

## **Attachment A**

### **Landowner approval conditions for the construction of a fence adjacent to the Riverhead War Memorial Pavilion for the purposes of creating a safe outdoor play area.**

This landowner approval is subject to the following conditions:

#### **General conditions**

1. All works must be in general accordance with the landowner approval application from Riverhead Playgroup Incorporated dated 26 June 2017.
2. Public liability insurance is to be obtained for a sum of at least \$1,000,000.00 and a copy of the cover certificate provided at the pre-start meeting before works start. Council accepts no liability in respect of any damage caused to or by the applicant or their contractor.

#### **Pre-start meeting**

3. The applicant must contact the Toru (Rodney) maintenance delivery co-ordinator, Community Facilities (09 301 0101) to arrange a pre-commencement site meeting to discuss the proposed works. The maintenance delivery co-ordinator must approve:
  - timing of the works
  - evidence of public liability insurance
  - evidence of notification
  - a Health and Safety plan (Note: A template for this can be found at <https://www.sitesafe.org.nz/products-and-services/sssp/>)
  - signage and closing off of the work area from the public
  - requirements for any fencing requirements to ensure public safety
  - a date to check re-instatement.
  - a Health and Safety plan
  - signage and closing off the work area, public parking spaces and walkway from the public
  - a date to check reinstatement.

#### **Site safety**

4. The applicant must install signage at all entrances to the reserve outlining for how long the work will be undertaken, the purpose of the works, and contact details of the applicant or their agent. This must be installed seven (7) days prior to work starting.

5. The applicant must fence the work site compound off from the public, and put up signage indicating for how long the work will be undertaken, the purpose of the works, and contact details of the applicant or their agent.
6. Any works undertaken on the park, or contractor access over the park, must be controlled in an approved manner that protects the public from danger or undue inconvenience at all times.
7. Any physical works must be carried out in accordance with the requirements of the Health and Safety at Work Act 2015. The contractors undertaking the work must:
  - (a) have all relevant current health and safety qualifications
  - (b) comply with all reasonable directions given by the council in relation to health and safety in connection with the council land
  - c) ensure, so far as is reasonably practicable, the health and safety of its representatives and those who are influenced or directed by it while carrying out work for it
  - (d) ensure the health and safety of other persons, including service providers, the public, and visitors, is not put at risk from works carried out
  - (e) ensure, so far as is reasonably practicable, that the way in which any equipment is installed is without risks to the health and safety of any persons who:
    - (i) use or install such equipment
    - (ii) are at or in the vicinity and may be affected by the use or activity.
  - (f) immediately provide the council with information about any health and safety matters relating to the works, if requested.

### **Silt controls / pollution**

9. The consent holder must implement suitable control measures during construction of the path to ensure that no contaminants (i.e., concrete slurry, concrete water) enter the stormwater system.
10. Any tracking of contaminants (sediment, concrete) through the carpark area must be avoided, or appropriately cleaned at the end of each work day.
11. In the case that contaminants are discharged from site, the applicant must use appropriate measures to remedy the situation. If a significant spill occurs on site, the applicant may contact the Auckland Council Pollution Response Team for advice on clean-up by calling the 24/7 Pollution Hotline (09 377 3107).

### **Archaeological – Mana Whenua**

12. Should any items and/or artefacts of significance or value to Mana Whenua surface during the works, all works must cease immediately and accidental discovery protocol and notification procedures must be administered and followed.

## **During construction**

13. All noise generated from the approved works must comply with the provisions of the New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise."
14. All contractors must be made aware of the conditions of this landowner approval and ensure compliance with these conditions. All personnel working on the site must be made aware of and have access to the contents of this land owner approval and any associated environmental protection plans and methodology.
15. All services and utilities are to be checked and location confirmed on site by the applicant prior to work beginning.
16. The works are only able to occur during the months of October through to the end of May, and during dry periods i.e. when it has not recently rained and the ground is dry. No works may occur in June, July, August or September unless otherwise agreed to with Land Advisory Services, Community Facilities.
17. Works must not commence before 7am nor continue past dusk or 6pm, whichever is earlier. Works within the park must not be undertaken during weekends or public holidays, unless otherwise agreed to by the Maintenance Delivery Co-ordinator.

## **Other consents still required**

18. This letter provides landowner approval only and does not replace the requirement for resource consent or the need to comply with all other applicable laws or acts (including the Property Law Act 2007), regulations, and bylaws. All works must be completed in accordance with the rules of the relevant Auckland Council Operative District Plan, Auckland Unitary Plan or the conditions of any resource consents or permits issued by Auckland Council, including those under the Building Act 2004, Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

## **Reinstatement**

19. The applicant must undertake full reinstatement of any damage to the park surface or its assets to original or better condition. Any damage done to the park environment and not reinstated within 20 days of the works being carried out will result in council's contractor carrying out any reinstatement work necessary. The applicant will be invoiced for all expenses, including any staff time in reinstating the park area.
20. The park and riparian margins must be clean, tidy and clear of rubbish, debris and building materials on completion of the works.
21. All concrete footpath slabs or crossing areas damaged must be totally replaced as an entire slab; no partial slab repairs will be accepted.

22. Replacement of car park seal, kerbs, subsurface drainage and base course must be carried out to Auckland Transport's Code of Practice (Section 16), matching the existing surface and joints in seal must be neatly and effectively crack-sealed. All adjacent areas disturbed by the contract works must be reinstated to the standard that they were previously, unless otherwise agreed prior.

### **Handover**

23. The applicant must leave the park and all its existing assets tidy and clear of stones, rubbish, debris, building materials and excess soil.
24. On completion of all works the applicant must provide as-built plans showing all finished hard and soft assets, and a planting plan showing the location and species.
25. The Maintenance Delivery Coordinator must be advised at the completion of all works so inspection of the site can be carried out and sign off provided.
26. The applicant bears all liability for any damage to council infrastructure that result from its work. The contractor must remove and control all their litter and ensure the security and safety of the work site.
27. This written approval expires three (3) years from the date of the issue of this letter.

Please note, the council is granting approval for temporary access and works in its non-regulatory capacity. This approval does not bind the council in its capacity as a regulatory authority in any way, and any consent or approval given under this agreement is not an approval or consent in its regulatory capacity, and vice versa. The council will not be liable to any other party if, in its regulatory capacity, the council declines or imposes conditions on any consent or permission any party seeks for any purpose associated with this approval.

If there are any amendments to this proposal a new assessment will need to be undertaken by Community Facilities prior to any works commencing and approval will be subject to the Manager Land Advisory Services.

Should you have any queries, do not hesitate to contact Raewyn Sendles via email ([raewyn.sendles@aucklandcouncil.govt.nz](mailto:raewyn.sendles@aucklandcouncil.govt.nz)) or phone (021 520 467).