

Standard Conditions Manual

Landscape & Screening

Disclaimer

The information in this Standard Conditions Manual is, according to the Auckland Council's best efforts, accurate at the time of publication. Auckland Council makes every reasonable effort to keep it current and accurate. However, users of the Conditions Manual are advised that:

- *Although the conditions are "standardised", in the sense that they should be applied consistently where they are required, this does not mean that they should all be applied in every instance. Applicants need to consider the nature of the activity, and the characteristics of the site and its surroundings in considering whether to apply each and every condition.*
- *The standard conditions should be used with caution as a starting point from which appropriate conditions for the individual consent should be drafted to align with the requirements of ss108, 108AA and 220 of the Resource Management Act 1991.*
- *Further guidance as to whether to apply the conditions are included in the guidance notes that accompanies each condition.*
- *Users should take specific advice from qualified professional people before undertaking any action as a result of information obtained in this Standard Conditions Manual.*
- *Auckland Council does not accept any responsibility for, or liability whatsoever whether in contract, tort, equity or otherwise (including negligence) arising from the use of, or reliance on, this Standard Conditions Manual. This includes, without limitation, any liability arising from any error, or inadequacy, deficiency, flaw in or omission from the information provided.*

Overview

Introduction

These conditions relate to the requirement for hard and soft landscape mitigation to be designed and implemented. This may include planting (and its maintenance), paving, fencing and/or retaining works that may be visually intrusive.

Landscape mitigation can be used:

- to mitigate the loss of ecological values or visual amenity;
- to integrate a development into its wider context;
- to screen an activity or development; and/or
- to enhance the appearance of a development.

If it is used for any or all of these reasons then it may be appropriate to condition the manner in which the landscape mitigation is undertaken to achieve the outcomes envisaged by the decision. In most situations it is appropriate for the anticipated outcomes to be defined at the consent stage through a written description, a landscape concept plan or a detailed landscape plan with supporting specifications.

A Written Description

For some very simple developments it may be appropriate to describe the landscape requirements in a written form. When this method is used:

- the outcomes envisaged by the landscape should be clearly described (e.g. the business will be fully screened from the street); and
- the appropriate methodology should be defined (e.g. 30 Titoki (*Alectryon excelsus*) over 1.8m should be planted at 1.5m intervals between the building and the northern fence line to prevent overlooking from neighbouring properties)

Landscape Concept Plan

A landscape concept plan graphically describes the landscape proposal at a schematic level and may define:

- the extent of planting, paving etc.;
- the species, location and size (at time of planting) of key trees;
- the planting mix, size and extent of planting (a typically methodology for revegetation projects);
- the extent and materiality of paving;
- the location, height and type of fencing, and
- weed and pest management.

Detailed Landscape Plan and Specifications

A detailed landscape plan may be required for more complex or sensitive projects. The level of detail would typically provide enough information to enable implementation and define:

- the proposed site levels;
- the species, location and size (at time of planting) of all plants;
- the extent, materiality and finished levels of paving;
- the location, materiality, height and design of fencing and retaining walls;
- the details of drainage, soil preparation, tree pits, staking, irrigation; and
- the construction details of all hard landscape elements (paving, fencing, gates, lighting etc).
- the methodology and/or standard for the maintenance of the planting (typically this would include weed and pest management) to ensure the plants not only survive but thrive for the required duration of the consented activity.

These plans would be supported by specifications that describe in a written form the more specific technical landscape matter. These typically define:

- the quality of materials such as fencing depths, paving finishes etc.;
- the methodology and/or standard for the maintenance of the planting.

The decision report should discuss what adverse effects are being mitigated by the hard and/or soft landscaping. At a minimum it should have addressed the location, species and spacing of key plantings and the location and design of any hard landscaping. Where height is a factor (i.e. for screening) this should also be specified in the decision.

In complex cases a landscape plan will be part of the approved drawings and you can simply use Condition 1 [Implementation of a Landscape Plan] below to ensure implementation of that approved plan.

In less complex cases a written description or Landscape Concept Plan (provided as part of the application and referenced in the decision) will be enough to ensure that you can word Condition 3 to provide the mitigation the decision maker requires.

Which conditions should I use?

Complex applications

Where the application has included a detailed landscape plan you can use Condition 1 [*Implementation of a Landscape Plan*] to ensure the outcomes envisaged by the decision maker.

Simple applications

Where the application only contains either a written description of the proposed landscaping, or a simple concept plan, then **both** Condition 2 [*Preparation of landscape plan*] and Condition 3 [*Landscape Planting*] should be used to ensure the outcomes of the decision are achieved.

Where to go for expert advice

For all matters regarding expertise on amenity landscape issues please discuss with your local Urban Design expert who can direct you to the council's in-house landscape architects. For all mitigation to do with ecological offsetting, please ensure you have a Biodiversity expert providing you with comments and conditions.

Landscape Conditions

Condition 1: Implementation of a Landscape Plan

The landscaping as detailed on the landscape plan prepared by [insert plan reference, etc.] must be implemented within the first planting season (May to September) following the completion of the works on the site/ by 'date' / before the end of the next planting season / prior to construction commencing/prior to occupation of dwelling / prior to the commencement of the activity.

The landscaping must be maintained thereafter in accordance with the maintenance programme submitted with the approved landscape plan/ for a minimum of two further planting seasons with any plant losses within this time being replaced and maintained for a further planting season from date of replacement/ for the duration of [describe the consented activity or development e.g. the life of the consented building, or the operation of the consented childcare] to the satisfaction of the Team Leader Compliance Monitoring [specify area].

Guidance Note:

This condition should be used in decisions when all the hard and/or soft landscape works have been agreed as part of the consent. This condition requires specific compliance with the approved landscape plans and allows Council monitoring officers to specifically address the landscaping and its maintenance.

The timing of landscape implementation can vary depending on the nature of the activity, and whether the activity and planting will be carried out in stages. Site constraints may also play a part. Planting should be carried out prior to construction if the mitigation is required to screen the construction activities or to prevent a transition effect as the approved building is being built. This lessens the effects of construction and mitigates the built form immediately. On large sites where screening planting along a boundary will be far away from the construction activities, consideration should be given to conditioning the planting to be done prior to construction. If the whole site needs to be cleared or the site is on a slope or is small, then the construction activity may ruin any prior hard and soft landscape works, in those cases condition that the planting can go in after or towards the end of the construction phase. Where the landscape works are to do with the activity on site e.g. screening a childcare activity, a condition can be applied that the landscape works are in place prior to occupation of the building.

The landscape works should be conditioned to be continuously maintained for the duration of the consented activity or development which it mitigates. Consult your landscape architect for further advice on duration if required.

Condition 2: Preparation of landscape plan

A landscape planting and management plan (with supporting specifications) should be prepared and submitted to the Team Leader Compliance Monitoring [specify area] for certification prior to construction commencing.

The landscape planting and management plan must contain:(amend as required)

- Reference to the written description/concept plan
- A plan of the planted area detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting.
- A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme.
- the extent, materiality and finished levels of paving;
- the location, materiality, height and design of fencing and retaining walls;
- the details of drainage, soil preparation, tree pits, staking, irrigation; and
- the construction details of all hard landscape elements (paving, fencing, gates, lighting etc).
- An irrigation system
- Stockproof fencing to protect the planting.
- Vandalism response and graffiti eradication policy and methodology

These plans must be supported by specifications that describe in a written form the more specific technical landscape matters such as quality of materials.

Guidance Note:

This condition must always be used with condition 3 below which sets out the agreed parameters for the landscape mitigation. This condition provides the detail on additional matters so that Council monitoring officers can ensure that the landscape conditioned can be maintained and will be positioned appropriately as envisaged by the decision maker. You can amend the wording to ensure the appropriate information is provided, for example if the applicant proposed that all paving and fencing would be in neutral colours and this is was something that the design, amenity criteria allowed you to consider, then that information requirement can be added to the plan.

The landscape planting and management plan will be certified by the monitoring team to ensure that it contains all the information requested in the condition. See discussion on Management Plan conditions. This Plan will need to be certified prior to construction starting so that the builders know where the landscaping is going before construction starts.

Condition 3: Landscape planting

Within the first planting season (May to September) following the / before the end of the next planting season/ by 'date' following certification of the Landscape Planting and Management Plan, the planting/hard landscaping (comprising not less than [describe the Xm2 of planting/ XX number of plants/location of the planting]) must be fully implemented in accordance with the certified Landscape Planting and Management Plan and must be maintained for the duration of [describe the consented activity or development e.g. the life of the consented building, or the operation of the consented childcare] to the satisfaction of the Team Leader Compliance Monitoring [specify area].

Guidance Note:

This condition is vital for consents where a detailed landscape plan was not provided as part of the application. This condition ensures that the minimum landscape mitigation, agreed as part of the decision, will be provided. It should be accompanied by Condition 2 above which gives the details associated with the landscaping.

*When describing the location of planting this may be in reference to an approved plan i.e. Area A on Plan reference XXX, or may be location specific i.e. a five metre wide buffer along the entire length of the southern boundary, or a single line of Titoki (*Alectryon excelsus*) spaced at 5m intervals for 50m along the western side of the building set 2m back from the building foundations. There may be a need to include a specific species of plant if the mitigation requires planting to achieve a certain height in order to be effective. Alternatively you may specify e.g. 'low shrubs' or 'dense hedging' if the planting is simply for a softening effect. Hard landscaping such as 10m² of Gobi Block paving around the entire perimeter of the building, can also be specified.*

The landscaping should be conditioned to be continuously maintained for the duration of the consented activity or development which it mitigates. Consult your landscape architect for further advice on duration if required.

Condition 4: Fencing

The area of planting required by condition xx must be stock proofed with suitable fencing at the time of planting to the satisfaction of the Team Leader Compliance Monitoring [specify area]. Details of the fencing proposed must be included on the landscaping and management plan required by Condition xx above.

Guidance Note:

This condition should only be included where stock proof fencing is appropriate to protect the landscaping required.

Landscape Advice Notes

Advice Note 1

The Unitary Plan contains controls on how much of a property may be covered in paved (impermeable) surfaces, and how much is to be retained as landscaped (permeable) surfaces. This site is very close to the maximum amount of paved (impermeable) surfaces allowed. You are advised to check the maximum amount of impermeable surfaces that you are allowed before you carry out any further additional paving (or similar).

Advice Note 2

The applicant is advised that monitoring of the tree protection and landscape consent conditions by the council will be required during the development phase of the project. Please note that this monitoring will take place after the final processing invoice had been issued. Any site visit and administration costs incurred to ensure compliance with consent conditions will be charged and invoiced to the applicant. Interim invoices may be issued if the monitoring phase extends over a period of time.

Screening Conditions

Condition 1: Screening required

Screening comprising XX [specify type of material required e.g. a solid wall, a fence, a trellis or planting] of at least XX [specify minimum height] metres in height and no more than XX [specify maximum height] metres in height must be provided at the locations shown on the drawing or plan attached as appendix XX [insert drawing or plan reference if relevant].

Condition 2: Screening completion

All screening required by condition (XX) above must be provided on completion of the building or structure for which consent was granted *or* prior to the commencement of the activity for which consent was granted *or* within a period of XX [specify number of months or years] following the granting of this consent. [delete as required]

Condition 3: Screening maintenance

All screening required by condition (XX) above must be maintained for as long as the activity or building that is being screened remains in existence, to the specifications set out in condition (XX) above, and to the satisfaction of the Team Leader Compliance Monitoring [specify area].

Guidance Note:

Conditions (1) to (3) should only be applied in situations where screening is required (i.e. where the nature of the activity or the sensitivity of surrounding properties warrants it and such screening does not already exist or is insufficient). Screening should be sufficient to provide a solid, effective screen at the height specified in condition (1).

The consent application should have incorporated the applicants preference in regard to screening (e.g. to extend existing screening). Where this has not occurred, it is important to discuss with the applicant regarding the nature of the proposed screening, before finalising the condition.

Select and specify the most effective means of screening in condition (1) (e.g., in certain circumstances a fence or planting might not be appropriate or feasible due to ground conditions). In certain circumstances, there may be a need to specify the materials and colour to be used in walls or fences, or the species to be planted.

The height of screening specified referred to in condition (1) should be that required to form an effective screen and no more, otherwise it may itself create unwelcome shadowing or dominance effects. The location of required screening referred to in condition (1) should be clearly illustrated on a specific plan or drawing which is attached to the consent. Carefully consider the required locations of screening, with reference to the object, building or activity being screened, and the purpose of the screening.

Condition (2) should make clear at what stage of development the screening should be provided. If the purpose of the screening is to obscure a new building or structure from view, then the screening should be provided upon completion of the building (irrespective of whether the purpose for which the building was constructed has commenced or not). If the screening is intended to obscure an activity such as vehicle storage or quarrying, then the screening should be provided prior to the commencement of that activity. If the screening is intended to obscure an existing building or activity (i.e. retrospective consent has been obtained), then it should be provided within a specific timeframe following the granting of consent. Where it is appropriate to allow an activity to commence or a building to be constructed before planting can reach the required height, then it is still necessary to specify a period within which compliance is to be achieved. Select one of the three phrases provided in condition (2) and delete the others.

Condition (3) ensures that the screening is maintained indefinitely to the specifications set out in condition (1). This enables any on-going compliance issues to be addressed (e.g. damage to built structures, the death of planting, or the potential need to trim planting). The condition is phrased so that the relevant monitoring or compliance officer can waive to requirement to comply where the subject (and therefore purpose) of screening is removed, terminated or otherwise ended.