

BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER of the Resource Management Act 1991
(the Act)

AND of an appeal under s 120 of the Act

BETWEEN SOCIETY FOR THE PROTECTION OF
WESTERN SPRINGS FOREST
INCORPORATED 2736092 AND GAELE
JOY BALDOCK

ENV-2019-AKL-000104

Appellants

AND AUCKLAND COUNCIL

Respondent

AND AUCKLAND COUNCIL COMMUNITY
FACILITIES

Applicant

Environment Judge D A Kirkpatrick sitting alone under s 279 of the Act
In CHAMBERS at Auckland

CONSENT ORDER

[A] Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed in part subject to the amendments set out in **Annexure A** and **Annexure B** to this order;
- (2) the appeal is otherwise dismissed.

[B] Under s 285 of the Resource Management Act 1991, there is no order as to costs.



REASONS

Introduction

- [1] The Society for the Protection of Western Springs Forest Incorporated 2736092 and Gael Joy Baldock appealed the decision of the Auckland Council dated 21 May 2019 to grant resource consent to Auckland Council Community Facilities to remove approximately 200 pine trees in the northern corner of Te Wai Orea – Western Springs Lakeside Park, to undertake associated earthworks and restoration planting at 859 Great North Road, Grey Lynn, Auckland.
- [2] The Appellants lodged an appeal with the Environment Court on 11 June 2019 against the Council's decision which sought as relief that the application be declined in its entirety. The appeal pleaded a range of matters but had a specific focus on the decision's alleged failure to properly take account of the potential adverse effects on mature and regenerative (understorey, overstorey and groundcover) native vegetation. The appeal also raised concerns relating to the application's consistency with the Auckland Unitary Plan Operative in part and specifically the provisions for the Open Space Zones and Significant Ecological Areas.

The agreement reached

- [3] Following mediation and settlement discussions the parties have agreed that the resource consent sought by the Applicant should be granted, subject to amendments to the conditions of consent. These amendments are summarised below:
- (a) The parties agree to the formation of a community liaison group ("the CLG") to be comprised of an Independent Chairperson, representatives of the Consent Holder and Respondent, and parties invited by the Consent Holder which includes up to two members of the Society, a representative of Community Services / Parks and Places, Western Springs Stakeholders, the Community Liaison Contact under proposed condition 8, and a non-Society representative of adjoining residential properties. It is also proposed that the CLG may jointly request the attendance of other persons at CLG meetings. The purpose of the CLG will be to provide a means for the Consent Holder to give updates on progress with the project, including implementation of the Ecological



Management Plan ("the EMP"), provide a regular forum through which information on the project can be provided to the community, and enable concerns and issues to be reported to the Consent Holder (Conditions 3A-3D).

- (b) The Consent Holder is to provide updates to the CLG by circulating various management plans, reports, notices and information it gathers with respect to the consent (Conditions 3E, 27, 37, 38, 38A, 56, 66, 71, 75).
- (c) The parties agree that certified documents included on the project website for public access shall also include the Lizard Management Plan, the Bat Survey evidence, the updated Overall Site Plan and Erosion and Sediment Control Plan, the updated Geotechnical Report and the Geotechnical Written Verification, and the Fauna Survey and Salvage Operations Report (Condition 4iii).
- (d) It is proposed that the updated EMP be prepared in consultation with the Appellants' ecological expert and in accordance with any Local Board policies on the use of agrichemicals. The updated EMP shall reflect the updated Overall Site Plan and Erosion and Sediment Control Plan required by condition 38, and provide for the retention of some totems along the existing walking track to create habitats for invertebrates and kingfishers and 'weta motels' where/if appropriate (Conditions 11, 12).
- (e) Several conditions relating to the Construction Management Plan and the Land Management Plan are proposed to be amended to require draft plans to be submitted to the Respondent for certification, and to clarify that the resource consent is to be implemented in accordance with the plans (Conditions 13, 15, 16A).
- (f) A new requirement is proposed that the Construction Noise and Vibration Management Plan (CNVMP) include before and after external building condition surveys for the dwellings at 14, 16, 18, 20, 22, 24, 26 and 28 Westview Road, to be undertaken by a suitably qualified professional (Condition 17I);
- (g) It is agreed to include the updated Overall Site Plan and Erosion and Sediment Control Plan (required by condition 38, as amended) to the list



of information to be made available at the pre-start meeting (Condition 20).

- (h) The Consent Holder is to prepare an updated Overall Site Plan and Erosion and Sediment Control Plan as part of the finalised Specification of Works, showing the final alignment of the access track and related features (e.g. skid sites, culverts and slash bunds). The updated Overall Site Plan shall be prepared in consultation and following a site walkover with the Appellants' expert ecologist (Condition 38). Prior to commencing work, it is also proposed that the Consent Holder provide the Council's Team Leader Monitoring (Central) with an updated version of the Geoconsult Ltd report, taking into account the finalised Specification of Works and updated Overall Site Plan, subject to certification (Condition 38A). Consequential changes are made to condition 56 (Geotechnical) as a result.
- (i) Two amendments are proposed to Condition 66, which relates to stabilisation of the site against erosion following completion of earthworks. The first amendment is to delete that part of the advice note which specifies several bullet point examples of measures for stabilising the site against erosion. The parties agree that it is preferable to delete these example measures, which could conflict with EMP/revegetation objectives. The second amendment is to include a requirement to provide written notice of the stabilisation works to the Council's Team Leader Monitoring (Central) and the CLG.
- (j) It is proposed that Condition 68 be amended to reflect the requirement in condition 9 for an updated EMP to be prepared.
- (k) The requirement in Condition 73 to extend the maintenance period and implementation of the EMP, if the envisaged EMP outcomes are not achieved after the initial 5 year implementation period, has been relocated to Condition 69.
- (l) The period within which the Consent Holder is required to provide an annual report to the Respondent at the end of each planting season has been increased from five to 15 years (Condition 72). The annual



reporting obligation also now includes an additional requirement to provide any recommendations for adaptive management (Condition 73).

- (m) A new condition is proposed requiring the Consent Holder at the time the consent is implemented to retain the trees and the totems as depicted on Drawing Map#A dated 12/09/2019 (Condition 74).
- (n) A further new condition is proposed requiring the Consent Holder to re-open the existing walkway track as soon as reasonably practicable and provide notice of this occurring (Condition 75).
- (o) The parties agree that Advice Note 3 is redundant and should be deleted.
- (p) Finally, a number of minor corrections / improvements to wording of several other conditions are proposed (Conditions 10, 26-29, 39, 44, 46, 67, 68, 72).

- [4] The parties submit that the proposed changes to the conditions of consent provide for greater community input into the consent implementation process, and are designed to achieve improved ecological outcomes. They are satisfied that the proposed changes to the conditions are within the scope of the original application and within the Court's jurisdiction.

Consideration

- [5] In making this order the Court has read and considered the appeal and the joint memorandum of the parties 13 September 2019.
- [6] No parties joined the appeal under section 274 of the Act.
- [7] The Court is making this order under s 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 279. The Court understands for present purposes that:
- (a) All parties to the proceedings have executed the memorandum requesting this order;
 - (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Act, including in particular Part 2; and



- (c) This order settles the appeal in its entirety.


Order

[8] The Court orders, by consent, that:

- (a) The appeal is allowed to the extent that the consent is granted in accordance with the conditions of consent set out in **Annexure A** (tracked changes) and **Annexure B** (clean copy) to this order.
- (b) The appeal is otherwise dismissed.
- (c) There is no order as to costs.

DATED at Auckland this 27th day of September 2019





D A Kirkpatrick
Environment Judge

Annexure A



CONDITIONS

Under sections 108 and 108AA, the grant of these resource consents is subject to the following conditions:

1. The vegetation removal and associated earthworks and replanting activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number LUC60321424. Where there is any inconsistency between the information provided and these conditions, the condition shall prevail.
 - a) Application Form and Assessment of Environmental Effects prepared by Mark Benjamin of Mount Hobson Group, dated May 2018.

Report title	Author	Dated
Assessment of landscape and visual effects	Kensington planning and landscape consultants	7 June 2018
Western Springs Pine Trees Arboricultural Assessment	David Stejskal, Senior Tree Asset and Horticulture Supply Specialist, Community Facilities, Auckland Council	June 2018
Memorandum	Gerald Collett, Geotree Ltd	28 May 2018
Western Springs Pine Tree Removal Specification of Work	-	March 2019
Western Springs Pine Clearance – Erosion and Sediment Control Plan	Ridley Dunphy Ltd	24 January 2019
Forest Health Reference Laboratory – Pathology Report	Scion	30/08/2018
Geotechnical Investigation Report	Geoconsult Ltd	03/06/2016
Additional geotechnical investigation report	Geoconsult Ltd	17 October 2018
Western Springs Park Pine removal- Geotechnical – LUC60321424	Geoconsult Ltd	29 October 2018
Western Springs Pine Tree Removal – Compliance with Noise Limits	Styles Group Ltd	11 June 2018
Ecological Assessment And Management Plan For The Proposed Removal Of Pines At Western Springs Park	Wildlands Ltd	June 2016 (revised February, May and June 2018)
Lizard Management Plan For Pine Removal At Western Springs Park	Wildlands Ltd	December 2018



Western Springs Forest Archaeological Assessment	Russell Foster and Associates	March 2015
Report on Tree Health in Western Springs June 2018	Chris Inglis Forest Health Advisor SPS Biosecurity Ltd	June 2018
Archaeological Assessment at the proposed pine tree removals at Western Springs for S92 Response	Brent Druskovich – Consultant Archaeologist	28 September 2018
Ecological Management Plan for the proposed removal of pines at Western Springs Park	Wildlands Limited	April 2019

Drawing title	Author	Dated
Overall Site Plan and Erosion and Sediment Control Plan Revision E	Ridley Dunphy Ltd	24/01/2019
ESCP Standard Details Sheet 2 of 3	Ridley Dunphy Ltd	30.05.2018
ESCP Standard Details Sheet 3 of 3	Ridley Dunphy Ltd	30.05.2018
Proposed management units	Wildland Consultants	05/05/2016
Priority areas for protection in the Western Springs pine block, Western Springs Park	Wildland Consultants	11/03/2019
Proposed planting areas and locations of bait stations within Western Springs pine forest	Wildland Consultants	3/05/2018
Location of lizard savage area and proposed relocation sites in the Western Springs pine block	Wildland Consultants	14/08/2018

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$990 inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.

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



Pre-construction⁶ conditions

Community Information and Communications

Community Liaison Group

- 3A. No later than one (1) month following the commencement of this consent, the consent holder shall establish a Community Liaison Group (CLG).
- 3B. The members of the CLG shall comprise:
- a. An independent Chairperson, to be appointed by the consent authority in consultation with members of the CLG for a term of two years (unless the CLG otherwise agrees the term should be extended);
 - b. A representative of the consent holder;
 - c. A representative of Auckland Council (as consent authority); and
 - d. Any of the following persons/groups who wish to be part of the CLG, following invitation by the consent holder (which shall be extended no later than two (2) weeks following the commencement of this consent):
 - i. Community Services / Parks and Places;
 - ii. Western Springs Stakeholders (including Auckland Zoo and MOTAT);
 - iii. Up to two (2) members from the Society for the Protection of Western Springs Forest Incorporated 2736092 (Society);
 - iv. The person appointed under Condition 8; and
 - v. A non-Society representative of the adjoining owners/occupiers of residential properties.
- 3C. The CLG may jointly request the attendance of other persons at CLG meetings.
- 3D. The purpose of the CLG is to:
- a. Provide a means for all parties to give and receive regular updates on progress with the project, including implementation of the Ecological Management Plan;
 - b. Provide a regular forum through which information about the project, including implementation of the Ecological Management Plan, can be provided to representatives of the community; and
 - c. Enable concerns and issues to be reported to the consent holder.
- 3E. The consent holder shall:
- a. Send the CLG copies of documents referred to in condition 4 or advise the CLG when the website is updated.
 - b. Be responsible for co-ordinating the formation of the CLG and ensuring that the first meeting of the CLG occurs no later than six weeks following consent being granted;
 - a-c. Provide reasonable administrative support for the CLG, including organising meetings at a local venue, inviting all CLG members, distributing an agenda to each CLG member, and taking and disseminating meeting minutes;



- d. Ensure that at the first meeting of the CLG, members discuss and determine the following administrative matters (all of which may be reviewed by the CLG from time to time):
 - i. The appointment of an independent Chairperson;
 - ii. The frequency of CLG meetings;
 - iii. The duration of the CLG /-when the CLG will terminate;
 - iv. How change in membership of the CLG will be determined;
 - v. A mechanism by which members of the community will be able to contact the Chairperson of the CLG to identify matters of concern;:
 - vi. A mechanism by which members of the CLG will be able to consider terminating the CLG.
- e. Respond to all issues/queries/requests raised by the CLG and advise how their issues/queries/requests have been resolved and if not resolved, the reasons why.

Project Website

4. Prior to the commencement of works on the site the consent holder shall:
 - i. Establish a specific project website (or webpage) for the project.
 - ii. Provide to all submitters the address of the website and make the address available on the internet (e.g. via Auckland Council news site OurAuckland and Waitemata Local Board social media pages) and display it prominently on the site information boards.
 - iii. The website shall include access to the following documents once certified by the Council:
 - Specification of Works;
 - Ecological Management Plan;
 - Construction Management Plan;
 - Land Management Plan; and the
 - Chemical Treatment Plan (if necessary);
 - Construction Traffic Management Plan; and
 - Construction Noise and Vibration Management Plan;
 - Lizard Management Plan;
 - The Bat Survey evidence (as required by condition 36);
 - The updated Overall Site Plan and Erosion and Sediment Control Plan (as required by condition 38);
 - The updated geotechnical report (as required by condition 38A) and the geotechnical written verification (as required by condition 56); and
 - Fauna survey and salvage operations report (as required by condition 71).



- iv. The consent holder shall notify Council's Team Leader Monitoring (Central), in writing, within 5 days of the establishment of the website.
5. The project website shall contain updated project information at the end of Day 1, Day 3, Day 5 and thereafter on a weekly basis. The specific purpose of each update is to demonstrate that the pine removal methodology is meeting the requirements of the Ecological Management Plan.

Interested Parties Database

6. Prior to the works commencing, an email database of submitters, interested stakeholders and residents shall be established by the consent holder and notification and project updates shall be sent directly to them and to the Council's Team Leader Monitoring (Central) on Day 2, Day 4, Day 6 and thereafter on a weekly basis.
7. A copy of the email database shall be provided to Council's Team Leader Monitoring (Central) prior to the works commencing.

Community Liaison Contact

8. Prior to the commencement of the works, the consent holder shall engage a suitably qualified person in a community liaison role for the project. This person shall be the main and readily accessible point of contact for persons interested in the project and shall be available from 8am to 8pm on each work day for the duration of the project. The liaison phone number and email address shall be recorded in the Construction Management Plan and shown on the project website and on-site signage.

Updated Ecological Management Plan

9. Prior to works commencing, the consent holder shall provide an updated copy of the Ecological Management Plan (EMP) to Council's Team Leader Monitoring (Central) for certification that it meets the objectives set out in Section 2 of *Ecological Management Plan for the Proposed Removal of Pines at Western Springs Park* Wildlands Consultants Contract Report No. 3421b April 2019.
10. The updated EMP must set out a clear priority of outcomes which directs decisions made at the micro-level, such that each pine tree has a specific felling and disposal prescription, approved by the supervising ecologist, and that has as its top priority avoidance and minimisation of damage to the understorey. This prescription is subject to the health and safety of project staff in the park.
11. The updated EMP shall be prepared in consultation with Auckland Zoo and the Society's ecological expert, with evidence of this consultation provided within the EMP. The updated EMP shall ~~also~~ be prepared in accordance with Auckland Council's best practice pest animal and plant control methodology in relation to Local Parks, and any Local Board policies on the use of agrichemicals.



12. The EMP shall be updated so that reference is made to a requirement that all contractors are appropriately qualified and experienced professionals. It shall also be updated to:

a) reflect the updated Overall Site Plan required by condition 38;

a) provide for the retention of some totems along the existing walking track to create habitats for invertebrates and kingfishers and if/where appropriate 'weta motels'.

Construction Management Plan (CMP)

42.13. Prior to the commencement of construction activity, the consent holder shall submit a finalised Construction Management Plan (CMP) to the Council's Team Leader Monitoring (Central) for certification. No construction activity shall commence until confirmation is provided from the council that the CMP satisfactorily meets all measures identified in that plan as needing to be put in place prior to commencement of works and the CMP is certified. The CMP required by this condition shall include specific details relating to the management of all construction activities, including:

- a) Details of the site or project manager and the construction liaison person, including their contact details (phone, postal address, email address);
- b) An outline construction programme;
- c) The proposed hours of work;
- d) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal / storage of rubbish, the storage and unloading of construction materials and similar construction activities;
- e) Location of site infrastructure including site offices, site amenities, contractors' yards site access, equipment unloading and storage areas, contractor car parking, and security;
- f) Procedures for controlling sediment run-off, dust and the immediate removal of soil, debris, demolition and construction materials (if any) from public roads or places adjacent to the work site;
- g) Evidence of consultation with MOTAT regarding the preparation of this CMP, identifying ways in which disruption to its ongoing operations and activities has been avoided, remedied or mitigated;
- h) Procedures for ensuring that MOTAT will be or has been given prior notice (at least 10 working days in advance) of the commencement of works and are informed about the expected duration and effects of those works;
- i) Means of ensuring the health and safety of the general public, having particular regard to the general public accessing and utilising Western Springs Park, MOTAT and surrounds;
- j) Procedures for the management of works which directly affect or are located



in close proximity to existing network utility services;

- k) Procedures for responding to complaints about construction activities, including through the project website.

~~13.14.~~ Site works vehicles are restricted from obstructing access and loading/unloading of buses and other vehicles associated with the educational programmes run from MOTAT via Stadium Road. Clear access for these vehicles is required between 8.30am and 10.30am, and 1.30pm and 3.30pm Monday to Friday during school term times.

~~14.15.~~ The consent holder shall implement the ~~approved-certified~~ CMP for the duration of the construction works and keep an updated copy at the site.

Land Management Plan

~~15.16.~~ Prior to commencement of construction works, the consent holder shall submit an updated Land Management Plan (LMP) to Council's Team Leader Monitoring (Central) for certification. The LMP shall include specific details with regard to avoiding, remedying or mitigating adverse effects on the environment of earthworks and the management of all works associated with the development as follows:

- a. Details of the Site Manager, including 24 hour contact details (telephone, email and postal address);
- b. The location of a large notice board on the site visible from a public place that clearly identifies the name, telephone number, email and address for service of the Site Manager;
- c. Ingress and egress to and from the site for vehicles and construction machinery during the Works period;
- d. Location of wheel-wash facilities;
- e. Proposed hours of work on the site (noting the working hours authorised by this consent);
- f. Procedures for ensuring that the owners and/ or occupants on properties adjacent to the works are given prior notice of the commencement of activities and are informed about the expected duration of works and potential effects of the works (e.g. noise associated with the activities);
- g. Any temporary protection measures that need to be installed to ensure that there shall be no damage to public roads, footpaths, berms, kerbs, drains, or other public assets as a result of the earthworks and construction activities; and
- h. Any other details of the intended Works programme.

~~16A.~~ The consent holder shall implement the certified LMP to the satisfaction of Council's Team Leader Monitoring (Central).



Construction Noise and Vibration Management Plan

~~46.17.~~ The consent holder shall prepare a Construction Noise and Vibration Management Plan (CNVMP). The CNVMP shall identify the best practicable option for management and mitigation of all construction noise and vibration. The CNVMP shall as a minimum include but not be limited to the following information:

- a. Construction noise and vibration limits;
- b. Identification of the most affected premises where there exists the potential for noise/vibration effects;
- c. Description and duration of the works, anticipated equipment and the processes to be undertaken;
- d. Hours of operation, including specific times and days when construction activities causing noise/vibration would occur;
- e. Mitigation options where noise/vibration levels are predicted or demonstrated to approach or exceed the relevant limits. Specific noise/vibration mitigation measures must be implemented which may include but are not limited to; acoustic screening, time management procedures and alternative works method technologies;
- f. The erection of temporary construction noise barriers where appropriate;
- g. Schedule and methods for monitoring and reporting on construction noise/vibration;
- h. Details of noise/vibration monitoring to be undertaken or in the event of any complaints received. The results of such monitoring shall be submitted to council within one week of receiving the complaint;
- i. Implementation of a complaint management system with contact numbers for the community liaison person and key construction staff responsible for the implementation of the CNVMP and complaint investigation. This system should include procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling of noise/vibration complaints, including through the project website;
- j. Notification shall be provided to the owners and occupiers of adjacent buildings prior to construction activities commencing on the site; **and**

k. Training procedures for construction personnel; **and**

l. The completion of before and after external building condition surveys with respect to dwellings at 14, 16, 18, 20, 22, 24, 26 and 28 Westview Road (unless the owner of one of those properties has confirmed they do not require a survey or a reasonable attempt has been made to contact the owner to carry out a survey, and agreement has not been obtained), such surveys:

- To be undertaken by a suitably qualified independent engineering professional or suitably qualified independent building surveyor; and**
- To be provided to the Council's Team Leader Monitoring (Central)**



• To include:

- a description of the type of foundations.
- existing levels of damage considered to be aesthetic or superficial in nature;
- existing levels of damage considered to affect the serviceability of the building where visually apparent without recourse to intrusive or destructive investigation;
- an assessment as to whether existing damage may or may not be associated with actual structural damage and an assessment of the susceptibility of the buildings/ structures to further movement and damage;
- photographic evidence of existing observable damage.—

17.18. The CNVMP shall be submitted to the Council's Team Leader Monitoring (Central) for certification prior to commencement of the works. The consent holder shall implement the approved CNVMP for the duration of the construction works and keep an updated copy at the site.

Construction Traffic Management Plan

18A. A Construction Traffic Management Plan (CTMP) shall be prepared in consultation with MOTAT and shall describe the measures that will be taken to avoid, remedy or mitigate the traffic effects associated with the proposed works.

In particular, the CTMP shall describe:

- (a) Traffic management measures to maintain traffic capacity or minimise the impact on traffic capacity during weekdays and weekends;
- (b) Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses;
- (c) Methods to manage the effects of the removal of material, and delivery and removal of plant and machinery;
- (d) Measures to maintain existing vehicle access to property where practicable, or to provide alternative access arrangements;
- (e) Measures to maintain pedestrian and cyclist movements and reduce the impact on mobility impaired users on roads and footpaths in the vicinity of the works. Such access shall be safe, clearly identifiable and seek to minimise significant detours;
- (f) Measures to manage any potential effects on children at / around education facilities, and children and the general public around MOTAT;
- (g) Measures to manage any potential construction traffic related effects on pedestrians and/or traffic associated with any events within MOTAT's site;
- (h) Any proposed monitoring to measure the impact of the works on traffic and the impact of the traffic management measures. If safety or operational



issues are evident, measures to be implemented to address these issues;

- (i) Measures to manage the proposed access to the site should the access be unable to cater for two-way traffic passing at the same time, and in particular to minimise reverse movements and blocking of the road;
 - (j) The availability of on-street and off-street parking. This shall include an assessment of available parking for contractors on street and identify measures to meet and/or reduce contractor parking demand should it be found that there is insufficient on-street parking to meet this demand; and
 - (k) Evidence of consultation undertaken with MOTAT in preparing the TMP.
19. The CTMP shall be submitted to the Council's Team Leader Monitoring (Central) for certification prior to commencement of the works. The consent holder shall implement the approved CTMP for the duration of the construction works and keep an updated copy at the site.

Pre-Start Meeting

20. Prior to the commencement of the earthworks activity, the consent holder shall hold a pre-start meeting that:
- is located on the subject site;
 - is scheduled not less than five days before the anticipated commencement of earthworks;
 - includes representation from Auckland Council compliance officer[s], Development Engineer, Arborist, Ecologist and Earthworks Engineer; and
 - includes representation from the contractor who will undertake the works as well as the appointed arborist, archaeologist, contractor, ecologist, erosion and sediment control specialist and geotechnical engineer.

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

- Timeframes for key stages of the works authorised under this consent;
- Resource consent conditions;
- Land Management Plan; and Chemical Treatment Management Plan (if necessary)
- Traffic Management Plan
- Construction Management Plan
- Construction Traffic Management Plan
- Construction Noise and Vibration Management Plan
- Ecological Management Plan
- Specification of Works, including the accompanying updated Overall Site Plan



- Control of noise and vibration
- Complaints procedure

Advice note: In regard to earthworks, the meeting shall discuss the erosion and sediment control measures, the earthworks methodologies and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

Advice note: A pre-start meeting shall be held prior to the commencement of the earthworks activity between October 1 and April 30 that this consent is exercised.

Advice Note: To arrange the pre-start meeting required by this condition please contact Council's Team Leader Monitoring (Central) on monitoring@aucklandcouncil.govt.nz, or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.

21. No earthworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Council's Team Leader Monitoring (Central) at least two weeks prior to 30 April of any year. Stabilisation is to be completed by 30 April in accordance with measures detailed in Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).
22. Prior to earthworks commencing, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Council's Team Leader Monitoring (Central), to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in Condition 1 of this consent and the certified Land Management Plan.
23. Certified controls shall include the earth bunds, stabilised construction entrance, and any earth bunds, silt fences, super silt fences and diversion channels/bunds required. Certification for these measures shall be supplied prior to earthworks commencing and only once written approval from the Council's Team Leader Monitoring (Central), has been provided.

Advice Note: Erosion and sediment control construction quality checklists can be found in Appendix C of Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

Chemical Treatment Management Plan

24. Prior to the commencement of land disturbance at the site, if chemical treatment is considered necessary, a Chemical Treatment Management Plan shall be submitted for the written approval of the Council's Team Leader Monitoring (Central). The plan shall include as a minimum:
 - a) Methodologies and procedures for batch dosing of any impoundment devices constructed for sediment control purposes on site;
 - b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);



- c) Details of optimum dosage (including assumptions);
 - d) Results of initial chemical treatment trial;
 - e) A spill contingency plan; and
 - f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.
25. All perimeter controls shall be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site itself shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

Lizard Management Plan

26. The consent holder shall undertake lizard survey and salvage in accordance with the Lizard Management Plan (**LZMP**) titled "*Lizard Management Plan For Pine Removal At Western Springs Park*" prepared by Wildlands Ltd and dated December 2018 and to the satisfaction of Council's Team Leader Monitoring (Central).
27. A suitably qualified and experienced ecologist/herpetologist engaged by the consent holder to oversee the implementation of the **LZMP** shall certify that the lizard related works have been carried out according to the **LZMP** within two weeks of completion of the vegetation clearance works to the Council's Team Leader Monitoring (Central). A copy of the certification required by this condition shall be provided to the CLG.
28. All works on site must comply with the **Lizard Management Plan LZMP** and to the satisfaction of Council's Team Leader Monitoring (Central).
29. The control of rodents and hedgehogs shall be undertaken within the proposed relocation site at least 6 weeks prior to capture and transfer of any lizards to the satisfaction of Council's Team Leader Monitoring (Central). This control shall consist of an array of bait stations and kill traps deployed on a 15 metre grid. All control devices shall be checked and serviced on a monthly basis for a minimum of 2 years if any lizards are translocated and to the satisfaction of Council's Team Leader Monitoring (Central).

Restrictions on tree felling and removal during bird breeding season

30. Where tree felling and removal activity is to be undertaken during the bird breeding season stretching from August to March (inclusive), an appropriately qualified and experienced specialist ecologist must check for nesting native birds prior to felling. The specialist ecologist will survey any vegetation scheduled for removal within 48 hours before felling to identify any active native bird nests.
31. Surveys will involve a visual inspection of all vegetation to be cleared. Binoculars will be used to ensure cavities and hollows (morepork and kingfishers) and higher branches can be monitored for activity.



32. Where nests are located, they will be monitored for activity (e.g. adults coming and going or mobbing behaviour) and obvious noise or vocalisations (e.g. begging chicks) to determine whether they are active.
33. Where a cavity is identified and the specialist ecologist is not able to determine whether it is being utilised for nesting, an acoustic recorder and a motion activated camera will be deployed to monitor the cavity entrance in an effort to confirm the presence of cavity nesting species (e.g. morepork and kingfishers). Both devices will be left out for a minimum of 72 hours. The devices shall only be installed if it is considered safe and practicable to do so by the appointed works arborist.
34. If an active nest is identified either during the visual inspection or during the camera and acoustic recorder survey, this will trigger the requirement for all vegetation removal within 20 m of that nest to cease to the satisfaction of Council's Team Leader Monitoring (Central) and until the specialist ecologist has confirmed that the nest has either failed or the chicks have fledged. This area shall be clearly demarcated to ensure the vegetation is not accidentally felled.
35. Evidence that the above measures have been undertaken shall be supplied in writing to Council's Team Leader Monitoring (Central).

Bat survey

36. Prior to tree clearance, an acoustic presence/ absence bat survey will be undertaken across the works footprint by a suitably qualified and experienced ecologist as follows:
- Acoustic recorders will be deployed across the site, on the bush edge and near large trees scheduled for removal.
 - Acoustic recorders will be deployed between September and April (inclusive), or when the minimum nightly temperatures are regularly above 10°C, to avoid colder months when bats enter torpor.
 - Acoustic recorders will be set to record for one hour before sunset and one hour after sunrise and deployed for a minimum of two weeks at each location.
 - If bats are not recorded during the bat presence/absence survey, tree clearance can be undertaken with no further bat management requirements.
 - If long-tailed bats are recorded during the preliminary survey, this will trigger the requirement for a bat management plan, that includes roost assessment and pre-clearance surveys in the area, prepared by a suitably qualified and experienced ecologist.
37. Evidence that these measures have been undertaken and the results of the survey shall be supplied in writing to Council's Team Leader Monitoring (Central) for review and confirmation in consultation with appropriately qualified specialist.

A copy of the evidence required by this condition shall be provided to the CLG.



Specification of Works

38. The consent holder shall provide a finalised Specification of Work report that includes a finalised work methodology (consistent with that set out in the draft Specification of Works and Wildlands EMP), for tree protection and any protective fencing requirements and installation to Council's Team Leader Monitoring (Central) for certification. The Specification of Work shall include specific details of how the four priority areas for protection and mature indigenous trees, and vegetation in Area 1 (shown on Figure 2 and Figure 3 of the Wildlands Ecological Management Plan dated March 2019) shall be protected during the works (e.g. by marking trees/areas with tape), and specific details how the specific felling and disposal of each tree will be undertaken to prevent and minimise damage to the understorey, as set out in Condition 10. The consent holder shall prepare an updated version of the Overall Site Plan and Erosion and Sediment Control Plan, Revision E, Ridley Dunphy Ltd, dated 24/01/2019, for inclusion in the finalised Specification of Works, showing the final alignment of the access track and related features (e.g. skid sites, culverts and slash bunds) (Overall Site Plan). The updated Overall Site Plan shall be prepared in consultation and following a site walkover with the Society's expert ecologist. A copy of the specification shall be kept on site at all times. The updated report and recommendations shall be provided to the CLG.

Updated Geotechnical Report

- 38A. Prior to commencing work, the consent holder shall provide the Council's Team Leader Monitoring (Central) with an updated version of the Geoconsult Ltd report dated 17/10/2018 and referenced GH676.1, taking into account the finalised Specification of Works and updated Overall Site Plan certified in accordance with condition 38. The updated report and recommendations shall be to the satisfaction of the Council's Team Leader Monitoring (Central). The updated report and recommendations shall be provided to the CLG.

Independent Arborist and Ecologist

39. The consent holder shall employ a suitably qualified independent ecologist and a suitably qualified independent arborist to monitor, direct and supervise the tree removal works as provided for in the EMP. The details of the independent ecologist and arborist shall be provided in writing to Council's Team Leader Monitoring (Central) in writing within 5 days of employment. All works shall be undertaken in consultation with Council's Team Leader Monitoring (Central) and to the satisfaction of Council's Team Leader Monitoring (Central).
40. Prior to works commencing, there shall be a pre-commencement meeting on site with the consent holder, the project manager/site foreman and the consent holder's appointed independent supervising ecologist and arborist, the Council arborist and Council's Team Leader Monitoring (Central). This meeting shall discuss the proposed work, how it is to be done, specific tree protection, protective fencing requirements and installation.

The independent ecologist and arborist shall be on-site throughout tree removal activities and prepare the daily and weekly reports as described in Conditions 5



and 6 confirming the tree removal works undertaken and how the removal methodology set out in the Specification of Works and EMP has been implemented.

42. A Council Arborist responsible for the tree asset and Council's Team Leader Monitoring (Central) shall be invited to the pre-commencement meeting. The consent holder shall give Council's Arborists and Council's Team Leader Monitoring (Central) ten (10) working days prior notice of the intended date of the meeting.

Archaeological Site Management

43. A site works briefing shall be provided by the consent holder's archaeologist to all contractors prior to work commencing on the site. This briefing shall provide information to the contractors proposed to be engaged on the site regarding what constitutes historic heritage materials; the legal requirements of unexpected historic heritage discoveries; the appropriate procedures to follow if historic heritage materials are uncovered whilst the project historic heritage expert is not on site, to safeguard materials; and the contact information of the relevant agencies (including the project historic heritage expert, the Council's Team Leader Monitoring (Central), the Auckland Council Heritage Unit and Heritage New Zealand Pouhere Taonga) and mana whenua. Documentation demonstrating that the contractor briefing has occurred shall be provided to Council's Team Leader Monitoring (Central) prior to work commencing on the site.

During Construction

Earthworks

44. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the LMP ~~or~~ and by the Erosion and Sediment Control Plan referred to in Condition 1 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
45. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the storm water drainage system, watercourses or receiving waters.

Advice Note: In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*



- silt and sediment traps
- catchpit protection

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned. It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring Central for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

46. The site shall be continually stabilised against erosion throughout the earthworks phase of the project. Earthworks shall be sequenced, if necessary, to minimise the discharge of contaminants to surface water. ~~*Advice Note:*~~ Stabilisation measures may include:
- the use of waterproof covers, geotextiles, or mulching
 - top-soiling and grassing of otherwise bare areas of earth
 - aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward

Advice Note:

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring Central for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

47. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.
48. All machinery associated with the earthworks activity shall be operated in a way, which ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented.

Dust

49. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Council's Team Leader Monitoring (Central), is noxious, offensive or objectionable.

Construction hours, noise and vibration

50. The consent holder shall ensure that the tree felling and processing activities are only undertaken between the hours of 7.30am – 6pm Monday to Friday (excluding Public Holidays).

Construction works shall not exceed 75 dB LAeq and 90 dB LAFmax measured or assessed at 1m from any occupied building located on any other site. An



occupied building is where people occupy the space whilst the works are in progress.

52. The consent holder shall ensure that prior to the use of any chainsaw within 18 metres of the facade of any dwelling:
- (i) Consultation with the occupier of the dwelling is carried out to agree upon a suitable date/time that the works within 18 metres can be undertaken when the dwelling is vacant; or
 - (ii) Alternative noise mitigation or works methodology shall be implemented in order to achieve compliance.
53. Construction works shall not be undertaken within 50m of the Western Springs Stadium site western boundary when the site is being used for any noise sensitive activity but does not include motorsports, concerts or music events where the receivers are more than 50m away from the western boundary of the stadium.
54. Where works on the site are creating vibrations, that in the opinion of the Council's Team Leader Monitoring (Central), constitute an unreasonable disturbance beyond the boundaries of the subject site that may exceed the AUP(OP) permitted vibration standard, the consent holder shall cease works until a suitably qualified expert has been engaged to undertake monitoring of the works and provide confirmation that peak particle velocities measured on any foundation or uppermost full storey of any building not located on the subject site, do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part 3:1986 "Structural Vibration in Buildings – Effects on Structures."

Geotechnical

55. All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such instability or collapse does occur, it shall immediately be rectified.
56. Earthworks shall follow the recommendations contained in the updated version of Geoconsult Ltd report dated 17/10/2018 and referenced GH676.1 required by condition 38A. The consent holder shall provide verification in writing from an engineer to Council's Team Leader Monitoring (Central), that the recommendations of the updated Geoconsult Ltd report have been implemented on site. This shall be provided no later than one week after the earthworks necessary to establish access and landing areas have been completed. All details in the written statement shall be to the satisfaction of Council's Team Leader Monitoring (Central). A copy of the written verification required by this condition shall be provided to the CLG.

Archaeological features

- 56-57. A suitably qualified archaeologist shall be on site during the formation of the access track and landing areas to monitor the earthworks.
- 57-58. If, at any time during site works, potential koiwi (human remains), archaeology or



artefacts are discovered, then the following discovery protocol is to be followed:

- All earthworks will cease in the immediate vicinity (at least 10m from the site of the discovery) while a suitably qualified archaeologist is consulted to establish the type of remains.
- If the material is identified by the archaeologist as human, archaeology or artefact, earthworks must not be resumed in the affected area (as defined by the archaeologist). The consent holder must immediately advise Council's Team Leader Monitoring (Central), Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.
- If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from the relevant Mana Whenua group are to be provided information on the nature and location of the discovery.

58-59. The consent holder shall not recommence works until approved by the Council's Team Leader Monitoring (Central).

59-60. The relevant Mana Whenua groups shall be given the opportunity to monitor the earthworks and conduct karakia and other such religious or cultural ceremonies and activities as are appropriate.

Including Unrecorded Historic Heritage Sites within the Cultural Heritage Inventory

60-61. In the event that any unrecorded historic heritage sites are exposed as a result of consented work on the site, then these sites shall be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holder's historic heritage expert shall prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to Council's Team Leader Monitoring (Central) within one calendar month of the completion of work on the site.

Tree Protection Measures

61-62. All tree works proposed shall be undertaken in accordance with, but not limited to, the Specification of Works in Condition 38. The consent holder shall ensure that all contractors, sub-contractors, and workers engaged in all activities covered by this consent are advised of the tree protection measures as certified in the Specification of Works report required by Condition 38 above and operate in accordance with them.

Kauri contamination zone

62-63. As New Zealand kauri trees (*Agathis australis*) (and soil and material surrounding them) may contain the pathogen that causes kauri dieback (*Phytophthora agathidicida* (formerly PTA)) strict hygiene procedures are required when works occur on or around kauri trees so as to avoid the spread of kauri dieback. All vegetation, soil, and other material from within a "kauri contamination zone" (defined as 3 (three) x the radius of the canopy dripline of any kauri tree) must remain on site or be taken to an approved landfill facility



Advice Note: For further information please contact the Kauri Dieback Programme on 0800 NZ KAURI (69 52874) or visit the website www.kauridieback.co.nz.

Advice Note: Guidance on the location of approved landfill facilities can be found in the Ministry for Primary Industries guidance titled: Landfill disposal of contaminated material at website: www.kauridieback.co.nz.

Removing material from the site

63-64. Any material (including soil) from within the "kauri contamination zone" which is to be removed to an approved landfill facility must then be buried within the ground. Where the material is to be loaded onto the back of an open top vehicle, the material must be covered with a tarpaulin (or similar) to prevent the material from leaving the vehicle whilst it is in motion. After the material has been emptied from the truck, the areas of the truck which were previously exposed to the material and the tarpaulin must be thoroughly washed with Sterigene (or other suitable agent) prior to the truck or tarpaulin being used for the transportation of any other material.

All equipment to be cleaned

64-65. All footwear, clothing, tools, vehicles and equipment used on site must be cleaned of all soil, vegetation, or other material that has, or may have, come from a kauri contamination zone and must be thoroughly washed with Sterigene (or other suitable agent) on entry and exit from the site, on every occasion, to avoid the spread of kauri dieback (*Phytophthora agathidicida* (formerly PTA)).

Advice Note: Further advice can be found within the guidelines titled 'Hygiene Procedures for Kauri Dieback' and 'Procedures for Tree Removal and Pruning' published by the Ministry for Primary Industries Kauri Dieback Management Programme which can be found at www.kauridieback.co.nz or copies can be obtained from Auckland Council.

*General Advice Note: The pathogen that causes kauri dieback (*Phytophthora agathidicida* (formerly PTA)) is classified as an unwanted organism under the Biosecurity Act 1993 and in accordance with section 52 of that Act no person shall knowingly communicate, cause to be communicated, release, cause to be released, or otherwise spread the organism.*

Post Tree Removal Works

Earthworks

65-66. Upon completion or abandonment of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of Council's Team Leader Monitoring (Central). ~~*Advice Note: Should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:*~~

~~*66. the use of mulching*~~

~~*67. top soiling, grassing and mulching of otherwise bare areas of earth*~~



~~68. aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.~~

Written notice of completion of the stabilisation works must be provided to the Council's Team Leader Monitoring (Central) and a copy of the notice provided to the CLG.

Advice Note: The on-going monitoring of these measures is the responsibility of the consent holder. It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring Central, for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

Access ~~road~~track, processing areas and culvert removal

~~69-67.~~ Within 3 months of pine tree removal being completed, the access track, culverts and landing/chipping areas shall be ~~removed- disestablished~~ and the area returned to the same general topographical formation as existed prior to the works being undertaken. Indigenous planting in accordance with Condition 68 below shall be undertaken in these areas.

Implementation of the Ecological Management Plan

~~70-68.~~ Within the first planting season (May-August) following the completion of the pine tree removal activity, the Consent Holder shall commence implementing the certified ~~Ecological Management Plan~~ EMP. Planting shall be in general accordance with Figure 4 and Plant Schedule for Western Springs Pine Forest of the Wildland's Ecological Management Plan ~~dated March 2019~~ as updated in accordance with condition 9.

~~71-69.~~ Implementation of the EMP may be staged but the full spatial extent of planting must be implemented within the first planting season following removal of the trees. This planting must be maintained thereafter in accordance with the EMP and achieve the specified composition of 90% cover of woody vegetation within 5 years, excluding areas directly occupied by felled pine and tree stumps. At the end of the 5-year period, should the outcomes envisaged by the EMP not be achieved, the consent holder shall extend the maintenance period and continue to implement the EMP Plan until 90% cover of woody vegetation has been achieved to the satisfaction of the Team Leader, Monitoring (Central).

~~72-70.~~ Maintenance, pest plant and pest animal control shall be undertaken in accordance with the EMP. Pest animal and pest plant control shall continue in perpetuity after the first year of planting.

~~73-71.~~ A report from the independent supervising ecologist detailing the results of all fauna survey and salvage operations shall be submitted to Council's Team Leader Monitoring (Central) following tree removal detailing activities associated with bird management, including:

- Date and time of fauna surveys



- If active bird nests were observed, and if nests failed or chicks fledged.

Date of vegetation clearance.

A copy of the fauna survey and salvage operations report required by this condition shall be provided to the CLG.

Annual Restoration Plan Report

- 74.72. The consent holder shall provide an annual report, to Council's Team Leader Monitoring (Central), at the end of each planting season following completion of the pine tree removal activity for a five-fifteen (15) year period.
73. The purpose of this annual report is to detail the outcomes of the pine removal and actions to prevent and minimise damage to the understorey, to detail progress towards achieving the goal and objectives set out in Section 2 of the Wildlands Ecological Management Plan dated March 2019, and to determine the health of the newly planted tree and shrub species and monitor the progress of the site-wide restoration and rehabilitation activities, and provide any recommendations for adaptive management. ~~At the end of the 5 year period, should the outcomes envisaged by the EMP not be achieved, the consent holder shall extend the maintenance period and continue to implement the EMP Plan until 90% cover of woody vegetation has been achieved to the satisfaction of the Team Leader, Monitoring (Central).~~

Retention of certain managed trees

74. At the time this consent is implemented the consent holder shall retain the ~~fox~~ trees and the totems identified on drawing Map #A dated 12/09/2019 entitled 'Retained Trees and Totems'.

Re-opening of walking track

75. The consent holder shall re-open the existing walking track within the forest as soon as reasonably practicable following completion of the tree removal works. The consent holder shall notify the Council's Team Leader Monitoring (Central) and the CLG in writing when this occurs.

Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.

~~9. If you as the applicant disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management~~



~~Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).~~

- 4.3. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
- 5.4. If evidence of unexpected contamination (e.g. refuse/asbestos, discoloured, stained or odorous soil or groundwater) is discovered during any earthworks, the consent holder shall immediately cease the works and notify the Team Leader Compliance Monitoring, Central Resource Consenting & Compliance, Auckland Council, and engage a suitably qualified and experienced practitioner (SQEP) to carry out site investigation and agree on appropriate remediation and validation actions.
- 6.5. Accidental Discovery Rule - Should earthworks on the site result in the identification of any previously unknown archaeological site, the land disturbance – District Accidental Discovery rule [E12.6.1] set out in the Auckland Unitary Plan Operative in part (14 September 2018) shall be applied.
- 7.6. The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the Auckland Unitary Plan Operative in part (November 2016).
- 8.7. According to the Act (section 6) archaeological site means, subject to section 42(3) –
- any place in New Zealand, including any building or structure (or part of a building or structure), that –
- i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
 - b) includes a site for which a declaration is made under section 43(1)

It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary Authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals.



For information please contact the Heritage New Zealand Pouhere Taonga
Northern Regional Archaeologist – 09 307 0413 /
archaeologistMN@historic.org.nz.

9.8. *Protected Objects Act 1975 - Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act).*

According to the Act (section 2) taonga tūturu means an object that –

- a) relates to Māori culture, history, or society; and*
 - b) was, or appears to have been –*
 - i) manufactured or modified in New Zealand by Māori; or*
 - ii) brought into New Zealand by Māori; or*
 - iii) used by Māori; and*
- is more than 50 years old*

The Act is administered by the Ministry of Culture and Heritage. Tāonga may be discovered in isolated contexts, but are generally found within archaeological sites. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the modification of an archaeological site should to be considered by the consent holder if tāonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014.

It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum (for Auckland this is the Auckland War Memorial Museum), which shall notify the chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu; alternatively provided that in the case of any taonga tūturu found during the course of any archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification shall be made within 28 days of the completion of the field work undertaken in connection with the investigation.

Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court.

For information please contact the Ministry of Culture and Heritage – 04 499 4229 / protected-objects@mch.govt.nz





Legend

- Tree
- Totem
- Walking track

Envivo Tree No.	Action (see also the notes below)
884	Reduce to 3m totem
898	Reduce to approx. half height
901	Reduce to 3m totem
902	Reduce to 3m totem
903	Reduce to 3m totem
904	Remove long uppermost horizontal limb
933	Reduce to 3m totem
935	Leave as is
936	Overtops two totara. Retain tree unless otherwise directed by independent ecologist
938	Reduce to 3m totem
940	Reduce to 3m totem
941	Leave as is
942	Reduce to approx. half height (to below the co-dominant fork)
952	Reduce to 2m totem (leans toward track)
972	Reduce to 3m totem
973	Retain unless otherwise directed by independent ecologist

Notes:

- The actions above may be subject to change during the works at the discretion of the independent arborist in consultation with the independent ecologist and project contractor (e.g. safety reasons).
- There is scope to retain occasional 3m totems elsewhere in the stand, including near the track; retention of additional 3m totems is to be determined by the independent ecologist in consultation with the independent arborist and project contractor during the works.
- Measurements detailed above are approximates only.

0 3.5 7 14
Meters

Spatial Reference
Name: NZGD 2000 New Zealand Transverse Mercator
PCS: NZGD 2000 New Zealand Transverse Mercator
GCS: GCS NZGD 2000
Datum: NZGD 2000
Projection: Transverse Mercator

Disclaimer: Tree locations are indicative only.
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All images are for illustrative purposes only and not to be used for construction purposes.

PROJECT NAME WESTERN SPRINGS PINE TREES	PROJECT # P15816
PROJECT ADDRESS 859 Great North Road	DATE 12/09/2018
MAP NAME RETAINED TREES AND TOTEMS	SCALE @ A3 1:250
	DRAWN CR
	CHECKED AH
	REV -

FILE: I:\Client\AUCKLAND COUNCIL\PAKES CENTRAL\Western Springs Pine Tree Removal - 3rd 1915, GIS\MAPS
Sourced from the LITE Data Service and licensed for reuse under the Creative Commons Attribution 4.0 International license



GREENSCENENZ
ENHANCING AND PROTECTING
LIVING ENVIRONMENTS

Annexure B



CONDITIONS

Under sections 108 and 108AA, the grant of these resource consents is subject to the following conditions:

1. The vegetation removal and associated earthworks and replanting activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number LUC60321424. Where there is any inconsistency between the information provided and these conditions, the condition shall prevail.
 - a) Application Form and Assessment of Environmental Effects prepared by Mark Benjamin of Mount Hobson Group, dated May 2018.

Report title	Author	Dated
Assessment of landscape and visual effects	Kensington planning and landscape consultants	7 June 2018
Western Springs Pine Trees Arboricultural Assessment	David Stejskal, Senior Tree Asset and Horticulture Supply Specialist, Community Facilities, Auckland Council	June 2018
Memorandum	Gerald Collett, Geotree Ltd	28 May 2018
Western Springs Pine Tree Removal Specification of Work	-	March 2019
Western Springs Pine Clearance – Erosion and Sediment Control Plan	Ridley Dunphy Ltd	24 January 2019
Forest Health Reference Laboratory – Pathology Report	Scion	30/08/2018
Geotechnical Investigation Report	Geoconsult Ltd	03/06/2016
Additional geotechnical investigation report	Geoconsult Ltd	17 October 2018
Western Springs Park Pine removal- Geotechnical – LUC60321424	Geoconsult Ltd	29 October 2018
Western Springs Pine Tree Removal – Compliance with Noise Limits	Styles Group Ltd	11 June 2018
Ecological Assessment And Management Plan For The Proposed Removal Of Pines At Western Springs Park	Wildlands Ltd	June 2016 (revised February, May and June 2018)
Lizard Management Plan For Pine Removal At Western Springs Park	Wildlands Ltd	December 2018



Western Springs Forest Archaeological Assessment	Russell Foster and Associates	March 2015
Report on Tree Health in Western Springs June 2018	Chris Inglis Forest Health Advisor SPS Biosecurity Ltd	June 2018
Archaeological Assessment at the proposed pine tree removals at Western Springs for S92 Response	Brent Druskovich – Consultant Archaeologist	28 September 2018
Ecological Management Plan for the proposed removal of pines at Western Springs Park	Wildlands Limited	April 2019

Drawing title	Author	Dated
Overall Site Plan and Erosion and Sediment Control Plan Revision E	Ridley Dunphy Ltd	24/01/2019
ESCP Standard Details Sheet 2 of 3	Ridley Dunphy Ltd	30.05.2018
ESCP Standard Details Sheet 3 of 3	Ridley Dunphy Ltd	30.05.2018
Proposed management units	Wildland Consultants	05/05/2016
Priority areas for protection in the Western Springs pine block, Western Springs Park	Wildland Consultants	11/03/2019
Proposed planting areas and locations of bait stations within Western Springs pine forest	Wildland Consultants	3/05/2018
Location of lizard savage area and proposed relocation sites in the Western Springs pine block	Wildland Consultants	14/08/2018

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$990 inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.

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



Pre-construction¹ conditions

Community Information and Communications

Community Liaison Group

- 3A. No later than one (1) month following the commencement of this consent, the consent holder shall establish a Community Liaison Group (**CLG**).
- 3B. The members of the CLG shall comprise:
- An independent Chairperson, to be appointed by the consent authority in consultation with members of the CLG for a term of two years (unless the CLG otherwise agrees the term should be extended);
 - A representative of the consent holder;
 - A representative of Auckland Council (as consent authority); and
 - Any of the following persons/groups who wish to be part of the CLG, following invitation by the consent holder (which shall be extended no later than two (2) weeks following the commencement of this consent):
 - Community Services / Parks and Places;
 - Western Springs Stakeholders (including Auckland Zoo and MOTAT);
 - Up to two (2) members from the Society for the Protection of Western Springs Forest Incorporated 2736092 (**Society**);
 - The person appointed under Condition 8; and
 - A non-Society representative of the adjoining owners/occupiers of residential properties.
- 3C. The CLG may jointly request the attendance of other persons at CLG meetings.
- 3D. The purpose of the CLG is to:
- Provide a means for all parties to give and receive regular updates on progress with the project, including implementation of the Ecological Management Plan;
 - Provide a regular forum through which information about the project, including implementation of the Ecological Management Plan, can be provided to representatives of the community; and
 - Enable concerns and issues to be reported to the consent holder.
- 3E. The consent holder shall:
- Send the CLG copies of documents referred to in condition 4 or advise the CLG when the website is updated.
 - Be responsible for co-ordinating the formation of the CLG and ensuring that the first meeting of the CLG occurs no later than six weeks following consent being granted;
 - Provide reasonable administrative support for the CLG, including organising meetings at a local venue, inviting all CLG members, distributing an agenda to each CLG member, and taking and disseminating meeting minutes;
 - Ensure that at the first meeting of the CLG, members discuss and determine the following administrative matters (all of which may be reviewed by the CLG from time to time):
 - The appointment of an independent Chairperson;
 - The frequency of CLG meetings;

¹ In this consent the term 'construction' refers to tree removal activities and related works
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- iii. The duration of the CLG /;
 - iv. How change in membership of the CLG will be determined;
 - v. A mechanism by which members of the community will be able to contact the Chairperson of the CLG to identify matters of concern;
 - vi. A mechanism by which members of the CLG will be able to consider terminating the CLG.
- e. Respond to all issues/queries/requests raised by the CLG and advise how their issues/queries/requests have been resolved and if not resolved, the reasons why.

Project Website

4. Prior to the commencement of works on the site the consent holder shall:
- i. Establish a specific project website (or webpage) for the project.
 - ii. Provide to all submitters the address of the website and make the address available on the internet (e.g. via Auckland Council news site OurAuckland and Waitemata Local Board social media pages) and display it prominently on the site information boards.
 - iii. The website shall include access to the following documents once certified by the Council:
 - Specification of Works;
 - Ecological Management Plan;
 - Construction Management Plan;
 - Land Management Plan;
 - Chemical Treatment Plan (if necessary);
 - Construction Traffic Management Plan;
 - Construction Noise and Vibration Management Plan;
 - Lizard Management Plan;
 - The Bat Survey evidence (as required by condition 36);
 - The updated Overall Site Plan and Erosion and Sediment Control Plan (as required by condition 38);
 - The updated geotechnical report (as required by condition 38A) and the geotechnical written verification (as required by condition 56); and
 - Fauna survey and salvage operations report (as required by condition 71).
 - iv. The consent holder shall notify Council's Team Leader Monitoring (Central), in writing, within 5 days of the establishment of the website.
5. The project website shall contain updated project information at the end of Day 1, Day 3, Day 5 and thereafter on a weekly basis. The specific purpose of each update is to demonstrate that the pine removal methodology is meeting the requirements of the Ecological Management Plan.



Interested Parties Database

6. Prior to the works commencing, an email database of submitters, interested stakeholders and residents shall be established by the consent holder and notification and project updates shall be sent directly to them and to the Council's Team Leader Monitoring (Central) on Day 2, Day 4, Day 6 and thereafter on a weekly basis.
7. A copy of the email database shall be provided to Council's Team Leader Monitoring (Central) prior to the works commencing.

Community Liaison Contact

8. Prior to the commencement of the works, the consent holder shall engage a suitably qualified person in a community liaison role for the project. This person shall be the main and readily accessible point of contact for persons interested in the project and shall be available from 8am to 8pm on each work day for the duration of the project. The liaison phone number and email address shall be recorded in the Construction Management Plan and shown on the project website and on-site signage.

Updated Ecological Management Plan

9. Prior to works commencing, the consent holder shall provide an updated copy of the Ecological Management Plan (EMP) to Council's Team Leader Monitoring (Central) for certification that it meets the objectives set out in Section 2 of *Ecological Management Plan for the Proposed Removal of Pines at Western Springs Park* Wildlands Consultants Contract Report No. 3421b April 2019.
10. The updated EMP must set out a clear priority of outcomes which directs decisions made at the micro-level, such that each pine tree has a specific felling and disposal prescription, approved by the supervising ecologist, and that has as its top priority avoidance and minimisation of damage to the understorey. This prescription is subject to the health and safety of project staff in the park.
11. The updated EMP shall be prepared in consultation with Auckland Zoo and the Society's ecological expert, with evidence of this consultation provided within the EMP. The updated EMP shall be prepared in accordance with Auckland Council's best practice pest animal and plant control methodology in relation to Local Parks, and any Local Board policies on the use of agrichemicals.
12. The EMP shall be updated so that reference is made to a requirement that all contractors are appropriately qualified and experienced professionals. It shall also be updated to:
 - a) reflect the updated Overall Site Plan required by condition 38;
 - b) provide for the retention of some totems along the existing walking track to create habitats for invertebrates and kingfishers and if/where appropriate 'weta motels'.



Construction Management Plan (CMP)

13. Prior to the commencement of construction activity, the consent holder shall submit a finalised Construction Management Plan (CMP) to the Council's Team Leader Monitoring (Central) for certification. No construction activity shall commence until confirmation is provided from the council that the CMP satisfactorily meets all measures identified in that plan as needing to be put in place prior to commencement of works and the CMP is certified. The CMP required by this condition shall include specific details relating to the management of all construction activities, including:
- a) Details of the site or project manager and the construction liaison person, including their contact details (phone, postal address, email address);
 - b) An outline construction programme;
 - c) The proposed hours of work;
 - d) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal / storage of rubbish, the storage and unloading of construction materials and similar construction activities;
 - e) Location of site infrastructure including site offices, site amenities, contractors' yards site access, equipment unloading and storage areas, contractor car parking, and security;
 - f) Procedures for controlling sediment run-off, dust and the immediate removal of soil, debris, demolition and construction materials (if any) from public roads or places adjacent to the work site;
 - g) Evidence of consultation with MOTAT regarding the preparation of this CMP, identifying ways in which disruption to its ongoing operations and activities has been avoided, remedied or mitigated;
 - h) Procedures for ensuring that MOTAT will be or has been given prior notice (at least 10 working days in advance) of the commencement of works and are informed about the expected duration and effects of those works;
 - i) Means of ensuring the health and safety of the general public, having particular regard to the general public accessing and utilising Western Springs Park, MOTAT and surrounds;
 - j) Procedures for the management of works which directly affect or are located in close proximity to existing network utility services;
 - k) Procedures for responding to complaints about construction activities, including through the project website.
14. Site works vehicles are restricted from obstructing access and loading/unloading of buses and other vehicles associated with the educational programmes run from MOTAT via Stadium Road. Clear access for these vehicles is required between 8.30am and 10.30am, and 1.30pm and 3.30pm Monday to Friday during school term times.



15. The consent holder shall implement the certified CMP for the duration of the construction works and keep an updated copy at the site.

Land Management Plan

16. Prior to commencement of construction works, the consent holder shall submit an updated Land Management Plan (LMP) to Council's Team Leader Monitoring (Central) for certification. The LMP shall include specific details with regard to avoiding, remedying or mitigating adverse effects on the environment of earthworks and the management of all works associated with the development as follows:
- a. Details of the Site Manager, including 24 hour contact details (telephone, email and postal address);
 - b. The location of a large notice board on the site visible from a public place that clearly identifies the name, telephone number, email and address for service of the Site Manager;
 - c. Ingress and egress to and from the site for vehicles and construction machinery during the Works period;
 - d. Location of wheel-wash facilities;
 - e. Proposed hours of work on the site (noting the working hours authorised by this consent);
 - f. Procedures for ensuring that the owners and/ or occupants on properties adjacent to the works are given prior notice of the commencement of activities and are informed about the expected duration of works and potential effects of the works (e.g. noise associated with the activities);
 - g. Any temporary protection measures that need to be installed to ensure that there shall be no damage to public roads, footpaths, berms, kerbs, drains, or other public assets as a result of the earthworks and construction activities; and
 - h. Any other details of the intended Works programme.
- 16A. The consent holder shall implement the certified LMP to the satisfaction of Council's Team Leader Monitoring (Central).

Construction Noise and Vibration Management Plan

17. The consent holder shall prepare a Construction Noise and Vibration Management Plan (CNVMP). The CNVMP shall identify the best practicable option for management and mitigation of all construction noise and vibration. The CNVMP shall as a minimum include but not be limited to the following information:
- a. Construction noise and vibration limits;
 - b. Identification of the most affected premises where there exists the potential for noise/vibration effects;
 - c. Description and duration of the works, anticipated equipment and the processes to be undertaken;



- d. Hours of operation, including specific times and days when construction activities causing noise/vibration would occur;
- e. Mitigation options where noise/vibration levels are predicted or demonstrated to approach or exceed the relevant limits. Specific noise/vibration mitigation measures must be implemented which may include but are not limited to; acoustic screening, time management procedures and alternative works method technologies;
- f. The erection of temporary construction noise barriers where appropriate;
- g. Schedule and methods for monitoring and reporting on construction noise/vibration;
- h. Details of noise/vibration monitoring to be undertaken or in the event of any complaints received. The results of such monitoring shall be submitted to council within one week of receiving the complaint;
- i. Implementation of a complaint management system with contact numbers for the community liaison person and key construction staff responsible for the implementation of the CNVMP and complaint investigation. This system should include procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling of noise/vibration complaints, including through the project website;
- j. Notification shall be provided to the owners and occupiers of adjacent buildings prior to construction activities commencing on the site;
- k. Training procedures for construction personnel; and
- l. The completion of before and after external building condition surveys with respect to dwellings at 14, 16, 18, 20, 22, 24, 26 and 28 Westview Road (unless the owner of one of those properties has confirmed they do not require a survey or a reasonable attempt has been made to contact the owner to carry out a survey, and agreement has not been obtained), such surveys:
 - To be undertaken by a suitably qualified independent engineering professional or suitably qualified independent building surveyor; and
 - To be provided to the Council's Team Leader Monitoring (Central)
 - To include:
 - a description of the type of foundations,
 - existing levels of damage considered to be aesthetic or superficial in nature;
 - existing levels of damage considered to affect the serviceability of the building where visually apparent without recourse to intrusive or destructive investigation;
 - an assessment as to whether existing damage may or may not be associated with actual structural damage and an assessment of the susceptibility of the buildings/ structures to further movement and damage;
 - photographic evidence of existing observable damage



18. The CNVMP shall be submitted to the Council's Team Leader Monitoring (Central) for certification prior to commencement of the works. The consent holder shall implement the approved CNVMP for the duration of the construction works and keep an updated copy at the site.

Construction Traffic Management Plan

- 18A. A Construction Traffic Management Plan (CTMP) shall be prepared in consultation with MOTAT and shall describe the measures that will be taken to avoid, remedy or mitigate the traffic effects associated with the proposed works.

In particular, the CTMP shall describe:

- (a) Traffic management measures to maintain traffic capacity or minimise the impact on traffic capacity during weekdays and weekends;
- (b) Any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions for general traffic and buses;
- (c) Methods to manage the effects of the removal of material, and delivery and removal of plant and machinery;
- (d) Measures to maintain existing vehicle access to property where practicable, or to provide alternative access arrangements;
- (e) Measures to maintain pedestrian and cyclist movements and reduce the impact on mobility impaired users on roads and footpaths in the vicinity of the works. Such access shall be safe, clearly identifiable and seek to minimise significant detours;
- (f) Measures to manage any potential effects on children at / around education facilities, and children and the general public around MOTAT;
- (g) Measures to manage any potential construction traffic related effects on pedestrians and/or traffic associated with any events within MOTAT's site;
- (h) Any proposed monitoring to measure the impact of the works on traffic and the impact of the traffic management measures. If safety or operational issues are evident, measures to be implemented to address these issues;
- (i) Measures to manage the proposed access to the site should the access be unable to cater for two-way traffic passing at the same time, and in particular to minimise reverse movements and blocking of the road;
- (j) The availability of on-street and off-street parking. This shall include an assessment of available parking for contractors on street and identify measures to meet and/or reduce contractor parking demand should it be found that there is insufficient on-street parking to meet this demand; and
- (k) Evidence of consultation undertaken with MOTAT in preparing the TMP.

The CTMP shall be submitted to the Council's Team Leader Monitoring (Central) for certification prior to commencement of the works. The consent holder shall implement the approved CTMP for the duration of the construction works and



keep an updated copy at the site.

Pre-Start Meeting

20. Prior to the commencement of the earthworks activity, the consent holder shall hold a pre-start meeting that:
- is located on the subject site;
 - is scheduled not less than five days before the anticipated commencement of earthworks;
 - includes representation from Auckland Council compliance officer[s], Development Engineer, Arborist, Ecologist and Earthworks Engineer; and
 - includes representation from the contractor who will undertake the works as well as the appointed arborist, archaeologist, contractor, ecologist, erosion and sediment control specialist and geotechnical engineer.

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

- Timeframes for key stages of the works authorised under this consent;
- Resource consent conditions;
- Land Management Plan; and Chemical Treatment Management Plan (if necessary)
- Traffic Management Plan
- Construction Management Plan
- Construction Traffic Management Plan
- Construction Noise and Vibration Management Plan
- Ecological Management Plan
- Specification of Works, including the accompanying updated Overall Site Plan
- Control of noise and vibration
- Complaints procedure

Advice note: In regard to earthworks, the meeting shall discuss the erosion and sediment control measures, the earthworks methodologies and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

Advice note: A pre-start meeting shall be held prior to the commencement of the earthworks activity between October 1 and April 30 that this consent is exercised.

Advice Note: To arrange the pre-start meeting required by this condition please contact Council's Team Leader Monitoring (Central) on monitoring@aucklandcouncilgovt.nz, or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.



21. No earthworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Council's Team Leader Monitoring (Central) at least two weeks prior to 30 April of any year. Stabilisation is to be completed by 30 April in accordance with measures detailed in Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).
22. Prior to earthworks commencing, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Council's Team Leader Monitoring (Central), to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in Condition 1 of this consent and the certified Land Management Plan.
23. Certified controls shall include the earth bunds, stabilised construction entrance, and any earth bunds, silt fences, super silt fences and diversion channels/bunds required. Certification for these measures shall be supplied prior to earthworks commencing and only once written approval from the Council's Team Leader Monitoring (Central), has been provided.

Advice Note: Erosion and sediment control construction quality checklists can be found in Appendix C of Auckland Council Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

Chemical Treatment Management Plan

24. Prior to the commencement of land disturbance at the site, if chemical treatment is considered necessary, a Chemical Treatment Management Plan shall be submitted for the written approval of the Council's Team Leader Monitoring (Central). The plan shall include as a minimum:
 - a) Methodologies and procedures for batch dosing of any impoundment devices constructed for sediment control purposes on site;
 - b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
 - c) Details of optimum dosage (including assumptions);
 - d) Results of initial chemical treatment trial;
 - e) A spill contingency plan; and
 - f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.
25. All perimeter controls shall be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site itself shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

Lizard Management Plan

The consent holder shall undertake lizard survey and salvage in accordance with

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the Lizard Management Plan (LZMP) titled "*Lizard Management Plan For Pine Removal At Western Springs Park*" prepared by Wildlands Ltd and dated December 2018 and to the satisfaction of Council's Team Leader Monitoring (Central).

27. A suitably qualified and experienced ecologist/herpetologist engaged by the consent holder to oversee the implementation of the LZMP shall certify that the lizard related works have been carried out according to the LZMP within two weeks of completion of the vegetation clearance works to the Council's Team Leader Monitoring (Central). A copy of the certification required by this condition shall be provided to the CLG.
28. All works on site must comply with the LZMP and to the satisfaction of Council's Team Leader Monitoring (Central).
29. The control of rodents and hedgehogs shall be undertaken within the proposed relocation site at least 6 weeks prior to capture and transfer of any lizards to the satisfaction of Council's Team Leader Monitoring (Central). This control shall consist of an array of bait stations and kill traps deployed on a 15 metre grid. All control devices shall be checked and serviced on a monthly basis for a minimum of 2 years if any lizards are translocated and to the satisfaction of Council's Team Leader Monitoring (Central).

Restrictions on tree felling and removal during bird breeding season

30. Where tree felling and removal activity is to be undertaken during the bird breeding season stretching from August to March (inclusive), an appropriately qualified and experienced specialist ecologist must check for nesting native birds prior to felling. The specialist ecologist will survey any vegetation scheduled for removal within 48 hours before felling to identify any active native bird nests.
31. Surveys will involve a visual inspection of all vegetation to be cleared. Binoculars will be used to ensure cavities and hollows (morepork and kingfishers) and higher branches can be monitored for activity.
32. Where nests are located, they will be monitored for activity (e.g. adults coming and going or mobbing behaviour) and obvious noise or vocalisations (e.g. begging chicks) to determine whether they are active.
33. Where a cavity is identified and the specialist ecologist is not able to determine whether it is being utilised for nesting, an acoustic recorder and a motion activated camera will be deployed to monitor the cavity entrance in an effort to confirm the presence of cavity nesting species (e.g. morepork and kingfishers). Both devices will be left out for a minimum of 72 hours. The devices shall only be installed if it is considered safe and practicable to do so by the appointed works arborist.
34. If an active nest is identified either during the visual inspection or during the camera and acoustic recorder survey, this will trigger the requirement for all vegetation removal within 20 m of that nest to cease to the satisfaction of Council's Team Leader Monitoring (Central) and until the specialist ecologist has confirmed that the nest has either failed or the chicks have fledged. This area shall be clearly demarcated to ensure the vegetation is not accidentally felled.



35. Evidence that the above measures have been undertaken shall be supplied in writing to Council's Team Leader Monitoring (Central).

Bat survey

36. Prior to tree clearance, an acoustic presence/ absence bat survey will be undertaken across the works footprint by a suitably qualified and experienced ecologist as follows:
- Acoustic recorders will be deployed across the site, on the bush edge and near large trees scheduled for removal.
 - Acoustic recorders will be deployed between September and April (inclusive), or when the minimum nightly temperatures are regularly above 10°C, to avoid colder months when bats enter torpor.
 - Acoustic recorders will be set to record for one hour before sunset and one hour after sunrise and deployed for a minimum of two weeks at each location.
 - If bats are not recorded during the bat presence/absence survey, tree clearance can be undertaken with no further bat management requirements.
 - If long-tailed bats are recorded during the preliminary survey, this will trigger the requirement for a bat management plan, that includes roost assessment and pre-clearance surveys in the area, prepared by a suitably qualified and experienced ecologist.
37. Evidence that these measures have been undertaken and the results of the survey shall be supplied in writing to Council's Team Leader Monitoring (Central) for review and confirmation in consultation with appropriately qualified specialist. A copy of the evidence required by this condition shall be provided to the CLG.

Specification of Works

38. The consent holder shall provide a finalised Specification of Work report that includes a finalised work methodology (consistent with that set out in the draft Specification of Works and Wildlands EMP), for tree protection and any protective fencing requirements and installation to Council's Team Leader Monitoring (Central) for certification. The Specification of Work shall include specific details of how the four priority areas for protection and mature indigenous trees, and vegetation in Area 1 (shown on Figure 2 and Figure 3 of the Wildlands Ecological Management Plan dated March 2019) shall be protected during the works (e.g. by marking trees/areas with tape), and specific details how the specific felling and disposal of each tree will be undertaken to prevent and minimise damage to the understorey, as set out in Condition 10. The consent holder shall prepare an updated version of the Overall Site Plan and Erosion and Sediment Control Plan, Revision E, Ridley Dunphy Ltd, dated 24/01/2019, for inclusion in the finalised Specification of Works, showing the final alignment of the access track and related features (e.g. skid sites, culverts and slash bunds) (**Overall Site Plan**). The updated Overall Site Plan shall be prepared in consultation and following a site walkover with the Society's expert ecologist. A copy of the specification shall



be kept on site at all times. The updated report and recommendations shall be provided to the CLG.

Updated Geotechnical Report

- 38A. Prior to commencing work, the consent holder shall provide the Council's Team Leader Monitoring (Central) with an updated version of the **Geoconsult Ltd report dated 17/10/2018 and referenced GH676.1**, taking into account the finalised Specification of Works and updated Overall Site Plan certified in accordance with condition 38. The updated report and recommendations shall be to the satisfaction of the Council's Team Leader Monitoring (Central). The updated report and recommendations shall be provided to the CLG.

Independent Arborist and Ecologist

39. The consent holder shall employ a suitably qualified independent ecologist and a suitably qualified independent arborist to monitor, direct and supervise the tree removal works as provided for in the EMP. The details of the independent ecologist and arborist shall be provided in writing to Council's Team Leader Monitoring (Central) in writing within 5 days of employment. All works shall be undertaken in consultation with Council's Team Leader Monitoring (Central) and to the satisfaction of Council's Team Leader Monitoring (Central).
40. Prior to works commencing, there shall be a pre-commencement meeting on site with the consent holder, the project manager/site foreman and the consent holder's appointed independent supervising ecologist and arborist, the Council arborist and Council's Team Leader Monitoring (Central). This meeting shall discuss the proposed work, how it is to be done, specific tree protection, protective fencing requirements and installation.
41. The independent ecologist and arborist shall be on-site throughout tree removal activities and prepare the daily and weekly reports as described in Conditions 5 and 6 confirming the tree removal works undertaken and how the removal methodology set out in the Specification of Works and EMP has been implemented.
42. A Council Arborist responsible for the tree asset and Council's Team Leader Monitoring (Central) shall be invited to the pre-commencement meeting. The consent holder shall give Council's Arborists and Council's Team Leader Monitoring (Central) ten (10) working days prior notice of the intended date of the meeting.

Archaeological Site Management

43. A site works briefing shall be provided by the consent holder's archaeologist to all contractors prior to work commencing on the site. This briefing shall provide information to the contractors proposed to be engaged on the site regarding what constitutes historic heritage materials; the legal requirements of unexpected historic heritage discoveries; the appropriate procedures to follow if historic heritage materials are uncovered whilst the project historic heritage expert is not on site, to safeguard materials; and the contact information of the relevant agencies (including the project historic heritage expert, the Council's Team Leader Monitoring (Central), the Auckland Council Heritage Unit and Heritage New



Zealand Pouhere Taonga) and mana whenua. Documentation demonstrating that the contractor briefing has occurred shall be provided to Council's Team Leader Monitoring (Central) prior to work commencing on the site.

During Construction

Earthworks

44. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the LMP and by the Erosion and Sediment Control Plan referred to in Condition 1 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
45. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the storm water drainage system, watercourses or receiving waters.

Advice Note: In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpit protection*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned. It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring Central for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

46. The site shall be continually stabilised against erosion throughout the earthworks phase of the project. Earthworks shall be sequenced, if necessary, to minimise the discharge of contaminants to surface water. Stabilisation measures may include:
 - the use of waterproof covers, geotextiles, or mulching
 - top-soiling and grassing of otherwise bare areas of earth
 - aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward



Advice Note:

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring Central for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

47. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.
48. All machinery associated with the earthworks activity shall be operated in a way, which ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented.

Dust

49. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Council's Team Leader Monitoring (Central), is noxious, offensive or objectionable.

Construction hours, noise and vibration

50. The consent holder shall ensure that the tree felling and processing activities are only undertaken between the hours of 7.30am – 6pm Monday to Friday (excluding Public Holidays).
51. Construction works shall not exceed 75 dB LAeq and 90 dB LAFmax measured or assessed at 1m from any occupied building located on any other site. An occupied building is where people occupy the space whilst the works are in progress.
52. The consent holder shall ensure that prior to the use of any chainsaw within 18 metres of the facade of any dwelling:
 - (i) Consultation with the occupier of the dwelling is carried out to agree upon a suitable date/time that the works within 18 metres can be undertaken when the dwelling is vacant; or
 - (ii) Alternative noise mitigation or works methodology shall be implemented in order to achieve compliance.
53. Construction works shall not be undertaken within 50m of the Western Springs Stadium site western boundary when the site is being used for any noise sensitive activity but does not include motorsports, concerts or music events where the receivers are more than 50m away from the western boundary of the stadium.
54. Where works on the site are creating vibrations, that in the opinion of the Council's Team Leader Monitoring (Central), constitute an unreasonable disturbance beyond the boundaries of the subject site that may exceed the AUP(OP) permitted vibration standard, the consent holder shall cease works until a suitably qualified expert has been engaged to undertake monitoring of the works and provide



confirmation that peak particle velocities measured on any foundation or uppermost full storey of any building not located on the subject site, do not exceed the limits set out in Table 1 of German Standard DIN 4150 Part-3:1986 "Structural Vibration in Buildings – Effects on Structures."

Geotechnical

55. All earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such instability or collapse does occur, it shall immediately be rectified.
56. Earthworks shall follow the recommendations contained in the updated version of Geoconsult Ltd report dated 17/10/2018 and referenced GH676.1 required by condition 38A. The consent holder shall provide verification in writing from an engineer to Council's Team Leader Monitoring (Central), that the recommendations of the updated Geoconsult Ltd report have been implemented on site. This shall be provided no later than one week after the earthworks necessary to establish access and landing areas have been completed. All details in the written statement shall be to the satisfaction of Council's Team Leader Monitoring (Central). A copy of the written verification required by this condition shall be provided to the CLG.

Archaeological features

57. A suitably qualified archaeologist shall be on site during the formation of the access track and landing areas to monitor the earthworks.
58. If, at any time during site works, potential koiwi (human remains), archaeology or artefacts are discovered, then the following discovery protocol is to be followed:
 - All earthworks will cease in the immediate vicinity (at least 10m from the site of the discovery) while a suitably qualified archaeologist is consulted to establish the type of remains.
 - If the material is identified by the archaeologist as human, archaeology or artefact, earthworks must not be resumed in the affected area (as defined by the archaeologist). The consent holder must immediately advise Council's Team Leader Monitoring (Central), Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.
 - If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from the relevant Mana Whenua group are to be provided information on the nature and location of the discovery.
59. The consent holder shall not recommence works until approved by the Council's Team Leader Monitoring (Central).
60. The relevant Mana Whenua groups shall be given the opportunity to monitor the earthworks and conduct karakia and other such religious or cultural ceremonies and activities as are appropriate.



Including Unrecorded Historic Heritage Sites within the Cultural Heritage Inventory

61. In the event that any unrecorded historic heritage sites are exposed as a result of consented work on the site, then these sites shall be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holder's historic heritage expert shall prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to Council's Team Leader Monitoring (Central) within one calendar month of the completion of work on the site.

Tree Protection Measures

62. All tree works proposed shall be undertaken in accordance with, but not limited to, the Specification of Works in Condition 38. The consent holder shall ensure that all contractors, sub-contractors, and workers engaged in all activities covered by this consent are advised of the tree protection measures as certified in the Specification of Works report required by Condition 38 above and operate in accordance with them.

Kauri contamination zone

63. As New Zealand kauri trees (*Agathis australis*) (and soil and material surrounding them) may contain the pathogen that causes kauri dieback (*Phytophthora agathidicida* (formerly PTA)) strict hygiene procedures are required when works occur on or around kauri trees so as to avoid the spread of kauri dieback. All vegetation, soil, and other material from within a "kauri contamination zone" (defined as 3 (three) x the radius of the canopy dripline of any kauri tree) must remain on site or be taken to an approved landfill facility.

Advice Note: For further information please contact the Kauri Dieback Programme on 0800 NZ KAURI (69 52874) or visit the website www.kauridieback.co.nz.

Advice Note: Guidance on the location of approved landfill facilities can be found in the Ministry for Primary Industries guidance titled: Landfill disposal of contaminated material at website: www.kauridieback.co.nz.

Removing material from the site

64. Any material (including soil) from within the "kauri contamination zone" which is to be removed to an approved landfill facility must then be buried within the ground. Where the material is to be loaded onto the back of an open top vehicle, the material must be covered with a tarpaulin (or similar) to prevent the material from leaving the vehicle whilst it is in motion. After the material has been emptied from the truck, the areas of the truck which were previously exposed to the material and the tarpaulin must be thoroughly washed with Sterigene (or other suitable agent) prior to the truck or tarpaulin being used for the transportation of any other material.

All equipment to be cleaned

All footwear, clothing, tools, vehicles and equipment used on site must be cleaned



of all soil, vegetation, or other material that has, or may have, come from a kauri contamination zone and must be thoroughly washed with Sterigene (or other suitable agent) on entry and exit from the site, on every occasion, to avoid the spread of kauri dieback (*Phytophthora agathidicida* (formerly PTA)).

Advice Note: Further advice can be found within the guidelines titled 'Hygiene Procedures for Kauri Dieback' and 'Procedures for Tree Removal and Pruning' published by the Ministry for Primary Industries Kauri Dieback Management Programme which can be found at www.kauridieback.co.nz or copies can be obtained from Auckland Council.

*General Advice Note: The pathogen that causes kauri dieback (*Phytophthora agathidicida* (formerly PTA)) is classified as an unwanted organism under the Biosecurity Act 1993 and in accordance with section 52 of that Act no person shall knowingly communicate, cause to be communicated, release, cause to be released, or otherwise spread the organism.*

Post Tree Removal Works

Earthworks

66. Upon completion or abandonment of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of Council's Team Leader Monitoring (Central).

Written notice of completion of the stabilisation works must be provided to the Council's Team Leader Monitoring (Central) and a copy of the notice provided to the CLG.

Advice Note: The on-going monitoring of these measures is the responsibility of the consent holder. It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader – Compliance Monitoring Central, for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

Access track, processing areas and culvert removal

67. Within 3 months of pine tree removal being completed, the access track, culverts and landing/chipping areas shall be disestablished and the area returned to the same general topographical formation as existed prior to the works being undertaken. Indigenous planting in accordance with Condition 68 below shall be undertaken in these areas.

Implementation of the Ecological Management Plan

68. Within the first planting season (May-August) following the completion of the pine tree removal activity, the Consent Holder shall commence implementing the certified EMP. Planting shall be in general accordance with Figure 4 and Plant Schedule for Western Springs Pine Forest of the Wildland's Ecological



Management Plan as updated in accordance with condition 9.

69. Implementation of the EMP may be staged but the full spatial extent of planting must be implemented within the first planting season following removal of the trees. This planting must be maintained thereafter in accordance with the EMP and achieve the specified composition of 90% cover of woody vegetation within 5 years, excluding areas directly occupied by felled pine and tree stumps. At the end of the 5-year period, should the outcomes envisaged by the EMP not be achieved, the consent holder shall extend the maintenance period and continue to implement the EMP Plan until 90% cover of woody vegetation has been achieved to the satisfaction of the Team Leader, Monitoring (Central).
70. Maintenance, pest plant and pest animal control shall be undertaken in accordance with the EMP. Pest animal and pest plant control shall continue in perpetuity after the first year of planting.
71. A report from the independent supervising ecologist detailing the results of all fauna survey and salvage operations shall be submitted to Council's Team Leader Monitoring (Central) following tree removal detailing activities associated with bird management, including:
- Date and time of fauna surveys
 - If active bird nests were observed, and if nests failed or chicks fledged.
- Date of vegetation clearance.

A copy of the fauna survey and salvage operations report required by this condition shall be provided to the CLG.

Annual Restoration Plan Report

72. The consent holder shall provide an annual report, to Council's Team Leader Monitoring (Central), at the end of each planting season following completion of the pine tree removal activity for a fifteen (15) year period.
73. The purpose of this annual report is to detail the outcomes of the pine removal and actions to prevent and minimise damage to the understorey, to detail progress towards achieving the goal and objectives set out in Section 2 of the Wildlands Ecological Management Plan dated March 2019, and to determine the health of the newly planted tree and shrub species and monitor the progress of the site-wide restoration and rehabilitation activities, and provide any recommendations for adaptive management.

Retention of certain managed trees

74. At the time this consent is implemented the consent holder shall retain the trees and the totems identified on drawing Map #A dated 12/09/2019 entitled 'Retained Trees and Totems'.



Re-opening of walking track

75. The consent holder shall re-open the existing walking track within the forest as soon as reasonably practicable following completion of the tree removal works. The consent holder shall notify the Council's Team Leader Monitoring (Central) and the CLG in writing when this occurs.

Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.
3. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
4. If evidence of unexpected contamination (e.g. refuse/asbestos, discoloured, stained or odorous soil or groundwater) is discovered during any earthworks, the consent holder shall immediately cease the works and notify the Team Leader Compliance Monitoring, Central Resource Consenting & Compliance, Auckland Council, and engage a suitably qualified and experienced practitioner (SQEP) to carry out site investigation and agree on appropriate remediation and validation actions.
5. Accidental Discovery Rule - Should earthworks on the site result in the identification of any previously unknown archaeological site, the land disturbance – District Accidental Discovery rule [E12.6.1] set out in the Auckland Unitary Plan Operative in part (14 September 2018) shall be applied.
6. The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the Auckland Unitary Plan Operative in part (November 2016).

According to the Act (section 6) archaeological site means, subject to section 42(3) –



any place in New Zealand, including any building or structure (or part of a building or structure), that –

- i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- b) includes a site for which a declaration is made under section 43(1)

It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary Authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals.

For information please contact the Heritage New Zealand Pouhere Taonga Northern Regional Archaeologist – 09 307 0413 / archaeologistMN@historic.org.nz.

8. *Protected Objects Act 1975 - Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act).*

According to the Act (section 2) taonga tūturu means an object that –

- a) *relates to Māori culture, history, or society; and*
- b) *was, or appears to have been –*
 - i) *manufactured or modified in New Zealand by Māori; or*
 - ii) *brought into New Zealand by Māori; or*
 - iii) *used by Māori; and**is more than 50 years old*

The Act is administered by the Ministry of Culture and Heritage. Tāonga may be discovered in isolated contexts, but are generally found within archaeological sites. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the modification of an archaeological site should to be considered by the consent holder if tāonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014.

It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum (for Auckland this is the Auckland War Memorial Museum), which shall notify the chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu; alternatively provided that in the case of any taonga tūturu found during the course of any archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification shall be made within 28 days of the completion of the field work undertaken in connection with the investigation.



Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court.

For information please contact the Ministry of Culture and Heritage – 04 499 4229 / protected-objects@mch.govt.nz





Legend

- Tree
- Totem
- Walking track

Envivo Tree No.	Action (see also the notes below)
884	Reduce to 3m totem
898	Reduce to approx. half height
901	Reduce to 3m totem
902	Reduce to 3m totem
903	Reduce to 3m totem
904	Remove long uppermost horizontal limb
933	Reduce to 3m totem
935	Leave as is
936	Overtops two totara. Retain tree unless otherwise directed by independent ecologist
938	Reduce to 3m totem
940	Reduce to 3m totem
941	Leave as is
942	Reduce to approx. half height (to below the co-dominant fork)
952	Reduce to 2m totem (leans toward track)
972	Reduce to 3m totem
973	Retain unless otherwise directed by independent ecologist

Notes:

1. The actions above may be subject to change during the works at the discretion of the independent arborist in consultation with the independent ecologist and project contractor (e.g. safety reasons).
2. There is scope to retain occasional 3m totems elsewhere in the stand, including near the track; retention of additional 3m totems is to be determined by the independent ecologist in consultation with the independent arborist and project contractor during the works.
3. Measurements detailed above are approximates only.

0 3.5 7 14 Meters

Spatial Reference
Name: NZGD 2000 New Zealand Transverse Mercator
PCS: NZGD 2000 New Zealand Transverse Mercator
GCS: GCS NZGD 2000
Datum: NZGD 2000
Projection: Transverse Mercator

Disclaimer: Tree locations are indicative only.
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PROJECT NAME WESTERN SPRINGS PINE TREES		PROJECT # P15816
PROJECT ADDRESS 859 Great North Road	DATE 12/09/2019 SCALE @ A3 1:250	MAP # A
MAP NAME RETAINED TREES AND TOTEMS	DRAWN CR CHECKED AH	REV -

FILE I:\Clients\AUCKLAND COUNCIL\PARKS/CENTRAL\Western Springs Pine Tree Removal - Jul1915. GIS\MAPS
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