I hereby give notice that an extraordinary meeting of the Waitematā Local Board will be held on:

**Date:** Tuesday, 25 February 2020  
**Time:** 10.00am  
**Meeting Room:** Waitematā Local Board Office  
**Venue:** Ground Floor  
52 Swanson Street  
Auckland

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**Waitematā Local Board**  
**OPEN AGENDA**

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**MEMBERSHIP**

Chairperson  
Richard Northey (ONZM)  
Deputy Chairperson  
Kerrin Leoni  
Members  
Adriana Avendaño Christie  
Alexandra Bonham  
Graeme Gunthorp  
Julie Sandilands  
Sarah Trotman (ONZM)

(Quorum 4 members)

---

**Liz Clemm**  
Democracy Advisor - Waitematā  

20 February 2020

Contact Telephone: (09) 353 9654  
Email liz.clemm@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
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1 Welcome

2 Apologies
At the close of the agenda no apologies had been received.

3 Declaration of Interest
Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Leave of Absence
At the close of the agenda no requests for leave of absence had been received.

5 Acknowledgements
At the close of the agenda no requests for acknowledgements had been received.

6 Petitions
At the close of the agenda no requests to present petitions had been received.

7 Deputations
Standing Order 7.7 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Waitematā Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

At the close of the agenda no requests for deputations had been received.

8 Public Forum
A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

At the close of the agenda no requests for public forum had been received.
9 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,

(i) The reason why the item is not on the agenda; and

(ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting."

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting,

(a) That item may be discussed at that meeting if-

(i) That item is a minor matter relating to the general business of the local authority; and

(ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."
Western Springs Park Pine Tree Removal

File No.: CP2020/01961

Te take mō te pūrongo

Purpose of the report

1. To seek local board approval for the removal of a whole stand of pine trees at Western Springs Lakeside Park in accordance with the recently granted resource consent obtained for the purposes of delivering the Western Springs Native Bush Restoration project.

Whakarāpopototanga matua

Executive summary

2. Since 2005 Council has been monitoring a stand of approximately 95 year old radiata pine trees in Western Springs Lakeside Park. The stand has reduced in size from approximately 700 pines in 1988 to approximately 177 live standing trees and approximately 23 dead standing trees as at 22 August 2019.

3. In October 2015 the Waitematā Local Board approved the commencement of the 'Western Springs Native Bush Restoration' project with the aim of restoring the area to native bush and achieving the long-term aspiration of returning the area to native podocarp forest as described in the Western Springs Lakeside Park Plan 1995.

4. The stand was closed to the public in April 2018 due to concerns for the safety of Council's workers and to members of the public from falling trees.

5. In May 2019, following a publicly notified process, Council was granted resource consent to remove the remaining pine trees and restore the area with native vegetation.

6. The decision to grant resource consent was appealed to the Environment Court. The parties subsequently engaged in mediation.

7. The parties agreed to dispose of the appeal proceeding by way of consent and agreed that the resource consent should be granted with conditions. On 27 September 2019, the Environment Court formalised the settlement and the resource consent was granted (refer Attachment A – 279(1)(b) of the Resource management Act 1991).

8. Staff are seeking approval to commence work at the earliest opportunity to progress the restoration project.

9. The estimated cost of the works is $760,000, including contingency. The local board’s budget allocation for the current financial year will be increased as required to meet the costs associated with the works.

Ngā tūtohunga

Recommendation/s

That the Waitematā Local Board:

a) approve the removal of the whole stand of pine trees at Western Springs Lakeside Park in accordance with the approved resource consent to deliver the Western Springs Native Bush Restoration Project.
Horopaki
Context
10. In the late 1920s, an extensive stand of radiata pine was planted on the northern slopes of Western Springs Lakeside Reserve.

11. Over the past twenty years the stand has progressively reduced from approximately 700 trees in 1988, to approximately 177 live standing trees and approximately 23 dead standing trees as at 22 August 2019.

12. Discussion on the future management of the trees and the restoration of the site to native bush has been progressing for a number of years. In 2015, the Waitematā Local Board resolved to approve the Western Springs Native Bush Restoration Project and the recommended work programme for pine management, to commence 3rd quarter financial year 2016 following community engagement. (Resolution number WTM/2015/161).

13. Following the removal, a major planting and restoration effort will follow. Up to 15,000 plants will be planted (the exact number will depend on the amount of bare land available for planting) and the plants will be looked after in the years to follow. It is estimated the planting will take around three weeks. The maintenance will include control of pest plants and replacement of plants that do not survive.

14. Planting will turn the site into a healthy podocarp-broadleaf forest dominated by kauri, puriri, taraire and tanekaha, along with a native understorey. The project’s native bush objectives also provide the chance to expand the track network through the area bordered by West View Rd, the zoo, stadium and Western Springs Lakeside Park.

15. The reserve has been closed to the public since April 2018 due to concerns over the safety of reserve users from possible falling limbs or trees.

16. In early June 2018, a resource consent application for the removal of the trees in order to proceed with the Western Springs Native Bush Restoration Project was submitted.

17. The application was publicly notified, with hearings held in December 2018, and further submissions of information required in early 2019.

18. Resource consent was granted in May 2019 and appealed to the Environment Court in June 2019.

19. Court assisted mediation was undertaken over a number of months. As part of the mediation between the parties to the appeal, on 22 August 2019, five expert arborists took part in an expert conference and agreed a Joint Expert Witness Statement which recorded agreement amongst the experts that:
   • tree numbers had reduced from an estimated 700 in 1988 to 177 standing live trees;
   • as tree density reduces to the extent that remaining live trees lose the protection afforded by other trees, the remaining trees have an increased likelihood of failure;
   • there are 5 types of targets that could potentially be affected by trees if they were to fall in an uncontrolled way:
     - 10 dwellings/studios on West View Road;
     - Key infrastructure, including wastewater sewer, footbridge, powerlines and zoo fence;
     - Other structures, e.g. fences, walls, garden sheds, zoo buildings, stadium grandstand and stormwater pipes;
     - Anywhere people may be present including backyards, in the SEA (on and off track), stadium open space and depot area.
20. The experts agreed that further information would be required before an informed decision could be made on the most appropriate way to proceed but they did not agree on the extent of the further assessment that would be required.

21. They did agree that:

- Some trees need to be removed;
- Further assessment of many trees through the stand is required, in addition to further assessment of some of the 17 trees;
- Natural attrition and tree failure are likely to continue within the stand; and
- Canopy health of some trees is likely to deteriorate and the extent to which this occurs depends on the timeframe to be considered.

22. As a result of the mediation, the parties agreed to dispose of the appeal by consent and agreed that the resource consent should be granted. On 27 September 2019, the Environment Court formalised the settlement and ordered that the resource consent was granted.

23. The consent order issued by the Environment Court on 27 September 2019 granting consent to the whole stand removal has comprehensive conditions such as:

- Establishing a Community Liaison Group - represented by all interested parties with two meetings already been held on the 5 November 2019 and 10 December 2019.
- Project Website – specific project website for the project.
- Updated Ecological Management Plan – prior to works commencing the consent holder shall provide the Council Team Leader Monitoring the updated plan for certification.
- Updated Geotechnical Report – provided to the Council Team Leader Monitoring prior to commencing work
- Independent Arborist and Ecologist – consent holder to employ suitably qualified independent ecologist and arborist to monitor project.
- Project Management Contract – a contract has been awarded to undertake and deliver the required plans for the consent. Plans will be made available to the Community Liaison Group simultaneously when submitting to consent authority.
- Conditions of consent provide for greater community input into the consent implementation process and are designed to achieve improved ecological outcomes.

24. Staff are now seeking the board’s approval to implement the resource consent to deliver of the Western Springs Native Bush Restoration project.

Tātaritanga me ngā tohutohu

Analysis and advice

25. The objective of the decision is to give effect to the decision of the Local Board to deliver the Western Springs native Bush Restoration Project. We have identified three options open to the board below.

**Fully implement the consent**

26. Fully implementing the consent enables the council to proceed with the Western Springs Native Bush Restoration Project as planned without further delay and is therefore the recommended option.

27. This option also completely addresses the health and safety concerns outlined below. Given the information Council now holds on fall targets, Council would need to review the exclusion zones if a decision was taken not to fully implement the consent.
28. As agreed in the Ecologists Joint Witness Statement of 28 August 2019, whole stand removal will provide greater certainty of ecological outcomes through management. Further, the adverse effects caused by whole stand removal will be short lived and the removal will allow rapid growth of native vegetation and faster transition to a native forest ecosystem. Against these advantages, the ecologists agreed that whole stand removal would cause a high magnitude of disturbance to and the sudden transition from pine forest to high light/open shrubland could have consequences to the fauna. It is noted that while the ecologists agreed on the substance of these advantages and disadvantages of whole stand removal, they differed on the weighting and significance of them.

29. Implementing the consent and removing the trees will allow the site to be opened up to the public sooner.

30. This option is fully consented and no further approvals are required.

31. The costs of fully implementing the consent at this stage are known and can be appropriately budgeted for.

**Do not implement the consent**

32. The council could choose not to implement the consent and take no further action at this stage.

33. Not implementing the consent would not enable the delivery of the Western Springs Native Bush Project and may result in the area remaining closed to the public indefinitely.

34. It would also result in the health and safety risks outlined below remaining for the foreseeable future. Given the information we now hold on fall targets, we would need to review the exclusion zones around the stand.

35. As agreed in the Ecologists Joint Witness Statement of 28 August 2019, maintaining the status quo would allow a gradual change in structure, habitat and micro-climate which would be more akin to the natural forest dynamics. It would also result in a more localised and lower magnitude of disturbance. Further, the mature pines would continue to provide a habitat for birds and invertebrates. Against these advantages, the ecologists agreed that management of at status quo would be more complex than whole stand removal. It would also provide uncertainty of long-term ecological outcome. They also noted that the pine trees suppress native canopy components. Again, it should be noted that while the ecologists agreed on the substance of these advantages and disadvantages of whole stand removal, they differed on the weighting and significance of them.

**Further assessment and delayed partial implementation of the consent**

36. The Society for the Protection of Western Springs Forest Incorporated (the Society) has suggested that the local board consider delaying the implementation of the resource consent to undertake further assessment of trees in the stand. Further assessment may result in partial or staged implementation of the resource consent.

37. This would delay delivery of the Western Springs Native Bush Restoration Project.

38. The Society has estimated that further investigations will cost approximately $20,000-30,000. Council has not independently assessed the Society’s cost estimate. The costs of undertaking partial or staged implementation of the consent are also unknown.

39. Due to ecological impacts the removal of the pines needs to take place between March to May in a given year. If further assessment is undertaken this window will likely be missed for 2020 and the reserve will remain closed to the public for the next 12 months.

40. If this option was adopted, further advice would be needed to determine whether the conditions of consent can be complied with or whether a variation is required.

41. This approach does not immediately alleviate the health and safety concerns outlined below.
Tauākī whakaaweawe āhuarangi
Climate impact statement

42. Staff have sought advice on the potential climate impacts from Nick Goldwater, a principal ecologist at Wildland Consultants Ltd and council’s ecological expert in the mediation. Mr Goldwater has provided the following information:

43. There is general consensus that the stand of pine trees is approximately 100 years old. Mature pines that aren’t growing anymore may store a lot of carbon, however, they continue to sequester only small amounts given that they only require carbon to maintain metabolic processes.

44. Once the pines are felled, it is likely that most of the below ground biomass/roots decomposes into the soil carbon pool with not much atmospheric exchange (unless soils are disturbed). Above the ground (i.e. where logs are left to decay), it is likely that most carbon is actually cycled back to the atmosphere albeit very slowly through decomposition by insects and microbes and released via respiration. Some fraction of the carbon from felled logs may enter the soil carbon pool, although soil accumulation rates are natural low in most terrestrial forests. The felled logs will provide habitat and food resources for indigenous fauna, plants, lichens, and fungi.

45. It is acknowledged that the indigenous plantings will sequester nominal amounts of carbon for the first decade or so. However, over the medium term of 30 – 40 years, the quantity of carbon stored in high productivity manuka/kanuka forests can exceed the quantity of carbon stored in harvested Pinus radiata forests (Parliamentary Commissioner for the Environment. Seeding the carbon storage opportunity in indigenous forests Comments on the draft Climate Change (Forestry Sector) Regulations 2008. 26 June 2008).

46. The same report also suggests that if a landowner was to fence off one hectare of land having optimal soil fertility and rainfall, and allow it to revert to manuka / kanuka, the site could accumulate 200 tons of carbon in a 20-year period.

47. Given that the proposed revegetation plantings at Western Springs will contain a high proportion of kanuka and other fast-growing species such as karamu (Coprosma robusta) and kohuhu (Pittosporum tenuifolium), it is reasonable to assume that a similar amount of carbon will be sequestered at the site after 20 years, as long as post-planting maintenance is properly implemented.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

48. Staff from the Auckland Zoo, Auckland Stadiums, the Museum for Transport and Technology, and Auckland Councils Parks Sport and Recreation Department have been consulted and are supportive of the approved consent for the whole stand removal of the radiata pines.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

49. The Western Springs Native Bush Restoration project was consulted on as part of the development of the 2015-2025 Long-term Plan, as a priority project of the local board. Consultation was undertaken between 23 January 2015 to 16 March 2015 to inform the Long-term Plan 2015-2025. In general, there was strong support for environmental projects, which included the Western Springs Native Bush Restoration project. Of the 73 responses received, 89 percent supported the Western Springs proposal.

50. Council subsequently engaged with the community in relation to the project in the following ways:
   - Presentation of the project at Mana Whenua Parks Hui in November 2017
• Discussions with MOTAT, Auckland Zoo and Western Springs Stadium in December 2017
• Listing the project information listed on Our Auckland and Facebook, in April 2018
• Delivering a letter outlining the project including frequently asked questions to all immediate neighbours, in April 2018.

51. Mana Whenua, Auckland Zoo, Auckland Stadiums, and Museum for Transport and Technology were supportive of the removal of the trees.

52. Further engagement with the public was undertaken through the publicly notified resource consent application in 2018 and 2019. There were approximately 50 individual responses from the public on the resource consent application. The responses opposed the removal of the trees.

53. The local board has heard the views of part of the community represented by the Society for Protection of Western Springs Forest Incorporated and Friends of Western Springs. The preferred approach by those in opposition is for further assessment of the trees and if necessary, partial or staged removal.

54. The potential for impacts on residents, particularly the potential impacts of noise and vibration during the removal works, have been recognised and addressed through the resource consent conditions.

55. Mitigation measures are set out in the Construction Noise and Vibration Management Plan which forms part of the consented documentation.

Tauākī whakaaweawe Māori
Māori impact statement

56. In November 2017 council presented the project at the Mana Whenua Parks.

57. Representatives of six iwi attended the hui and supported the proposal to remove the pines.

58. In June 2018, project information was sent to nine iwi who were not able to attend the hui. Seven of the iwi responded that either they supported the removal proposal, or deferred to another iwi. Two iwi did not attend the hui or respond to the June 2018 letter.

59. Attachment B provides a full schedule of responses.

Ngā ritenga ā-pūtea
Financial implications

60. Table 1 below provides a summary of the estimated cost.

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<th>Description</th>
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<tr>
<td>Conditions of consent, consultant services, and community liaison person under condition 8 of the Resource Consent</td>
<td>$250,000</td>
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<tr>
<td>Arboricultural contractor</td>
<td>$370,000</td>
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<tr>
<td>Restoration – plants and planting</td>
<td>$80,000</td>
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<tr>
<td>Contingency</td>
<td>$60,000</td>
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61. The proposed removal of the pine trees at Western Springs currently requires budget allocation of $760,000, including contingency.

62. The local boards budget allocation for the current financial year will be increased as required to meet the costs associated with the works.
Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

64. Council has obligations under the Health and Safety at Work Act 2015 (HSWA) to take all reasonable steps to prevent harm to the public. If Council breaches its key duties under the HSWA it could be fined up to $3,000,000.

65. In terms of the health and safety risk, council’s risk assessment completed in November 2019, took into account its obligations under the HSWA and followed the Corporate Standard 3 (Attachment C - CSTD3 Risk Assessment) protocols.

66. In carrying out its risk assessment, Council had available to it expert reports over a number of years detailing the condition of the Western Springs’ pine trees. Also before Council was the Joint Expert Witness Statement dated 22 August 2019.

67. The Council has now also had the benefit of Craig Webb’s December 2019 report. This report has used a different methodology for assessing risk and has assessed the risk in relation to individual trees (based on a visual inspection) whereas Council has assessed the overall risk posed by all of the pine trees in the stand. This adopts a different methodology from that used by Council. Having reviewed the report, staff remain concerned about the ongoing health and safety risk arising from the pines.

68. At present Council has taken action to isolate and mitigate the risk by closing the stand to members of the public, and controlling the access of workers accessing the park for monitoring and other work by requiring that workers obtain approval from Community Facilities before commencing work in the stand and requiring the use of personal protective equipment. However, despite imposing these controls the residual risk remains. It is noted that these controls do not prevent the risk of trees falling onto neighboring property or onto people in those properties. If a decision is taken not to implement the consent and eliminate the risk then Council will need to reconsider whether it is appropriate to expand the exclusion zone. We also note that people have continued to climb over the barriers even while the track has been closed, therefore the risk of trees falling on people in the stand.

69. The November 2019 Council risk assessment records that Council must first consider elimination of the risk, and that to do this it recommends removal of the whole stand of pines as soon as possible. The council has adopted a risk-based approach with the aim of eliminating the risk.

70. Council also has obligations outside of the HSWA. As a landowner, Council owes a duty of care to its neighbours to ensure that no hazards occurring on its land cause foreseeable loss or harm, therefore the council is required to take reasonable steps to remove or reduce these hazards.

71. If council does not fully implement the consent then the risk will not be eliminated.

Ngā koringa ā-muri

Next steps

72. Subject to local board approval, staff propose to implement the tree removal and restoration works as soon as possible, in accordance with the granted resource consent conditions. As outlined above, the resource consent conditions require plans to be made available to the Community Liaison Group simultaneously when submitting to the consent authority. Staff will provide these plans to the local board at the same time as they are provided to the Community Liaison Group.

73. Once the pine trees have been felled and it is deemed safe enough for contractors to work in the area, pest plant and animal control will be reinstated, and planting will be undertaken to achieve 90 percent cover of woody vegetation within five years, as per an approved final Ecological Management Plan set out in the approved consent conditions. The native plantings will be maintained on a regular basis in order to maximise survival.
74. The proposed revegetation with indigenous plant species, together with the control of pest plants and animals will, in the medium to long-term, substantially improve the current ecological values of the site and provide important local habitat for indigenous birds, lizards, invertebrates, and plants. In addition, the felled pine material to remain on site will provide useful habitat for invertebrates, epiphytic vascular plants, lichens, and fungi, as well as return nutrients to the soil.

75. It is anticipated that works will commence on site in March 2020.

**Public Communication Plan**

76. A specific website for the project will be established which will contain daily project information for the initial part of the works and thereafter on a weekly basis. The website will include access to all the updated plans.

77. An interested parties’ database will be created. Prior to the works commencing an email database of submitters, interested stakeholders and residents will be established and notifications and project updates will be sent daily for the initial part of the works and thereafter weekly.

78. Staff will engage a community liaison contact who will be a readily accessible point of contact and available from 8am to 8pm on each workday for the duration of the project.

79. There will be letter drops prior to the commencement of works to local residents.

**Ngā tāpirihanga**

**Attachments**

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**Ngā kaihaina**

**Signatories**

<table>
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<tr>
<th>Authors</th>
<th>Paul Amaral - Area Manager – Regional Specialist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Rob Cairns - Manager Parks and Recreation Policy</td>
</tr>
<tr>
<td></td>
<td>Rod Sheridan - General Manager Community Facilities</td>
</tr>
<tr>
<td></td>
<td>Trina Thompson - Relationship Manager/Senior Advisor Waitematā Local Board</td>
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BEFORE THE ENVIRONMENT COURT
IMUA I TE KOOTI TAI AO 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 GAEL
JOY BALDOCK
ENV-2019-AKL-000104
Applicants

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.
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, overstory 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 68, 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, 28-29, 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.


[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

[Signature]

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 LUC90321424. 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.

<table>
<thead>
<tr>
<th>Report title</th>
<th>Author</th>
<th>Dated</th>
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<tr>
<td>Assessment of landscape and visual effects</td>
<td>Kensington planning and landscape consultants</td>
<td>7 June 2018</td>
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<tr>
<td>Western Springs Pine Trees Arboricultural Assessment</td>
<td>David Stejskal, Senior Tree Asset and Horticulture Supply Specialist, Community Facilities, Auckland Council</td>
<td>June 2018</td>
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<tr>
<td>Memorandum</td>
<td>Gerald Collett, Geotree Ltd</td>
<td>28 May 2018</td>
</tr>
<tr>
<td>Western Springs Pine Tree Removal Specification of Work</td>
<td>-</td>
<td>March 2019</td>
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<td>Western Springs Pine Clearance – Erosion and Sediment Control Plan</td>
<td>Ridley Dunphy Ltd</td>
<td>24 January 2019</td>
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<tr>
<td>Forest Health Reference Laboratory – Pathology Report</td>
<td>Scion</td>
<td>30/08/2018</td>
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<td>Geotechnical Investigation Report</td>
<td>Geoconsult Ltd</td>
<td>03/06/2016</td>
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<tr>
<td>Additional geotechnical investigation report</td>
<td>Geoconsult Ltd</td>
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<td>29 October 2018</td>
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<td>Western Springs Pine Tree Removal – Compliance with Noise Limits</td>
<td>Styles Group Ltd</td>
<td>11 June 2018</td>
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<td>Ecological Assessment And Management Plan For The Proposed Removal Of Pines At Western Springs Park</td>
<td>Wildlands Ltd</td>
<td>June 2016 (revised February, May and June 2018)</td>
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<tr>
<td>Lizard Management Plan For Pine Removal At Western Springs Park</td>
<td>Wildlands Ltd</td>
<td>December 2018</td>
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Western Springs Forest Archaeological Assessment  
Russell Foster and Associates  
March 2015

Report on Tree Health in Western Springs June 2018  
Chris Ingless Forest Health Advisor SPS Biodiversity Ltd  
June 2018

Archaeological Assessment at the proposed pine tree removals at Western Springs for S82 Response  
Brent Druskovich – Consultant Archaeologist  
28 September 2018

Ecological Management Plan for the proposed removal of pines at Western Springs Park  
Wildlans Limited  
April 2019

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<th>Dated</th>
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<td>Ridley Dunphy Ltd</td>
<td>24/01/2019</td>
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<td>ESCP Standard Details Sheet 2 of 3</td>
<td>Ridley Dunphy Ltd</td>
<td>30.05.2018</td>
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<td>ESCP Standard Details Sheet 3 of 3</td>
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<td>Proposed management units</td>
<td>Wildlans Consultants</td>
<td>05/05/2016</td>
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<td>Priority areas for protection in the Western Springs pine block, Western Springs Park</td>
<td>Wildlans Consultants</td>
<td>11/03/2019</td>
</tr>
<tr>
<td>Proposed planting areas and locations of bait stations within Western Springs pine forest</td>
<td>Wildlans Consultants</td>
<td>30/05/2018</td>
</tr>
<tr>
<td>Location of lizard savage area and proposed relocation sites in the Western Springs pine block</td>
<td>Wildlans Consultants</td>
<td>14/06/2018</td>
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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-construction 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.
   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 35);
      - 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 58); 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;
   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)

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 (Centrall 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.

43.14 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.

44.15 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**

45.16 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, remediing 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, terrains, 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.

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 at 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).
Attachment A

Item 10

Western Springs Park Pine Tree Removal

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—

47.18 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

16A 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;

(ii) 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 meters 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 Wildlakes 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 Wildlakes 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
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 award

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 away, which ensures that spillsages 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 GHH676.1, 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.

58. If, at any time during site works, potential kiwi (human remains), archaeology or

Great North Road, Grey Lynn
P.O. No. 69321424

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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 kōwai, 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.

68.60. The consent holder shall not recommence works until approved by the Council’s Team Leader Monitoring (Central).

69.60. 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

64.62. 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 agathicida (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

83.84. 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

64.55. 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 agathicida (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 agathicida (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:

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

69-70. 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

70-71. 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 2016 as updated in accordance with condition 9.

74-69. 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 outcome 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 listed trees and the totems identified on drawing Map #A dated 12/02/2019 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.

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
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 Resources 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 2016) 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

(ii) 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.

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

According to the Act (section 2) taonga tāturu 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
   iv) is more than 50 years old

The Act is administered by the Ministry of Culture and Heritage. Taonga 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 be considered by
the consent holder if taonga 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 tāturu, within 28 days of finding the taonga tāturu;
alternatively provided that in the case of any taonga tāturu 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 tāturu 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

(The Seal of the Environment Court of New Zealand)

[Signature]
East North Road, Grey Lynn
Tel: 09321424

Western Springs Park Pine Tree Removal
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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 LUC80321424. 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.

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<thead>
<tr>
<th>Report title</th>
<th>Author</th>
<th>Dated</th>
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<td>Assessment of landscape and visual effects</td>
<td>Kensington planning and landscape consultants</td>
<td>7 June 2018</td>
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<td>Western Springs Pine Trees Arboricultural Assessment</td>
<td>David Staβjkal, Senior Tree Asset and Horticulture Supply Specialist, Community Facilities, Auckland Council</td>
<td>June 2018</td>
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<tr>
<td>Memorandum</td>
<td>Gerald Collett, Geofree Ltd</td>
<td>28 May 2018</td>
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<td>Western Springs Pine Tree Removal Specification of Work</td>
<td>-</td>
<td>March 2019</td>
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<td>Western Springs Pine Clearance – Erosion and Sediment Control Plan</td>
<td>Ridley Dunphy Ltd</td>
<td>24 January 2019</td>
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<tr>
<td>Forest Health Reference Laboratory – Pathology Report</td>
<td>Scion</td>
<td>30/06/2018</td>
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<td>Geotechnical Investigation Report</td>
<td>Geoconsult Ltd</td>
<td>03/09/2016</td>
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<tr>
<td>Additional geotechnical investigation report</td>
<td>Geoconsult Ltd</td>
<td>17 October 2018</td>
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<tr>
<td>Western Springs Pine Tree Removal – Compliance with Noise Limits</td>
<td>Styles Group Ltd</td>
<td>11 June 2018</td>
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<tr>
<td>Ecological Assessment And Management Plan For The Proposed Removal Of Pines At Western Springs Park</td>
<td>Wildlands Ltd</td>
<td>June 2016 (revised February, May and June 2018)</td>
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<tr>
<td>Lizard Management Plan For Pine Removal At Western Springs Park</td>
<td>Wildlands Ltd</td>
<td>December 2018</td>
</tr>
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</table>
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-construction 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 2736992 (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 advice 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;
   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;
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 Waitakere 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 59); 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, remediating 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
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@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' run-off 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 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 root 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 Works 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 GHE78.1, 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 8 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 (GD09).*

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 L(Aeq) and 90 dB L(A)max 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 receiver 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 GH078.1 required by condition 58A. 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 koiti (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 koiti, archaeology or artefacts of Māori 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 agathidicola (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 drip line 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 agathicida (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.kauriieback.co.nz or copies can be obtained from Auckland Council.

General Advice Note: The pathogen that causes kauri dieback (Phytophthora agathicida (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 065, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD09).

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 surveys 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.


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 2015).

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

ii) 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 taonga (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. Tūtara 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 taonga 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 – 04 489 4229 / protected-objects@mch.govt.nz
<table>
<thead>
<tr>
<th>Name</th>
<th>Email Address</th>
<th>Attachment?</th>
<th>Issue/Opinion</th>
<th>Feedback to date</th>
<th>Summary of feedback received</th>
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<td><a href="mailto:smith@example.com">smith@example.com</a></td>
<td>Yes</td>
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<td>75%</td>
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<tr>
<td>Ms. Brown</td>
<td><a href="mailto:brown@example.com">brown@example.com</a></td>
<td>No</td>
<td>Neutral feedback</td>
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<td>50%</td>
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<tr>
<td>Mr. White</td>
<td><a href="mailto:white@example.com">white@example.com</a></td>
<td>Yes</td>
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<td>5%</td>
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</table>

Note: The feedback is based on responses to the consultation summary.
Corporate Standard 3
Risk assessment

<table>
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<th>ISSUE NO</th>
<th>03-02</th>
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</thead>
<tbody>
<tr>
<td>DATE</td>
<td>01/10/2019</td>
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<tr>
<td>REVIEW DATE</td>
<td>19/02/2020</td>
</tr>
<tr>
<td>AUTHOR</td>
<td>John Lee, Graham Ross</td>
</tr>
<tr>
<td>Approved by</td>
<td>Head of Health, Safety and Wellbeing</td>
</tr>
</tbody>
</table>

This corporate standard is only valid when viewed via Auckland Council's intranet, Kotahi. If this document is printed into hard copy or saved to another location, you must check that the version number on your copy matches that of the official version online.
Corporate Standard 3 – Risk assessment

Who is this information for?
What is this information about?
What is risk assessment?
What are the benefits of carrying out risk assessments?
What do the terms ‘hazard’ and ‘risk’ mean?
How do I assess risks in my area of responsibility?
How are changes managed?
Where can I get further help and advice?

Appendix 1: Guide to determining Risk
Appendix 2: Hierarchy of controls (preventative and protective measures)
Appendix 3: HST 01 – General risk assessment template
Who is this information for?

This document is for managers and team leaders who have responsibility for employees and others in the work environment. It is also for any nominated person who has been given the responsibility for undertaking health and safety risk assessments or managing any changes which might affect health, safety or wellbeing within their department or service at Auckland Council.

What is this information about?

This document has been produced to help you carry out general risk assessment and manage change within your area of responsibility. The law requires Auckland Council, as a person conducting business or undertaking (PCBU), to carry out risk assessments to identify the risks that staff are exposed to while at work. This is to meet our duty under the Health and Safety at Work Act 2015 (HSWA) and Regulations (HSWA (General Risk and Workplace Management) Regulations 2016).

What is risk assessment?

A risk assessment is a careful examination of what, in the area of your responsibility, could cause harm to people, so that you can evaluate whether you have taken enough precautions or should do more to prevent harm. This involves:

- identifying hazards in your workplace
- assessing the level of risk
- deciding how you will deal with the risk
- taking into consideration control measures already in place
- monitoring the control measures for effectiveness.

What are the benefits of carrying out risk assessments?

- Improves staff awareness and understanding of hazards and the risks they carry.
- Provides methods for controlling risks in the work environment to prevent injury.
- Minimises costs associated with accidents.
- Ensures the organisation meets its obligations to its people by keeping them safe from harm, complying with safety legislation and running the organisation efficiently.
What do the terms 'hazard' and 'risk' mean?

'Hazard' means anything that can cause harm. Physical agents (for example, trailing wire or uneven floors, working at height, noise and vibration, live electricity) are one type of hazard you should consider. Other types of hazards include psychological, environmental, chemical, biological, ergonomic etc.

'Risk' is the chance that somebody will be harmed by the hazard. The overall level of risk reflects:

- the likelihood of the hazard being realised
- the consequence associated with the hazard
- the number and nature of people affected.

Determining a risk rating allows you to prioritise and then deal with the highest risks.

How do I assess risks in my area of responsibility?

There are five simple steps to follow.

1. Look for the hazards in tasks or the workplace environment.
2. Decide who might be harmed and how.
3. Evaluate the risks and decide whether existing controls are adequate or whether more controls should be put in place.
4. Record your findings on Risk Manager.
5. Review your risk assessment on an ongoing basis. Update to account for change.

Step 1 – Look for the hazards

First, take a look at the General Risk Assessment template HST-01 (Appendix [No]) which lays out the elements you need to cover. You may already have a good idea of what the hazards are, however, a risk assessment is not just a desk-based exercise. Walking around the workplace and watching specific work activities will help you identify hazards that may cause harm.
We recommend you draw up a list of all tasks undertaken by your department, including those of a non-routine nature, and then identify hazards associated with each task. Ask employees undertaking the work - they may have noticed things that are not so immediately obvious. Accident (and near miss) reports will also give you an indication of areas with the potential to cause harm.

Decide who is going to carry out the risk assessment. The Corporate Health and Safety Policy explains where this responsibility lies. The task may be delegated, but the accountability remains at the level identified in the policy, usually a manager.

The task can be delegated to a competent employee who has an understanding of the potential task and workplace risks. In more complex situations a team approach can be used to complete the risk assessment. This team could include:

- area team leader/s
- health and safety representative
- front line staff
- subject matter expert (SME)
- member of Corporate Health and Safety Team.

Good risk assessment always involves the people doing the work. Remember to engage your staff when undertaking and communicating your risk assessments.

The risk assessment team members must be competent at completing risk assessments. It is important to remember that while the task of risk assessment can be delegated, you cannot delegate the responsibility. You must ensure that a robust and systematic risk assessment is completed.

Handy tip: Prioritise. Ignore trivial hazards; focus on high-risk hazards that can harm people. You should focus on those risks which are reasonably foreseeable (have likelihood of injury or damage that a reasonable person should be able to anticipate in a given set of circumstances), and always consider the worst-case scenario.
Step 2 – Decide who might be harmed

You need to identify who might be harmed by the hazards. In addition to employees, consider:

- contractors
- volunteers
- visitors
- students
- any members of the public.

Consider how each group of people may be affected by the hazard; this will help to identify the best way of controlling the risks.

How does the risk arise? e.g. Asbestos does not present a hazard until it’s broken, and fibres are able to be released.

When does it arise? e.g. Water may not be a risk until frozen; weather makes it freeze, then you could have a potential slip issue.

Step 3 – Evaluate the risks and decide whether existing precautions are adequate

You will need to assess the risk rating for each hazard: extreme, high, moderate or low. The risk rating is calculated both before controls have been applied (untreated risk), and after (treated risk).

Your aim will be to make all risks as low as reasonably practicable (reasonably able to be done, taking into account and weighing up all relevant matters) to protect people from harm, by adding further controls to your existing ones. Once you have identified the high-risk hazards and people affected, you can determine how likely it is that harm will occur, taking into consideration the controls already in place.

The guide to determining risk can be used to help you work out the level of risk associated with a particular hazard. Do this by:

- assessing the likelihood and potential consequence for untreated and treated risk
- plotting the likelihood and consequence on the risk matrix to determine the risk rating, and in turn, the priority with which risks should be tackled.

It is important to draw on people’s expertise and experience to accurately judge the likelihood of harm.
Hierarchy of controls

Having assessed the treated risk rating you may have found that more needs to be done to reduce the risk. You will have to draw up an action plan showing who will take which action, and by what date controls will be implemented.

In taking action, you need to ask yourself:

- can I get rid of the hazard altogether (elimination)?
- If not, how can I control the risk so that harm is unlikely to occur?

In order to do this, you must work systematically through the hierarchy of controls: see Appendix [No].

Step 4 – Record your findings

You must record the findings and conclusions of your risk assessments. Auckland Council requires all risk assessments to be recorded in Risk Manager. The Risk Manager system will help you manage, track and review your actions. It will also be the base for building your risk registers, vital for your department to understand its risk profile. The assessment, if more cooperative, can be recorded using the General risk assessment template HST-01 (Appendix 3) but it must always be transferred into Risk Manager. Focus on the high-risk findings as a priority.

Risk assessments and controls must be communicated to all staff exposed to that specific risk and potential for harm. This can be achieved via team safety briefings, toolbox talks (informal chats about hazard or risk), or more formal training on carrying out specific tasks.

You must ensure that risk assessments and control measures are explained to new staff at their induction before they start work.

You need to be able to demonstrate:

- an accurate assessment was made of the task/area being assessed
- you involved employees and health and safety representatives working at the area of risk
- you considered all who may be affected
- you dealt with all the obvious high-risk hazards, taking into account the number of people who could be involved, and the likelihood and severity of injury
- the controls are effective and the remaining risk is as low as reasonably practicable
- systematic progress through the hierarchy of controls.
Step 5 – Review and monitor your assessment

It is a requirement to review and monitor your assessment to ensure controls continue to be effective. How often you review your assessment depends on the level of risk. For high risk, greater frequency is needed.

If changes to the work introduce new hazards, you will have to review your assessment. Changes introducing new hazards could be:

- the introduction of new equipment, substances or working procedures
- newly qualified and less experienced staff.

Any significant changes should be reflected in your risk assessment.

High-risk situations

Health and safety legislation and other regulations require that specific risk assessments are carried out in high-risk situations: you must ensure the following activities are controlled:

- remote or isolated work
- atmospheres with potential for fire or explosion
- raised and falling objects (e.g. lifting of loads)
- containers of liquids (e.g. risk of drowning)
- loose but enclosed materials (grain or cement inside a silo)
- substances hazardous to health (chemicals, asbestos).

In these cases, a detailed risk assessment and safe system of work practice are required.

See page 15 of WorkSafe guidance for detailed information about management of high-risk activities.
How are changes managed?

Change Management Scope

All Council organisations must identify, assess and manage Health, Safety and Wellbeing (HSW) risk associated with proposed or actual changes. All applicable legislation must be complied with.

Change management applies to temporary and permanent changes ranging from complex and large-scale business changes e.g. business reorganisation or restructure; through to smaller changes e.g. plant modification, procedure, or specification update.

HSW risk is considered regarding the impact of a change, and during the period of change implementation.

Public safety must be fully considered in risk assessments and risk management at all stages of actual or proposed changes.

Change management applies to any change with the potential to impact safe, compliant and reliable operating activity of any processes, facilities or operating activities.

Change Management Purpose

Management of Change is about identifying potential hazards that a change can introduce, then assessing the risks associated with those hazards, and systematically addressing them.

Any change to plant, process or people could potentially introduce additional risk. Changes can have unintended or unsuspected consequences.

A good or strong Management of Change process should result in:

- Change management that focuses on the expected benefits with properly considering the possible risks.
- A focus on all types of change e.g. organisational, materials and legal and regulatory requirements, and not just on technical change.
- Effective communication of changes to the people affected by the change.
- Updating or revising key documents such as operating procedures.
- Addressing all relevant aspects of a change, which is a factor in many incidents and informed business decisions.
Consider the following Auckland Council’s principles of change when dealing with change:

- **We make sure we do the right change** and that solutions are positive for employees and Aucklanders.
- **We build trust** by collaborating with and involving those affected in decision making.
- **We share ideas and plans and ask for feedback early and often** so people can choose to help create the future.
- **We make sure those affected clearly understand why the change is needed and what it means for them.**

Click on the image link to read more about the change principles.

**Types of Change**

There are many types of changes where HSW change management should be considered and applied for example:

- Processes
- Procedures
- Regulatory
- Organisational
- Technology
- Management systems
- Materials, e.g. chemicals, components, products in process
- Plant and equipment
- Vehicles and mobile equipment
- Assets - structure, componentry, maintenance, upgrading, replacement
- Practices
Compliance

Council’s duties as a PCBU must be considered as part of the risk assessment for a change proposal.

If new duties are identified, or existing duties are affected by the proposed change then this will be documented and managed within the implementation plan. This includes overlapping duties with another PCBU which also must be managed.

Prior to change approval it must be established that legal and regulatory compliance will be maintained throughout the change process. Actions which are necessary to ensure legal and regulatory compliance during and after the change will be identified as controls in the documented risk management plan.

Stakeholders Participation, Engagement and Consultation

Key stakeholders must be identified and documented for each change proposal. Upstream and downstream stakeholders must be considered.

Workers who would be impacted by a proposed or planned change must be identified for the purposes of consultation and engagement.

Participation, engagement, and consultation minimum criteria must be complied with during each change process. Consideration will be given to key stakeholders, workers, union and health and safety representatives.

Process, Approval and Records

Any proposed change must be assessed to determine appropriate controls which minimise, so far as is as reasonably practicable, the risk of the change.

The initial assessment of the proposed change must consider the worst credible potential consequence that could happen if the change is not properly considered or implemented.

Local Management of Change processes must detail the level of review and sign off required for a proposed change, commensurate with its potential consequence. For example, a catastrophic or major consequence will require a more stringent level of controls, review and sign off than a potential moderate or low consequence.

A full risk assessment, including likelihood, will be used to test the effectiveness of the controls and determine whether further controls are necessary.

Each phase of HSW consideration for a change proposal or change implementation must be documented and retained for review and verification.

HSW risk management must be carried out and recorded by suitably knowledgeable and experienced people.
Where can I get further help and advice?

Contact the Corporate Health and Safety Team for help and advice, or the health and safety lead in your department.

Raise a case in Awhina

Phone the Corporate health and Safety Team via Awhina (09 354 2020)
Visit Corporate Health and Safety on Kotahi
Worksafe NZ: Identifying, assessing and managing work risks
Appendix 1: Guide to determining risk

Follow the three steps below to determine the risk rating and appropriate action.

1. Determine the likelihood and consequence of potential harm, using the table below:

**Likelihood of potential harm:**

What is the likelihood of the injury being caused by the hazard? Is it near-certain that it will happen or is it remote, taking into consideration the duration and frequency of exposure, and the adequacy of existing precautions?

**Consequence of potential harm:**

You need to consider the potential of the hazard you have identified; has it the potential to kill or cause major injury, or will it just cause minor cuts or bruising?

<table>
<thead>
<tr>
<th>Risk Matrix Settings</th>
<th>Likelihood</th>
<th>Consequence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 Rare</strong></td>
<td>Highly unlikely, but may occur in exceptional circumstances</td>
<td><strong>1 Insignificant</strong></td>
</tr>
<tr>
<td><strong>2 Unlikely</strong></td>
<td>Not expected, but some possibility it could occur at some time</td>
<td><strong>2 Minor</strong></td>
</tr>
<tr>
<td><strong>3 Possible</strong></td>
<td>Might occur at some time – similar occurrences are known to have happened</td>
<td><strong>3 Moderate</strong></td>
</tr>
<tr>
<td><strong>4 Likely</strong></td>
<td>Will probably occur at some time in most circumstances</td>
<td><strong>4 Major</strong></td>
</tr>
<tr>
<td><strong>5 Almost Certain</strong></td>
<td>Expected to occur in most circumstances</td>
<td><strong>5 Extreme</strong></td>
</tr>
</tbody>
</table>

Auckland Council 1/10/2019
AC CST003 – Risk assessment
Review date 19/02/2020
ONCE PRINTED THIS IS NO LONGER A CONTROLLED DOCUMENT.
2. Calculate Risk

Once you have determined the consequence and estimated the likelihood, calculate the risk using the risk matrix below. You will need to work through the process for untreated risk (without controls) and treated risk (with controls). For example, if you assess the likelihood to be ‘possible’ and the consequence as ‘moderate,’ the matrix will give you a ‘moderate’ (amber) risk rating.

![Risk Matrix Diagram]

The Hierarchy of controls (Appendix 2) will guide you through the process to eliminate and minimise controls to reduce the risk to an acceptable level.

3. Assess the risk rating, treatment and appropriate action

Once you have calculated the risk, you can determine the risk rating and tolerance using the table below - Risk Tolerance and Actions. The table will guide you on the level of approval and appropriate actions/mitigations to be taken dependent on the determined risk rating. For example, high or extreme risk requires immediate assessment and action.
## Risk Tolerance and Actions

<table>
<thead>
<tr>
<th>Risk Rating</th>
<th>Risk Tolerance</th>
<th>Approval</th>
<th>Actions/Mitigations</th>
<th>Monitoring Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Tolerable risk with current controls measures</td>
<td>Trained staff member</td>
<td>Proceed and monitor if there are no other potential control measures that may be practicable to reduce the risk further. Monitor to ensure the effectiveness taking corrective action where necessary.</td>
<td>Annually or if activity/action changes.</td>
</tr>
<tr>
<td>Moderate</td>
<td>Risk can be tolerated in exceptional circumstances</td>
<td>Team Leader</td>
<td>Review risk assessment and introduce further controls to reduce risk to acceptable level. Team Leader to sign off. Controls to be actively monitored to ensure effectiveness.</td>
<td>Quarterly or if activity/action changes.</td>
</tr>
<tr>
<td>High</td>
<td>Undesirable risk</td>
<td>Department Head</td>
<td>Stop task and reassess activity immediately. Control measures are in place to lower risk to acceptable level. Detailed risk assessment with further controls to be approved by Department Head. Controls to be actively monitored to ensure effectiveness.</td>
<td>Monthly or if activity/action changes.</td>
</tr>
<tr>
<td>Extreme</td>
<td>Unacceptable risk</td>
<td>ELT</td>
<td>Stop task and reassess activity immediately. Detailed risk assessment with further controls to be developed. Activity can only resume when approved by ELT under advice from the Corporate H&amp;S Team. Control measures to be actively monitored to ensure effectiveness.</td>
<td>Monthly or if activity/action changes.</td>
</tr>
</tbody>
</table>
Appendix 2: Hierarchy of Controls (preventative and protective measures)

Using the table below systematically, work through the Hierarchy of Controls:

If you are unable to eliminate the hazard then you must minimise the risks to health and safety so far as reasonably practicable. This is done by taking those (one or more) of the following actions that are the most appropriate and effective e.g. isolate with a barrier; administrative controls such as signage and training; personal protection equipment (PPE) such as safety shoes.

Hierarchy of Controls examples

The examples in the table below will help guide you through the process to minimise the risk of harm. More than one control can be used to minimise the risks. For example: isolation (barrier), engineering controls (safety design), administration controls (procedures and training).
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| **1. Elimination** | Remove the hazard completely from the workplace or activity.  
Can the job be discontinued? |
| **Minimise Controls** |   |
| **2. Substitution** | (Wholly or partly) replace the activity, process or substance with a safer alternative.  
Can a less hazardous method of work be adopted? Can the chemical or article used be substituted for something less harmful? |
| **3 Isolation** | Separate workers from the hazard to prevent contact or exposure e.g. barrier |
| **4. Engineering Controls** | Use safety in design features or mechanical aids to reduce the risk.  
Can the hazard be enclosed e.g. machine guards? Can the hazard be stopped using mechanical design e.g. automatic stop fail safe device. |
| **5. Administration Controls** | Implement safe work practices, procedures and policies e.g. rules, signage, and training.  
Can the time of exposure be reduced by job rotation? Can people be kept safely away from the hazard by distance? |
| **6. Personal Protective Equipment (PPE)** | Provide suitable clothing or equipment to cover and protect workers.  
For example, eye protection to protect against flying materials, steel toe capped boots to prevent foot injuries, dust mask for dust exposure  
*(PPE should only be considered as a last resort when all other controls have been considered and rejected)* |
**Additional support measures**

<table>
<thead>
<tr>
<th>Training</th>
<th>Are people sufficiently trained? This can be achieved through formal training, tool box talks, on the job training and specific health and safety training to deal with particular risks. Don’t forget refresher training!</th>
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</thead>
<tbody>
<tr>
<td>Information and Instruction</td>
<td>Are there written working procedures, written instructions and safe systems of work readily available to the workforce? Are the procedures working effectively? Do they need to be reviewed? How do you communicate to workers on health and safety issues? General risk assessments can be used to help develop your work instructions/safe systems of work.</td>
</tr>
<tr>
<td>Supervision</td>
<td>Is the activity adequately supervised? Is the level of supervision provided proportionate to the risk and competence of the workers?</td>
</tr>
<tr>
<td>Maintaining, inspecting and checking</td>
<td>Are workplaces, plant and equipment regularly inspected and maintained? Does the workforce carry out visual checks before using equipment? Are there any statutory tests that need to be carried out on your equipment, for example, lifting equipment and local exhaust ventilation plant.</td>
</tr>
<tr>
<td>Welfare Facilities</td>
<td>Are washing facilities and toilets available? Do people have access to a rest room or a facility to eat and drink at their place of work? Is drinking water readily available where people work?</td>
</tr>
</tbody>
</table>
## Appendix 3: HST – 01 General Risk Assessment (example)

### HST - 01 General Risk Assessment

Refer: HSSTD40 - Risk Assessment Procedures

<table>
<thead>
<tr>
<th>Item 10</th>
<th></th>
</tr>
</thead>
</table>

### Western Springs Park Pine Tree Removal

#### Attachment C

**Waitematā Local Board**

25 February 2020

**Business Unit:**

**Department:**

**Workplace Location:**

**Task or workplace activity being assessed:**

**Assessment Lead sign off**

**Name:**

**Date:**

<table>
<thead>
<tr>
<th>What are the hazards?</th>
<th>Who might be harmed and how?</th>
<th>CONTROL(S) IN PLACE</th>
<th>What are you already doing?</th>
<th>ADDITIONAL CONTROLS</th>
<th>Traded Risk Rating</th>
<th>Action by who</th>
<th>Action by whom</th>
<th>Monitoring review date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Example:</strong> The tree is overhanging the sidewalk.</td>
<td>Staff, contractors and members of the public</td>
<td>Following Auckland Council’s Hygiene and Safety Guidelines</td>
<td>Wearing hard hats and safety boots</td>
<td>Following Auckland Council’s Hygiene and Safety Guidelines</td>
<td>Low</td>
<td>Staff</td>
<td>Regular</td>
<td></td>
</tr>
<tr>
<td><strong>Example:</strong> The tree is overhanging the sidewalk.</td>
<td>Staff, contractors and members of the public</td>
<td>Water Safety education</td>
<td>Wearing hard hats and safety boots</td>
<td>Following Auckland Council’s Hygiene and Safety Guidelines</td>
<td>Low</td>
<td>Staff</td>
<td>Regular</td>
<td></td>
</tr>
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</table>

**Waitematā Local Board**

25 February 2020

**Auckland Council 1/10/2019**

AC CSTD03 – Risk assessment

Review date 19/02/2020

ONCE PRINTED THIS IS NO LONGER A CONTROLLED DOCUMENT.
Falling Trees

Risk Category: Public safety

ID: 396
Critical Hazard? Yes

Hazard Title: Falling Trees
Business Unit: Auckland Council: Customer & Community Services: Community Facilities

Risk Sub Category: Public at risk or injured

Control Hierarchy: Eliminate, Isolate, Administrative, PPE

Review Frequency: 3 Months
Site: Western Springs Park
Specific Location: Western Corner of the Stand

Next Review Date: 1 Jul 2020
Person Responsible: Paul Amaral

Hazard Description
Who can be harmed? Risk of trees falling onto properties and or residents (People). There is also a risk of trees falling onto members of the public who uses the track through the park. Auckland Council Staff, Workers, Volunteers and or Contractors who execute monitoring and or any other work in the block may be harmed.

How can that harm occur? In the block concerned there are dead and dying trees (refer to arborist reports) these trees are at risk of falling at any time.

Initial Risk Rating: 4. Extreme
Residual Risk Rating: 3. High

Hazard Controls
Eliminate or Substitute: Consider eliminating the risk to people and property by removing. Consent had been given for the removal of the trees. It is recommended that the risk of trees falling onto people is eliminated by removal as soon as possible.

Engineer or Isolate: Closure of park to members of the public as the risk cannot be controlled at this time. All entry subjected to approval.

The reports talk about exclusion zones in areas outside of the park area, these areas should also be included as far as it is reasonableness practicable should elimination not be feasible.

Administration: Communicate the entry requirements to all concerned parties, this includes media statements, Flyers, Leaflets and or signage where applicable in respect of closing the park.

Safe Systems of Work:
All persons entering onto the land for monitoring and or other work must have permission to do so. Approval must be granted by a person duly authorised to do so. Approval will be given on discretion of the authorised person subject to satisfactorily submitting a safety play safe work method statement.

Personal Protective and Safety Equipment: PPE required as per the Safe System of Work/Safety Plan submitted by individual work risk assessments appropriate to task.

Other Planned Treatments: The site is closed for members of the public and the necessary communication had been undertaken. All and any persons who enters onto the property must seek permission from Community Facilities contact person Bruce Edwards. Entry subjected an approved Safe Work Method Statement.

Hazard Actions

<table>
<thead>
<tr>
<th>Action ID</th>
<th>Action Title</th>
<th>Action Description</th>
<th>Date Due</th>
<th>Closed Date</th>
<th>Person Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>3476</td>
<td>All access to Western Springs Pine Block subjected to approval by the ARB Team Community Facilities</td>
<td>Please ensure that all workers, contractors &amp; volunteers who undertake any work in this area seeks approval from the ARB team and or Project Manager when appointed. Any interested party, lobby group and or other stakeholders must be informed of this requirement. All entry to park subjected to approval from Auckland Council. This site must now be treated as a work site with hazards therefore a safety plan, Safe Work Method Statement etc. Must be provided with a suitable controls prior to entry.</td>
<td>01 Jul 20</td>
<td></td>
<td>Paul Amaral</td>
</tr>
</tbody>
</table>

Hazard Events
No Data
## Hazard Reviews

<table>
<thead>
<tr>
<th>Action ID</th>
<th>Action Title</th>
<th>Action Status Update</th>
<th>Date Due</th>
<th>Closed Date</th>
<th>Person Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>3469</td>
<td>Hazard Review: Falling Trees</td>
<td></td>
<td></td>
<td>01 Feb 20</td>
<td>Paul Amaral</td>
</tr>
</tbody>
</table>