

## Appendix K – Recommended Conditions and Notes

### SUBDIVISION CONDITIONS

#### Survey Plan:

1. That the survey plan must conform to the subdivision consent proposal shown on the scheme plans by Harrison Grierson Consultants Limited,
  - a) "Scheme Plan of Proposed Subdivision - Stage 1 Overall Layout & Stage Boundaries"
  - b) "Scheme Plan of Proposed Subdivision Stage 1A to 1C – Sheet 1"
  - c) "Scheme Plan of Proposed Subdivision Stage 1A to 1C – Sheet 2"

All dated 10 June 2019 and submitted with Service Request No. **368659**.

*Note: This condition addresses an essential administrative matter.*

2. Prior to certification under Section 223 the Consent Holder shall ensure that proposed Lots 900 and 901 are shown as Road to Vest on the survey plan/s approved under **Condition [1] above**.

#### Staging Subdivision:

3. Individual certifications pursuant to sections 223 and 224(c) of the Resource Management Act 1991 can be issued for this proposal in stages that differ from those specified on the plan entitled "Scheme Plan of Proposed Subdivision - Stage 1 Overall Layout & Stage Boundaries" provided that the following criteria are met:
  - a) each individual allotment must be consistent with the proposal as approved and must have frontage, or legal access, to a legal road;
  - b) each allotment shown on any survey plan, including any balance allotment must be adequately serviced as required by and in terms of the relevant conditions set out in this notice of decision;
  - c) all engineering conditions and any development contribution payable pertaining to the allotments shown on the survey plan must be satisfied/paid prior to the execution of a certificate pursuant to section 224(c) of the Act.

#### Service Connection to Lots:

4. The Consent Holder shall provide certification from a suitably qualified chartered engineer or registered professional surveyor with experience in civil engineering/ land development that all allotments are serviced with telecommunication, power, water, stormwater and wastewater connections.

*Note: For the avoidance of doubt, the certification must confirm that services are adequate for the current occupation of each allotment.*

### Future buildings:

5. Future development of the allotment will require full utility servicing which meets the requirements of the WCC Code of Practice for Land Development or as otherwise specified in Conditions [55 – 74] of the Land Use Consent granted under application no. SR.368659.

**Note:** Upon the issue of the certificate pursuant to section 224 or at such earlier time as may be required, a Consent Notice pursuant to section 221 will be issued. The Consent Notice will specify **Condition [5] above** and is to be registered against the Record of Title to issue in respect of Lots 1-11, 902, 904 and 905 of the subdivision.

### Minimum Floor Levels:

6. Any new residential building constructed on the allotment must have a minimum floor level of 2.59m RL (New Zealand Vertical Datum 2016) or 3.0m RL (WCC New City Datum).

**Note:** Upon the issue of the certificate pursuant to section 224 or at such earlier time as may be required, a Consent Notice pursuant to section 221 will be issued. The Consent Notice will specify **Condition [6] above** and is to be registered against the Record of Title to issue in respect of Lots 1-11 of the subdivision.

### Easements:

7. Any utility services serving an allotment within the subdivision, where contained within another allotment of this subdivision, must have appropriate easements duly granted or reserved.

**Note 1:** The easements, as necessary and subject to other conditions of this consent, are to ensure that the lots can be serviced for water supply, drainage, domestic energy supply, and telecommunications (including broadband).

**Note 2:** This may be covered by a blanket easement over the entire site area of each lot, as preferred by the Consent Holder, without having to specifically locate the services.

**Note 3:** Provision for future public riser main sewer services as Easements in Gross may be covered by easements within Lots 4 and 5 or Lots 9 and 10 of the subdivision.

8. Rights of Way easement areas A-G as shown in the Memorandum of Easements on the subdivision plans approved under **Condition [1] above** are to be duly granted or reserved. Easement A shall be shown as an Easement in Gross in favour of Wellington City Council.

9. A temporary easement must be created over the existing road that extends through proposed Lots 901, 902 and 904 to ensure public access is retained.

**Note 1:** This condition will ensure that public access is retained.

**Note 2:** Upon the construction of road (900 and 901) required by land use condition [42], the temporary easement can be extinguished.

**Amalgamation Condition:**

10. The following amalgamation conditions are to be endorsed on the Digital Title Plan:

Stage 1A

Proposed lots 2, 3, 4, 5 and 900 must be held in one Record of Title. Refer to LINZ reference no. 1592249.

Stage 1C

Proposed lots 9, 10, 11 and 903 must be held in one Record of Title. Refer to LINZ reference no. 1592249.

## LAND USE CONDITIONS

### General:

1. Except where amended by the conditions of this consent, the development shall be in general accordance with the Assessment of Environmental Effects and plans submitted with the application, any additional information and Approved Plans for Resource Consent Service Request No. 368659, as referenced as follows:

232, 264, 270 and 276 Shelly Bay Road, Maupuia, Continuation of Qualifying Development Application, prepared by William Dorset and supporting Appendices:

- (i) Appendix Two – Shelly Bay Masterplan, March 2019, Revision 10, prepared by Architecture+, McIndoe Urban, and Wraight + Associates.
- (ii) Appendix Three – Shelly Bay Design Guide, March 2019, Revision 23, prepared by Architecture+, McIndoe Urban, and Wraight + Associates.
- (iii) Appendix Four – Preliminary Site Investigation titled ‘Former Shelly Bay RNZAF Base, Shelly Bay Road, Wellington’, 15 February 2016, Prepared by AECOM.
- (iv) Appendix Five – Transportation Assessment Report, 18 April 2019, prepared by Stantec.
- (v) Appendix Seven – Noise and Ventilation Mitigation Plan.
- (vi) Appendix Eight – Engineering Drawings, 14 September 2016, 1098-01-R1, prepared by Envelope Engineering.
- (vii) Appendix Nine – Scheme Plan, 142175-01-RC02-R2, 10 June 2019; 142175-01-RC03-R1, 15 August 2017; and 142175-01-RC04-R1, 15 August 2017, prepared by Harrison Grierson.
- (viii) Appendix Ten – Shelly Bay Infrastructure Assessment Report, 8 May 2019, prepared by Envelope Engineering.
- (ix) Appendix Twelve – Heritage Assessment and Assessment of Environmental Effects, May 2019, prepared by Archifact.
- (x) Appendix Thirteen – Cultural Impact Assessment, September 2016, Prepared by Kura Moeahu, Peter Adds, and Lee Rauhina-August on behalf of Taranaki Whānui Ki Te Upoko o Te Ika and The Port Nicholson Block Settlement Trust.
- (xi) Appendix Fourteen – Shelly Bay Landscape & Visual Assessment, 30 April 2019, Prepared by Wraight + Associates.
- (xii) Appendix Fifteen – Shelly Bay Masterplan Urban Design Assessment Relative to the WCC Shelly Bay Design Guide, 8 March 2019, prepared by McIndoe Urban.
- (xiii) Appendix Sixteen – Shelly Bay Masterplan Urban Design Assessment Relative to the New Zealand Urban Design Protocol, 8 March 2019, prepared by McIndoe Urban.
- (xiv) Appendix Seventeen – Shelly Bay Development Preliminary Geotechnical Assessment Report, 19 January 2016, Prepared by AECOM.

### Construction Timeframe:

2. That the development of the site must meet the following construction timeframe:
  - a) Construction of 50 residential units must be completed within 4 years of date of issue of this consent.
  - b) Construction of 150 residential units must be completed within 6 years of date of issue of this consent.

- c) Construction of 200 residential units must be completed within 8 years of date of issue of this consent.
- d) Construction of 250 residential units must be completed within 9 years of date of issue of this consent.
- e) Construction of 300 residential units must be completed within 11 years of date of issue of this consent.
- f) Construction of the remaining units must be completed within 13 years of date of issue of this consent.

### Urban Design:

3. Prior to the commencement of construction of any buildings, structures, open spaces, car parking and/or the relocation and alterations to existing buildings, the consent holder shall establish a Shelly Bay Design Panel. The function of this panel shall be to ensure that the proposal meets the intent of the Shelly Bay Design Guide (version 3, dated 08.03.2019). The Shelly Bay Design Panel is a panel made up of three suitably qualified experts in the field of architecture and/or urban design/ landscape design. The consent holder shall invite Council's Team Leader Design Review to nominate one panel member and to jointly appoint a second panel member with the Consent Holder. The third panel member shall be nominated by the consent holder.
4. At least 10 working days prior to the first panel meeting, the consent holder shall provide Council's CMO, the name, contact details and accreditations / qualifications of the Shelly Bay Design Panel Members.
5. Prior to submitting detailed design plans for the development to Council for certification as required under **Condition [6] below**, at least ten working days prior to a Shelly Bay Design Panel meeting, the consent holder must submit design drawings to the Shelly Bay Design Panel for recommendation. The design plans and supporting information must illustrate how the design is generally consistent with the masterplan, and include the following details:
  - a) Connections
  - b) Built Form
  - c) Streets
  - d) Public Realm and
  - e) Planting and Retaining Strategy

**Note 1:** *The detailed design of new buildings, structures, open spaces, car parking and/or the relocation and alterations to existing buildings required under **Condition [5] above** can occur in stages.*

**Note 2:** *All costs associated with the assessment by the Design Panel shall be borne by the consent holder.*

6. Prior to the commencement of construction of any buildings, structures, open spaces, car parking and/or the relocation and alterations to existing buildings, the consent holder shall submit detailed design drawings of all proposed buildings, structures, open spaces, car parking and/or building alteration works to the Council's Compliance Officer (CMO) for certification. The plans must be accompanied with details regarding how the recommendations of the Shelly Bay Design Panel have been incorporated into the detailed design.

**Note 1:** *The certification of the detailed design of new buildings, structures, open spaces, car parking and/or the relocation and alterations to existing buildings required under Condition [8] above can occur in stages.*

7. All construction works and activities must be carried out in accordance with the certified detailed design drawings. Any proposed amendments to the detailed design drawings must be submitted to the CMO for certification and may not be implemented until certified by the CMO.

**Note:** *It is acknowledged that other Council approvals for the works included in the detailed design drawings may require additional Council CMO certification under separate conditions of this land use consent.*

8. Except where amended to ensure compliance with the consent conditions below and any applicable building standards and any applicable standards referenced in the below conditions or by any other regulatory or delegated authority, the detailed design must be implemented in accordance with the plans certified under **Condition [6] above**.

**Note:** *Any proposed amendments to the detailed design drawings that do not directly relate to conditions of this consent that have been separately certified, such as changes to meet applicable building standards, should be submitted to the CMO who will decide whether further certification is necessary as required by **Condition [7] above**.*

9. In addition to the requirements set out in **conditions [3 to 8] above**, prior to the commencement of construction of any proposed public open spaces, the consent holder shall provide detailed design drawings of the public toilets (male/ female/ accessible) to be constructed to service the development to Council's CMO for certification in conjunction with Council's Urban Design advisors. The design plans shall illustrate that the toilets are located generally in the vicinity of the proposed location identified on Shelly Bay Masterplan dated 8 March 2019 (Shelly Bay Master Plan Revision 10), 4.4 Site – Bulk and Form Shelly Bay Wharf Building 6, pg. 45 and Shelly Bay Wharf Building 10, pg. 49.

**Note:** *The hours of operation are to match public facilities in similar locations (e.g. Oriental Bay and Scorching Bay).*

10. The public toilets must be constructed in accordance with the certified detailed design drawings and be in operation prior to completion of the full development.

**Note:** *It is anticipated that the Consent Holder will provide toilet facilities for public use at the commencement of the development. These facilities may be temporary or relocatable as the development progresses.*

## Earthworks and Construction

### General:

11. The consent holder shall advise Council's CMO at least ten working days before any work starts on site. This advice of commencement shall include the name, phone number and address of the main contractor and, if applicable, the same details for the earthworks company.
12. All construction noise shall comply with NZS6803:1999 Acoustics – Construction Noise.
13. Earthworks and construction, including the transport of excavated material from (or to) the site, must only occur within the following hours:
  - a) Monday to Saturday 7:30 am to 6 pm.
  - b) Monday to Friday quiet setting up of site (not including running of plant or machinery) may start at 6.30 am.
  - c) No work is to be carried out on Sundays or public holidays

**Note:** *These hours have been selected from Table 2, NZS 6803: 1999 "Acoustics – Construction Noise". The Standard applies in all other respects, including the permitted noise levels in Table 2 and all persons undertaking earthworks and management of the site must adopt the best practical option to control noise to a reasonable level.*

### Geotechnical Assessment:

14. At least 10 days prior to the commencement of any earthworks on the site, the consent holder shall provide evidence to Council's CMO that a Geotechnical Professional has been appointed to carry out the design, monitoring and certification of the earthworks. The consent holder is to follow the recommendations of the report prepared by Aecom Ltd dated the 19 January, 2016 or as varied by the Consent Holders Geotechnical Professional (Reference 60480847).
15. The name and the contact details of the Geotechnical Professional must be provided to the Council's Compliance Monitoring Officer, at the time the person is appointed.

**Note 1:** *A 'Geotechnical Professional' is defined as a Chartered Professional Engineer (CPEng) with specialist geotechnical skills and experience in the design and construction of excavation and retaining works in similar to those proposed and in similar ground conditions.*

**Note 2:** *The evidence required under **Condition 14 above** can be provided for the entire site or on a per lot or stage basis.*

### Construction Supervisor:

16. The consent holder shall engage a suitably experienced Construction Supervisor during the detailed construction phase of the project.

**Note 1:** *A 'Construction Supervisor' is defined as a person with skills and experience in the construction of excavation and retaining works on steep slopes similar to those proposed and in similar ground conditions.*

**Note 2:** *There may be more than one 'Construction Supervisor' engaged on the development by stage.*

17. The name and the contact details of the Construction Supervisor/s must be provided to the Council's Compliance Monitoring Officer, at the time the person/s is appointed or ten (10) working days prior to the commencement of site works, whichever is the first.

Earthworks and Construction Management Plan:

18. At least 10 working days prior to the commencement of earthworks for each stage of development, the Consent Holder shall submit an Earthworks Construction Management Plan (ECMP) to the Council's CMO for review and certification. The ECMP must be prepared by a suitably qualified and experienced practitioner relating to the proposed earthworks activity and must be prepared in conjunction with the Geotechnical Professional appointed under **Condition [14] above**. The purpose of the ECMP is to set out the practices and procedures to be adopted to ensure compliance with consent conditions and to demonstrate how the following particular objectives will be met:
  - i) Construction activities shall be managed to reduce discharges of sediment from the site into adjoining waterways from areas of exposed soil, excavated soil or stockpiled soil or from soil that is deposited on the site as part the construction;
  - ii) Construction activities shall be managed so that noise dust nuisance does not arise beyond the boundaries of site; and
  - iii) The consent holder shall ensure that sediment/debris is not carried onto Shelly Bay Road by construction vehicle movement.

The ECMP shall include specific information relating to the construction and management of all works relating to the development, including:

- a. Purpose and scope of the plan
- b. Relationship with other management plans
- c. Assign roles and responsibilities, including the appointment of a representative to be the primary contact person in regard to earthworks management
- d. A contact (mobile) telephone number(s) for the on-site manager, where contact can be made 24 hours a day / 7 days a week.
- e. A communication and complaints procedure for adjoining property owners/occupiers, or the general public.
- f. Details for appropriate local signage/information of the proposed work including the location of a large sign (greater than 1m<sup>2</sup> noticeboard on the site at each main entrance that identifies the name, telephone number and address for service of the site manager, including cell-phone and after-hours contact details
- g. Construction hours;
- h. Measures to ensure earthworks and construction will be managed to avoid and mitigate effects from dust, noise and vibration;
- i. Final Erosion and Sediment Control Plans to ensure sediment is prevented from discharging to the road and from entering any stream of waterway or sea. Erosion and sediment controls shall be undertaken in accordance with Greater Wellington Regional Council's erosion and sediment guidelines.
- j. The methods for managing and monitoring the ECMP controls.
- k. Measures for ensuring that sediment/debris are not carried by construction vehicles onto Shelly Bay Road and in any events where there is such an occurrence, details on



- the measures to clean and repair the Road;
- l. A finalised earthworks methodology including provisions for the reinstatement of the site at the completion of the construction works;
  - m. Measures to be adopted to maintain the site in a tidy condition, including as to the disposal/storage of rubbish and unloading and storage of building materials.
  - n. The location of workers' convenience (e.g., portaloos).
  - o. Measures to ensure excavation and retaining structures are constructed incrementally to maintain stability of all the slopes.
  - p. Other measures to ensure excavations and retaining structures remain stable, including measures to limit the exposure of unretained earthworks at any one time. Measures include netting and rock bolting as recommended the geotechnical assessment undertaken by Aecom Ltd dated 19 January, 2016 (Reference 60480847).
  - q. Measures to deal with any collateral damage to vehicles and property
  - r. Any related occupation of the public footpath or carriageway for construction related purposes
  - s. Details of the staging of work
  - t. Any restrictions to public access to the site that may be required during the construction period, including the location and duration of any restrictions, and how the restrictions will be advised or advertised;
  - u. Confirmation that the ECMP has been peer reviewed by the Geotechnical Professional, to ensure that the methodology is in accordance with both the geotechnical assessment undertaken by Aecom Ltd dated 19 January, 2016 (Reference 60480847) and any additional geotechnical investigation undertaken as part of this condition;
  - v. Measures for ensuring the security of any fuel storage and the provision of emergency spill kits at all times during construction;
  - w. A complaints procedure that specifies actions to be taken following receipt of a complaint, including records to be kept and responses to any complaints including remedial action taken;
  - x. A complaints procedure that specifies actions to be taken following the receipt of a complaint, including records to be kept and responses to any complaints including the remedial action taken;
  - y. A monitoring regime for evaluating compliance with the objectives of the Earthworks and Construction Management Plan; and
  - z. Procedures for the review and updating of the Earthworks and Construction Management Plan to address any issues.

**Note:** The ECMP prepared as part of **Condition [18] above** can be prepared for the entire site or on a per lot or per stage basis. Separate ECMPs for the separate stages of the development can be submitted and approved, or stages can be bundled into one ECMP.

19. All construction works shall be undertaken in accordance with the ECMP certified under **Condition [18] above**. The controls and measures outlined in the ECMP must be implemented for the duration of the works. Any proposed amendments to the ECMP once work starts must be authorised by the Construction Supervisor and the Geotechnical Professional, submitted to the CMO for certification, and may not be implemented until the CMO certifies the amendments.

### Earthworks and Construction Traffic Management Plan

20. At least 10 working days prior to the commencement of construction works, the consent holder shall submit a Construction Traffic Management Plan (CTMP) prepared by a suitably qualified and experienced practitioner for certification by Council's CMO. The purpose of the CTMP is to set out how the effects of construction traffic on the surrounding environment are to be avoided, remedied or mitigated and the methods to be used to achieve this. The CTMP shall include, but not be limited to, the following information, methods, measures and techniques to the achieve the purpose:
- a) Purpose and scope of the plan
  - b) Relationship with other management plans
  - c) Hours of construction traffic activity;
  - d) A road cleaning plan for removal of spoil or debris from the public road and footpath.
  - e) Temporary vehicular and pedestrian safety measures including directional signage where applicable.
  - f) A limit on the days and hours of work for heavy vehicles, e.g. trucks may be restricted to operate outside commuter traffic peaks and school start and finish times.
  - g) Estimated numbers and sizes of construction vehicles;
  - h) Controlled internal and external access routes;
  - i) General interactions with general traffic accessing the Shelly Bay area;
  - j) Provision or closure of access to existing walking and bike trails;
  - k) Parking locations for construction staff;
  - l) Access and delivery locations, including swept path analysis for largest vehicles;
  - m) Likely construction access routes to and from the site;
  - n) Management of oversize loads;
  - o) Liaison with Council and NZTA with regards to other local construction activities;
  - p) Wheel cleaning and covering of loads; and
  - q) Management of any complaints.

**Note:** The CTMP prepared as part of **Condition [20] above** can be prepared for the entire site or on a per lot or per stage basis. Separate CTMPs for the separate stages of the development can be submitted and approved, or stages can be bundled into one CTMP.

21. All earthworks and construction works shall be undertaken in accordance with the CTMP certified under **Condition [20] above**. Any proposed amendments to the CTMP shall be submitted to the Manager Resource Consents for certification, at least 10 working days prior to those amendments being implemented.

### Sedimentation, Dust and Spillage

22. The Consent Holder must ensure that control measures are put in place to prevent muddy water flowing, or earth slipping, onto neighbouring properties or the legal road. Sediment, earth or debris must not collect on land beyond the site or enter the Council's storm water system, or Wellington Harbour.
23. The Consent Holder must ensure that dust created by earthworks, transport and construction activities is controlled to minimise nuisance and hazard. The controls must be implemented for the duration of the site works and continue until the site stops producing dust.

24. The Consent Holder must ensure that any earth, rock, vegetation or demolition material that falls on the road, footpath, berm or neighbouring property during work or transport be cleaned up immediately. The material must not be swept or washed into street channels or storm water inlets, or dumped on the side of the road.

#### Completion of Earthworks

25. Within one calendar month of the completion of the earthworks stage/s, the Consent Holder must provide the Council's Compliance Monitoring Officer with an As-built Plan/s of the completed earthworks for the particular stage/s. The plan must meet the requirements of A.7 and B.18 of the Code of Practice for Land Development 2012 and, as minimum, include the following:
- a) Extent cut and fill and depth of fill in the form of lines joining all points of equal depth of fill at appropriate vertical intervals of 1 metre or as appropriate
  - b) Plans shall also show the type of fill material and any areas where buildings or foundations will require specific design together with any fill areas of low density not complying with this Code
  - c) The position, type and size of all subsoil drains and their outlets shall also be shown
  - d) Full sized As-Built drawings are to be supplied in AutoCAD (\*.dxf or \*.dwg), Microstation (\*.dgn) or other agreed electronic format of all earthworks.
  - e) All co-ordinates shall be in terms of the New Zealand map grid, NZTM (New Zealand Transverse Mercator), to  $\pm 0.1\text{m}$  for all earthworked areas.
  - f) All levels to be in terms of New Zealand Vertical Datum 2016 or WCC New City Datum.
26. Within 6 months of the completion of the earthworks stage/s, the Consent Holder must provide a Geotechnical Completion Report (GCR) prepared by a suitably experienced Geotechnical Professional, to the Council's Compliance Monitoring Officer. The document must include the following:
- a) State the earthworks have been completed in accordance with the earthworks scheme plans, approved under the resource consent;
  - b) Provide evidence that the works have been completed in accordance with the Council's Code of Practice for land development for earthworks (Part B)
  - c) Provide evidence that the land is suitable for the intended use including its ability to support services infrastructure such as roading, drainage, water supply and energy supply;
  - d) A statement of professional opinion that any unretained cuts and/or slopes are considered stable with respect to the future use, and provide details of how these unretained cuts and/or slopes will be treated to ensure the risk of instability is low as reasonable practicable . These details should include remedial action should any of these unretained cuts and/or slopes fail in the future.
  - e) A Statement of Professional opinion on suitability of land for building construction, Schedule 2A of NZS4404:2010

- f) A tabulated list of all test data and results that corresponds with test sites shown on the As-built plan in **condition [25] above**;

**Note 1:** *It is expected that this data will form the basis for certification of each allotment for foundation requirements.*

- 27. The Consent Holder must provide a copy of the producer statement 'PS4 – Construction Review' and its accompanying documents for structures/buildings, prepared for the associated Building Consent process, must be provided to the CMO within one calendar month of the structures/buildings being completed.

#### Vegetation Protection

- 28. At least 10 working days prior to the commencement of earthworks and construction for each stage of development, the Consent Holder shall submit a Tree Protection and Construction Methodology (TPCM) to the Council's CMO for review and certification in liaison with a Council Arborist. The TPCM must be prepared by a suitably qualified and experienced Arborist and shall be generally consistent with the Planting Strategy described on pages 97-100 of the Shelly Bay Masterplan, March 2019, Revision 10, and shall include specific information relating to the arborist works relating to each stage of the development, including:

- a) Suitable trees for transplanting
- b) Tree protection fencing for remaining trees
- c) Low impact excavation processes within the dripline of trees; and,
- d) Onsite arborist monitoring for any work within the fenced area of the trees.

- 29. At least 10 working days prior to the commencement of any tree removal works in the Escarpment Vegetation Management Zone (shown on page 98 of the Shelly Bay Masterplan, March 2019, Revision 10), the Consent Holder shall submit a Vegetation Protection Methodology (VPM) to the Council's CMO for review and certification in liaison with the Council's ecologist. The VPM must be prepared by a suitably qualified ecologist and shall detail the pine and other exotic species being removed and the species being protected within the Escarpment Vegetation Management Zone (EVMZ).

**Note 1:** *Earthworks should be limited in the EVMZ to only that necessary to provide foundations or in mitigating any health and safety risk or loss of property for NBA 1 page 21 and NBH 1 page 19 on the Masterplan*

- 30. All vegetation protection works shall be undertaken in accordance with the methodologies certified under **Condition [28 and 29] above**. Any proposed amendments to these methodologies must be carried out by a qualified Arborist.

#### Contamination:

- 31. Prior to the commencement of earthworks on the site, the consent holder shall submit a Contaminated Soil Management Plan (CSMP) to the Council's Compliance Monitoring Officer for review and certification. The CSMP must be submitted and certified prior to the commencement of works on the site. The CSMP must include the following matters:
  - a) Roles and responsibilities and contact details for the parties involved in implementing

the Plan, including the identification of a suitably qualified and experienced practitioner (SQEP) to advise on contamination aspects, as required.

- b) A process for identifying the presence of contamination during earthworks.
- c) Onsite soil management procedures in the event that contaminated soil is encountered including procedures for consulting with the SQEP, and for the protection of workers, the environment, and future users.
- d) Requirement for soil testing of gardens and public spaces.
- e) Soil disposal locations for contaminated soil.

The CSMP must include provisions that would allow the SQEP to stop work on the site if contaminants are found that could affect public health, safety and the environment, and must include that the SQEP inform the CMO in writing of the stop work notice. The CSMP must include a requirement for the SQEP to prepare a report on remediation/containment measures and to have the report peer reviewed, and for the SQEP to implement the remediation/containment measures upon which the stop work notice can be uplifted.

- 32. The consent holder must undertake all earthworks and construction works in accordance with the CSMP certified under **Condition [31] above**.
- 33. In the unlikely event that any contamination materials need to be disposed of off-site, they shall be disposed of at a facility which can accept potentially contaminated materials. Advice in writing of the disposal, including its quantity, evidence of acceptance and copies of the tip tickets, shall be submitted to Council's CMO.
- 34. A Soil Validation Report (SVR) documenting the implementation of the CSMP shall be provided to the CMO within 2 calendar months of completion of each stage of the earthworks. The Validation Report shall:
  - (a) Be prepared in general accordance with Contaminated Land Management Guidelines No. 1: Guidelines for Reporting on Contaminated Sites in New Zealand (Revised 2011), Ministry for the Environment.
  - (b) Include, but not be limited to:
    - i) Summary of land disturbance works completed including figure illustrating area of disturbance.
    - ii) Results of the soil sampling including a summary of field methodologies, figure detailing sample locations and results compared against applicable human health and environmental guidelines.
    - iii) Summary of unexpected materials discoveries and actions taken. This includes alternatives to remediation where there are appropriate mitigation techniques to remediation.
    - iv) Copies of soil importation and disposal receipts (if relevant)
    - v) Commentary confirming that the site is suitable for the intended end use. This includes the standard of any remediation on completion.

## Construction Noise Management Plan

35. Prior to the commencement of construction works, the Consent Holder must submit a Construction Noise Management Plan (CNMP) to the Council's Compliance Monitoring Officer. The CNMP must be prepared by a suitably qualified acoustic specialist and include the following:

- a) Specify hours of operation, a description of the main stages of work proposed, the equipment to be used and the predicted noise levels for receivers at sensitive nearby boundaries.
- b) Include specific details relating to methods for control of noise associated with construction works. Demonstrate these controls adopt the best practical option to reduce noise to a reasonable level in accordance with section 16 of the Resource Management Act 1991 and at all times be formulated to so as far as practicable, comply with the recommended upper limits for construction noise specified in NZS 6803:1999, Acoustics - Construction Noise when assessed in accordance with this standard.
- c) Specify details of complaint handling, communication procedures including notification and any necessary monitoring.

**Note:** *The CNMP prepared as part of **Condition [35] above** can be prepared for the entire site or on a per lot or per stage basis. Separate CNMPs for the separate stages of the development can be submitted and approved, or stages can be bundled into one CNMP.*

36. All site works shall be undertaken in accordance with the CNMP certified under **Condition [35] above**. Any proposed amendments to the CNMP once work starts must be submitted to the CMO for certification and may not be implemented until the CMO certifies the amendments. The CNMP must be amended, where directed by the CMO, to address proven deficiencies in its operation.

### Accidental Discovery Protocol:

37. If during any site works involving excavation any kōiwi (human skeletal remains), ovenstones, worked stones, middens, charcoal, other Māori cultural material, or any evidence of early European occupation are unearthed, work must cease immediately to enable the project archaeologists to carry out a detailed examination of the area.

**Note:** *The subject property is a known place of historic habitation pre-1900. In addition, this proposal will affect a recorded archaeological site, being R27/593 (Torpedo boat shed and slipway), and one pending site (R27/592: Shelly Bay Depot). Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority (consent) from Heritage New Zealand Pouhere Taonga (HNZPT) must be obtained for works to proceed if the archaeological site has the potential to be modified or destroyed. It is illegal to modify or destroy an archaeological site without obtaining an archaeological authority. The applicant is advised to contact HNZPT for further information prior to works commencing.*

## Heritage Recording:

38. The Consent Holder shall engage a suitably qualified heritage professional to undertake detailed recording on structures as identified in Councils Shelly Bay Design Guide as historic buildings of reference. Upon the completion of the demolition, removal and relocation works, all recordings shall be provided to the Council's Compliance Monitoring Officer for Council record. The recording structure will be as follows:
- a) Title page – name of place, SR number, full site address, key author, date of submission and where the record has been lodged
  - b) Contents page
  - c) Narration – including short explanation of purpose of record, short description of the site and significance, description of methodology used (i.e. sequence of photos) and any limitations e.g. rooms not able to be accessed/cleared.
  - d) Selected images printed in hard copy
  - e) Index sheet - with number or file name of each photo, description of subject, site name, time and date, photographers name
  - f) Key plans with appropriate title blocks showing the camera position and direction photos were taken from, noting that as of 16 April 2018, no further key plans are required.

**Note 1: Condition [38] above was offered by the Applicant.**

**Note 2: Historic buildings as identified within the WCC Shelly Bay Design Guide include The Hospital, Warehouse and Stores (Shed 8), Shipwrights Building, Submarine Mining Depot Barracks and Officers' Mess.**

## Transportation and Access:

39. Prior to the commencement of construction works being carried out on a public road, the consent holder shall provide the following plans and information for certification by Council's CMO in conjunction with Council's Chief Advisor Transport Asset – Transport Infrastructure. The detailed design plans shall demonstrate compliance with Council's Code of Practice for Land Development 2012 except where alternative solutions may be certified for those aspects where the standards of the Code of Practice are unable to be met.
- a) Detailed design plans of the road improvement works to be undertaken between the Shelly Bay Road/Miramar Avenue intersection and the development. The design must be designed to meet the minimum standard defined in the Transport Assessment Report, dated 18 April 2019, prepared by Stantec, being, a 6m carriageway plus a 1-1.5m width for use by pedestrians and cycles. The plans shall be accompanied with confirmation that, where the pedestrian, cycleway is between 1-1.5m in width, one of more of the following exemptions applies:
    - i. Significant structural works are required, including reclamation and/or seawall construction in the Coastal Marine Area and/or earthworks and retaining structures landward side of the road;
    - ii. Environmental impacts will be generated in the Coastal Marine Area, including indigenous ecosystems;
    - iii. The works would be impact on the natural character of the Coastal Marine Area.
    - iv. The works would impact on the current recreational activities undertaken on the road route.
  - b) Detailed design plans of the upgrade to the Shelly Bay and Miramar Ave intersection accompanied with confirmation from an appropriately qualified traffic engineer that the

intersection will achieve typical weekday PM level of service of no worse than the existing levels of service detailed in the Stantec Transportation Assessment Report (Table 7.1, Page 21). An independent SIDRA calculation must be carried out and must accompany the detailed design plans to certify the resulting level of service and delay results for the intersection of Shelly Bay Road and Miramar Avenue.

- c) Detailed design plans of all proposed additions and alterations to the public roads including footpaths, kerb and channel, carriageway alterations including stormwater controls, levels and materials.
- d) Detailed design plans of all traffic calming measures including speed limit signs, give-ways signs, stops signs, textural surface changes and visibility splays on the shared lanes. These traffic calming measures are to control the internal traffic flow and ensure public safety when exiting the shared lanes onto Shelly Bay Road.
- e) Detailed design plans of all street lighting, utility services alteration, signage and road markings.
- f) Detailed design plans of bus turning and manoeuvring areas.
- g) Design, location and formation of pedestrian crossings.
- h) Detailed design plans of all signage proposed within the road corridor, road markings and details of any traffic/parking restrictions required to ensure the safe and efficient operation of public roads and for the management of parking.

**Note 1:** *The above requirements in **condition [39] above**, applies to both the roading within the confines of the Shelly Bay development sites and also the proposed improvements to Shelly Bay Road between Shelly Bay and Miramar Avenue Intersection.*

**Note 2:** *Consideration may be given to the temporary use of existing infrastructure if capacity is available and its condition is sufficient for the construction of residential and commercial buildings/ uses until such time as full infrastructure works are undertaken. Detailed plans, calculations, and specifications of existing infrastructure capacity or proposed interim measures must be provided to the CMO in conjunction with Council's Chief Transport Advisor if the use of existing infrastructure is to be considered.*

- 40. All works and activities must be carried out in accordance with the design drawings certified under **Condition [39] above**. Any proposed amendments to the design drawings must be submitted to the CMO for certification and may not be implemented until certified by the CMO.
- 41. The upgrade works certified under **Condition [39] above** must be carried out prior to the occupation of any new building on the site.
- 42. The new road to vest (Lots 900 and 901 shown on "Scheme Plan of Proposed Subdivision - Stage 1 Overall Layout & Stage Boundaries" drawing 142175-01-RC02 Rev1) as required by **Subdivision Condition [2] above** must be constructed prior to occupation of any new building onsite. All construction shall be completed generally in accordance with the certified design plans except for final surfacing works which may be completed under bond or cash deposit.
- 43. The Right of Way areas A to G within both the legal road and the private property must be constructed prior to occupation of any building within that stage. All construction shall be completed generally in accordance with the approved construction plans except for the final surfacing works which may be completed under bond or cash deposit. Right of Way area A is to include a formed pedestrian footpath that links with the Village Green. This footpath must extend from Shelly Bay Road up to the site boundary with Part Section 3 Watts Peninsula District.



44. The traffic calming measures certified under **Condition [39(d)] above** must be implemented prior to the use of any internal road upon which it relates.
45. Within six calendar months of completion of the certified works, the consent holder must prepare and submit to Council's CMO As-built plans that meet the requirements of the Code of Practice (A.7 As-built Details and A.8 Certification) for roading and vehicle access and street lighting.

**Note 1:** *These plans may be submitted to Council's CMO in stages upon the completion of each stage.*

**Note 2:** *The depth of the AC (Asphaltic Concrete) should be 40mm, water proofing layer (chip seal) should be added between AC and basecourse.*

46. The Consent Holder must make good any damage to the public road from Miramar Ave and Shelly Bay intersection to the site which is directly attributed to their site works activities. A survey of the road's condition must be undertaken prior the commencement of any site works and the results of the survey provided to the CMO.

**Note 1:** *'Site works' relates to all redevelopment activities and includes demolition, earthworks and construction.*

**Note 2:** *This condition does not alleviate Councils obligation to complete and undertake routine and planned road maintenance activities through the course of the development works.*

#### **Vehicle Parking:**

47. Prior to the construction of the aged care facility, the consent holder shall engage a suitably qualified traffic engineer to prepare a carparking assessment and plan/s to demonstrate that the provision of parking for this facility complies with AS/NZS.1:2890 Part 4. The Carparking assessment and plan/s must be provided to Council's CMO for certification.

**Note:** *In certifying the assessment and plan/s the CMO will liaise with Council's Transport Engineer.*

48. Vehicle parking must be implemented in accordance with the assessment and plan/s certified under **Condition [47] above** prior to the occupation of the aged care facility.

#### **Servicing:**

49. Prior to the occupation of any new commercial building or residential building containing more than one household unit, the Consent Holder shall prepare a Servicing Management Plan/s (SMP) for the development. The SMP/s must be certified by Council's CMO in consultation with the Council's Transport Engineer. The Plan shall detail how the delivery of goods, collection of refuse and other routine operational needs of the development will be managed.

**Note:** *Separate SMPs for each stage of development can be prepared and certified in stages. The SMP may be based on the individual needs of each commercial or residential building rather than on the development as a whole.*

50. The Consent Holder must implement the measures in the SMP certified under **Condition [49] above.**

**Reticulated Services:**

51. The Consent Holder shall comply with the design, construction and as-built requirements of the Wellington City Council Code of Practice for Land Development. These are the land development engineering standards for mitigating adverse effects on the environment from earthworks, traffic (roading and vehicle access), wastewater and stormwater drainage, water supply and utility structures.

Other alternative solutions may be certified for those aspects where the standards of the Code of Practice are unable to be met or can be achieved in a different way.

**Note 1.** *This application has been assessed to ensure that three waters services infrastructure will be able to be provided. Final detailed design plans will be provided and certified in accordance with **Conditions [55-74] set out below.***

**Note 2.** *Council advises that a number of the items of infrastructure (including a potential combined reservoir and pump station) may be provided for as part of growth-related upgrades for the Miramar Peninsula. To minimise delays please engage early with Wellington Water to agree cost share and design requirements for these works.*

**Note 3.** *Council advises that consideration may be given to the temporary use of existing infrastructure if capacity is available and the condition is sufficient for the construction of residential buildings until such time as full infrastructure works are undertaken. Detailed plans, calculations, and specifications of existing infrastructure capacity must be provided to and certified by Wellington Water if the use of existing infrastructure is to be considered in accordance with **Conditions [55-74] set out below.***

52. Design and Construction documentation of wastewater and stormwater drainage and water supply certified under **Conditions [55-74] below**, must be submitted to the Council, prior to any works relating to of wastewater and stormwater drainage and water supply starting, and its certification obtained.

53. All wastewater and stormwater drainage and water supply construction plans required to be provided under **Conditions [55-74] below** must be certified by Wellington Water prior to commencement of any construction on the site.

**Note:** *Wastewater and stormwater drainage and water supply construction plans prepared as part of **Conditions [55-74] below** can be prepared for the entire site or on a per lot or per stage basis.*

54. At the conclusion of each stage the engineering works, 'as-built' plans must be supplied to and certified by the Council, that meet the requirements of the Code of Practice for Land Development (A.7 As-built Details) and the Wellington City Council Interim As-built Specification for wastewater, stormwater drainage, and water supply. These must be certified as having been constructed in accordance with the certified plans by a suitably qualified person.

### Stormwater Connections:

55. Prior to the installation of stormwater connections, the consent holder shall provide detailed construction plans illustrating that the development will be provided with stormwater connections in accordance with the specifications of the Wellington City Council Code of Practice for Land Development and the locations of these connections for certification by the Wellington Water Land Development Team.

**Note 1:** *The Wellington City Council Code of Practice for Land Development – Regional Standard for Water Services, requires that each proposed building on a lot shall be serviced by a separate connection to the public network at a location approved by the Wellington Water Land Development Team. This will be a pre-requisite requirement for any future subdivision(s) of the development.*

**Note 2:** *stormwater drainage construction plans prepared as part of **condition 55 above** can be prepared for the entire site or on a per lot or per stage basis.*

56. The installation of stormwater connections must be carried out in accordance with the detailed design plans certified under **Condition [55] above**.
57. Within six calendar months of completion of the installation of the stormwater connections certified under **condition [55] above**, an as-built drawing/s, which conforms to the Wellington City Council Interim As-built Specification, must be provided for certification to the Wellington Water Land Development Team. This must be certified as being correct by a Registered Drainlayer or a technically qualified person as set out in the Wellington City Council Code of Practice for Land Development.

### Public Stormwater Networks:

58. Prior to the installation of a new public stormwater network and/or upgrade to the existing public stormwater network, the consent holder shall prepare detailed construction plans illustrating that the development will be provided with a public gravity stormwater network and submit to the Wellington Water Land Development team for certification. The plans shall demonstrate compliance with the Wellington City Council Code of Practice for Land Development 2012, Regional Standard for Water Services, and Regional Specification for Water Services.

**Note:** *The public stormwater network and/or upgrade construction plans prepared as part of **Condition [58] above** can be prepared for the entire site or on a per lot or per stage basis.*

59. The installation of a new public stormwater network and/or upgrade to the existing public stormwater network must be carried out in accordance with the plans certified under **condition [58] above**.
60. Within one calendar month of completion of the of the Public stormwater work certified under **condition [58] above**, an as-built drawing/s, which conforms to the Wellington City Council Interim As-built Specification, must be provided for certification to the Wellington Water Land Development Team. This must be certified as being correct by a Registered Drainlayer or a technically qualified person as set out in the Wellington City Council Code of Practice for Land Development.

**Note 1:** *The extension of the public gravity stormwater network should take into account the overall level of development proposed for the site to ensure that there is sufficient capacity.*

**Note 2:** *Scheme and other indicative layout plans submitted as part of the application will be taken by Council as being for information purposes only. These plans will not be used for granting approval. Approvals will only be given on detailed construction plans.*

**Note 3:** *Any alterations or additions to the existing public stormwater network needs to be carried out under a Public Drainage Permit (as distinct from a Building Consent) to be issued by the Wellington Water Land Development team and fees paid. All Public Drainage work needs to be carried out by a suitably experienced Registered Drainlayer; who is employed by a contractor who has an approved Health and Safety Plan and Public Liability Insurance.*

**Note 4:** *The Public Drainage Permit application needs to include a copy of the Safety in Design documentation generated in response to the legal requirements under the Health and Safety at Work Act (2015) section 39.*

**Note 5:** *The Public Drainage Permit holder is to submit a compliant as-built drawing to the Wellington Water Senior Drainage Inspector and arrange for a final inspection to be carried out within 1 month of completion of the main drainage works and/or before vesting of assets.*

**Note 6:** *Preliminary discussions with Greater Wellington Regional Council have found that any changes to stormwater outfalls, or creation of new outfalls, will not be approved with the current level of stormwater treatment proposed.*

61. Should the Consent Holder seek to utilise the existing public stormwater outfalls it must assess the ability of the outfall to accommodate any proposed increase in stormwater runoff associated with the development and provide documentation to Wellington Water Limited for certification.
62. The consent holder will undertake any works required to upgrade the existing outfall to accommodate any increase in stormwater runoff associated with any new development (if required) as confirmed by a suitably qualified infrastructure/ land development engineer.

#### **Stormwater Quality:**

63. Prior to the construction of any buildings containing bare, unpainted or untreated materials that can leach contaminants such as lead, copper and zinc, the consent holder shall submit stormwater treatment solutions to be installed to mitigate stormwater contamination to Council's CMO for certification.
64. The stormwater treatment solutions certified under **Condition [63] above** must be installed in conjunction with the construction of any new buildings containing these materials.

**Note:** *Compliance with **conditions [63] and [64] above** will be assessed at building consent stage.*

#### **Wastewater Connections:**

65. Prior to the installation of new wastewater connections, the consent holder shall prepare detailed construction plans illustrating that the development will be provided with

wastewater connections in accordance with the specifications of the Wellington City Council Code of Practice for Land Development and at locations approved by the Wellington Water Land Development Team.

**Note 1:** *The Wellington City Council Code of Practice for Land Development – Regional Standard for Water Services, requires that each proposed dwelling on a lot shall be serviced by a separate connection to the public network at a location approved by the Wellington Water Land Development Team. This will be a pre-requisite requirement for any future subdivision(s) of the development.*

**Note 2:** *In order to ensure that there will be sufficient capacity to serve the development, the connections should be appropriately sized.*

**Note 3:** *The public stormwater network and/or upgrade construction plans prepared as part of **Condition [65] above** can be prepared for the entire site or on a per lot or per stage basis.*

66. The installation of new wastewater connections must be carried out in accordance with the plans certified under **condition [65] above**.
67. Within one calendar month of completion of the of the works certified under **condition [65] above**, an as-built drawing/s, which conforms to the Wellington City Council Interim As-built Specification, must be provided for certification to the Wellington Water Land Development Team. This must be certified as being correct by a Registered Drainlayer or a technically qualified person as set out in the Wellington City Council Code of Practice for Land Development.

#### **Public Wastewater:**

68. Prior to the installation of a new public wastewater network or upgrade or replacement to the existing network, the consent holder shall prepare detailed construction plans illustrating that the development will be provided with a public gravity wastewater network in accordance with the Wellington City Council Code of Practice for Land Development 2012, Regional Standard for Water Services, and Regional Specification for Water Services.

**Note:** *The public wastewater network or upgrade or replacement construction plans prepared as part of **Condition 68 above** can be prepared for the entire site or on a per lot or per stage basis.*

69. The installation of the new wastewater network must be carried out in accordance with the plans certified under **Condition [68] above**.
70. Within six calendar months of the completion of the works certified under **Condition [68] above**, an as-built drawing/s, which conforms to the Wellington City Council Interim As-built Specification, must be provided for certification to the Wellington Water Land Development Team. This must be certified as being correct by a Registered Drainlayer or technically qualified person as set out in the Wellington City Council Code of Practice for Land Development.

**Note 1:** *The replacement of the public gravity wastewater network should take into account the level of development proposed to ensure that there is sufficient capacity.*

**Note 2:** Scheme and other indicative layout plans submitted as part of the application will be taken by Council as being for information purposes only. These plans will not be used for granting approval. Approvals will only be given on detailed construction plans.

**Note 3:** The replacement of the wastewater network will require a new pump station and the associated rising main discharging into the Wellington City pump station at Salek Street. This pump station and rising main will be vested to Wellington City Council. Sizing and design of this pump station and rising main will require input and approval at all stages from Wellington Water. The preferred alternative from Wellington Water is to find a route for a future wastewater rising main to serve the Shelly Bay Development and the Mount Crawford Development area. The reason for this alternative is to provide a longer design life and link with the Mount Crawford Development.

**Note 4:** Any alterations or additions to the existing public wastewater network should be carried out under a Public Drainage Permit (as distinct from a Building Consent) to be issued by the Wellington Water Land Development team and fees paid. All Public Drainage work needs to be carried out by a suitable experienced Registered Drainlayer; who is employed by a contractor who has an approved Health and Safety Plan and Public Liability Insurance.

**Note 5:** The Public Drainage Permit application needs to include a copy of the Safety in Design documentation generated in response to the legal requirements under the Health and Safety at Work Act (2015) section 39.

**Note 6:** The Public Drainage Permit holder is to submit a compliant as-built drawing to the Wellington Water Senior Drainage Inspector and arrange for a final inspection to be carried out within 1 month of completion of the main drainage works and/or before vesting of assets.

#### **Water Supply:**

71. Prior to the commencement of any new residential or commercial buildings the consent holder shall prepare detailed construction plans illustrating that the development will be provided with water supply which meets the specifications of the Wellington City Council Code of Practice for Land Development; at locations approved by the Wellington Water Land Development Team. The plans shall be accompanied with:
- a) Calculations that confirm that there is sufficient pressure and flow for the development to meet the Code of Practice for Land Development requirements. All calculations and designs, including structural elements related to water supply, must be endorsed by an appropriately qualified chartered engineer and submitted with a design statement.
  - b) A design statement shall confirm that the design of the water mains and services complies with the Wellington City Council Code of Practice for Land Development and current Wellington City Council Water Supply Specification.

**Note 1:** Scheme and other indicative layout plans submitted as part of the application will be taken by Council as being for information purposes only. These plans will not be used for granting approval. Approvals will only be given on detailed construction plans.

**Note 2:** The water supply construction plans prepared as part of **Condition 71 above** can be prepared for the entire site or on a per lot or per stage basis.

72. The installation of the water supply network must be carried out in accordance with the plans certified under **Condition [71] above**.
73. Within one calendar month of the completion of works certified under **Condition [71] above** an as-built drawing/s, which conforms to the Wellington City Council Interim As-built Specification, must be provided for certification to the Wellington Water Land Development Team. This must be certified as being correct by a Registered Drainlayer or technically qualified person as set out in the Wellington City Council Code of Practice for Land Development.
74. The as-built drawings required under **Condition [73] above** must be accompanied by a completion certificate that covers the construction of the works. The completion certificate shall be signed by a suitably qualified professional and shall certify that the construction work pertaining to the water supply infrastructure has been carried out in accordance with the consent conditions. The developer shall have new hydrants tested for compliance against SNZ PAS 4509:2008 and the certified results submitted with the completion certificate. In the case of a failed test for flow or pressure the suitably qualified professional is to provide an upgrade solution to the water supply in order to achieve compliance against SNZ PAS 4509:2008. The applicant will then need to rectify works to ensure compliance following a failed test.

**Landscaping:**

75. At least 20 working days prior to the commencement of any construction, the consent holder shall submit a final Landscape Management Plan (LMP) prepared by a suitably qualified and experienced practitioner for certification by the CMO in conjunction with Council's Landscape Advisor. The purpose of the LMP is to integrate the proposal into the surrounding landscape and urban context and to illustrate the landscape design element of the project. The LMP shall generally consistent with the Planting Strategy identified in Section 7.2 Planting Strategy, pages 97-100 of Shelly Bay Masterplan March 2019.

The LMP shall include, but not be limited to, the following information, methods, measures and techniques to achieve the purpose:

- i. Purpose and scope of the plan
- ii. Relationship with other management plans
- iii. Relationship with vegetation protection methodologies
- iv. Relevant standards and guidelines
- v. Summary of landscape values
- vi. Summary of actions to avoid, remedy and mitigate environmental effects
- vii. Relevant consent conditions
- viii. Management of construction effects
- ix. A final landscape plan including a planting schedule relating to the public realm (shown on page 83 of the Shelly Bay Masterplan date March 2019, version 23)
- x. A final landscape plan including a planting schedule relating to the shared lanes and parking mews (shown on page 75 of the Shelly Bay Masterplan date March 2019, version 23)
- xi. A final landscape plan showing mitigation planting details along the Escarpment Vegetation Management Zone (shown on page 98 of Shelly Bay Masterplan date March 2019, version 23)
- xii. Landscape management post-construction
- xiii. Management of operational effects
- xiv. LMP review procedures

Once certified the landscaping must be completed by the Consent Holder within 3 months of completion of construction within the area to which the LMP relates. The consent holder shall monitor plantings for 18 months from time of planting in order to allow for plant establishment to the satisfaction of the CMO. Within this period monitoring includes the removal of weeds within the vicinity of the plantings and the replacement of plants that die, or are removed unlawfully, with plants of the same species and original size. Any plants that fail must be replaced at the expense of the consent holder. All plantings must continue to be maintained thereafter.

**Note 1:** *the LMP can be prepared for the entire site or on a per lot or per stage basis.*

**Note 2:** *The landscape plan shall include a mix of species as recommended in Ecological Zone 09 – Rocky Coastal in the Wellington Regional Native Plant Guide.*

(Refer to: <http://www.gw.govt.nz/assets/Be-the-Difference/Biodiversity/Wellington-Regional-Native-Plant-Guide-Revised-Edition-2010-Web.pdf>)

**Note 3:** *Myoporum laetum (Ngaio) should be considered as an alternative to Ulmus parvifolia (Chinese elm) due to its ability to tolerate the conditions.*

**Note 4:** *The best quality pohutukawa listed for removal will be transplanted and used for the new street trees, where practicable, at the Consent Holders discretion.*

76. Prior to the commencement of the LMP certified under **condition [75] above**, a pre-construction meeting must be held with the construction manager, consulting arborist, monitoring arborist and a Council arboriculture representative. At the meeting, the construction manager must consult with the consulting arborist, monitoring arborist and Council arboriculture representative about:
- The methodology and timing of the planting and landscaping works
  - Site access and areas for manoeuvring vehicles and machinery
  - Areas for storing and/or stockpiling materials, spoil and equipment
  - The care needed when working around trees

The construction manager must read and sign the Wellington City Council's Working around Trees Guidelines.

#### **Minimum Floor Levels:**

77. Any new residential building constructed on the site must have a minimum floor level of 2.59m RL (New Zealand Vertical Datum 2016) or 3.0m RL (WCC New City Datum).

#### **Lighting of Roads and Public Spaces:**

78. All outdoor lighting to public roads and outdoor public spaces available for use during the hours of darkness shall be designed and installed in accordance with AS/NZS 1158.3.1:2005 and any amendments in accordance with District Plan standard 34.6.1.7.2.

#### **Noise Emission Limits Post Construction:**

79. Noise emission levels from activities in Business Areas when measured at or within the boundary of any site to be used for a noise sensitive use or containing a residential building



which has not been sound insulated to meet the minimum noise insulation standard (refer District Plan Rule 34.6.2.10.1 ) and excluding Masterplan buildings SBW B1, SBW B2, SBW4, SBW B7 and SBW B9 as shown on Noise and Ventilation Mitigation Plan Appendix 7 Wellington Company Limited Application dated May 2019, shall not exceed the noise limits specified in the District Plan.

Monday to Sunday	7am to 10pm	50dB LAeq (15 min)
Monday to Sunday	10pm to 7am	40dB LAeq (15 min)
Monday to Sunday	10pm to 7am	70dB LAFmax

#### **Monitoring and Review:**

80. The Consent Holder shall contact the Council's Compliance Monitoring Officer (CMO) at least 48 hours prior to any physical work commencing on the site and give notice of the date upon which such works will commence. This notice shall quote the RC number of this consent and the address of the site and shall be either by telephone (801 4017), facsimile (801 3165) or email ([rcmonitoring@wcc.govt.nz](mailto:rcmonitoring@wcc.govt.nz)).
81. The conditions of this resource consent must be met to the satisfaction of the Council's Compliance Monitoring Officer. The Compliance Monitoring Officer will visit the site to monitor the conditions, with more than one site visit where necessary. The Consent Holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991. These costs\* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.  
\* Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.
82. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent before that operator or contractor starts any works.
83. The consent holder shall ensure that a copy of this consent is kept in the site office at all times and presented to any Wellington City Council officer on request.

#### **CANCELLATION OF AMALGAMATION CONDITION:**

1. That any existing buildings which straddle any new boundaries on completion of the subdivision have been relocated or demolished as it relates to that specific lot so that no buildings straddle new boundaries.
2. That Rights of Way B and C have been constructed to ensure that the lots being served have physical and legal access. The Council would accept a bond against final surfacing of the Rights of Way.

### Recommended Advice Notes:

1. The survey plan must be submitted for approval in accordance with sections 223 & 224 of the Resource Management Act 1991 (RMA) (as modified by section 51 of the HASHAA) and given effect to within **1 year** of the granting of this consent, or within such extended period of time pursuant to section 125 of the RMA as the Council may allow.
2. Under section 51 of the HASHAA and the RMA, the land use consent approved under Decision Two must be given effect to within **13 years** of the granting of this consent, or within such extended period of time pursuant to section 125 of the Resource Management Act 1991 (RMA) as the Council may allow.
3. Additional fees will be required by the Council with the application(s) for the section 223 and 224 certificates. The section 224 certificate will be issued following compliance with all conditions of consent set out above, and payment of any development contribution that may be payable.
4. Where appropriate, in relation to the land use consents, the Council may agree to reduce the required monitoring charges where the Consent Holder will carry out appropriate monitoring and reporting back to the Council.
5. This resource consent is not consent to build. A building consent may be required under the Building Act 2004 prior to commencement of construction.
6. This resource consent does not authorise any works that also require consent from the Greater Wellington Regional Council (GWRC). If necessary, separate resource consent(s) will need to be obtained prior to commencing work.
7. The Consent Holder is advised to consult with GWRC if it is likely that discharges will occur from soil disturbance works that exceeds 5000m<sup>2</sup>, if any bore/piling work is to be undertaken, or if any work is to be undertaken within the Coastal Marine Area.
8. Vehicle access bylaw consents are required for the construction of kerb crossings, driveways and parking facilities under Part 5, Section 16 of the Council's Consolidated Bylaw 2008.
9. Vehicle crossings which service more than 6 household units or any commercial vehicle crossing need to be constructed as heavy vehicle crossings in accordance with the Code of Practice for Land Development 2012.
10. It is suggested that the Consent Holder reviews the proposed parking provision, in particular the matter of visitor parking for the residential developments, parking associated with the proposed hotel, and parking provision for employees. It will be important to ensure that the appropriate mix of parking is provided so that such parking as will be provided is effectively targeted to the various land use parking demands and that any shortfall in parking does not result in inappropriate parking pressure at locations within the development. This will include the proposed angle parking within the legal road which the Council will be responsible for managing.
11. It is recommended that a Staff Travel Plan/s (STP/s) for the development be prepared prior to occupation of any buildings to be utilised for non-residential purposes. The STP/s should detail how employees working at Shelly Bay can travel to and from the site so as to minimise the

need for individual workers to use their own transport. The plan/s could include the extent of staff parking to be provided, together with other transport arrangements, to ensure staff can safely and conveniently travel to and from what is a relatively isolated site. The STP/s could relate to either individual businesses or combinations of businesses seeking to reduce overall individual staff vehicle use and associated parking demand. Council would be happy to review any such STP/s.

12. Given the northern point of the site has a meteorological designation (ref: M3) with the Requiring Authority being Meteorological Service of New Zealand Limited, its approval under s176(1)(b) will be required prior to any works being undertaken in this area.
13. Landowner approval is required for any construction of buildings or structures on, or use of land owned by the Wellington City Council. Landowner approval must be obtained prior to any use or construction commencing.
14. As far as practicable all construction activity related to the development must take place within the confines of the site. No buildings, vehicles, materials or debris associated with construction may be kept on Council land, including the road, without prior approval from the Council. Please note that landowner approval is required under a *separate approval process* and that this must be sought and approved prior to any works commencing. For more information on the traffic management process and what further separate land owner approvals may be required in relation to the logistics of working within the legal road either contact the Transport Asset Performance team or visit this link: <http://wellington.govt.nz/~media/services/parking-and-roads/roadworks/files/traffic-management-process-2013.pdf>
15. Construction noise is managed through the construction noise controls set out in NZS 6803:1999 and adoption of a best practical option approach in accordance with section 16 of the Act, to ensure that the emission of noise from the site does not exceed a reasonable level.
16. A Vodafone mobile site is currently located within the site, approved under SR 75875, and it is recommended that the Consent Holder liaises with Vodafone in terms of the effects of this proposal if this has not already been undertaken.
17. Rights of objection to this decision are set out at section 81 of the HASHAA. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as the Council in any special case may allow.
18. In accordance with the Health and Safety at Work (Asbestos) Regulations 2016, a person conducting a business or undertaking (PCBU) with management or control of a workplace must ensure the following:
  - Work is not to be carried out until the structure has been inspected by a competent person to determine whether asbestos or asbestos containing materials (ACM) are fixed to or installed in the structure.
  - That all asbestos that is likely to be disturbed during any demolition or refurbishment is identified and that removal, so far as is reasonably practicable, is carried out by an asbestos removalist licensed to carry out the work.
  - That a competent person carries out air monitoring of the area where asbestos-related work is being done if the airborne contamination standard for asbestos could be exceeded.
  - For further information contact: **WorkSafe New Zealand** Phone 04 897 7699.