

Recommended Conditions – LU2300005

General Accordance Condition

1. This resource consent shall be carried out in general 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 LU2300005:
 - Application Form and Assessment of Environmental Effects prepared by Infrastructure Planners, dated 28-01-23.
 - Further Information Response titled 's92 Response:LU2300005', dated 23 March 2023.

Duration of Consent

2. Under Section 125 of the RMA, this consent lapses five (5) 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.

Prior to Commencement of Physical Works

The following conditions shall be met to the satisfaction of the Team Leader RMA Approvals and Compliance, or delegated representative; evidence of which is to be provided by email to RMACompliance@wdc.govt.nz.

3. The consent holder must advise in writing the residents of Brentwood Avenue and Timandra Place of the proposed tree removal works and replacement planting. The notice must be provided at least seven (7) days before tree removal works start. The written advice must set out the expected duration of the works, any traffic management that will be implemented and any site safe requirements to ensure appropriate safety measures are implemented to prevent any damage to private property.
4. The consent holder shall submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Engineering Standards 2022 to the satisfaction of the Development Engineer or delegated representative.
5. The consent holder shall notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencing works. Such notification shall be sent to the RMA Compliance officer and include the following details:
 - i. Name and telephone number of project manager

- ii. Project address to which the exercising of this consent relates
- iii. Activities to which the consent relates
- iv. Expected duration of works.

During Physical Works

The following conditions shall be met to the satisfaction of the Team Leader RMA Approvals and Compliance, or delegated representative; evidence of which is to be provided by email to RMACompliance@wdc.govt.nz.

6. All tree removals must be undertaken by a suitably qualified and experienced Tree Removal Contractor with Industry Recognised Arboricultural Qualifications.
7. All replacement tree plantings must be undertaken by a suitably qualified and experienced Tree Planting Contractor with Industry Recognised Horticultural / Landscape Qualifications.
8. Every Public Tree that is removed, must be replaced at a ratio of 3:1 by a tree which is of the species identified in Attachment A – Palette of Replacement Trees.

One replacement tree must be located in the same or similar location as the tree being removed and shall be a minimum size of PB95/140L.

The two additional replacement trees (for every tree removed) are to be located within the reserve on Brentwood Avenue, being Lot 17 DP 137989.

9. The replacement trees to be located within the road reserve must be installed as soon as practicably possible following the removal of the existing tree.
10. The consent holder shall ensure that spoil from the site is not tracked out onto Council Road formations to the satisfaction of the RMA Compliance officer or delegated representative.
11. Dust nuisances must be controlled onsite (by use of a water cart or similar) by the Applicant so as not to cause “offensive or objectionable” dust at or beyond the boundary development.

Post Physical Works

12. The replacement street tree planting and trees planted within Brentwood Avenue reserve shall be maintained in perpetuity. Where a replacement tree fails, this must be replaced with a tree of either the same species or from the “Palette of Replacement Trees” and be a minimum size of PB95/140L, by the consent holder as soon as practicably possible.

Advice Notes

1. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring officer unless otherwise specified.*
2. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to Sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council*

within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).

- 3. Under Section 120 an Applicant, Consent Holder or person who made a submission on an Application can appeal to the Environment Court against the whole or any part of the decision of a consent authority for a resource consent. The scope of appeal within s120(1A) states if the consent was for a boundary activity then the decision cannot be appealed (unless the boundary activity is a non-complying activity).*
- 4. 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. A Corridor Access Request (CAR) is defined in the new “National Code of Practice (CoP) for Utilities access to the Transport Corridors “. This CoP has been adopted by Council. It provides a single application for Traffic Management Plans/Road Opening Notice applications. Enquiries as to its use may be directed to Council’s Road Corridor Co-ordinator, ph 430 4230 ext. 8231.*
- 6. Erosion and Sedimentation Control shall be designed and carried out in accordance with GD05 “Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region”.*
- 7. The consent holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The Applicant will be advised of the charges as they fall.*
- 8. All archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s).*

Attachment A – Replacement Species Palette

| WDC - Berm Tree Species List | Common Name | Height | Narrow Berm | Deciduous | Native | Description |
|--------------------------------------|---------------------------|----------|-------------|-----------|--------|--|
| Acer Red Palmatum 'Emperor' | | 6-10m | | * | | Broadly columnar, deciduous. Brilliant red colour. |
| Acer Palmatum 'Shindishojo' | | 3 - 5m | * | * | | Red spring foliage, deciduous. |
| Acer R Bowhall | | | | | | |
| Callistemon citrinus | Bottlebrush | 5m | | | | Bright Red Flowers Late Spring |
| Fraxinus griffithii | Evergreen Ash | 5m | | | | Panicles of white flowers in summer |
| Ginkgo biloba 'Fastigiata' | Upright Ginkgo | 10m+ | * | * | | Upright form, deciduous. Yellow foliage in spring. |
| Gordonia " Moonlight Magic" | Gordonia | 6m | * | | | Large White / Yellow Centred Flowers Late spring/ early summer |
| Hymenosporum flavum | Australian Frangipani | 10m x 4m | * | | | Narrow Tree , Yellow scented flowers |
| Jacaranda mimosaeifolia | Jacaranda | 8m+ | | | | Beautiful Mauve flowers late spring / early summer |
| Lagerstroemia indica " Bergerac " | Crepe Myrtle | 4-6m | * | * | | Bark and flower display, deciduous. |
| Lagerstroemia indica " Kimono " | Crepe Myrtle | | | | | |
| Liriodendron tulipifera 'Fastigiata' | Tulip Tree Upright | 15m+ | | * | | Compact upright form. Large tree, deciduous. |
| Magnolia Aurora | | 4m | * | | | Locally Bred (Oz Blumhardt), Large Deep Pink Flowers in Spring |
| Magnolia Black Tulip | | 6m | | | | Large Dark Ruby Red Flowers in Spring. Vigorous Grower. |
| Magnolia Stellata and varieties | Star Magnolia | 3-7m | | * | | Late winter/early spring flowering, deciduous. |
| Michela doltsopa " Silver Cloud " | | 8m | | | | Evergreen , Scented White Flowers late winter |
| Pyrus calleryana Aristocrat | Ornamental Pear | 8m x 6m | | * | | White Flowers Spring / Red Autumn Foliage |
| Stenocarpus sinuatus | Queensland Firewheel Tree | 7m x 4m | * | | | Spectacular Red Wheel Shaped Flowers Late Summer |
| Trystaniopsis laurina | Kanooka | 7m+ | | | | Yellow Flowers Summer |
| Quercus cercis | Turkey Oak | 15m+ | | * | | Character areas, large tree, deciduous. |
| Quercus robur " Fastigiata " | English Oak Upright | 10m+ | | * | | Deciduous |
| Alectryon excelsus | Titoki | 7m+ | | | * | |
| Bacrycarpus dacridoidies | Kahikatea | 10+ | | | * | |
| Knigthea-excelsa | Rewarewa | 12m+ | * | | * | Upright form, gully and river link; evergreen. |
| Metrosideros excelsa 'var' | Pohutukawa | 8+ | | | * | |
| Metrosideros "Mistral" | | 6+ | | | * | |
| Nestegis lanceolata | White-Maire | 7m+ | * | | * | Handsome tree with narrow leaves; evergreen. |
| Pennantia corymbosa | Kaikomako | 6-10m | * | | * | |
| Rhopalostylis chathamica pittii | Pitt Isl-Nikau | 6m+ | * | | * | |
| Sophora-Chathamica | Kowhai | 6-10m | | | * | Flowers, gully links, bird attractant; mostly evergreen. |
| Sophora-microphylla | Kowhai | 6-10m | | | * | Flowers, gully links, bird attractant; mostly evergreen. |
| Weinmannia-racemosa | Kamahi | 6-10m | * | | * | |