

Conditions of Consent as proposed by FSNI and Council

Conditions of Consent:

General:

1. The proposal must be in accordance with the information provided with the application Service Request No. 517439 and the following plans:

Prepared by Calibre and titled '*New World Khandallah Carpark Expansion*', project no. 712722, Rev. 4 and dated 10/04/2024:

- Erosion and Sediment Control Plan, Sheet C170;
- Erosion and Sediment Control Detail, Sheet C171;
- Earthworks Proposed Control Plan, Sheet C200;
- Earthworks Cut and Fill Plan, Sheet C201;
- Earthworks Site Section, Sheet C205;
- Retaining Wall Plan, Sheet C210;
- Retaining Wall Sections, Sheet C211;
- Accessway Plan, Sheet C300;
- Accessway Long Plan, Sheet C301;
- Typical Road Cross Section, Sheet C302;
- Roading Construction Detail, Sheet C303;
- Drainage Plan, Sheet C400;
- Stormwater Catchment Plan, Sheet C401;
- Stormwater Long Section, Sheet C405; and
- Standard Details Sheet 1, Sheet C800.
- Store Exterior/Carpark Navigation, New World Brand Standards V5 – 10.18

Prepared by Design Group Stapleton Elliot and titled '*Foodstuffs North Island F537 New World Khandallah 26 Ganges Road*', Project no. F537 and dated 11/04/2024:

- Vegetation to be Retained, Sheet L002, Rev. 6;
- Proposed Landscaping Plan, Sheet L100, Rev.6;
- Proposed Lighting Plan, Sheet L101, Rev. 6;
- Proposed Planting Plan, Sheet L102, Rev.6;
- North Proposed Planting, Sheet L103, Rev.6;
- East Proposed Planting, Sheet L104, Rev.6;
- South Entrance Proposed Planting, Sheet L105, Rev.6;
- South Corner Proposed Planting, Sheet L106, Rev 6;
- Planting Schedule and Typical Details, Sheet L107, Rev.6;

- Acoustic Fencing Elevations, Sheet L200, Rev.6;
- Stair and Accessway Sections, Sheet L202, Rev. 6;
- Planting Pallet, Sheet L600 and L601, Rev.6.

Prepared by 3D Lighting Design and titled 'New World Supermarket 26 Ganges Road Khandallah, Wellington, Proposed Carpark Extension Exterior Lighting Design Report', Reference 24-025 and dated 17/04/2024:

- Site Plan Lighting Arrangement, Sheet EL01, Rev. 3

Accessible car parking, bicycle parking and provision for electric vehicles:

2. Prior to the commencement of construction, the Consent Holder must provide an updated carparking layout plan to Council for approval that details:
 - the location of required accessible parking, and
 - the replacement of two of the existing car parking spaces with covered bicycle parking. That plan will provide for at least eight additional bicycle parking spaces **that are of a size that can accommodate e-bikes and cargo bikes.**
3. The Consent Holder must provide up to four designated Electric Vehicle parking spaces with charging facilities.

Chartered Professional Engineer:

4. A suitably experienced and qualified Chartered Professional Engineer (CPEng) must be engaged by the Consent Holder for the monitoring earthworks, detailed design and construction phase of the project.

The CPEng must advise on:

- The methods to ensure the stability of the site and surrounding land
- The construction of cut faces, fill batters, staging, shoring, and benching as required for stability of the earthworks,
- The earthworks methodology to ensure consistency with engineering best practice and the infrastructure report by Calibre Ltd (dated 29 April 2022).

The Consent Holder must follow all the advice of the CPEng in a timely manner. If necessary, the Council's Compliance Monitoring Officer may require information regarding the engineer's monitoring and/or specific assessments to address any potential or actual instability issues in relation to earthworks.

Erosion and Sediment Control Plan:

5. At least 10 working days prior to any work commencing on site, an Erosion and Sediment Control Plan (ESCP) or infrastructure report is to be submitted to the Council's Compliance Monitoring Officer for certification.

Note: The ESCP controls submitted within the infrastructure report by Calibre Ltd (dated 29 April 2022) the application has been assessed and is supported. It is expected that it will form the basis of the final report submitted for certification.

6. The ESCP or infrastructure report will include additional detail around the following:

Dust Controls

- Measures to ensure that the discharge of dust created by earthworks, construction and transport activities are suitably controlled to minimise dust hazard or nuisance.

Management of Controls

- The methods for managing and monitoring the ESCP or infrastructure report controls.
- Nomination of a site person responsible for the implementation and administration of the ESCP or infrastructure report.

7. Earthworks must not commence on site until the ESCP or infrastructure report is certified by the Council's Compliance Monitoring Officer. The earthworks and associated work must be carried out in accordance with the certified ESCP or infrastructure report.
8. The erosion, dust and sediment control measures put in place must not be removed until the site is remediated to the satisfaction of the Council's Compliance Monitoring Officer. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied.

Note: If necessary, the Compliance Monitoring Officer may require changes to the implementation of the ESCP or infrastructure report, to address any problem that occurs during the work or before the ground surface is stabilised.

Producer Statements:

9. A copy of the producer statement 'PS4 – Construction Review' and its accompanying documents for structures/buildings required for the stabilisation of earthworks and, prepared for the associated building consent process, must be provided to the Council's Compliance Monitoring Officer within one month of the structures/buildings being completed.

Grassing of Earthworks:

10. All exposed areas of earthworks, unless otherwise built on, are to be grassed or re-vegetated within 1 month of completing each stage of the earthworks, to a level of establishment satisfactory to the Council's Compliance Monitoring Officer.

The Compliance Monitoring Officer may agree to a longer period than 1 month, if appropriate, and will approve it in writing.

General Earthworks Conditions:

11. All sediment laden run-off must be managed and contained within the site. Any sediment that is deposited onto neighbouring properties or the public road must be cleaned up immediately (with the landowner's permission on land that isn't public road). The deposited sediment must not be swept or washed into street channels or stormwater inlets or dumped on the side of the road.

Note: As a minimum, 100mm of clarity is required to allow run-off to be discharged offsite. If clarity is less than 100mm then the run-off is considered to be sediment laden and must be contained and/or treated on site.

12. Dust created by earthworks, transport and construction activities must be controlled to minimise nuisance and hazard. The controls must be implemented for the duration of the site works and continue until the site stops producing dust.

Construction Noise Hours:

13. The Consent Holder must ensure that construction activities operate between the hours of 7.30am and 6.00pm Monday to Saturday.

Construction Noise and Vibration Management Plan:

14. The Consent Holder must submit to the Council's Compliance Monitoring Officer for certification a Construction Noise and Vibration Management Plan (CNVMP) for certification at least 20 working days prior to any work commencing on site. The purpose of the CNVMP is to set out the best practicable option for the management of noise and vibration effects associated with the construction activities related to the car park. The CNVMP must be prepared by a suitably qualified and experienced acoustic and vibration expert. The CNVMP shall be drafted in accordance with Appendix E2 of NZS6803:1999 Acoustics – Construction'. No work may commence on site until the CNVMP is certified by the Council's Compliance Monitoring Officer. The construction activities must be carried out in accordance with the certified CNVMP.

Construction Noise Limits and Management:

15. The Consent Holder must ensure that construction activities, except where identified in the CNVMP as predicted to exceed the levels in the NZS Acoustic standard 'NZS6803:1999 Acoustics Construction Noise', shall be managed and controlled so that the noise received at any residential or commercial site does not exceed the limits set out in Table 2 and Table 3 of 'NZS6803:1999 Acoustics – Construction' Noise' when measured and assessed in accordance with that Standard.

Schedule to the Construction Noise and Vibration Management Plan:

16. Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared by a suitably qualified and experienced person, in consultation with the owners and occupiers of sites subject to the Schedule, when construction noise is either predicted or measured to exceed the noise standards in condition. The objective of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as (i) construction activity location, the nearest neighbours to the construction activity; the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in condition and / the proposed mitigation and; the proposed communication with neighbours. The schedule shall be issued to Council's Compliance Monitoring Officer for certification at least five working days prior to any works occurring. The construction activities must not be carried out until Council has certified the schedule.

Construction Vibration and Management:

17. The Consent Holder must ensure that construction activities, shall be managed and controlled so that the vibration levels received at any site does not exceed the limits in 'DIN 4150- 3:1999 "Structural Vibration – Part 3: Effects of vibration on structures'.

Acoustic Design Certificate District Plan Compliance (Acoustic Fence):

18. Prior to the completion and construction of the perimeter acoustic design barrier fence the Consent Holder must submit to the Council's Compliance Monitoring Officer an Acoustic Design Certificate (ADC) for the acoustic barrier fence. This certificate must certify that a site inspection has taken place and that the final constructed acoustic fence is sufficient to ensure noise emitted from the car park area complies with the following noise limits:

Noise Emitted from Site and Received in Centres Zoned Sites:

At all times 60 dB L_{Aeq} (15 min)

At all times 85 dB L_{AFmax}

Noise Emitted from Site and Noise Received in Residentially Zoned Sites

Monday to Sunday 7am to 10pm 50 dB L_{Aeq} (15 min)

Monday to Sunday 10pm to 7am 40 dB L_{Aeq} (15 min)

Monday to Sunday 10pm to 7am 75 dB L_{AFmax}

Note:

1. *The intent of this condition is to ensure final design and specifications of the noise barrier is suitably designed, specified, located and operated to ensure noise emissions comply with the operational noise limits of the District Plan.*
2. *The fence must be maintained in this condition in perpetuity.*

Trolley Collection:

19. The Consent Holder must ensure shopping trolleys are retrieved from trolley bays around the carpark prior to 10pm to avoid noise from trolley collection occurring during night-time hours.
20. All trolleys used in the carpark must be plastic, in order to minimise any noise effects arising from trolleys.

Landscaping Plan:

21. Before construction commences on the site an updated Landscape Plan (**that includes 26 Ganges Road**) must be submitted to, and certified by, the Council's Compliance Monitoring Officer. The Landscape Plan must include:
 - Hard surface treatments, including pedestrian accessways and any semi-permeable surfaces.
 - Fence and retaining wall heights and materials.
 - Location of accessible car parking, bike parking and e-charging facilities

(if/where applicable).

- Rubbish storage area that ensures that rubbish can be adequately contained within the site and screened from the street.
 - Existing trees and vegetation that will be retained and proposed replacement trees for any trees identified on the submitted landscape plan that can no longer be retained as per the arborists report.
 - The individual location and species (with both scientific and common names).
 - The bulk of the screening vegetation must be a minimum of 1.2m in height at the time of planting.
 - PB size at time of installation.
 - A maintenance plan/schedule.
22. The Consent Holder must undertake vegetation trimming and maintenance as required to ensure the lighting as provided in the lighting plans is unobstructed.
23. The Landscape Plan, approved under **condition (21)** above, must be completed by the Consent Holder within the first growing season following completion of construction. The plantings must be monitored for 18 months from time of planting in order to allow for plant establishment to the satisfaction of the Council's Compliance Monitoring Officer. Within this period monitoring includes the removal of weeds within the vicinity of the plantings and the replacement of plants that die, or are removed unlawfully, with plants of the same species and original size. Any plants that fail must be replaced at the expense of the Consent Holder. All plantings must continue to be maintained by the Consent Holder thereafter.

Arborist Report:

24. Prior to works commencing, a Council-approved consulting arborist (Project Arborist) must be engaged by the Consent Holder. Refer to the list in the following link:

<https://www.nzarb.org.nz/find-an-approved-contractor>.

The Project Arborist must prepare an Arboriculture Impact Assessment in accordance with AS 4970 - 2009 Protection of Trees on Development Sites. As part of this assessment the Project Arborist will identify the trees that are to be pruned or retained as part of the project. This information must be submitted to, and certified by, the Council's Compliance Monitoring Officer prior to works commencing. Any trees identified on the landscaping plan for retention, that cannot be retained for whatever reason, is to be replaced with a similar tree with a minimum height of 1.5m for immediate visual effect.

Lighting:

25. Prior to use of the car park, the Consent Holder must install a suitable system of lighting, to operate from dusk to dawn, within all areas where the public will be given access including the new and existing car park, and the pedestrian access through the site.

Note: This condition is imposed to provide a suitable level of pedestrian safety and accessibility to all publicly accessible areas.

The lighting must be in accordance with the requirements of the AS/NZS 1158.3.1, Pedestrian Area lighting. The lighting must also comply with the AS/NZS 4282 to control the obtrusive effects of outdoor lighting.

26. Outdoor artificial lighting must not exceed 2 Lux vertical illuminance measured at any window of a habitable room of a dwelling on any adjacent site.

Security:

27. Outside of the hours of operation of the supermarket, the Consent Holder must provide a chain or other form of access restriction to the Nicholson Street and Dekka Street, and between the existing and proposed (or at the Consent Holders choosing from Granges Road) entrances of the car park that will be used to close the car park entrance to vehicles.
28. The Consent Holder will put in place appropriate CCTV recording devices that survey the whole of the car park.
29. The Consent Holder will engage appropriate security measures (for example, external security guards) to respond to antisocial behaviour in the carpark outside of operating hours, if it arises.

Signage:

30. The Consent Holder must limit the size of any signage at the Nicholson Road entrance to non-illuminated directional signs of 1.0m high by 0.8m wide to notify users that the access operates as left in/left out only.

Traffic Safety:

31. The Consent Holder must ensure that a raised safety platform is constructed at the intersection of the new access and Nicholson Road prior to the use of the new access.
32. The Consent Holder must prepare a Construction Traffic Plan (CTP) and Traffic Management Plan (TMP). This information must be submitted to, and certified by, the Council's Compliance Monitoring Officer prior to works commencing.
33. The Consent Holder must ensure that construction vehicles do not enter or leave the Nicholson Road access during the school term time between the hours of 8.30am to 9.30am and 2.30pm to 3.30pm on Monday to Friday.

Proposed driveway onto Nicholson Road:

34. As discussed at the hearing, the proposed raised table must accommodate an at-grade footpath along Nicholson Road to provide pedestrian access without changing levels. The proposed driveway intersection must include physical barrier at the back of the footpath to stop all Right turn movements for both entry and exit vehicles.
35. This physical barrier must not be installed within Nicholson Road carriageway and public footpath.
36. As discussed at the hearing, an Independent Safe System Audit must be carried out at detail design and again at pre-opening/post construction. The outcome of the audit must address and mitigate the safety risks with the proposed layout. The proposed layout and the audited outcome must be submitted to Council for approval.

Nicholson Road changes:

37. Any changes in the No Stopping At All Times restriction (broken yellow lines) must follow the Council legal traffic resolution process. As it may be necessary for the Council to modify the legal traffic restrictions due to the new driveway location, the applicant should provide Council at least 20 weeks notice in advance of the proposed driveway

being constructed, for the legal resolutions to be processed.

General:

38. The construction of the vehicle crossing shall comply with the WCC Code of Practice for Land Development Dec 2012.
39. All of the above conditions are in addition to the six suggested conditions and the advisory note is given in the report: Advisor Type Assessment on Resource Consent Application dated 11th October 2022 (ref: SR517439).
40. Applicant is responsible for all costs associated with these changes.

Engineering Standards:

41. The Consent Holder shall comply with the requirements of the Wellington City Council Code of Practice for Land Development (either its current version or replacement document), unless otherwise modified by condition(s) of the consent or agreed in writing by the Wellington Water Land Development Team. These are the engineering standards for mitigating adverse effects on the environment from earthworks, traffic (roading and vehicle access), wastewater and stormwater drainage, water supply and utility structures.
42. Pursuant to section 128 of the Resource Management Act 1991, the Council may, at any time, serve notice on the Consent Holder of its intention to review the conditions of the consent in order to respond to any adverse effect on the environment which may arise from the exercise of the consent and which it is most appropriate to deal with at a later stage. These effects include those that may arise in relation to the Dekka Street access to ensure it can operate safely as a two way access.

Engineering Approval:

43. No construction shall start prior to the following engineering plans in relation to water supply, stormwater, and wastewater drainage, being submitted to Council. These plans must be accepted in writing by the Wellington Water Land Development Team:
 - i. engineering plans and design certificate, if required
 - ii. specifications

Notes:

1. *Where drainage works are required, permits **in addition** to this resource consent is required; namely*
 - *Building Consent for private drains,**Some of the engineering plans and specifications in the consent condition above are to be submitted during the application stage for these permit(s).*
2. *The scheme and other indicative layout plans Scheme and other indicative layout plans that were submitted as part of the application will be used by Council for information purposes only. These plans will not be used for granting approval under the condition above. Approvals will only be given on detailed engineering plans.*
3. *Wellington Water Ltd have has updated to the New Zealand Vertical Datum 2016 (NZVD2016), and As-Built plans are required to be in terms of the NZVD2016.*
4. *Prior to connection / disconnection an application for water supply, wastewater and stormwater must be made to the Council. All works must be inspected, and*

all testing must be witnessed by the Wellington Water Drainage Inspectors.

Disconnect Existing Services:

44. Prior to certification, the Consent Holder must, where existing buildings have been or are to be demolished,
- a. Cap the end of the existing private stormwater and wastewater lateral(s) or for stormwater kerb and channel discharge – the kerb outlet must be removed, and the kerb made good at the main or re-laid from the main to the property boundary for future use.
 - b. Disconnect the redundant **domestic** water supply connections from the public main ~~or re-laid from the main to the property boundary for future use.~~
 - c. Advise the Council of the final treatment of all abandoned / disconnected laterals / water service pipes by way of including the location of capping on the final as-built plan.

Stormwater – New Connections:

45. Prior to works commencing, the Consent Holder, must provide the ~~site Council with a plan showing the reuse of the existing~~ with suitably sized, separate, and direct connection(s) to a public stormwater main ~~at a location accepted in writing by the Wellington Water Land Development Team.~~

The existing southern Dekka St Kerb and Channel connection may be retained if the Consent Holder demonstrates that the existing connection is:

- (i) An appropriate material,
- (ii) In good condition, as determined by means of a CCTV inspection provided to Wellington Water for review,
- (iii) Appropriately sized for any increase in stormwater flows.

Note: The development may be provided with 2 x stormwater lateral connections, one to the public stormwater main within Nicholson Road and one to Dekka Street via a kerb and channel outfall.

Stormwater – Treatment, Neutrality and Hydrological Control:

46. To avoid impact on the receiving network and environment, stormwater treatment, stormwater neutrality and hydrological control to reduce increase in runoff volume as far as reasonably practicable are required. 10 days prior to the completion of works, the Consent Holder must provide the site with a stormwater management system. The stormwater management system(s) design must be submitted to the Council with the Engineering Approval submitted under Condition (35) and must be approved in writing by the Wellington Water Land Development Team, and the following aspects must be met;
- i. Stormwater Treatment must be designed in accordance with the Wellington Water Ltd Water Sensitive Design for Stormwater: Treatment Device Design Guideline December 2019, Version 1.1 and approved by the Wellington Water Land Development Team,
 - ii. The stormwater management system(s) must be designed so that:
 - a. the total stormwater discharge post development from the site for all

- rainfall events up to the 1% AEP event plus climate change must be less than or equal to the stormwater flows prior to development.
- b. there are no adverse effects on the environment, in particular that the potential for scour and erosion is mitigated,
 - c. All connections to the stormwater system must be trapped to minimise debris entering the system.
 - d. Increases in runoff volume are reduced as far as reasonably practicable.
47. Prior to works commencing, the Consent Holder must prepare a draft Operation and Maintenance Manual for all stormwater device(s) setting out the principles of the general operation and maintenance for the stormwater system(s) and associated management devices. The draft Operations and Maintenance Manual shall be submitted to the Wellington Water Land Development Team for approval and is to include, but not be limited to:
- a. a detailed technical data sheet
 - b. all the requirements as defined within the Water Sensitive Design for Stormwater: Treatment Device Design Guideline.
 - c. a programme for regular maintenance and inspection of the stormwater system
 - d. a programme for the collection and disposal of debris and sediment collected by the stormwater management device or practices
 - e. a programme for post storm maintenance
 - f. general inspection checklists for all aspects of the stormwater system, including visual check of sumps and outfalls
 - g. a programme for inspection and maintenance of vegetation associated with the stormwater devices.

Stormwater – Ongoing Operation and Maintenance:

48. With respect to stormwater discharge, the site will be serviced by a stormwater management system providing stormwater treatment, stormwater neutrality and hydrological neutrality. The Consent Holder shall be responsible for the ongoing operation and maintenance of the stormwater system, and;
- i. shall operate and maintain the stormwater management system in full working order on an on-going basis, in accordance with the approved Operation and Maintenance Plan, and;
 1. The location of the shared service/s and associated connections can be found on the As-Built drawing held on the Council certification file.
 2. A copy of the Operation and Maintenance Plan can be found on the Council certification file.
 - ii. Details of all inspections and maintenance (as stipulated in the manual) for the stormwater management systems shall be retained and provided to Council upon request.
49. The Consent Holder must not increase stormwater discharge from the site without prior Council approval.

Note: Any increase in stormwater discharge may result in failure of the stormwater detention systems.

Flooding:

50. To maintain the existing flood flows through the site, prior to certification, the Consent Holder must provide an as-built levels plan to demonstrate that the site earthworks have been completed in accordance with the Calibre Drawings as referenced in Condition 1;

As-builts:

51. At the conclusion of the engineering works and 10 days prior to the completion of works, the Consent Holder is to submit as-built drawings that meet the requirements of Wellington Water Regional As-Built Specification for Water Services for water supply, wastewater and storm-water drainage.
52. Where an existing private service has been abandoned, the final treatment, including the location of the disconnection/capping and details of any water meter removed, shall be detailed on the final as-built plan.