

General

1. The proposal must be in general accordance with the information provided with the application dated 27 May 2021, responses to requests for additional information dated 16 July 2021, 15 October 2021 and 7 November 2021 and the following plans prepared by JASMAX, Project Title: '61 Molesworth Street':

Example of list of plans is as follows

- RC-0005, Grid Setout, Rev.B, dated 2020-07-17
- RC-0101, Location Plan, Rev.B, dated 2020-07-17
- RC-1012, Site Plan - Existing, Rev.B, dated 2020-07-17
- RC-0103, Site Plan - Proposed, Rev.B, dated 2020-07-17
- RC-1000, Floor Plan – Basement, Rev.B, dated 2020-07-17
- RC-1001, Floor Plan – Ground Floor, Rev.B, dated 2020-07-17
- RC-1002, Floor Plan – Level 1, Rev.B, dated 2020-07-17
- RC-1003, Floor Plan – Level 2, Rev.B, dated 2020-07-17
- RC-1004, Floor Plan – Level 3, Rev.C, dated 2020-07-17
- RC-1005, Floor Plan – Level 4, Rev.B, dated 2020-07-17
- RC-1006, Floor Plan – Level 5, Rev.B, dated 2020-07-17
- RC-1007, Floor Plan – Level 6, Rev.B, dated 2020-07-17
- RC-1008, Floor Plan – Level 7, Rev.B, dated 2020-07-17
- RC-1009, Floor Plan – Level 8, Rev.B, dated 2020-07-17
- RC-1010, Floor Plan – Level 9, Rev.B, dated 2020-07-17
- RC-1011, Floor Plan – Level 10, Rev.B, dated 2020-07-17
- RC-1012, Floor Plan – Level 11, Rev.B, dated 2020-07-17
- RC-1013, Floor Plan – Level 12, Rev.B, dated 2020-07-17
- RC-1020, Roof Plan, Rev.B, dated 2020-07-17
- RC-1100, Zone Plan – Ground – E.O.T, Rev.B, dated 2020-07-17
- RC-3000, Elevation South, Rev.C, dated 2020-07-17
- RC-3001, Elevation East, Rev.C, dated 2020-07-17
- RC-3002, Elevation North, Rev.C, dated 2020-07-17
- RC-3003, Elevation West, Rev.C, dated 2020-07-17
- RC-4000, Section – E-W 01, Rev.C, dated 2020-07-17
- RC-4001, Section – E-W 02, Rev.C, dated 2020-07-17
- RC-4006, Section – N-S 01, Rev.C, dated 2020-07-17
- RC-4007, Section – N-S 02, Rev.C, dated 2020-07-17
- RC-4008, Section – N-S 03- Grid 3, Rev.B, dated 2020-07-17
- RC-4100, Section Detail – Façade East - 3D, Rev.B, dated 2020-07-17
- RC-4101, Section Detail – Façade East, Rev.B, dated 2020-07-17
- RC-4105, Section Detail – Façade South - 3D, Rev.B, dated 2020-07-17
- RC-4106, Section Detail – Façade South, Rev.B, dated 2020-07-17
- RC-4111, Section Detail – Podium – 3D, Rev.B, dated 2020-07-17
- RC-4112, Section Detail – Podium, Rev.B, dated 2020-07-17
- RC-9000, Area Schedule – GFA, Rev.B, dated 2020-07-17
- RC-9001, Area Schedule – NLA, Rev.B, dated 2020-07-17

Except:

- a) As shown on the images and other documents appended to the JASMAX Urban Design

peer review dated 17 September 2021; and

b) As amended by the following conditions.

Panel Note:

Final plans to be determined as part of the Panel's decision.

Respondents should read the Applicant's response to the Panel's Special Advisors dated 15 October 2021 which includes the JASMAX Architect's Response to Urban Design Peer Review dated 17 September 2021.

Urban Design:

Detail Design:

2. At least fifteen (15) working days prior to lodging an application for building consent, the Consent Holder must submit the following design details and associated plans, for certification, by the Council's Compliance Monitoring Officer (the CMO). Such information is to be generally consistent with the documents and plans referred to in Condition 1, and is to include the final exterior façade designs (including materials, detailing and lighting specifications).

The objective of this condition is to ensure that;

- a) the type and quality of external materials and façade detail appropriately reflect and reinforce the design intent of the proposed building and do not create potential 'glare' effects.
- b) the lower third of the glazed area be more distinctive to offer a stronger visual relationship to the horizontality and patterns of the cathedral nave (Resource Consent Design Statement, 13 Storey dated November 2021, page 37),
- c) the upper two floors of the glazed area include fins or fillagree to the facade system on the top of the building on the western and eastern facades in order to create a distinctive top to the building (Resource Consent Design Statement, 13 Storey dated November 2021, page 37).

Once certified, the development must be constructed in accordance with such plans and details. Following certification, any material amendments to the plans are to be submitted to the CMO for certification in the same manner as above.

Note:

- *The CMO will liaise with the Council's Urban Design Advisor to confirm the materials and façade detail are appropriate.*

External Plaza

3. Prior to lodging an application for building consent, a Landscape Plan must be submitted to the CMO for certification that the proposed plantings and associated structures in the Proposed External Plaza (as shown in Resource Consent Design Report, Rev-D, July 2020 - 3.4 Relationship to Context – Public Spaces and, plans RC-9000, Area Schedule – GFA, Rev.B, dated 2020-07-17 and RC-9001, Area Schedule – NLA, Rev.B, dated 2020-07-17) are appropriate. The Landscape Plan

must detail the proposed planting and all associated structures, including the following:

- i) Planting, including species and plant grades
- ii) Amenity structures, such as seating
- iii) Ground surfaces, such as paving, grassing etc
- iv) Wind mitigation structures (both location, height and materials)
- v) Lighting
- vi) CPTED measures incorporated through the external plaza.

The objective of this condition is to ensure that:

- a) The planting is appropriate for the context in which it is located (species growth rate, size etc)
- b) The amenity structures, ground surfaces and overall layout provide high quality, usable outdoor spaces.
- c) Lighting achieves positive amenity and CPTED outcomes
- d) The plaza avoids the creation of potentially unsafe spaces through the incorporation of CPTED design principles.

Once certified, the proposed landscaping plan must be implemented prior to occupation of the building. Following certification, any material amendments to the plaza plans are to be submitted to the CMO for certification in the same manner as above.

Note:

- *The CMO will consult with the Council's Urban Design Advisor and Landscape Architect to confirm the proposed plantings and associated structures are appropriate; and*
- *Plant species should be locally sourced from the Wellington region (if available).*

The yellow highlighting references plans that may be changed following comments on these conditions and an anticipated further information request for a new comprehensive set of plans and photomontages.

4. The proposed external plaza area as shown on Resource Consent Design Report, Rev-D, July 2020 - 3.4 Relationship to Context – Public Spaces is to remain as a permanent feature of the development, and must be maintained for the life of the building. The Consent Holder must ensure the ongoing maintenance of the external plaza area, including the removal of any graffiti, and any damaged hardscaping and furniture. Any plants that die or are damaged must be replanted as soon as practicable, but not later than the following planting season.

The yellow highlighting references plans that may be changed following comments on these conditions and an anticipated further information request for a new comprehensive set of plans and photomontages.

5. Following consultation with the Port Nicholson Block Settlement Trust (PNBST), the Applicant must incorporate cultural features into the design of the building, that:

- i) Display pou whenua / other cultural structures and artwork to represent Mana Whenua; and
- ii) Install information posts / signage to inform the public of the cultural history of the site.

Wind:

6. Prior to lodging an application for building consent, the following wind mitigation details, prepared by a suitably qualified person, must be submitted to, and certified by, the CMO:
 - The dimensions in height, length and placement of the screen(s) in and around the External Plaza, confirming they match or are equivalent in their provision of shelters and screens tested in the wind tunnel test analysis by WSP, dated 31 July 2020 and the JASMAX memoranda dated 14 July 2021.

The purpose of this condition is to ensure safe walking conditions on and within the external plaza and the adjoining footpaths.

Once certified, the wind mitigation shelters and screen(s) must be constructed in accordance with the details as certified and maintained by the Consent Holder. Following certification, any material amendments to the wind mitigation details will be submitted to the CMO for certification in the same manner as above.

Ground floor frontages:

7. The Consent Holder must, at all times, ensure views into the display windows at the ground floor of the building fronting on Molesworth Street and northwards to the vehicle parking ramp are provided and maintained.

Note: The intention of this condition is to provide for active integration between the inside of the building, the street and Collina Terrace.

Traffic:

8. Prior to lodging an application for building consent, plans and details that address the following matters must be prepared by a suitably qualified person and provided to the CMO for certification:
 - i) Details of the cladding materials to ensure reflectivity will not pose a safety risk to motorists travelling towards the site;
 - ii) Install a judder bar at the access to slow vehicles exiting and entering across the footpath;
 - iii) Visitor parking must not be allocated to car parks where access is restricted by columns.
 - iv) Design of carpark is to comply with AS/NZS 2890.1; or
Tracking to be undertaken of vehicles manoeuvring in and out of non-compliant car parking spaces and where there are pinch points to demonstrate that manoeuvring is feasible; and

The proposal must be constructed in accordance with the plans and details as certified. Following certification, any material amendments to the plans and details are to be submitted to the CMO for certification in the same manner as above.

Note: Any structures on legal road will require approval from Council's Encroachment Team, which is required before construction commences. The Consent Holder is strongly advised to engage with the Encroachments team in the early stages of the design of such structures.

9. The Consent Holder must not use Collina Terrace for site construction access and loading and unloading, **except** where written agreement from all other owners of Collina Terrace is obtained. Any use of Collina Terrace by;
- i) heavy vehicles during construction must be avoided; and
 - ii) light vehicles during construction must be minimised,
- Emergency access arrangements, including the need for unimpeded access to Collina Terrace must be detailed in the Traffic Construction Management Plan. Where the Consent Holder has obtained the written agreement of all the owners of Collina Terrace under this condition, copies of all those written agreements shall be made available to the CMO, on request.

Servicing Management Plan

10. Prior to occupation of the building, the Consent Holder must submit a final Servicing Management Plan (SMP) to the CMO for certification. At a minimum the SMP must detail how servicing will be provided for each tenancy within the building in terms of waste management, deliveries, **visitor** parking and staff parking. The SMP must be available at all times for review by the Council and updated or changed when tenants change and to address any increase in reported vehicle related accidents or conflicts with users of Collina Terrace directly resulting from servicing the building.
11. Upon occupation of the building the Consent Holder must ensure to the extent reasonably practicable that the occupants of the separate tenancies implement the SMP, as certified and as may be updated under **Condition 10** above, to the satisfaction of the CMO.

Fixed Plant

12. All fixed plant equipment including heating, cooling and ventilation plant must be located, designed and operated so that noise emission levels when measured at or within the land parcel, or the outside wall of any building on any site, other than the building or site from which the noise is emitted do not exceed the following limits:
- At all times 55dB LAEQ (15 MIN)
 - 10pm to 7am 70LAFmax
13. Prior to, or at the time that, an application is made for Building Consent, detail of design specifications for the control of noise for any fixed plant and equipment, including any proposed noise mitigation measures must be provided to the CMO.

Signage

14. The Consent Holder must install warning signage to alert vehicles and pedestrians to ensure the safe use of Molesworth Street, including the footpath adjacent the site. Maintenance of the signage to ensure it is working at all times is the responsibility of the Consent Holder (building/property owner or nominee). This signage must include:
- a) An electronic 'Vehicle Coming' sign erected on the external face of the building to alert pedestrians to instances of vehicles exiting the site. The alert must also be audible.
 - b) A 'No Entry - Loading Area Full' sign erected on the external façade of the building that is visible to approaching drivers. This signage shall be located to advise approaching drivers of instances when the loading area is occupied.
 - c) Internally within the building on the exit ramp, a 'No Right Turn' sign erected in a position visible to exiting drivers to reinforce the required left-turn-only movement, recognising the one-way arrangement of Molesworth Street.
 - d) A 'Give Way to Pedestrians' sign erected in a position visible to drivers exiting the site of the possible presence of pedestrians using the footpath.
 - e) An appropriate "height clearance" sign must be erected at the entrance ramp at a minimum height of 3.6m. The sign must be visible so that oncoming vehicles can be adequately warned of the height clearance.
 - f) A RG -14 "One Way" left-hand sign erected on the white parking sign pole on the eastern side of Molesworth Street opposite Collina Terrace and the vehicle parking ramp.

At least fifteen (15) working days prior to lodging an application for building consent, the Consent Holder must submit the design details and associated plans including the location of the signs, for certification, by the Council's Compliance Monitoring Officer (the CMO).

Construction:

Accidental Discovery Protocol

15. This condition applies only to any areas of the site not covered by an archaeological authority. In the event that an unidentified archaeological site is located during works, the following applies:
- a) Work shall cease immediately at that place and within 20m around the site.
 - b) The contractor must shut down all machinery, secure the area, and advise the Site Manager.
 - c) The Site Manager shall secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.
 - d) If the site is of Māori origin, the Site Manager shall notify the Heritage New Zealand Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act).
 - e) If human remains (koiwi tangata) are uncovered the Site Manager shall advise the Heritage New Zealand Regional Archaeologist, NZ Police and the

- appropriate iwi groups or kaitiaki representative and the above process under d) shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.
- f) Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by an archaeologist may be required.
 - g) Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records. Heritage New Zealand will determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue.
16. The consent holder will ensure that contractor/s are briefed on and have access to the archaeological authority and these conditions onsite, and follow appropriate procedures should archaeological material, or suspected archaeological material, be uncovered as part of the works.

Note: All archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological site is defined as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. This includes pre-1900 sites associated with Māori and non-Māori activity. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful to modify, damage or destroy any archaeological site, where an archaeological assessment has indicated potential for archaeological material and whether the site is recorded or not. Application must be made to Heritage New Zealand Pouhere Taonga for an Authority to modify, damage or destroy an archaeological site. The Act provides for substantial penalties for unauthorised destruction or modification.

Contaminated Site Management Plan

17. Prior to conducting any ground disturbance works on site, a Contaminated Site Management Plan (CSMP) must be prepared by a suitably qualified and experienced practitioner (SQEP) and submitted to the CMO for certification. The objective of the CSMP is to set out the management approach to any discovery of contaminated materials during excavation and earthworks. The CSMP must include, but not be limited to:
- a) Relevant legislative requirements;
 - b) Procedures for the control of all aspects of excavation, earthworks and construction involving contaminated material;
 - c) Procedures for monitoring contamination levels during construction and excavation works;
 - d) Procedures for the safe storage, treatment and disposal of identified contaminated material, including dust, silt, stormwater, groundwater, and odour; and
 - e) Details of personnel, roles and responsibilities for assessing and disposing of contaminated material, including the SQEP.
18. The CSMP must be submitted to the CMO for certification at least fifteen (15) working days before works commence on the site.
19. Certification (or withholding certification) is based on whether the CSMP meets the

- requirements of the conditions of this resource consent, with specific focus on **Condition 17**.
20. The Consent Holder must undertake the construction activities, remedial and/or management actions on site in accordance with the certified CSMP at all times.
 21. The CSMP may be amended or updated without the need for certification where:
 - a) The amendment is an administrative change, including nominated personnel; and
 - b) The revised CSMP is provided to the CMO and, within five (5) working days of receiving the revised CSMP, the CMO has not advised in writing that the amendment must be certified under **Condition 17** on the basis that the amendments do not meet the requirements of clause a) of this Condition.
 22. Except as provided for in **Condition 19**, amendments to the CMP and any appendices must be certified in writing by the CMO acting in a technical certification capacity prior to the commencement of any works to which the amended CSMP relate.
 23. Certification (or withholding certification) is based on the CMO's assessment of whether the amended CSMP meets the requirements of the conditions of this resource consent.
 24. Upon the removal of the existing concrete slab, a site investigation must be undertaken by a SQEP in accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines requirements. The site investigation should include an investigation of any underground storage tanks, and sampling at the three locations identified in the report prepared by Pattle Delamore Partners dated 6 November 2020.
 - a) If the site investigation in this **Condition 24** confirms that the proposed site occupation is acceptable based on recognised accepted standards and the proposed end use, the SQEP will provide written confirmation to the satisfaction of the CMO stating that the proposed site occupation is acceptable based on recognised standards and identified risks; or
 - b) If the investigation under this **Condition 24** confirms the presence of contamination on site, then **Conditions 25 to 27 below** will apply.

Contaminated Soil Discovery Protocol

25. In the event that the activities authorised by these resource consents discover or disturb unexpected soil conditions, such as staining, odorous material or evidence of potentially asbestos containing materials, works in that area must cease and;
 - a) The SEQP must be notified immediately and instructed to monitor further work;
 - b) Council must be immediately notified; and
 - c) the procedures described in the CSMP must be immediately implemented;
26. On completion of the remedial and/or management actions in the CSMP, a Site Validation Report (SVR) will be prepared by the SQEP. The SVR must be submitted to and approved by the CMO in consultation with a Contaminated Land Advisor. The

SVR will include, but not be limited to, the following:

- Summary of land disturbance works carried out including a figure illustrating areas of disturbance and sampling;
 - Records of any unexpected contamination encountered during works, including a summary of how this contamination was managed;
 - Results of the soil sampling, including the validation sampling and/or management actions;
 - Confirmation that the site is suitable for the intended end use set out in this consent;
 - Copies of disposal receipts or tracking of impacted material around the site; and
 - An appendix detailing a Site Management Plan (SMP) detailing ongoing maintenance of remedial controls to ensure potential effects from site contamination are acceptable in the context of the proposed site use. If the SQEP deems that no further actions or site management is necessary once remedial actions are undertaken, this may be replaced with a written statement to that effect.
27. Any excavated soil that is removed from the site must be disposed to a suitable disposal or treatment facility licenced to accept waste. The Consent Holder must maintain records of disposal/treatment quantities and locations, which must be provided to the CMO.

Repair Damage to Kerb, Footpath or Road and Infrastructure

28. The Consent Holder must repair any damage to Molesworth Street or Collina Terrace including the existing kerb and channel, footpath or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drainlines) and reinstate existing traffic signs and pavement markings that have been removed or damaged on Molesworth Street and Collina Terrace during any works carried out in association with the development.
29. The Consent Holder must take all reasonable steps to protect the existing stormwater and wastewater infrastructure through the site including the sewerage interceptor drain.

Construction Liaison

30. The Consent Holder must make arrangements for a meeting of nearby tenants and building owners who may be affected by construction activities, prior to the commencement of construction. The Consent Holder must advise the Council's CMO of:
- the date of the meeting;
 - a full list of all parties engaged and a list of representatives who agree to participate; and
 - evidence of an invitation to participate in the meeting if any of the parties listed below do not wish to participate.

In addition to the Consent Holder and their nominated contractors(s)/subcontractors, those to be invited will consist of, but is not limited to, representatives from the following parties (who agree to participate):

- New Zealand Red Cross;
- New Zealand Deerstalkers Association Limited Partnership
- Hughes King Investment Ltd;
- McAuley Trust;
- National Library of New Zealand
- Royal Thai Embassy;
- Wellington Diocesan Board of Trustees; and
- Thorndon Residents Association.

31. The meeting must be held no less than fifteen (15) working days before construction commences onsite. The meeting must be minuted and these must be distributed to all representatives of the invitees and forwarded to the CMO.

Construction Management Plan

32. Prior to works commencing on the site, a Construction Management Plan (CMP) must be prepared by a suitably qualified and experienced person (which may, subject to conditions 40, 41 and 42 include the lead contractor) and submitted to the CMO for certification. The objective of the CMP is to establish acceptable performance standards regarding public safety and amenity protection during the construction phase of the development and to ensure compliance with the conditions of this consent. The CMP must include, but not be limited to:

- i) The Construction Noise and Vibration Management Plan (CNVMP) as required by Condition 40 below;
- ii) The Construction Traffic Management Plan (CTMP) as required by Condition 41 below;
- iii) The Earthworks Management Plan (EMP) as required by Condition 42 below;
- iv) The roles and responsibilities of construction management staff, including the overall manager responsible for environmental compliance,
- v) Identification and contact details of personnel responsible for the management, maintenance and operation of any erosion and sediment control measures,
- vi) Details of emergency contacts who have authority to authorise immediate response actions,
- vii) Hazardous Substance and Spill Response Procedures,
- viii) Procedures for the management of dust,
- ix) Processes for monitoring.

33. The CMP must be submitted to the CMO for certification at least fifteen (15) working days before works commence on the site.

34. Certification (or withholding certification) is based on whether the CMP meets the requirements of the conditions of this resource consent, with specific focus on

Condition 32.

35. No work may commence on site until the CMP is certified by the CMO.
36. The Consent Holder must undertake the construction activities, remedial and/or management actions on site in accordance with the certified CMP at all times.
37. The CMP may be amended or updated without the need for certification where:
 - a) The amendment is an administrative change, including nominated personnel; and
 - b) The revised CSMP is provided to the CMO and, within five (5) working days of receiving the revised CSMP, the CMO has not advised in writing that the amendment must be certified under **Condition 34** on the basis that the amendments do not meet the requirements of clause a) of this Condition.
38. Except as provided for in **Condition 37**, amendments to the CMP and any appendices must be certified in writing by the CMO acting in a technical certification capacity prior to the commencement of any works to which the amended CMP relate.
39. Certification (or withholding certification) is based on the CMO's assessment of whether the amended CMP meets the requirements of the conditions of this resource consent.

Construction Noise and Vibration Management Plan

40. Prior to works commencing, a CNVMP must be prepared by a suitably qualified and experienced acoustic specialist and submitted to the CMO for certification. The objective of the CNVMP is to set out the steps to be taken to ensure that any construction noise and vibration complies with the conditions of this consent. The CNVMP must include, but not be limited to:
 - i) 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.
 - ii) 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.
 - iii) Include specific details relating to methods for control of vibration associated with construction works. Demonstrate these controls comply with the recommended upper limits for vibration specified in *ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures*.

- iv) Specify details of complaint handling, communication procedures including notification and any necessary monitoring.

The certification, amendments, including where deficiencies are identified, of the CNVMP are to follow the same process as CMP as set out in **Conditions 33 to 39** as set out above.

Construction Traffic Management Plan

- 41. Prior to any works commencing on site a CTMP must be prepared by a suitably qualified and experienced traffic engineer and submitted to the CMO for certification. The objective of the CTMP is to outline methods to avoid, remedy or mitigate adverse construction traffic effects during the earthworks and construction phases of development of the site. The CTMP must include, but not be limited to, the following matters:
 - i) Temporary pedestrian safety measures, including directional signage (where applicable);
 - ii) Locations where construction vehicles will park and carry out loading and unloading of material;
 - iii) Locations where construction materials would be stored;
 - iv) Expected volume and frequency of vehicle movements specific to the construction and earthworks phase, with details of the proposed hours and days of week. Construction vehicle movements associated with the construction works should be restricted during peak traffic times (7.00am – 9.00am and 4.00pm – 6.00pm weekdays) when pedestrians, cyclists and vehicular flows are high;
 - v) Confirmation of the transportation routes and measures to minimise effects on the local traffic network; and
 - vi) Methods for the public to contact the site manager for complaints. There should be a 1m² sign facing the public footpath with the site manager's contact details.

The certification, amendments, including where deficiencies are identified, of the CTMP are to follow the same process as CMP as set out in **Conditions 33 to 39** as set out above.

Earthworks Management Plan (EMP)

- 42. Prior to works commencing on the site, an Earthworks Management Plan (EMP) must be prepared by a suitably qualified and experienced person and submitted to the CMO for certification. The objective of the EMP is to identify the overarching erosion and sediment control principles and procedures to be implemented to achieve compliance with the relevant conditions of consent. The EMP must include, but not be limited to, the following matters:
 - i) An illustrated plan that records the key features of the EMP including the approved area of earthworks (including the approved earthworks plan)
 - ii) A description of the broad approaches to be used to prevent erosion, and minimise problems with dust and water-borne sediment

- iii) Stabilisation of the site entrance(s) to minimise the tracking of earth by vehicles onto the adjoining roads
 - iv) The type and location of silt fences to control water-borne sediment
 - v) Methods for protecting stormwater sumps from the infiltration of water-borne sediment
 - vi) Measures to ensure that the discharge of dust created by earthworks, construction and transport activities are suitably controlled to minimise dust hazard or nuisance
 - vii) Covering of soil or other material that is stockpiled on the site or transported to, or from, the site, to prevent dust nuisance or erosion by rain and stormwater (creating water-borne sediment)
 - viii) The methods for managing and monitoring the EMP controls
 - ix) Nomination of a site person responsible for the implementation and administration of the EMP.
43. The certification, amendments, including where deficiencies are identified, of the CTMP are to follow the same process as CMP as set out in Conditions 33 to 39 as set out above.
44. The erosion, dust and sediment control measures put in place must not be removed until the site is remediated to the satisfaction of the CMO. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied. If necessary, the CMO may require changes to the implementation of the EMP, to address any problem that occurs during the work or before the ground surface is stabilised.

General Earthworks Conditions

45. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties or the legal road. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. Any material that falls on land beyond the site during work or transport must be cleaned up immediately (with the landowner's permission on land that isn't public road). The material must not be swept or washed into street channels or stormwater inlets, or dumped on the side of the road.

Note: As a minimum, 100 mm clarity is required to allow water to be discharged offsite. If clarity is less than 100mm then the water is considered to be muddy and must be captured and treated on site.

46. Dust created by earthworks, transport and construction activities must be 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.

Geotechnical Professional

47. An Engineering Professional must be engaged for the detailed design and construction phases of the project. An 'Engineering Professional' is defined as a Chartered Professional Engineer (CPEng) with specialist skills and experience in the design and construction of earthworks and retaining works similar to those proposed and in similar ground conditions.
48. The name and contact details of the Engineering Professional must be provided to the CMO, at least fifteen (15) working days prior to any work commencing.
49. The Engineering Professional will monitor the earthworks and construction of the retaining works. The Engineering Professional will advise on the best methods to ensure:
 - a. The stability of the land
 - b. The work does not cause damage, or have the potential to cause damage, to neighbouring land or buildings, including Collina Terrace
 - c. The design and construction of the earthworks, retaining structures and drainage are consistent with current engineering standards and best practice.

The Consent Holder must follow all the advice of the Engineering Professional in a timely manner.

Hours of work

50. Construction, including earthworks and associated works, including the transport of excavated material from (or to) site, must only occur within the following hours:
 - a. Monday to Saturday 7:30 am to 6.00 pm
 - b. Monday to Friday quiet setting up of site (not including running of plant or machinery) may start at 6:30 am (not on Saturdays)
 - 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".

Complaints Management

51. A notice board displaying to the road will advise the public that the site manager is the appropriate person to contact, should they wish to register a complaint. The notice board which must be between 1m² and 2m² in area, must be placed near the entrance to the site. The notice board must contain the contact details for the site manager, including a cell phone number that is contactable at all times of the day.
52. A permanent register of any complaint received regarding the construction activities authorised by these resource consents must be maintained at all times that physical works are being undertaken.

- a) The register must include:
 - i. the name and contact details (if supplied) of the complainant;
 - ii. the nature and details of the complaint;
 - iii. the location, date and time of the complaint and the alleged event giving rise to the complaint;
 - iv. the weather conditions and wind direction at the time of the complaint, where relevant to the complaint;
 - v. other activities in the area, unrelated to the Project, that may have contributed to the complaint;
 - vi. the outcome of the Consent Holder's investigation into the complaint; and
 - vii. a description of any measures taken to respond to the complaint.
- b) Council must be notified of any complaint received that relates to the activities authorised by these resource consents as soon as reasonably practicable and no longer than two (2) working days after receiving the complaint.
- c) The Consent Holder must respond to any complainant as soon as reasonably practicable and within five (5) working days by advising Council and the complainant of the outcome of the Consent Holder's investigation and all measures taken, or proposed to be taken, to respond to the complaint.

Monitoring and Review

53. Prior to starting work the Consent Holder must advise the CMO of the date when work will begin. This advice must include the address of the property and the Service Request number and be provided at least 48 hours before work starts, either by telephone on 04 801 4017 or email to rcmonitoring@wcc.govt.nz.
 54. The conditions of this resource consent must be met to the satisfaction of the CMO. The CMO 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 Act. 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. More information on the monitoring process is available at the following link: <http://wellington.govt.nz/services/consents-and-licences/resource-consents/resource-consent-monitoring>.
- *Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.
55. Pursuant to ss 128 and 129 of the Resource Management Act 1991, the Council may, at any time, serve notice on the Consent Holder of its intention to review the conditions of the consent in order to:
 - (a) respond to any adverse effect on the environment which may arise from the exercise of the consent and which it is most appropriate to deal with at a later stage. These effects include, but are not limited to, those that may arise in relation to:

- i. dust management during construction;
- ii. On street parking and obstructions during construction, including Collina Terrace;
- iii. noise during construction;
- iv. stormwater management; and
- v. landscaping.

(b) deal with any unanticipated adverse effects on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at a later stage; and

(c) ensure that the conditions are effective and appropriate in managing the effects of the activities authorised by this consent.

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