

Appendix 1

Conditions of Consent – Changes Tracked

Drafting Notes

Base document accepts changes made to conditions per Kay Panther Knight's primary evidence, as accepted by Council in its response to Applicant's Evidence dated 15 March 2022. Further changes are illustrated with redline text (underline and ~~strikethrough~~).

General

1. The proposed activity shall be undertaken in general accordance with:
 - Woodhams Meikle Zhan Architects Plans:
 - Proposed Site Plan, Job No. 2026-73, DWG No. RMA-101, Rev. G
 - Elevations, Job No. 2026-73, DWG No. RMA-102, Rev. D
 - Cross Sections, Job No. 2026-73, DWG No. RMA-103, Rev. C
 - NR Landscape Architecture Landscape Plans
 - Landscape Concept Plan, Sheet 1 of 3, Rev C
 - Planting Plan, Sheet 2 of 3, Rev C
 - Plant Schedules, Sheet 3 of 3, Rev C
 - Tim Kelly Transportation Planning Limited Plans:
 - Indicative Road Layout Changes, Drawing No. 21-005-SK001, Rev. ~~GG~~
 - Vehicle Tracking Plan, Drawing No. 21-005-SK002, Rev. ~~GE~~
 - Vehicle Tracking Plan, Drawing No. 21-005-SK003, Rev. ~~GE~~
 - Vehicle Tracking Plan, Drawing No. 21-005-SK004, Rev. ~~GE~~
 - Vehicle Tracking Plan, Drawing No. 21-005-SK005, Rev. ~~GE~~
 - Annexure E to the Integrated Transport Assessment entitled Travel Plan (draft)
 - Maven Associates Plans:
 - Proposed Carpark Flood Volume Plan, Project No. 109022, Drawing No. C202, Rev. A
 - Proposed Earthworks Plan, Project No. 109022, Drawing No. C203, Rev. A
 - Proposed Flood Storage Tank Earthwork Plan, Project No. 109022, Drawing No. C204, Rev. A
 - Proposed Retaining Plan, project No. 109022, Drawing No. C220, Rev. A
 - Proposed South-East Retaining Wall Long Section, Project No. 109022, Drawing No. C221, Rev. A

- Proposed Carpark Plan, Project No. 109022, Drawing No. C310, Rev. A
- Proposed Carpark Plan, Project No. 109022, Drawing No. C311, Rev. A
- Proposed Carpark Plan, Project No. 109022, Drawing No. C312, Rev. A
- Proposed Carpark Plan, Project No. 109022, Drawing No. C313, Rev. A
- Proposed Carpark Plan, Project No. 109022, Drawing No. C314, Rev. A
- Proposed Carpark Cross Sections, Project No. 109022, Drawing No. C320, Rev. A
- Site Overview Plan, Project No. 109022, Drawing No. C400, Rev. A
- Stormwater Flooding Cross Sections, Project No. 109022, Drawing No. C401, Rev. A
- Stormwater Flooding Cross Sections, Project No. 109022, Drawing No. C402, Rev. A
- Truck Access Long Section, Project No. 109022, Drawing No. C403, Rev. A
- Proposed Private Services Plan, Project No. 109022, Drawing No. C410, Rev. B
- Proposed Services Standard Details, Project No. 109022, Drawing No. C490, Rev. A
- Proposed Private Services Plan, Project No. 109022, Drawing No. C430, Rev. A
- Proposed Private Services Plan, Project No. 109022, Drawing No. C431, Rev. A
- Proposed Sediment Control Plan, Project No. 109022, Drawing No. C205, Rev. A
- Proposed Sediment Control Details, Project No. 109022, Drawing No. C206, Rev. A

All stamped as 'Final Approved Plans' on ~~XX~~ April July 2022 and the information specifications lodged with the application RM210151 and the further information request responses provided by Forme Planning Limited on 3, 9 and 12 August, 30 September and 5 October 2021 except where modified by conditions of consent.

Note: Proposed bus stops as illustrated in the drawings referenced in condition 1 are indicative in location and design only. Detailed design and implementation are dependent on the certification of the Regional Council and road controlling authority.

2. The consent holder shall comply with the requirements of the Kapiti Coast District Council's (KCDC's) Subdivision and Development Principles and Requirements 2012 (SDPR: 2012), unless alternatives are proposed by the consent holder and accepted by the Council's Development Engineer.
3. Any illumination of signs shall comply with the following:
 - a. All relevant Civil Aviation Authority Requirements; and
 - b. Light levels shall not exceed 10 lux, measured 1.5m inside the boundary of any adjoining Residential Zone.
4. Mitigation of flood hazard to create flood free building area and construction of compensatory storage must be undertaken in accordance with the details and specifications within the Infrastructure Report prepared by Maven Associates, dated 2 July 2021 and submitted to Council in relation to application RM210151 except where modified by conditions of consent.

Prior to the Commencement of Works

5. The consent holder shall submit copies of the plans and specifications for the engineering development for approval to the satisfaction of the Council's Development Engineer. The engineering development must be in accordance with Paragraphs 1 to 5 of Schedule 1 contained in Part 4 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements, 2012. No works shall commence until the plans are approved by KCDC's Development Engineer.

Note: Engineering drawings shall contain sufficient detail to clearly illustrate the proposal to enable assessment of compliance with the Kapiti Coast District Council's Subdivision and Development Principles and Requirements, 2012, to enable accurate construction and show individual service connections to each tenancy.

6. The consent holder shall provide the Council's Development Engineer with the names of the Developer's or Owner's Representative(s) appointed in

terms of Clause B(ii) of Part 3 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements, 2012.

7. The consent holder shall advise the names and professional qualifications of any Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council's Subdivision and Development Principles and Requirements 2012.

Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

- Civil Engineering
- Stormwater Design and construction
- Water and wastewater design & construction

Note: If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holder's cost.

8. At least 10 working days prior to the commencement of works, the consent holder shall submit for approval in writing by Council's Development Engineer and Access and Transport Manager, a Construction Management Plan (CMP) which shall include the following:

- a. Details of control of mud and detritus from the site onto the road – onsite wheel washing and offsite road sweeping.
- b. Details of onsite turning for delivery vehicles.
- c. Site compound location shown on a plan.
- d. Identified areas for site offices and site operative parking.
- e. Mitigation for the prevention of discharge of any material beyond the boundary of the subject site.
- f. Noise controls and hours of construction.
- g. Stormwater runoff.
- h. The matters outlined in the Ministry for the Environment's Contaminated Land Management Guidelines No.1 Reporting on Contaminated Sites in New Zealand (Revised 2011).

Note: For the avoidance of doubt, material includes but is not limited to silt, sediment, vegetation and aggregate.

9. All earthworks and site investigations and remediation shall be undertaken in accordance with the approved CMP and Site Remedial Action Plan required under condition 22.
10. No works shall commence until the CMP required under condition 8 has been approved in writing by Council's Development Engineer.
11. The consent holder shall comply with the requirements of the approved CMP. Any proposed amendments to the CMP shall be submitted to the Council's Development Engineer for consideration and approval. No work shall commence until amendments to the CMP have been approved by the Council's Development Engineer in writing.
- (12. Deleted.)
13. A Landscape Management Plan (LMP) shall be provided at least 20 working days prior to the purchasing of plants for approval by Council's Development Engineer and be implemented in the first planting season following completion of the building and civil works. The LMP shall achieve the outcomes ~~of contained within~~ the approved Landscape Concept Plan referenced in Condition 1 and as a minimum contain the following:
 - Existing vegetation to be retained;
 - Any vegetation to be removed;
 - The extent of planting, paved (impermeable) surfaces and other landscaping elements;
 - Details of plant species that shall be native to the Foxton Ecological District;
 - Location of plants;
 - Number of plants;
 - Plant grade sizes;
 - An implementation plan describing the methods of soil preparation, details of drainage, fertilising, mulching, spraying, irrigation, staking tree pits, ongoing maintenance, replacing of dead/poorly performing plants and weed and pest management;
 - Scheduling of work, including maintenance to ensure successful establishment; and,
 - The location, height, and type of fencing.

14. The consent holder shall investigate the actual material and condition of the existing 800mm private sewer rising main and provide the findings to Council's Development Engineer as part of the detailed design. If the private sewer rising main is found to be not fit for purpose, the pipe shall be upgraded with the necessary details provided to the Council as part of the required building consent.
15. Prior to the commencement of works within the road reserve, detailed design of the improvements to the Friendship Place/Kapiti Road roundabout, the additional left-turn lane on the north-western approach to the roundabout on Kapiti Road and the secondary access to Kapiti Road shall be provided for approval in writing by Council's Access and Transport Manager. The approved activity shall not commence operation onsite until the improvement works have been completed.

Note: For the avoidance of doubt, the improvement works referenced in Condition 15 relate to the construction of the crossings to the site; and the construction of the left-turn lane from Friendship Place heading north on Kapiti Road, and the construction of the additional left-turn lane on the north-western approach to the roundabout on Kapiti Road. These works are illustrated in concept in the drawings at Condition 1.

Note: Proposed bus stops as illustrated in the drawings referenced in condition 1 are indicative in location and design only. Detailed design and implementation are dependent on the certification of the Regional Council and road controlling authority.

Geotechnical

16. Following the demolition of the existing building and prior to construction of the new building, onsite geotechnical investigations will be undertaken and an updated geotechnical assessment, including recommendations for foundation design to mitigation any liquefaction risk prepared by a suitably qualified person shall be submitted to Council's Development Engineer. All building works on the site shall take into account the findings of the approved report.

Engineering

17. The consent holder shall notify Council's Development Engineer prior to commencement of the following stages of work, so that the Council's Development Engineer, or their authorised representative, are present on site to inspect certain stages of the works. These stages are as follows:
- Commencement of works or recommencement after a substantial lapse;
 - Water reticulation connections and services prior to back fill;
 - Wastewater services and construction of new manholes prior to back fill;
 - Completed earthworks and prepared subgrade (roading and footpaths, if any);
 - Final inspection.
18. The development shall have water supply with strainer meter and RPZ which complies with the requirements of OIML R49 (International Organization of Legal Metrology R49:2006 Water Meters Intended for the Metering of Cold Potable Water and Hot Water - Parts 1 to 3).
- Note:** The Consent Holder's attention is drawn to the 'Approved Water Supply Products & Materials List, WS-10: Water Meters' (<http://www.kapiticoast.govt.nz/Planning/Resource-Consents/Standard-Drawing/WaterStandard-Drawings>). Installing an approved water meter is a means of compliance with this condition.
19. Firefighting requirements for the development shall comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.
20. Any unused existing water service connections being abandoned shall be capped at the main.
21. Any unused existing wastewater service connections being abandoned shall be capped at the main.

Contaminated Soil

22. A Detailed Site Investigation (DSI) report detailing the findings of onsite investigation works (soil sampling) following the demolition of the existing building, and a site remedial action plan, shall be submitted at least 20 working days prior to the commencement of the construction works

consented under RM210151 for approval in writing by Council's Development Engineer.

Note: The DSI report, remedial action plan and monitoring and management plan shall cover the matters outlined in the Ministry for the Environment's Contaminated Land Management Guidelines No.1 Reporting on Contaminated Sites in New Zealand (Revised 2011).

23. Within 20 working days of the completion of remedial works on the site, a Site Validation Report (SVR) shall be provided to Council. The SVR shall be prepared by a suitably qualified contaminated land professional in accordance with the Ministry of Environment Contaminated Land Management Guidelines, No 1 Reporting and Contaminated Sites in New Zealand and No. 5 Site Investigation and Analysis of Soils. The person preparing the report shall also provide a statement certifying that all works have been carried out in accordance with the requirements of the consent.

Transport

24. Detailed Design and Post Construction road safety audits are to be provided upon completion of works and are required for the proposed alterations to Friendship Place/Kapiti Road roundabout and the secondary access to Kapiti Road.

Note: The road safety audits are to be carried out in accordance with guidance contained in the Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012 and Waka Kotahi (NZTA) guidance.

Note: For the avoidance of doubt, the proposed alterations referenced in Condition 24 relate to the construction of the crossings to the site, ~~and~~ the construction of the left-turn lane from Friendship Place heading north on Kapiti Road, and the construction of the additional left-turn lane on the north-western approach to the roundabout on Kapiti Road. These works are illustrated in concept in the drawings at Condition 1.

25. The Post Construction road safety audit shall be provided to Council's Access and Transport Manager for approval in writing at least 20 working days prior to the opening of the supermarket.

26. Any required signage/road markings must be provided in accordance with TCD's, The Manual for Traffic Signs and Signals: 2010 and Traffic Control Devices Manual: 2008.
27. A workplace travel plan shall be submitted to Council's Access and Transport Manager for certification at least 20 working days prior to the opening of the supermarket. The travel plan shall achieve the outcomes of the draft Travel Plan referred to in Condition 1 and outline measures, facilities, and incentives to encourage non-car travel to and from the site.
- ~~28. Delays and Level of Service (LOS) at the Kapiti Road (western) arm of the Friendship Place/Kapiti Road roundabout (the roundabout) shall be monitored for a period of 24 months after opening of the supermarket, the process for monitoring, to be carried out by Applicant, is as follows:~~
- ~~a. A classified turning traffic count for all movements at the roundabout shall be undertaken on a Saturday during an agreed time period and month prior to the commencement of construction to form the baseline traffic counts and an assessment undertaken using SIDRA by a suitably qualified transportation engineer.~~
- ~~b. 12 months after commencement of operation of the Supermarket - A classified turning traffic count for all movements at the roundabout shall be undertaken on a Saturday during an agreed time period and month prior to the commencement of construction to form the baseline traffic counts and an assessment undertaken using SIDRA by a suitably qualified transportation engineer.~~
- ~~c. 24 months after commencement of operation of the Supermarket - A classified turning traffic count for all movements at the roundabout shall be undertaken on a Saturday during an agreed time period and month prior to the commencement of construction to form the baseline traffic counts and an assessment undertaken using SIDRA by a suitably qualified transportation engineer.~~
- ~~If the results of the capacity tests for b) or c) above show the LOS falling below C on the western Kapiti Road arm of the roundabout, then mitigation works in the form of widening the western Kapiti Road arm of the roundabout shall be progressed by the Applicant through detailed design and implementation (at the Applicants cost) in accordance with details to be submitted and approved in writing to the Access and Transport Manager.~~

(Refer section 42A hearing report for advice notes (unchanged))