is acceptable to Council.
43. Mr Brown considered that the traffic related conditions of consent were comprehensive and do not require any changes.

Mr Adair Brimelow - Engineering

44. Mr Brimelow is a Chartered Professional Engineer with 19 years Civil Engineering experience. He was engaged to provide engineering design services to assist in the servicing of the proposed development. His evidence covered earthworks and sediment control, stormwater and wastewater.

Mr Jeff Brown - Planning

45. Mr Jeff Brown, a Director of Brown and Company and experienced independent planning consultant assisted with the preparation of the resource consent application. He provided planning evidence on the effects of the proposal, the objectives and policies of the Auckland Unitary Plan (AUP), Part 2 of the Resource Management Act, the s42A report the concerns of submitters and the proposed conditions of consent.
46. Overall Mr Brown concluded that the granting of consent was appropriate subject to conditions. He included a track changes version of the conditions in his statement of evidence.
47. The evidence presented by submitters is also summarised below.

Foundation North

48. Foundation North was represented by Mr Webb. Foundation North is based at Allendale House, situated directly across Crummer Road from the application site. Allendale house is a heritage listed building. Mr Webb advised us that Foundation North is not opposed to the application per se, but is concerned to ensure that any

potential effects on Allendale House and its occupants can be properly avoided, remedied or mitigated.

49. Mr Liam Smith provided corporate evidence on behalf of Foundation North to explain the organisation structure and function.
50. Mr Pat Shorten provided geotechnical evidence. Mr Shorten concluded that:
 - Groundwater drawdown and retaining wall deflection associated with the proposed basement excavation at 42 and 44-48 Ponsonby Road are unlikely to result in any significant adverse settlement effects on Allendale house.
 - There is significant risk that the vibrations generated by the construction activities will exceed the guideline limit for sensitive structures.
 - Pre and post construction detailed condition surveys should be undertaken.
 - The CNVMP should be provided to Foundation North for comment prior to any decision to grant consent being adopted.
51. Mr George Downey, a Chartered Civil Engineer with 37 years' experience working within structural engineering consultancy practices. Due to his involvement in the structural repairs and upgrade to Allendale House, Mr Downey is aware that there are no substantial foundations to the unreinforced brick masonry walls of the building. Mr Downey considers that the walls to Allendale House are extremely brittle and sensitive to settlements and other possible disturbances such as vibrations. As a result the large excavations proposed for the subject site pose a potential risk to the structure of Allendale House.
52. Mr Downey recommended amendments to condition 49 to ensure appropriate references to Allendale house, monitoring and management of effects.
53. As Mr Salmond was unable to attend the hearing his evidence was taken as read and he provided a written response to the questions asked by Commissioners. We specifically asked Mr Salmond to consider the proposal to construct replica chimneys.
54. Mr Brian Putt is an experienced planner with over 45 years' experience in New Zealand and the United Kingdom, provided a planning overview of the site context including an analysis of heritage and special character. He also assessed the effects of the proposal and identified two key areas being the effects of the loss of

part of a character defining building and the potential adverse vibration effects and effects on Allendale House.

McGregor Bailey Holdings

55. Mc Gregor Bailey Holdings was represented by Mr Douglas Allan.
56. Planning evidence was presented by Ms Michelle Schitko-Saboonchi. Ms Schitko-Saboonchi has been a practising planner in Auckland for over 15 years and is a consultant at Planning Focus Limited. Her evidence addressed the height effects of the proposal, consistency with the AUP, the statements of evidence and s42A report and conclusions in relation to 104 and 104C. Ms Schitko-Saboonchi concluded that the proposal was an over development of the site, that the proposed height is contrary to the AUP provisions and that the adverse effects of the proposal in terms of character and amenity are unacceptable and that consent should be declined.
57. Mr Dave Pearson is a registered architect and the Principal of Dave Pearson Architects Limited DPA. DPA has won a number of architectural and heritage awards for conservation projects. Mr Pearson has been a specialist in building conservation for the last 30 years. He started his evidence by providing an overview of the historical background to the development of Ponsonby, the special character area, values and qualities. He also undertook a detailed streetscape analysis including the provision of a photographic record of a number of buildings on Ponsonby Road. A detailed assessment of the impact of the proposal on special character was also undertaken.

58. Mr Pearson concluded that whilst the height of the proposed new building had been reduced from that originally proposed, in his view it is still a large building that wraps around the existing and that it will appear to overshadow and dominate it. He also considered that the materials proposed for the building, being copper, are at a variance to those found elsewhere in the area.
59. He considered the removal of some of the unsympathetic additions to the palace building as being a positive outcome of the proposal, as is construction of the new single level veranda.
60. Whilst the proposal requires demolition of the character supporting building at 42 Ponsonby Road, because this building has been extensively modified Mr Pearson considered its removal to have minimal impact on the area.

Campbell Smith

61. Mr Smith did not attend the hearing.

Mr Jimmy Gardner

62. Mr Gardner participated in the hearing via telephone from his base at that time in Australia. Mr Gardner expressed the concerns set out in his written statement and in particular those related to noise from the site and the impact on the amenity of his property at Hopetoun Street.

Civic Trust – Mr Alan Matson

63. Mr Matson provided evidence on behalf of the Civic Trust specifically in relation to the matters raised in the Civic Trust submission including the value of the exiting character supporting building, aspects of the proposed design including removal of the lean to structure at the rear of the building and the new veranda facing Ponsonby Road. The Civic Trust considered that the scale and form of the new building, as currently proposed, may over dominate the building fabric's character and context.

Applicant's Right of Reply

64. The applicant's right of reply was provided in writing and addressed the following matters:
- Activity status.
 - Mr Patterson's Response to questions and the option of installing replica chimneys.
 - The degree of assessment undertaken in relation to dewatering and mechanical deflection.
 - Supplementary evidence of Mr Prosee in relation to vibration.

- Mr Wild's evidence and the Palace building.
- Ms Skidmore's response to questions on urban amenity in business zoned environments.
- Demolition and permitted activity status.
- Submissions in opposition.
- The submissions of McGregor Bailey Holdings particularly in relation to height of the proposed new building.

Mr Brabant confirmed that the applicant accepted the proposed conditions and associated changes set out in the Council Officer's further response.

Principal issues in contention

65. After analysis of the application and evidence (including proposed mitigation measures), undertaking a site visit, reviewing the Council planning officer's recommendation report, reviewing the submissions and concluding the hearing process, the proposed activity raises a number of issues for consideration. The principal issues in contention are.

- **Character effects** including: demolition of the Sawadee building, demolition of 30% of the Palace including alterations and additions (veranda and windows), character effects of the new building height and connections to the palace, the proposed chimneys and heritage effects.
- **Amenity effects** including: noise on Hopetown Street, building dominance, shading, overlooking of business activities and restaurant opening hours.
- **Bulk, height and scale** of building including: the positive effects of the living building challenge, building setback and backdrop to the site.
- **Construction effects** including: noise and vibration and effects on the Allendale Heritage building and construction management.

Matters not in contention

Activity Status

66. We questioned the accuracy of the height calculations at the commencement of the hearing and resulting activity status. This issue was addressed by Mr Brabant in his opening legal submission.

67. Mr Brabant confirmed that due to a recalculation of demolition percentages the activity status is properly to be regarded as Discretionary. Given that the matters for consideration in the context of the activity status being discretionary had been addressed by the applicant in the original report and primary statements of evidence; and that the application had been fully publicly notified, we accepted the

change in activity status and considered that the application could proceed with the adoption of that change. Further the change in activity status did not arise from any material change to the proposed building and activities.

68. We have therefore considered the application overall as a Discretionary Activity.

Transport

69. The transport components of the proposal are not in contention, and include provision for loading; width and number of vehicle crossings; distance from existing vehicle crossing to the south; construction of a new vehicle crossing where a Vehicle Access Restriction applies, relocating an existing vehicle crossing that will not increase the number or width of crossings serving a site, as follows:

- Parking, loading and access which is an accessory activity, but which does not comply with the standards for parking, loading and access is a **restricted discretionary** activity under E27.4.1 (A2).
 - Standard E27.6.3.2.1: restricted discretionary consent required in relation to loading standards;
 - Standard E27.6.4.2 (T144): restricted discretionary consent required in relation to width and number of vehicle crossings – distance from existing crossing to the south;
- Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and the establishment of the vehicle crossing is to relocate an existing vehicle crossing, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site is a **restricted discretionary** activity under E27.4.1 (A7).

Main findings on the principal issues in contention

70. Our main findings on the principal issues that were in contention are.

Character Effects

Demolition of 42 Ponsonby Rd a character-supporting building

71. Foundation North noted in their submission that the applicant has not demonstrated the investigation for an alternative that would preserve and enhance the existing building to better contribute to the special character. Mr Salmond agrees that the building has been changed from its original form and detail, and notes that as one of five character supporting buildings on Ponsonby Rd, its loss would account for a 20% reduction of character supporting buildings in the area. The Civic Trust submitted that in their view the value assessment of the building is inadequate and

that alternatives that involve partial retention of the building should have been investigated.

72. Mr Pearson is of the opinion that due to the number of changes that have occurred to the building it makes only a minor contribution to the character of Ponsonby Rd and its demolition does not significantly affect the special character. In Mr Wild's view the building is a less-than-moderate contributor to the special character of the area and its demolition would have less-than-minor effect on the special character of this area. In council's assessment Ms Fogel agrees that the building has been substantially altered and features an unsympathetic shopfront. In her view the building makes a relatively minor contribution to the collective value of the streetscape and its loss can be mitigated through the construction of a suitable replacement.
73. All experts agree that the building in its current form does not contribute significantly to the special character of the area. While some submitters are of the opinion that the building could have been enhanced and it may have been incorporated into the new design, the building is not a heritage building in itself and under the rules of the AUP the applicant is not required to undertake restorative work to augment the buildings limited contribution to the special character.
74. Mr Matson opined that in his view the building at 42 Ponsonby Rd is authentic with its evolution over time and that its heritage significance has been undervalued. He suggests to retain the shops, yet agrees to the demolition of the villa portion behind.
75. The commissioners acknowledge that the building is a character supporting building in a special character area and needs to be assessed as to its level of contribution to the special character, not in its significance as a heritage building. We agree with the evidence of Mr Pearson, Ms Fogel and Mr Wild that the building has been considerably changed and its contribution to the special character is minimal.
76. We find that the demolition of the character supporting Sawadee building within the context of the proposed development does not have a significant adverse effect on the special character values of the area.

Additions and alterations to and demolition of parts of 44-48 Ponsonby Rd (Palace) a character-defining building

77. The original application included the demolition of 29.72% of the rear of the Palace building. Foundation North noted that in their view the calculations are wrong. The commissioners requested council to provide their calculation. This information was not received. A re-calculation by the applicant showed that in fact an amount of 34.92% is proposed to be demolished. The discrepancy resulted from a variation in how the rule to calculate set out in the AUP was applied. It has been noted by

the applicant that the physical fabric to be demolished is the same as originally proposed, and which effects have been assessed by the experts. However, the new calculation of that same fabric has increased the percentage number and changed the activity status of the application. This has been dealt with elsewhere in this decision.

78. We note that the changing of floor levels within the Palace building as originally proposed and challenged by submitters is no longer proposed by the applicant.
79. In Mr Wild's view the effects of the demolition of the rear of the building on the special character area are imperceptible and therefore he considers them less than minor. He also notes that the removal of the non-original porticos and awnings to the front and the replacement of the doors to the porticos with windows will not have any adverse effects on the character of the area. In his opinion the addition of a glazed veranda to the front of the building is appropriate.
80. Ms Fogel agrees that alterations and additions are generally acceptable since the building will continue to contribute significantly to the special character; this includes the veranda. In her view the demolition of the rear of the building will have a moderate adverse effect on the special character. However, she considers that through mitigation measures such as interpretative signage, interpretation of the former footprint of the building in the paving, and the installation of three chimneys to the roof the demolition will be acceptable.
81. Mr Pearson summarizes that the removal of the original fabric of the rear of the Palace has a significant impact on the building's character values, yet he sees this offset by the positive effects that the addition of the veranda to the front achieves. He assesses the effects of the alterations on the basis of original or non-original fabric and design features of the building.
82. In Mr Salmond's opinion the changes proposed to the Palace building will seriously diminish its authenticity. He considers the addition of the veranda, as well as the replacement of doors with windows as inauthentic and as diminishing of the integrity of the building.
83. We are of the view that the demolition of the rear of the building will have minor adverse effects with regards to the contribution that this part of the façade made to the character of the area, in particular that of Crummer Rd. However the adverse effects are not of such significance that would be detrimental to the special character of the area. While some bulk of the original building will be lost, the massing of the new building and the addition of the veranda to the mass of the existing building will allow to compensate for this loss. In our view the successful connection between the old and new building will ensure that the original building is still legible in its context as a character building, and that its contribution to the character of the area is retained.
84. We do not agree with Ms Fogel that mitigation measures such as interpretative signage, interpretation of the footprint and the addition of chimneys to the building would enhance the building's contribution to the special character of the area. At

best, these measures might tell the story of the historic development of the building, which would typically be expected for a heritage building, not a character defining building.

85. We therefore find that the additions and alterations to the character defining Palace building within the context of the proposed development will not adversely impact the character of the area. The modifications proposed to the Palace building will positively reinforce and enhance the existing character of the area.

Character effects of building connections

86. Mr Patterson describes in his design response that the Palace building is the centre piece of the composition, while the new building forms the backdrop. The Palace building is physically connected to the new building with a bridge towards its back. The bridge has been redesigned to lighten its visual impact in response to comments made by Council's Heritage Team and the Urban Design Panel.
87. In Mr Wild's evidence he confirms that the location of the connecting bridge on first floor level sits, where formerly a gap in the lean-to rear of the Palace was evident. In his view this now lightweight connection between the buildings responds positively to the character of the area and does not adversely affect the physical and visual qualities of the Palace building.
88. We have not heard any specific evidence from other heritage experts that would suggest that the bridge connection between the buildings would be inappropriate or has any adverse effects.
89. The commissioners acknowledge that the material changes to the bridge resulted in a positive change and we find that this single connection between the buildings does not adversely affect the Palace building or the special character of the area.

Character effects of height of the new building

90. The application has been revised from that design originally lodged with respect to the height and dominance effect in the streetscape. This was undertaken in response to council's comments.
91. Mr Wild is of the opinion that the form and proportions of the latest design do not compete with or overpower the Palace building, but provide for a background that frames the Palace. In his view, the setback of the new building well behind the existing avoids any dominance of the new building or being out of scale with the smaller buildings in the area.
92. The revised building design does have regard and responds positively to the special character of the area in Ms Fogel's view. It is her opinion that the topography of the site, the placement of the new building to the back of the site, and in particular the existing mixed height context of nearby sites allows for the height infringement of the new building. The laneway permits for a deeper setback, provides a separation of old and new, and activates the property. She considers

the new building as not overly dominant in the streetscape and not challenging the special character values of the area.

93. Mr Salmond restricts his assessment of the new building to say that in his view the building has ..*"potential to contribute to the quality of development along Ponsonby Ridge."*
94. During the hearing Mr Pearson opined that in his view the upper stories of the new building are more prominent than in other examples of modern buildings on Ponsonby Rd. He states in his evidence that the new building will have a considerable impact on the character of the area due to its extended height and bulk, and will be at odds with the existing streetscape. He considers the new building to be dominating and overpowering.
95. We find that the new building fits within the streetscape of this end of Ponsonby Rd where a greater mixture of smaller and larger, as well as older and more modern buildings is apparent.
96. We agree with Ms Fogel that the setback of the new building provides for a positive separation between old and new, and believe it provides the necessary 'respect' that the older Palace building requires to maintain its character defining relevance in the street. Due to the setback the overall height is visually moderated, and we note that the height infringements vary around the building perimeter and are at a maximum at the south corner where the topography slopes towards the back. We find that the height of the building is appropriate within the context of the overall site development.

Chimneys

97. Ms Fogel notes that in her view the alterations to the Palace building are generally acceptable, but only with a range of mitigation measures in place such as the installation of three replica chimneys. Her report includes a condition to install three replica chimneys.
98. While the introduction of chimneys was raised as a mitigation measure for character effects by council, the applicant, through Mr Patterson, offered placement of four chimneys during the hearing.
99. Mr Pearson provided photographic evidence that shows the original building with at least seven chimneys of varying design which have all been removed in the 1960s.
100. We note that the chimneys were not part of the building at the time when the special character of the area had been assessed.
101. When questioned by the commissioners regarding the requested condition to place three replica chimneys on the roof, Mr Wild stated that his position is neutral and that the chimneys make no contribution to the special character. Mr Pearson responded that he could maybe see some value in replicating chimneys, however, they would require authenticity and include the fireplaces below. In his view, they

might distract from the height of the new building, but are not required for character reasons.

102. Mr Salmond notes in his supplementary statement that his understanding is that the chimneys may have been proposed as a mitigation for the loss of parts of the Palace building and to soften any dominance effect of the new building. Mr Salmond disagrees with the ability of the proposed chimneys to mitigate any loss of original fabric and voiced concern over the accuracy of the chimney's locations and design.
103. While in Ms Fogel's view the chimney are required to mitigate adverse effects, none of the other heritage experts provided evidence that would favour the installation of replica chimneys or agree that they mitigate adverse character effects.
104. We do not consider the installation of replica chimneys are a mitigation measure for the height of the new building. The applicant, as well as council experts have provided evidence that the new building does not dominate Palace building in this streetscape. We accept that view that mitigation is not necessary to address perceptions of dominance of the new building.
105. Furthermore, we agree with Mr Wild, Mr Pearson and Mr Salmond, that the chimneys are not required to mitigate adverse effects on the special character or any loss of building fabric. In our view the loss of original fabric cannot be mitigated by introduction of new materials for replica elements. We also agree with the experts that the chimneys will not have significant positive effects on the special character of the area, and therefore are not essential.
106. We therefore find that the revised plans provided by the applicant are not accepted and that the modifications to the Palace building should proceed without the proposed replica chimneys.

Heritage

107. The commissioners noted throughout the evidence presented and in the hearing that the assessment by some experts has interchangeably used the terms heritage values and special character values.
108. This has also been commented on by some experts and legal counsel for the applicant. Mr Brabant considers this as a... "*conflation of concepts*"....
109. While the submission of Foundation North has focussed predominantly on the physical construction effects on Allendale House, a Category B scheduled heritage building, the evidence of the experts extends greatly into matters of heritage.
110. Mr Putt describes the special character of the area being derived by numerous scheduled heritage buildings in addition to the character defining and supporting buildings. Mr Salmond in his evidence describes the area as "*Heritage Character Overlay Zone*".

111. In our view, Mr Pearson and Mr Salmond seemed to have focused on the heritage values of the existing building and its authenticity and provided an assessment of its heritage values rather than its contribution to special character values. Mr Matson stated that he supports the applicant but considers that the heritage is undervalued.
112. AUP Section B5.4 sets out clearly that historic heritage values are to be distinguished from special character values. It states:
- ...” but the special character areas are dealt with differently from significant historic heritage identified and protected in terms of the separate policy framework...”*
113. We note that the boundaries of the special character area deliberately exclude scheduled heritage items on the opposite site of Ponsonby Rd which leads us to conclude that scheduled heritage buildings are not integral to defining special character, as described by Mr Putt.
114. The submissions from McGregor Bailey expressed discomfort that the visual connection between their site and the Palace building will be lost. The commissioners agree with Mr Brabant’s comments in his Reply Submission that:
- “56. The expressed concern that the development will “remove any visual connection...” ignores the reality that a new building...would always have that implication even if it complied with the height standard. Nor is maintenance of a ‘visual connection’ ... an immutable requirement if special character is to be maintained”.*
115. We therefore find that the heritage value of the existing buildings at 42 and 44-48 Ponsonby Rd are not at issue.

Bulk, Height and Scale of New Building

Living Building Challenge: a positive effect

RMA s104 Consideration of applications

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to –*
- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity;*
116. The sustainable building activity, called Living Building Challenge, is proposed by the Applicant and accepted as part of the s104 assessment, as a positive effect on the environment. Heavy timber-framed construction and a roof-top array of photo-voltaic panels, both components of the Living Building Challenge, have contributed to the additional height proposed for the new building.

117. The sustainable building design being a positive effect was not contested in any evidence at the hearing.

Building Bulk and Height

118. The application is for construction of a four-level building in the back part of the site wrapping around 'The Palace' building. Standard H10.6.1 Building Height is infringed by the proposal. The proposed maximum building height is 17.28m, being 4.28m greater than the 13m height control variation for the subject site. The infringement is on the building fourth level, out to the Crummer Road frontage and to the common boundary with 38 Ponsonby Road, and set back from Ponsonby Road and the boundary with 2-4 Crummer Road.
119. Potential effects of the proposed building height infringement include building dominance, overlooking and loss of privacy, and shading, which are considered as amenity effects, effects on special character of the area and The Palace considered above, and as building height within the Business – Town Centre zone with a height variation control.
120. The Auckland Urban Design Panel considered an earlier design. The Panel was concerned at the height and bulk of the proposed building, in relation to the character defining building and from a heritage perspective, but considered that additional height may be appropriate provided that there are explicit benefits including greater enhancement of the public realm and no domination of the character defining building. The design was subsequently modified before the application was lodged, and then revised again following submissions closing, reducing the overall building height and solar panel height and removing parapets, with upper storey setbacks from Ponsonby Road and 2-4 Crummer Street, and modulation of the façade treatment, materiality and colour.
121. Ms Perkins s42A report explained the context of the building height standard for this area and that the height variation control related to where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity. The Council planner considered that the additional height is appropriately minimised and managed, and the bulk responds to the streetscape, buildings within the site and surrounds, and identified special character values.
122. Planner for the submitter McGregor Bailey, Ms Schitko-Saboonchi, presented a planning assessment of overbearing visual dominance and overlooking from the new building, based on comparison with a compliant development, and in relation to neighbouring site amenity and public streetscape views (the visual simulations).
123. Planner for submitter Foundation North, Mr Putt, considered that comparisons with the heights of the Vinegar Lane development were not relevant, as those buildings were not within the special character overlay. He also considered that the design modifications and height reductions from the original proposal had enabled a more acceptable urban design outcome, although there may be significant heritage effects.

124. Ms Skidmore (landscape architect and visual impact), Mr Patterson (architect), and Mr Jeff Brown (planner) addressed building height and bulk issues in their evidence, supported by a set of visual simulations provided by the Applicant. They each considered the height and bulk effects to be minor and acceptable, and particularly in light of the extent of design modifications made specifically to reduce effects of the original proposal.
125. We find that the proposed building height is acceptable within the overall site development context. We do not consider the new building will have an overbearing or dominance effect on the Palace building or the wider locality.

Amenity Effects

126. Mr Jimmy Gardner and residents of Hopetown street raised concerns around the amenity effects of the proposed new landuse activities inside the palace building on the residential amenity of their properties at Hopetoun Street. Of particular concern was the potential for noise associated with the restaurant and potential bar/function activities within the premises. The applicant has pro actively attempted to address this issue by setting limitations on use of the outdoor dining space at the front of the Palace and the playing of amplified music. Conditions 44 and 45 are intended to address these concerns by limiting the hours of operation for the outdoor dining area and the use of amplified music.
127. We received acoustic advice from Mr Prosee on the district plan noise standards. Mr Prosee confirmed that he expected the proposal to comply with the District Plan noise standards. We also hear from Mr Gardner via telephone from Australia and he advised us that he was not aware of the proposed consent conditions.\
128. We find that proposed condition 44 'Operational Noise' is sufficient to ensure that the proposed activities will operate in accordance with acceptable noise levels. This in turn provides the residents of Hopetoun Street with confidence that an acceptable level of amenity will be achieved. We do not consider the proposed condition 44 is necessary and are not in favour of limiting the hours of use of the outdoor dining area. We consider that the noise effects of this outdoor dining activity can be appropriately managed through the operational noise conditions. We have therefore removed proposed condition 44.
129. However we have retained condition 45 regarding amplified music to provide Hopetoun Street residents with confidence that background only level music will be provided in the outdoor area.
130. The legal submissions and evidence presented on behalf of McGregor Bailey Limited expressed concerns around amenity effects on the McGregor Bailey site associated with shading and overlooking. The evidence of Mr Patterson, Mr Wild and Ms Skidmore addressed these concerns. Ms Skidmore advised us that any potential overlooking and amenity impacts should be considered within the context of the proposal being a commercial development within a commercial environment and that the same level of privacy should not be expected to that typically anticipated in a residential environment.

131. We find that the potential shading and overlooking effects of the proposal are acceptable within the commercial/business activity context of this site.

Construction Effects

132. Legal submissions and evidence on behalf of Foundation North and the Allendale House are concerned with the potential construction effects on the stability of Allendale house and the activities carried out within it. Of particular concern are activities such as dewatering and, excavation and drilling within proximity to the heritage building. A number of conditions are proposed for Water permit WAT60336197 to address these risks. In addition to the draft conditions Mr Shorten and Mr Downey considered that a Construction Noise and Vibration Management Plan should be prepared for their expert assessment and approval. Mr Shorten identified a number of amendments to the conditions to ensure adequate monitoring of the effects of the proposed construction activities on Allendale house. We have adopted these proposed amendments in the final conditions.
133. In addition to monitoring the effects on Allendale House we find that monitoring of the impact of construction activities on the Palace must also be undertaken and this is also reflected in the conditions related to construction management.

Decision

134. In exercising our delegation under sections 34 and 34A of the RMA and having regard to the foregoing matters, sections 104 and 104B and Part 2 of the RMA, we determine that resource consent to demolish a character-supporting building, undertake alterations and additions to a character-defining building and to construct a new building for mixed use activities is granted for the reasons and subject to the conditions set out below.

Reasons for the decision

- i. The proposed new building in combination with modifications to the Palace will result in an overall positive effect on the character of the site and local context.
- ii. Demolition of the Sawadee character defining building is appropriate within the overall context of the site development and will not adversely detract from the character of the site and immediate locality.
- iii. Partial demolition of the rear of the palace building to facilitate the proposed development is appropriate within the context of the overall site development.
- iv. The proposed new building is of an appropriate bulk, height and scale and will not result in any unacceptable adverse amenity effects within the context of the commercial and business activities in and around the site. It is also of a scale that

will not negatively detract from the heritage values of the Allendale House on the opposite side of Crummer Road.

- v. The proposed construction management conditions will ensure the potential effects of construction activities on the stability of Allendale house will be appropriately monitored and preventative actions will be undertaken, if necessary.

Conditions

General Conditions

1. These consents shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the applications, detailed below, and all referenced by the council as resource consent numbers LUC60323662 and WAT60336197.
 - Application Form and Assessment of Environmental Effects prepared by Brown and Company, dated April 2019.

Report title and reference	Author	Rev	Dated
Landscape Report	O2 Landscapes, Bloomfield & Bark		11 June 2018
Assessment of effects arising from proposed development in the special character business zone	Archifact		19 June 2018
Urban Design Assessment	R. A. Skidmore Urban Design Ltd		July 2018
Traffic Impact Assessment	TEAM		30/05/2018
Civil Engineering Assessment and Sediment Control Proposed Mixed-Use Development 42-48 Ponsonby Road	Riley Consultants	2	30 Aug 2019
Desktop Geotechnical Report for Resource Consent	Tonkin Taylor	+	June 2018
42-48 Ponsonby Road Redevelopment Assessment of Noise Effects	Marshall Day		11 May 2018
Construction & Traffic Management Plan	Samson	1	June 2018
Geotechnical Investigation Report	Tonkin Taylor	+	Dec 2018
Groundwater & Settlement – Monitoring and Contingency Plan	Tonkin Taylor	+ 2	July 2019
Visual Impact Photo-Simulations	One to One Hundred		Sep 2019
Drawing title and reference	Author	Rev	Dated
(0)01 Cover	Patterson		11 Sep 2019

(0)02 Contents	Patterson	11 Sep 2019
(0)03 Description of the proposal	Patterson	11 Sep 2019
(1)01 Neighbourhood Context - Ponsonby	Patterson	11 Sep 2019
(1)02 Neighbourhood Context - Ponsonby	Patterson	11 Sep 2019
(1)03 Neighbourhood Context - Ponsonby	Patterson	11 Sep 2019
(1)04 Neighbourhood Context - Ponsonby Building Height	Patterson	11 Sep 2019
(1)05 Neighbourhood Context - Ponsonby	Patterson	11 Sep 2019
(1)06 Neighbourhood Context – 30m setback from Residential Across the Road	Patterson	11 Sep 2019
(2)01 Site Context – Existing Site Survey	Patterson	11 Sep 2019
(2)02 Site Context – Site Approach	Patterson	11 Sep 2019
(2)03 Site Context – Views from the Site	Patterson	11 Sep 2019
(3)01 Design Response - Concept	Patterson	11 Sep 2019
(3)02 Design Response - Neighbourhood Relationship	Patterson	11 Sep 2019
(3)03 Street Context – Ponsonby Road	Patterson	11 Sep 2019
(3)04 Street Context – Height comparison Crummer Road South	Patterson	11 Sep 2019
(3)05 Street Context – Height comparison Hopetoun to Crummer Road South	Patterson	11 Sep 2019
(3)06 Street Context – Height comparison Ponsonby Road South	Patterson	11 Sep 2019
(3)07 Artist Impression - Veranda	Patterson	11 Sep 2019
3(08) Design Response – Character Building Alterations	Patterson	11 Sep 2019
3(09) The Palace – Ponsonby Road Façade	Patterson	11 Sep 2019
3(10) The Palace – West & East Facades	Patterson	11 Sep 2019

3(11) The Palace – South Facade	Patterson		11 Sep 2019
4(01) Site Plan	Patterson		11 Sep 2019
4(02) Basement Floor	Patterson		11 Sep 2019
(4)03 Ground Floor	Patterson		11 Sep 2019
(4)04 First Floor	Patterson		11 Sep 2019
(4)05 Second Floor	Patterson		11 Sep 2019
(4)06 Third Floor	Patterson		11 Sep 2019
(4)07 Roof	Patterson		11 Sep 2019
(5)01 Proposed North Elevation	Patterson		11 Sep 2019
(5)02 Proposed West Elevation	Patterson		11 Sep 2019
(5)03 Proposed South Elevation	Patterson		11 Sep 2019
(5)04 Proposed East Elevation	Patterson		11 Sep 2019
(5)05 Section AA	Patterson		11 Sep 2019
(5)06 Section BB	Patterson		11 Sep 2019
(5)07 Section 01	Patterson		11 Sep 2019
(5)08 Section 02	Patterson		11 Sep 2019
(5)09 Section 03	Patterson		11 Sep 2019
(6)01 Artist Impression – From Ponsonby Road	Patterson		11 Sep 2019
(6)02 Artist Impression - Laneway	Patterson		11 Sep 2019
(6)03 Visual Coherence	Patterson		11 Sep 2019
(7)01 Sun shading effects	Patterson		11 Sep 2019
(7)02 Sun Study – 2-4 Crummer Road	Patterson		11 Sep 2019
(7)03 Sun Study – 2-4 Crummer Road	Patterson		11 Sep 2019
(7)04 Sun Study – 17 Maidstone Street	Patterson		11 Sep 2019
(7)05 Sun Study – 17 Maidstone Street	Patterson		11 Sep 2019
(7)06 Sun Study – Site	Patterson		11 Sep 2019
(7)07 Sun Study – Site	Patterson		11 Sep 2019
Existing Site Plan	Riley	1	18/06/18
Proposed Site Plan	Riley	1	18/06/18
Proposed Contour Plan	Riley	2	30/08/19
Proposed Cut/Fill Plan	Riley	2	30/08/19
Sediment and Erosion Control Plan	Riley	2	30/08/19
Sediment and Erosion Control Details	Riley	1	18/06/19

Other additional information	Author	Rev	Dated	
Re: LUC60323662 - REQUEST FOR FURTHER INFORMATION	Cathy Wallace		14	Nov 2018
S92 Peer Review Response for 42-48 Ponsonby Road, Auckland (REF: PIK/R3371-1/slh)	Tonkin + Taylor		17	April 2019
RE: Firefighting Water Supply at 42-44 Ponsonby Road	Nova Flowtech		2	March 2018
LUC60323662 - 42 PONSONBY ROAD, S92 TRAFFIC RESPONSE	TEAM		14	Sep 2018
Re: LUC60323662 – 42-48 Ponsonby Road – Supplementary Information	TEAM		29	July 2019
Re: LUC60323662 - REQUEST FOR FURTHER INFORMATION	Cathy Wallace		30	Aug 2019
List of Design Revisions	Patterson		30	Aug 2019
Re: LUC60323662 42-48 Ponsonby Road Supplementary Information	TEAM		29	July 2019
Response to Earthtech RFI	Cathy Wallace		30	Aug 2019
One to One Hundred: Visual-Simulation Methodology Statement	One to One Hundred		-	

2. Under section 125 of the RMA, these consents lapse five years after the date they are granted unless:
 - a. The consents are given effect to; or
 - b. The council extends the period after which the consents lapse.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$990 (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 consents. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall 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 consents have been met, will the council issue a letter confirming compliance on request of the consent holder.

Pre-Commencement**Construction Noise and Vibration Management Plan**

4. At least 15 working days prior to the commencement of construction, the consent holder shall provide a Construction Noise and Vibration Management Plan (CNVMP) to the Auckland Council Team Leader Compliance Monitoring Central for certification.

The objectives of the CNVMP are to:

- a. Identify and adopt the Best Practicable Option (BPO) for the management of construction noise and vibration in order to avoid, mitigate or remedy adverse effects;
- b. Define the procedures to be followed when construction activities cannot meet the noise and vibration standards in Conditions (25) and (26);
- c. Inform the duration, frequency and timing of works to manage and minimise disruption;
- d. Require engagement with affected receivers and timely management of complaints.

The CNVMP shall include (but not be limited to):

- The relevant measures from NZS 6803:1999 "Acoustics - Construction Noise", Annex E2 "Noise management plans";
- Identify the location of vibration monitoring equipment at both Allendale house and the Palace.
- The relevant measures from DIN 4150-3:1999 "Structural vibration - Part 3 Effects of vibration on structures", Appendix B "Measures for limiting the effects of vibration";
- Identification of surrounding noise and/or vibration sensitive receivers, and specific consideration of any heritage/sensitive structures in the vicinity of the works in relation to vibration effects, including Allendale House (50 Ponsonby Road and the Palace (44-48 Ponsonby Road);
- Where construction vibration is predicted to exceed 2mm/s within an occupied building, a protocol for advising the owners and occupiers of that building of the works at least 3

- working days prior to the works commencing;
- A general outline of the stages of the demolition and construction programme;
- For each stage, a programme of works and hours of operation;
- Details of the works, including:
 - the likely sources or causes of noise and vibration;
 - when any higher noise and vibration levels can be expected;
 - methods for monitoring and reporting on noise and vibration;
 - a contact person and phone number for any concerns regarding noise and vibration; and
 - when works could be scheduled to avoid the worst of the effects on the receivers.
- A requirement to undertake pre- and post-construction building condition surveys of Allendale House

Note: Subject to receiving the property owners approval the consent holder shall engage an independent expert on building condition surveying to carry out pre-condition and post-condition surveys of Allendale House. The condition survey reports shall be provided to the property owner for comment or feedback on the content. The Consent Holder shall allow 10 working days for any comment or feedback on the reports, and shall include this, and how it has been responded to, in the final condition reports provided to Council for certification within 20 working days of completing the survey. Once certified by Council a final copy shall be provided to the property owner.

- Any other neighbouring buildings with the potential to receive vibration levels in excess of the standard in Condition (26), assuming access is granted by the owner/occupier.
- A suitably qualified noise and vibration specialist to carry out vibration monitoring at Allendale House in accordance with German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures. Vibration monitoring shall be carried out 48 hours prior to any construction works commencing to collect baseline data and, at commencement of demolition works, earthworks, piling works and any other high vibration creating activity.
- The requirement to monitor construction vibration at the most exposed surrounding buildings.
- If vibration monitoring results demonstrate the guideline limits in DIN 4150-3 (1999) have been reached or exceeded, noting Condition 26, the works creating the exceedance shall cease immediately and the Team Leader Compliance Monitoring Central shall be notified. The consent holder shall engage a suitably qualified and experienced practitioner to assess vibration effects and to ensure all mitigation measures are being implemented in accordance with CNVMP. The activity creating the vibration may resume only after confirmation in writing from the Team Leader Compliance Monitoring Central, and in relation to Allendale House that the assessment confirms no cosmetic damage
- In the event of cosmetic damage to Allendale House, the consent holder shall:
- Provide a report prepared by a SQEP (engaged by the Consent Holder at their cost) that describes the Damage; identifies the cause of the Damage; identifies methods to remedy and/or mitigate the Damage that

has been caused; identifies the potential for further Damage to occur, and describes actions that will be taken to avoid further damage.

- Provide a copy of the report prepared under the above, to the Team Leader Compliance Monitoring Central and to the owners of Allendale House within 10 working days
 - Contact details of the appointed contractor or project manager (phone number, e-mail, postal address).
5. The certified CNVMP shall be implemented and maintained throughout the entire demolition and construction period to the satisfaction of the Auckland Council Team Leader Compliance Monitoring Central .
6. **A copy of** the certified CNVMP shall be kept at the construction site for the duration of the demolition and construction works.

Neighbour Notification

7. The consent holder shall advise, in writing, no less than 5 days prior to construction works commencing, occupiers of all neighbouring buildings within 50m of the subject site. The advice shall include the expected duration of the project, the times when works will occur, the working hours and a contact phone number for queries or complaints regarding noise and vibration. A copy of the written advice shall be provided to the council (Council's Team Leader Auckland Council Compliance Monitoring Central).

Signage Design

8. Prior to lodgement of any architectural building consent, the consent holder shall provide a comprehensive Signage Management Plan for the approval of the Auckland Council Team Leader Compliance Monitoring Central (in consultation with Team Leader Built Heritage, ADO Urban Design Specialist and Council's Traffic Specialist Advisor) for certification containing details of all signs to be erected on the subject site or installed on the building facades including:
 - All exterior building signs, including tenancy identification and building naming signs.
 - All exterior directional, way finding, traffic and parking signs associated with the management of vehicle access to and from the site.
9. To ensure that proposed signage is cohesive and does not detract from the architectural quality of the building and immediate surrounding area and avoids visual clutter and/or obstruction, this information is to include the location, dimensions, placement, materiality, colour, and method of attachment or placement of each sign.

Finalised landscape design drawings, specifications and maintenance requirements

10. Prior to the commencement of any work on site, the consent holder shall provide to the Auckland Council Team Leader Compliance Monitoring Central for certification, a finalised set of detailed landscape design drawings and supporting written documentation which have been prepared by a landscape architect or suitably qualified professional. The submitted information shall be consistent with the intent and objectives of the consented landscape concept plans prepared by O2 Landscapes (Landscape Plan, revision A, dated 11th June 2018). The submitted information shall, at a minimum, include landscape design drawings, specifications and maintenance requirements including:
 - An annotated planting plan(s) which communicate the proposed location and extent of all areas of planting
 - Annotated cross-sections and/or design details with key dimensions to illustrate that adequate widths and depths are provided for planter boxes / garden beds

- A plant schedule based on the submitted planting plan(s) which details specific plant species, plant sourcing, the number of plants, height and/or grade (litre) / Pb size at time of planting, and estimated height / canopy spread at maturity
- Details of draft specification documentation for any specific drainage, soil preparation, tree pits, staking, irrigation and mulching requirements
- An annotated pavement plan and related specifications, detailing proposed site levels and the materiality and colour of all proposed hard surfacing
- An annotated street furniture plan and related specifications which confirm the location and type of all seats, bins, lights, fences, walls and other structural landscape design elements
- A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design, including in relation to the following requirements:
 - Irrigation
 - Weed and pest control
 - Plant replacement
 - Inspection timeframes
 - Contractor responsibilities

Advice note:

It is recommended that the consent holder consider a minimum five-year management / maintenance programme for plant establishment and provide, in particular, details of maintenance methodology and frequency, allowance for fertilising, weed removal / spraying, replacement of plants, including specimen trees in case plants are severely damaged / die over the first five years of the planting being established and watering to maintain soil moisture.

Earthworks

11. The Auckland Council Compliance Monitoring Central, shall be notified at least 5 working days prior to earthwork activities commencing on the subject site.
12. Prior to the commencement of earthworks activity, the consent holder shall hold a pre-start meeting that:
 - Is located at the subject site
 - Is scheduled not less than 5 days before the anticipated commencement of earthworks
 - Includes all concerning officer[s] e.g. Monitoring officer, arborist etc

- Includes representation from contractors who will undertake earthworks and suitably qualified professionals
 - The following information shall be made available at the pre-start meeting including specific references to all relevant documentation, such as resource consent conditions, erosion and sediment control plan and engineers work method.
13. At least 15 working days prior to the commencement of construction, the consent holder shall provide a Construction Management Plan with reference to Civil Engineering Assessment and Sediment Control Proposed Mixed-Use Development 42- 48 Ponsonby Road by Riley Consultants (reference: 180029-C, issue: 1.0, dated: 19 June 2018). The Construction Management Plan must specify construction timetable, construction methods, general site management, site reinstatement upon completion of works. The plan needs to be certified by the Auckland Council Team Leader Compliance Monitoring Central
14. The certified Construction Management Plan shall be implemented and maintained throughout the entire demolition and construction period to the satisfaction of the Auckland Council Team Leader Compliance Monitoring Central

Construction Traffic Management Plan

15. At least 15 working days prior to the commencement of construction, the consent holder shall submit for approval to Council's Team Leader Monitoring (Central) a finalised Construction Traffic Management Plan (CTMP) that shall include specific details relating to vehicle and pedestrian movements and safety during the demolition, earthworks, construction and management of all works associated with this development. The CTMP shall address the matters set out in the Draft Construction and Traffic Management Plan dated October 2019 (and referenced in condition 1) and the following aspects of the demolition and construction process:
- A parking management plan for demolition/construction traffic.
 - Address the transportation and parking of oversize vehicles such as cranes.
 - Provide appropriate loading / working areas to minimise disruption to traffic.
 - Provide cleaning facilities within the site to thoroughly clean all vehicles prior to exit to prevent mud or other excavated material from being dropped on the road. In the event that material is dropped on the road, resources should be on hand to clean-up as soon as possible.
 - Provide traffic management plans in compliance with the latest edition of the NZTA "Code of Practice for Temporary Traffic Management" (COPTTM) document.
 - The site access point shall be clearly signposted.

- Measures to be adopted to ensure that pedestrian access on the public footpaths in the vicinity of the site is safe during construction works.
 - Proposed numbers and timing of truck movements throughout the day.
 - Location of vehicle and construction machinery access during the period of site works;
 - Storage and loading areas for materials and vehicles.
 - Relevant Auckland Transport approvals.
16. The approved CTMP shall be implemented and maintained throughout the entire period of works on site to the satisfaction of Auckland Council Team Leader Compliance Monitoring Central

Geotechnical

17. The Consent Holder shall provide an engineer's work method for the contractor to undertake the earthworks with reference to Geotechnical Investigation Report by Tonkin and Taylor (reference: 1005746.0000 dated: December 2018). The work method statement shall include excavation time frames, temporary propping/weatherproofing and/or sequencing of boundary works. This shall be required to ensure boundary stability is maintained throughout the civil works stage of the development. The work method shall be provided in writing to the satisfaction of Auckland Council Compliance Monitoring Central at least two weeks prior to earthworks commencing on site. No works onsite are permitted prior to written approval that the engineer's work method has been reviewed and accepted by Auckland Council Team Leader Compliance Monitoring Central
18. The Consent Holder shall engage an engineer to advise Auckland Council Team Leader Compliance Monitoring Central of timeframes for unsupported cuts adjacent to boundaries at least one week prior to excavations on boundaries being undertaken.
19. Prior to the commencement of any works onsite, a condition survey (CCTV) of potentially affected water, stormwater and wastewater services shall be undertaken in consultation with the relevant service provider. The CCTV shall be provided to the satisfaction of Auckland Council Team Leader Auckland Council Compliance Monitoring Central. This condition does not apply to any service where written evidence is provided to the Team Leader Monitoring (Central) that the owner of that Service has confirmed they do not require a condition survey. The consent holder shall allow 10 working days for a response from the owner of a property or service provider.
20. Building condition surveys are to be undertake pre and post construction. The condition survey/s shall be undertaken specifically for 38 Ponsonby Road, Allendale House and the Palace and include:
- A description of the type of foundations.
 - A description of existing levels of damage considered to be of an aesthetic or superficial nature.
 - A description of existing levels of damage considered to affect the serviceability of the

building where visually apparent without recourse to intrusive or destructive investigation.

- An assessment as to whether existing damage may or may not be associated with actual structural damage and an assessment of the susceptibility of the buildings/structures to further movement and damage, to the extent predicted.
- Photographic evidence of existing observable damage.

21. The external visual inspection/s shall include:

- A visual inspection of all exterior observable Damage.
- Photographic evidence of all exterior observable Damage.

Schedule A: Building/Structure inspection			
Number	Address	Foundation/Structure	Damage
1	38 Ponsonby Road		
2	Allendale House 50 Ponsonby Road		
3	The Palace 44-48 Ponsonby Road		

22. External visual inspections shall be undertaken of the surrounding ground and neighbouring buildings and structures (as listed in Schedule A) for the purpose of detecting any new external damage or deterioration of existing external Damage. Inspections are to be carried out monthly from the commencement to completion of works. A photographic record is to be kept of the time and date of each inspection and all observations made during the inspection, and shall be of a quality standard that is fit for purpose. This condition does not apply to any land, building or structure where written evidence is provided to the Team Leader Monitoring (Central) confirming that the owner of the land, building or structure does not require visual inspections to be carried out.

Special Character

23. Prior to the lodgement of any architectural building consent, the consent holder shall provide architectural detail drawings of the façade components and a Materials Schedule and Specifications for the proposed external cladding, joinery, and glazing. A sample palette of materials, surface finishes, and colour schemes shall accompany this. This shall be submitted to the council Team Leader Monitoring (Central) in consultation with Team Leader Urban Design and Team Leader Built Heritage) for certification. The purpose of this condition is to ensure that the proposed architectural treatment, colour, and visual depth indicated in the approved consent drawings is consistent with the documentation listed in Condition 1 and will be provided without any compromise of their design intent. All works shall be carried out in accordance with the certified details.

Advice Note: Council Team Leader Monitoring (Central) is expected to consult with Team Leader Urban Design and Team Leader Built Heritage) for certification.

24. Prior to the lodgement of any architectural building consent, the consent holder shall provide finalised detailed design drawings and specifications for the windows and doors

on the character-defining building at 44-48 Ponsonby Road. The original windows on the front and side façades shall be retained and repaired where possible, or replaced to match. The original windows on the rear lean-to shall be salvaged and re-used to the greatest degree possible. This information shall be submitted to the council (Team Leader Central Monitoring, in consultation with Team Leader Built Heritage) for certification. All works shall be carried out in accordance with the certified details.

Works in progress

Noise and Vibration

25. Unless otherwise provided for in the Construction Noise and Vibration Management Plan (CNVMP), construction noise shall be measured and assessed in accordance with the provisions of New Zealand Standard NZS 6803:1999 “Acoustics - Construction Noise” and comply with the maximum noise levels specified in Tables E25.6.27.1 and E25.6.27.2 and relevant adjustments in E25.6.27 (3) and (4) of the Auckland Unitary Plan Operative in Part (AUP).
26. Unless otherwise provided for in the CNVMP, construction vibration shall be measured and assessed in accordance with German Standard DIN 4150-3:1999 “Structural Vibration – Part 3: Effects of Vibration on Structures” and comply with AUP Standard E25.6.30(1).

Earthworks

27. All machinery associated with the earthworks activity shall be operated in a way, which ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented to the satisfaction of the Auckland Council Compliance Monitoring Central
28. There shall be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks, demolition and construction activity. In the event that such damage does occur, the Team Leader Monitoring (Central) will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition will be met by the consent holder.
29. There shall be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the demolition, construction and/or earthworks activity. All materials and equipment shall be stored within the subject site’s boundaries to the satisfaction of the Auckland Council Compliance Monitoring Central

Geotechnical

30. All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it shall immediately be rectified to the satisfaction of the Team Leader Monitoring (Central)

31. The Consent Holder shall engage an engineer (who is familiar with Geotechnical Investigation Report by Tonkin and Taylor (reference: 1005746.0000 dated: December 2018)) to monitor all excavations, retaining and foundation construction. The supervising engineer's contact details shall be provided in writing to the Team Leader Monitoring (Central) at least two weeks prior to earthworks commencing on site.
32. Earthworks, foundations and retaining construction shall follow the recommendations of Geotechnical Investigation Report by Tonkin and Taylor (reference: 1005746.0000 dated: December 2018). The Consent Holder shall provide verification in writing from an engineer to the Team Leader Monitoring (Central), that the recommendations of the Geotechnical Investigation Report by Tonkin and Taylor (reference: 1005746.0000 dated: December 2018) have been implemented on site. This shall be provided no later than two weeks after foundation/retaining construction have been completed. All details in the written statement shall be to the satisfaction of Council.
33. Within 24 hours of the consent holder being made aware of any damage to neighbouring building/s, structure/s and/or service/s, which may have occurred as a result of the works on the subject site, the consent holder shall notify Team Leader Monitoring. If it is determined that this damage was caused by works on the subject site, the consent holder shall immediately rectify the damage.
34. Within 4 weeks from the completion of works, the Consent Holder shall provide a condition surveys of the existing building/s, structure/s and/or service/s within the area outlined in Schedule A and a written report prepared by the suitably qualified engineering professional responsible for overseeing the surveys which shall include comment on any changes to the existing building/s, structure/s and/or service/s within the area and completed remedial works to the satisfaction of Auckland Council Compliance Monitoring Central.

Advice Notes

It is recommended that a visual inspection of the founding soils be undertaken by a geotechnical engineer or engineering geologist during the excavation works to determine the suitability of the subgrade and potential effects on the proposed foundations.

Additional geotechnical investigations may be required for final design for Building Consent.

Erosion and Sediment

35. A stabilised entranceway shall be constructed in general accordance with Auckland Design Manual – Earthwork Erosion and Sediment Control (GD05) prior to earthwork activities and be the sole means of access for vehicles entering and exiting the site. The stabilised entranceway shall be constructed prior to earthworks commencing onsite and maintained to the satisfaction of Auckland Council Team Leader Compliance Monitoring Central
36. The erosion and sediment plan shall be implemented on site following what has been presented in the Civil Engineering Assessment and Sediment Control Proposed Mixed-

Use Development 42-48 Ponsonby Road by Riley Consultants (reference: 180029-C, issue: 1.0, dated: 19 June 2018) to the satisfaction of Auckland Council Team Leader Compliance Monitoring Central prior to earthworks commencing on site.

37. The Consent Holder shall provide a pumping method that is suitable for the site and the Turkey's Nest as described within Civil Engineering Assessment and Sediment Control Proposed Mixed-Use Development 42-48 Ponsonby Road by Riley Consultants (reference: 180029-C, issue: 1.0, dated: 19 June 2018) to the satisfaction of Auckland Council Team Leader Compliance Monitoring Central prior to earthworks commencing on site.
38. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent shall be maintained throughout works or until the site is permanently stabilised against erosion. A record of any maintenance work shall be kept and be supplied to the Auckland Council Team Leader Compliance Monitoring Central on request.
39. All works shall be managed to ensure that no debris, soil, silt, sediment or sediment laden water is discharged beyond the site to any land, stormwater drainage systems, watercourses and/or receiving waters. In the event that a discharge occurs, the works shall cease immediately, and the discharge shall be mitigated and/or rectified to the satisfaction of Auckland Council Team Leader Compliance Monitoring Central
40. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks / construction / demolition activity, that in the opinion of the Auckland Council Team Leader Compliance Monitoring Central is noxious, offensive or objectionable.
41. Within ten working days following the completion or abandonment of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of Auckland Council Team Leader Compliance Monitoring Central.

Special Character

42. Demolition shall not exceed **34.7%** of the existing character-defining building at 44-48 Ponsonby Road to the satisfaction of the of Auckland Council Team Leader Compliance Monitoring Central.
40. The consent holder shall document the demolition of 42 Ponsonby Road and the demolition of the rear lean-to of 44-48 Ponsonby Road. A photographic record before, during, and after demolition shall be prepared and submitted to the council Team Leader Compliance Monitoring Central (in consultation with Team Leader Built Heritage) for information.

Prior to occupation

Implementation and maintenance of approved landscape design

41. Prior to the development being first occupied and within an appropriate planting season, the consent holder shall implement the landscape design which has been approved by the

council under condition 10 and thereafter retain and maintain this landscape (planting, pavement) in perpetuity to the satisfaction of the council's Team Leader - Monitoring Compliance Central in accordance with the maintenance plan which has been approved under condition 10.

Operational

Operational Noise

42. The noise rating level and maximum noise level arising from operation of the activity shall not exceed the following noise levels when measured within the boundary of a site in the residential zone and as the incident level on the façade of any building on any other site zoned Business – Mixed Use or Business – Town Centre:-

<i>Receiver</i>	<i>Time</i>	<i>Noise Level</i>
<i>All residential sites</i>	<i>Monday to Saturday 7am – 10pm Sunday 9am – 6pm</i>	<i>55 dB LAeq</i>
<i>All residential sites</i>	<i>All other times</i>	<i>45 dB LAeq 60 dB Leq at 63 Hz 55 dB Leq at 125 Hz 75 dB LAFmax</i>
<i>Business</i>	<i>7am -11pm</i>	<i>65 dB LAeq</i>
	<i>11pm – 7am</i>	<i>55 dB LAeq 65 dB Leq at 63 Hz 60 dB Leq at 125 Hz 75 dB LAFmax</i>

Noise levels shall be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound and shall be assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise.

Advice Note:

The consent holder is reminded of their general obligation under section 16 of the Resource Management Act 1991 to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level.

Amplified Music

43. Amplified music provided in all outdoor dining areas shall be provided at background level only and shall not include live bands, DJ's or similar loud music at any time to the satisfaction of the Team Leader- Compliance Monitoring Central.

Specific Conditions – Water permit - WAT60336197

Notice of Commencement of Dewatering

44. The Team Leader Compliance Monitoring Central shall be advised in writing at least 10 working days prior to the date of the Commencement of Dewatering.

Design of Basement walls and Retaining

45. The design and construction of the basement retaining walls shall be undertaken in accordance with the specifications contained in the report titled "*Geotechnical Investigation Report, 42-48 Ponsonby Road*", prepared by Tonkin and Taylor Limited, dated December 2018" and a subsequent report titled "*S92 Peer Review Response for 42-48 Ponsonby Road, Auckland*", prepared by Tonkin and Taylor, dated 17 April 2019.

Excavation Limit

46. The Bulk Excavation shall not extend below 61.9 m RL and for the plant room RL61.1m excluding the lift shaft.

Performance Standards

Damage Avoidance

47. All excavation, dewatering systems, retaining structures, basements and works associated with the diversion or taking of groundwater, shall be designed, constructed and maintained so as to avoid Damage to buildings, structures and Services on the site or adjacent properties, outside that considered as part of the application process unless otherwise

agreed in writing with the asset owner.

Alert and Alarm Levels

48. The activity shall not cause any settlement or movement greater than the Alarm Level thresholds specified in Schedule A below. A minimum of four Building Deformation Stations are to be added to the east elevation of Allendale house and included in Schedule A and on the T & T plan entitled '42-48 Ponsonby Road, Monitoring Point Location Plan' dated July 2019. Alert and Alarm Levels are triggered when the following Alert and Alarm Trigger thresholds are exceeded:

Schedule A: Alarm and Alert Levels			
Movement		Trigger Thresholds (+/-)	
		Alarm	Alert
a)	Differential vertical settlement between any two Ground Surface Deformation Stations (the Differential Ground Surface Settlement Alarm or Alert Level) SM-1 to SM-11	1:500	1:750
b)	Total vertical settlement from the pre-excavation baseline level at any Ground Surface Deformation Station (the Total Ground Surface Settlement Alarm or Alert Level): SM-1 to SM-11	15mm	10mm
c)	Differential vertical settlement between any two adjacent Building Deformation Stations (the Differential Building Settlement Alarm or Alert Level): BM-1 to BM-15	1:700	1:1000
d)	Total vertical settlement from the pre-excavation baseline level at any Building Deformation Station (the Total Building Settlement Alarm or Alert Level): BM-1 to BM-15	10mm	5mm
e)	Total lateral deflection from the pre-excavation baseline level at any retaining wall deflection station (the Retaining Wall Deflection Alarm or Alert Level): RWM-1 to 4 and RWM-8 to RWM-11 RWM-5 to RWM-7	30mm 40mm	20mm 25mm
f)	Distance below the pre-dewatering Seasonal Low Groundwater Level and any subsequent groundwater reading at any groundwater monitoring bore (the Groundwater Alert Levels 1 & 2):	N/A	(1) 0.5m (2) 1.0m

Note:

The locations of the Monitoring Stations listed in Schedule A are shown on the plan titled “42-48 Ponsonby Road, Monitoring Point Location Plan” prepared by Tonkin and Taylor Limited dated July 2019.

These levels may be amended subject to approval by the Team Leader Compliance Monitoring Central as part of the Groundwater Settlement Monitoring and Contingency Plan (GSMCP) approval process, and, after the receipt of pre-dewatering monitoring data, building condition surveys and recommendations from a suitably qualified engineering professional (SQEP), but only to the extent that avoidance of Damage to building, structures and Services can still be achieved.

There are conditions below that must be complied with when the Alert and Alarm Level triggers are exceeded. These include actions that must be taken immediately including seeking the advice of a SQEP.

Alert Level Actions

49. In the event of any Alert Level being exceeded the Consent Holder shall:-
- (a) Notify the Team Leader Compliance Monitoring Central within 24 hours.
 - (b) Re-measure all Monitoring Stations within 30 metres of the affected monitoring location(s) to confirm the extent of apparent movement
 - (c) Ensure the data is reviewed, and advice provided, by a SQEP on the need for mitigation measures or other actions necessary to avoid further deformation. Where mitigation measures or other actions are recommended those measures shall be implemented.
 - (d) Submit a written report, prepared by the SQEP responsible for overseeing the monitoring, to the Team Leader Compliance Monitoring Central within five working days of Alert Level exceedance. The report shall provide an analysis of all monitoring data (including wall deflection) relating to the exceedance, actions taken to date to address the issue, recommendations for additional monitoring (i.e. the need for increased frequency or repeat condition survey(s) of building or structures) and recommendations for future remedial actions necessary to prevent Alarm Levels being exceeded.
 - (e) Measure and record all Monitoring Stations within 30 metres of the location of any Alert Level exceedance every two days until such time the written report referred to above has been submitted to the Team Leader Compliance Monitoring Central.

Alarm Level Actions

50. In the event of any Alarm Level being exceeded at any ground deformation pin, building deformation pin, or retaining wall deflection pin Monitoring Station the Consent Holder shall:
- a) Immediately halt construction activity, including excavation, dewatering or any other works that may result in increased deformation, unless halting the activity is considered by a SQEP to be likely to be more harmful (in terms of effects on the environment) than continuing to carry out the activity.
 - b) Notify the Team Leader Compliance Monitoring Central within 24 hours of the Alarm Level exceedance being detected and provide details of the measurements taken.
 - c) Undertake a condition survey (this could comprise either a detailed condition survey or an external visual inspection at the discretion of the SQEP responsible for overseeing the monitoring) by a SQEP or suitably qualified building surveyor (SQBS) of any building or structure located adjacent to any Monitoring Station where the Alarm Level has been exceeded.
 - d) Take advice from the author of the Alert Level exceedance report (if there was one) on actions required to avoid, remedy or mitigate adverse effects on ground, buildings or structures that may occur as a result of the exceedance.
 - e) Not resume construction activities (or any associated activities), halted in accordance with paragraph (a) above, until any mitigation measures (recommended in accordance with paragraphs (d) above) have been implemented to the satisfaction of a SQEP
 - f) Submit a written report, prepared by the SQEP responsible for overseeing the monitoring, to the Team Leader Compliance Monitoring Central, on the results of the condition survey(s), the mitigation measures implemented and any remedial works and/or agreements with affected parties within five working days of recommencement of works.

Groundwater and Settlement Monitoring and Contingency Plan (GSMCP)

51. At least 10 days prior to the Commencement of Dewatering, a Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) prepared by a (SQEP), shall be submitted to the Team Leader Compliance Monitoring Central for written approval. Any later proposed amendment of the GSMCP shall also be submitted to the Team Leader Compliance Monitoring Central for written approval.
52. The overall objective of the GSMCP shall be to set out the practices and procedures to be adopted to ensure compliance with the consent conditions and shall include, at a minimum, the following information:
- (a) A monitoring location plan, showing the location and type of all Monitoring Stations including groundwater monitoring bores, ground and building deformation pins and retaining wall deflection pins. The monitoring plan should be based on the plan titled "*42-48 Ponsonby Road, Monitoring Point Location Plan*" prepared by *Tonkin and Taylor Limited* dated July 2019. In any case where the location of a Monitoring Station differs substantively from that shown on the plan titled "*42-48 Ponsonby Road, Monitoring Point Location Plan*" prepared by *Tonkin and Taylor Limited*, dated July 2019, a written explanation for the difference shall be provided at the same time that the GSMCP is provided.
 - (b) Final completed schedules B to E (as per the conditions below) for monitoring of ground surface, building and retaining wall deformation (including any proposed changes to the monitoring frequency) as required by conditions below.
 - (c) All monitoring data, the identification of Services susceptible to Damage and all building/Service condition surveys undertaken to date, and required by conditions below.
 - (d) A bar chart or a schedule, showing the timing and frequency of condition surveys, visual inspections and all other monitoring required by this consent, and a sample report template for the required two monthly monitoring.
 - (e) All Alert and Alarm Level Triggers (including reasons if changes to such are proposed, for example as a result of recommendations in the building condition surveys or data obtained from pre-dewatering monitoring).
 - (f) Details of the contingency actions to be implemented if Alert or Alarm Levels are exceeded.
53. All construction, dewatering, monitoring and contingency actions shall be carried out in accordance with the approved GSMCP. No Bulk Excavation (that may affect

groundwater levels) or other dewatering activities shall commence until the GSMCP is approved in writing by the Team Leader Compliance Monitoring Central.

Pre and Post Dewatering Building and Structure Survey

54. Prior to the Commencement of Dewatering a detailed condition survey of buildings and structures as specified in Schedule B below shall be undertaken by a SQEP or SQBS and a written report shall be prepared and reviewed by the SQEP responsible for overseeing the monitoring. The report shall be submitted for certification by the Team Leader Compliance Monitoring Central. The report shall specifically include pre and post construction dewatering and ground settlement monitoring and surveys to be undertaken for 38 Ponsonby Road, the Palace, Allendale House, 17-21 Maidstone Street and 2-4 Crummer Road. Additional properties may be identified by the Team Leader Compliance Monitoring Central also requiring monitoring and survey.

This condition does not apply where written evidence is provided to the Team Leader Compliance Monitoring Central that the owner of a property has confirmed they do not require a detailed condition survey.

The detailed condition survey shall include:

- (a) Confirmation of the installation of building deformation stations as required in Schedule B below in the locations shown on the plan titled *“42-48 Ponsonby Road, Monitoring Point Location Plan” prepared by Tonkin and Taylor Limited dated July 2019.*
- (b) A description of the type of foundations.
- (c) A description of existing levels of Damage considered to be of an aesthetic or superficial nature.
- (d) A description of existing levels of Damage considered to affect the serviceability of the building where visually apparent without recourse to intrusive or destructive investigation.
- (e) An assessment as to whether existing Damage may or may not be associated with actual structural Damage and an assessment of the susceptibility of buildings/structures to further movement and Damage.
- (f) Photographic evidence of existing observable Damage.
- (g) A review of proposed Alarm and Alert Levels to confirm they are appropriately set and confirmation that any ground settlement less than the Alarm Level will not cause Damage.
- (h) An assessment of whether the monitoring frequency is appropriate.
- (i) An assessment of whether the locations and density of existing building deformation stations are adequate and appropriate for the effective detection of change to

building and structure condition.

Schedule B: Buildings/Structures that require Detailed Condition Survey and Installation of Deformation Stations			
Number	Address	Property known as	Number of building deformation stations
1	38 Ponsonby Road	Lot 12 Sec 1 DP242	6
2	44-48 Ponsonby Road	The Palace	4
3	2-4 Crummer Street	Pt Lot 1 16 Sec 1 DP242 and Pt Lot 17 Sec 1 DP242	2
4	17-21 Maidstone St	Lot 1 DP63583	3
5	50 Ponsonby Road	Allendale House	4

Pre-Dewatering Services Condition Survey

55. Prior to the Commencement of Dewatering, a condition survey of potentially affected stormwater and wastewater services shall be undertaken in consultation with the relevant service provider.

This condition does not apply to any service where written evidence is provided to the Team Leader Compliance Monitoring Central that the owner of that service has confirmed they do not require a condition survey.

External Visual Inspections during Dewatering

56. External visual inspections of the surrounding ground and neighbouring buildings and structures (including Allendale house, 38 Ponsonby Road and The Palace) shall be undertaken for the purpose of detecting any new external Damage or deterioration of existing external Damage. Inspections are to be carried out fortnightly from the Commencement to Completion of Dewatering and then monthly for six months. A photographic record is to be kept, including time and date, of each inspection and all observations made during the inspection, and should be of a quality that is fit for purpose.

The results of the external visual inspections and an assessment of the results are to be reviewed by the SQEP responsible for overseeing the monitoring and included in the bimonthly monitoring report for the relevant monitoring period.

This condition does not apply to any land, building or structure where written evidence is provided to the Team Leader Compliance Monitoring Central confirming that the owner of the land, building or structure does not require visual inspections to be carried out.

Completion of Dewatering - Building, Structure and Services Condition Surveys

57. Between six and twelve months after Completion of Dewatering a detailed condition survey of all previously surveyed buildings, structures, stormwater and wastewater Services, shall be undertaken by a SQEP or SQBS and a written report shall be prepared. The report is to be reviewed by the SQEP responsible for overseeing the monitoring and then submitted to the Team Leader Compliance Monitoring Central, within one month of completion of the survey.

The condition survey report shall make specific comment on those matters identified in the pre-dewatering condition survey. It shall also identify any new Damage that has occurred since the pre-dewatering condition survey was undertaken and provide an assessment of the likely cause of any such Damage. This condition does not apply to any building, structure or Service where written evidence is provided to the Team Leader Compliance Monitoring Central confirming that the owner of that building, structure, or Service does not require a condition survey to be undertaken.

Additional Surveys

58. Additional condition surveys of any building, structure, or Service within the area defined by the extent of groundwater drawdown or ground movement (as defined in the report titled “Geotechnical Investigation 42-48 Ponsonby Road”, prepared by Tonkin and Taylor Limited, dated December 2018, shall be undertaken, if requested by the Team Leader Compliance Monitoring Central, for the purpose of investigating any Damage potentially caused by ground movement resulting from dewatering or retaining wall deflection. This request may also apply to Allendale House at 50 Ponsonby Road. A written report of the results of the survey shall be prepared and/or reviewed by the SQEP responsible for overseeing the monitoring. The report shall be submitted to the Team Leader Compliance Monitoring Central.

The requirement for any such additional condition survey will cease six months after the Completion of Dewatering unless ground settlement or building deformation monitoring indicates movement is still occurring at a level that may result in Damage to buildings, structures, or Services. In such circumstances the period where additional condition surveys may be required will be extended until monitoring shows that movement has stabilised and the risk of Damage to buildings, structures and Services as a result of the dewatering is no longer present.

Groundwater Monitoring

59. Groundwater monitoring is to be undertaken at the groundwater monitoring bore locations shown on the plan titled “42-48 Ponsonby Road, Monitoring Point Location Plan” prepared by Tonkin and Taylor Limited dated July 2019, or in the approved GSMCP. Groundwater level monitoring is to be undertaken in accordance with Schedule C below:

Schedule C: Groundwater Monitoring Frequency					
Bore Name	Location		Groundwater level monitoring frequency (to an accuracy of 10mm)		
	Easting (mE)	Northing (mN)	From bore construction until one month before Commencement of Dewatering	One month before Commencement of Dewatering to Completion of Dewatering	From Completion of Dewatering until 3 months later
BH4	1758105	5919343	Monthly (with a minimum of three monthly readings)	weekly	Monthly

The monitoring frequency may be changed if approved by the Team Leader Compliance Monitoring Central. Any change shall be specified in the GSMCP. In addition, the three-month monitoring period post Completion of Dewatering may be extended, by the Team Leader Compliance Monitoring Central, if measured groundwater levels are not consistent with inferred seasonal trends or predicted groundwater movement.

Advice Note:

If groundwater level measurements show an inconsistent pattern immediately prior to the Commencement of Dewatering (for example varying more than +/-200mm during a month), then further readings may be required to ensure that an accurate groundwater level baseline is established before dewatering commences.

Ground Surface and Building Deformation Monitoring

- 60. Ground Surface and Building Deformation Monitoring Stations shall be established and maintained at the approximate locations shown on the plan titled “42-48 Ponsonby Road, Monitoring Point Location Plan” prepared by Tonkin and Taylor Limited dated July 2019 and at Allendale House (50 Ponsonby Road). The Monitoring Stations will be monitored at the frequency set out in Schedule D. The purpose of the Monitoring Stations is to record any vertical or horizontal movement. Benchmark positions shall be established no less than 50 metres away from the excavated area.

Schedule D: Ground Surface and Building Monitoring			
Monitoring Station and type	Frequency		
	Pre-Commencement of Dewatering	Commencement to Completion of Dewatering	Post- Completion of Dewatering
<i>Ground: e.g 10 Points (SM1 to SM10)</i>	Twice to a horizontal and vertical accuracy of +/-2mm (achieved by precise levelling)	Fortnightly and at every 2.0m depth of excavation or when changes to propping are being carried out	Monthly for 6 months
<i>Buildings: e.g 15 Points (BM1 to BM15)</i>	Twice to a horizontal and vertical accuracy of +/-2mm (achieved by precise levelling)	fortnightly and at every 2.0m depth of excavation or when changes to propping are being carried out	Monthly for 6 months

The monitoring frequency may be changed, if approved by the Team Leader Compliance Monitoring Central.

Retaining Wall Monitoring

- 61. A total of 11 retaining wall deflection stations (RWM1 to RWM-11), for the measurement of lateral wall movement, shall be installed along the top of the boundary walls, for the measurement of lateral displacement, as shown on the plan titled “42-48 Ponsonby Road, Monitoring Point Location Plan” prepared by Tonkin and Taylor Limited dated July 2019. Monitoring of the retaining wall deflection stations shall be undertaken and recorded in accordance with Schedule E below and shall be carried out using precise levelling.

Schedule E: Retaining Wall Monitoring		
Frequency		
Pre-Commencement of Dewatering	Commencement of Dewatering to one month after Completion of Excavation	One month after Completion of Excavation to Completion of Dewatering
Retaining Wall Deflection Stations	Retaining Wall Deflection Stations	Retaining Wall Deflection Stations
Twice to a horizontal and vertical accuracy of +/-2mm	Fortnightly and at every 2 metres depth of excavation or when changes to the propping system are being carried out	Monthly for three months or until such time stable measurements are demonstrated and written approval is provided by the Team Leader Compliance Monitoring Central.

The monitoring frequency may be changed, if approved by the Team Leader Compliance Monitoring Central, through the GSMCP.

Access to Third Party Property

62. Where any monitoring, inspection or condition survey in this consent requires access to property/ies owned by a third party, and access is declined or subject to what the consent holder considers to be unreasonable terms, the Consent Holder shall provide a report to the Team Leader Compliance Monitoring Central prepared by a SQEP identifying an alternative monitoring programme. The report shall describe how the monitoring will provide sufficient early detection of deformation to enable measures to be implemented to prevent Damage to buildings, structures or Services. Written approval from the Team Leader Compliance Monitoring Central shall be obtained before an alternative monitoring option is implemented.

Contingency Actions

63. If the Consent Holder becomes aware of any Damage to buildings, structures or Services potentially caused wholly, or in part, by the exercise of this consent, the Consent Holder shall:
- (a) Notify the Team Leader Compliance Monitoring Central and the asset owner within two working days of the Consent Holder becoming aware of the Damage.
 - (b) Provide a report prepared by a SQEP (engaged by the Consent Holder at their cost) that describes the Damage; identifies the cause of the Damage; identifies methods to remedy and/or mitigate the Damage that has been caused; identifies the potential for further Damage to occur, and describes actions that will be taken to avoid further Damage.
 - (c) Provide a copy of the report prepared under (b) above, to the Team Leader Compliance Monitoring Central and the asset owner within 10 working days of notification under (a) above.

Advice Note:

It is anticipated the Consent Holder will seek the permission of the damaged asset to access the property and asset to enable the inspection/investigation. It is understood that if access is denied the report will be of limited extent

Building, Structure, and Services Surveys and Inspections

64. A copy of all pre-dewatering building, structure condition surveys, and Service condition surveys and photographic records of external visual inspections required by this consent shall be submitted to the Team Leader Compliance Monitoring Central with the GSMCP. All other condition surveys and photographic records required by this consent shall be provided to the Team Leader Compliance Monitoring Central upon request.

Reporting of Monitoring Data

65. At two monthly intervals, a report containing all monitoring data required by conditions of this consent shall be submitted to the Team Leader Compliance Monitoring Central. This report shall include a construction progress timeline, the monitoring data (including the results of condition surveys) recorded in that period, and, a comparison of that data with previously recorded data and with the Alert and Alarm Levels for each Monitoring Station.

Upon Completion of Construction, one electronic data file (excel workbook) containing digital data for all groundwater monitoring bores shall be provided to the Team Leader Compliance Monitoring Central. Data should include the monitoring bore name, type, location (NZTM easting / northing and elevation), screened depth for groundwater monitoring bores, absolute and relative readings (and their units of measure) and the date / time of each reading. The worksheets should contain data values only (no formulas, circular references or links to other sheets)

Notice of Completion

66. The Team Leader Compliance Monitoring Central shall be advised in writing within 10 working days of when excavation and dewatering has been completed.

Permanent Drainage

67. After Completion of Construction, any permanent backfill or drainage systems installed behind retaining walls shall not cause groundwater levels adjacent to the site to be reduced below pre-existing seasonal low levels, or, to rise above seasonal high levels, (as measured during pre-construction monitoring) or in accordance with any subsequent monitoring.

Requirement for Close-out Report

68. The final post-construction report shall constitute a close-out report and present a summary of overall trends observed on the project and confirmation that monitored readings post-construction (groundwater level, and / or ground and building movement) have reached steady state conditions (accounting for seasonal variation).

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 inspector 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. An Engineering Plan Approval application for this work is required to be submitted to Auckland Council's Development Engineering and approved prior to the works commencing.
7. Stormwater mitigation may be required such as detention tanks may be required with any future Building Consents and/or Engineering Plan Approval applications.
8. Consent shall be required from Watercare Services Ltd for building in proximity to their wastewater pipes. There written approval shall be required prior to any Building Consent application to Council.
9. An Engineering Plan Approval application for this work is required to be submitted to Auckland Council's Development Engineering and approved prior to the works commencing.
10. Please refer to: Letter RE: Council Resource Consent number (LUC60323662), 42 Ponsonby Road, Ponsonby, Auckland, Watercare Application Number – 85353 from Kizito Essuman of Watercare Services Limited (dated: 17 December 2018).

11. *All new water supply connections to the Watercare supply main shall be designed in accordance with Watercare Services Ltd.'s Standards and be completed by a Watercare Services Ltd approved contractor. For details, please contact Watercare Services Ltd.*
12. *Pumping and boosting of water supply may be required for upper floor servicing. Details shall be provided with the Building Consent.*
13. *Please refer to Letter RE: Council Resource Consent number (LUC60323662), 42 Ponsonby Road, Ponsonby, Auckland, Watercare Application Number – 85353 from Kizito Essuman of Watercare Services Limited (dated: 17 December 2018).*
14. *To arrange a pre-start meeting, please contact the Auckland Team leader, Compliance and Monitoring – Central. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided a minimum of 2 days prior to the meeting.*
15. *Litter such as plastic bags/bottles and building material wrappings shall be removed from the work site at the end of each workday.*
16. *Adhesives, solvents, paints and other contaminants from building operations shall be prevented from entering stormwater drains and adjacent waterways.*
17. *It is the responsibility of the applicant to seek approval for the Traffic Management Plan from Auckland Council.*



Kim Hardy

Chairperson

Dated 19 December 2019