

Chapman Tripp Limited
Attention RJ Beach
PO Box 2206
Shortland Street
AUCKLAND 1140



Applicant	Chapman Tripp Limited
LIM address	78 Tidal Road MANGERE Auckland 2022
Application number	8270305131
Customer Reference	100428677 SDM
Date issued	12-Apr-2021
Legal Description	LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487
Certificates of title	953044

Disclaimer

This Land Information Memorandum (LIM) has been prepared for the applicant for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987.

The LIM includes information which:

- Must be included pursuant to section 44A of the Local Government Official Information and Meetings Act 1987
- Council at its discretion considers should be included because it relates to land
- Is considered to be relevant and reliable

This LIM does not include other information:

- Held by council that is not required to be included
- Relating to the land which is unknown to the council
- Held by other organisations which also hold land information

Council has not carried out an inspection of the land and/or buildings for the purpose of preparing this LIM. Council records may not show illegal or unauthorised building or works on the land.

The applicant is solely responsible for ensuring that the land or any building on the land is suitable for a particular purpose and for sourcing other information held by the council or other bodies. In addition, the applicant should check the Certificate of Title as it might also contain obligations relating to the land.

The text and attachments of this document should be considered together.

This Land Information Memorandum is valid as at the date of issue only.

s44A(2)(a) Information identifying any special feature or characteristics of the land

This information should not be regarded as a full analysis of the site features of this land, as there may be features that the Council is unaware of. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development.

Site Contamination

No land contamination data are available in Council's regulatory records.

Wind Zones

Wind Zone(s) for this property: High wind speed of 44 m/s

The wind zones are based on wind speed data specific to all building sites as outlined in NZS 3604:2011. Other factors such as topographic classes, site exposure and ground roughness determine the actual wind bracing demands and bracing elements required for the building.

For further information refer to NZS 3604:2011 Section 5 — Bracing Design

Soil Issues

The Auckland Council is not aware of any soil issues in relation to this land. If any soil information/reports have been prepared in relation to this property, they will be available for viewing at an Auckland Council Service Centre or via the property file product services.

Coastal Inundation

The site is potentially at risk of coastal inundation from extreme storm surge events and climate-change related sea-level rise.

Predicted coastal inundation is modelled on three scenarios:

- 1% AEP coastal-storm surge inundation (to demonstrate present day risk in alignment with the Auckland Unitary Plan activity controls)
- 1% AEP coastal-storm surge inundation plus 1m sea level rise (in alignment with Auckland Unitary Plan activity controls)
- 1% AEP coastal-storm surge inundation plus 2m sea level rise (to demonstrate longer term risk with ongoing sea-level rise).

The Coastal Inundation shown in the Auckland Unitary Plan – Operative in Part “Controls” map corresponds to the 1% AEP plus 1m sea-level rise Coastal Inundation scenario calculated at the time the Unitary Plan was established. The Coastal Inundation data shown in the “Special Land Features – Natural Hazards - Coastal Inundation” map is also shown on the Auckland Council Online map viewer (Geomaps) and is subject to updates to reflect our latest, best available understanding of coastal inundation and sea-level rise processes.

Storm surge is the rise in sea-level due to meteorological effects. The 1% AEP coastal-storm inundation is at a level that has a 1% chance of being equalled or exceeded per year.

Sea-level rise values are based on the projections by the Intergovernmental Panel on Climate Change fifth assessment report (2015). One meter sea-level rise is representative of the upper bound scenario to 2115. Two meter sea-level rise is representative of potential, longer term sea-level rise (2120 to approximately 2200).

Any proposed development on this site may be subject to Auckland Unitary Plan activity controls or require a detailed coastal hazard assessment report to be completed by a qualified expert.

Flooding

This statement entitled "Flooding" appears on all LIMs.

Known flooding information is displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

The information shown in the "Special Land Features - Natural Hazards - Flooding" map is also shown on the Auckland Council online map viewer (Geomaps), at www.aucklandcouncil.govt.nz, which is updated from time to time.

Any proposed development may require a flooding assessment to be provided by the applicant.

The absence of flooding on the "Special Land Features - Natural Hazards - Flooding" map does not exclude the possibility of the site flooding, particularly from Overland Flow Paths which may be on other properties.

Flood Plain

This site (property parcel) spatially intersects with a Flood Plain, as displayed on the map attached to this LIM entitled "Special Land Features - Natural Hazards - Flooding", and may flood during significant rainfall events.

Flood Plains represent the predicted area of land inundated by runoff from a 1% Annual Exceedance Probability (AEP) magnitude event, often referred to as a '1 in 100-year event'.

Flood Plains are generally determined by computer based hydrological and hydraulic modelling.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Flood Plains.

Note: The terms "Flood Plain" and "Floodplain" are used interchangeably.

Overland Flow Path

This site (property parcel) spatially intersects with one or more Overland Flow Paths, as displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

Overland Flow Paths are lines representing the predicted route of overland flow, based on analysis of a Digital Terrain Model (derived from aerial laser survey). Overland Flow Paths do not show the width or extent of flow.

Overland Flow Paths are based solely on the terrain and are indicative only.

Overland Flow Paths may flood depending on the amount of rain.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Overland Flow Paths.

Note: The terms "Flow Path" and "Flowpath" are used interchangeably.

Exposure Zones

New Zealand Standard 3604:2011 classifies all properties in New Zealand into zones based on environmental features including wind, earthquake, snow load and exposure. These zones are relevant to building requirements, such as strength of buildings, materials that should be used and maintenance.

All building sites are classified as being in Exposure Zones Extreme Sea Spray, B, C, or D, depending on the severity of exposure to wind driven salt.

This property is classified as: Zone D

High — Coastal areas with high risk of wind-blown sea-spray salt deposits. This is defined as within 500m of the sea including harbours, or 100m from tidal estuaries and sheltered inlets. The coastal area also includes all offshore islands including Waiheke Island, Great Barrier Island. Within each of the zones there are different environmental locations that require fittings and fixtures appropriate to its designation as outlined Tables 4.1 to 4.3 in NZS 3604:2011 being either "closed", "sheltered" or "exposed".

For further information refer to NZS 3604:2011 Section 4 — Durability.

s44A(2)(b) Information on private and public stormwater and sewerage drains

Information on private and public stormwater and sewerage drains is shown on the **underground services map** attached.

Note: Private drainage is the responsibility of the land owner up to and including the point of connection to the public sewer or drain.

s44(2)(ba) Information notified to Council by a drinking water supplier under Section 69ZH of the Health Act 1956

Prospective purchasers should be aware of other drinking water systems connected to this property. There may also be private drinking water supply systems such as rainwater tanks or private water bores. You are advised to clarify the drinking water supply with the current landowner.

No Information has been notified to Council.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

For metered water information, please contact **Watercare (09) 442 2222** for services provided to this property.

s44A(2)(c) Information relating to any rates owing in relation to the land

Billing Number/ Rate Account:	12346194713
Rates levied for the Year 2020/2021 :	\$0.00
Total rates to clear for the current year (including any arrears and postponed rates):	\$0.00


The rates figures are provided as at 8 a.m. 12/04/2021. It is strongly advised these are not used for settlement purposes.

Retrofit Your Home Programme

The Retrofit Your Home programme provides financial assistance, advice and information to householders wanting to create an improved home environment.

The scheme contributes to the achievement of the Air Quality National Environmental Standards

encouraging the installation of clean heat and insulation in homes as well as supporting access to central government grants and subsidies. The programme offers homeowners a retrofit plan for their homes and financial assistance up to \$5000 repaid through a targeted rate.

 Auckland Council (09) 890 7898 if you require further information

 retrofit@aucklandcouncil.govt.nz

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and (2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Note: if the land is part of a cross lease title or unit title, consents and permits for the other flats or units may be included in this LIM. If the land has been subdivided there may be consents and permits included that relate to the original property.

It is recommended that the full property file is viewed and compared with the actual building and activities on the land to identify any illegal or unauthorised building works or activities.

Financial / development contributions

Financial and development contributions are relevant for recently subdivided land, vacant lots, new residential unit(s) or where there is further development of a site. If any financial or development contribution has not been paid, Council can recover outstanding amount(s) from a subsequent owner of the land.

Please note that financial contributions and development contributions may be paid in land, cash or a combination of these. The form of payment of contributions may be subject to negotiation but final discretion remains with the Council.

Resource Management

Planning

78 Tidal Road MANGERE Auckland 2022

Application No.	Description	Decision	Decision Date
49771	Discharge Consent Regional contaminated land P49771 - Refer to land use consent 49765 (package 1)	Granted(Construction Monitoring Underway)	14/10/2016
49765	Land Use Consent Earthworks of 103,820 m3 over 8.4 hectares to create a stable building platform	Granted(Construction Monitoring Underway)	14/10/2016
51967	Discharge Consent Regional stormwater discharge - Relates to P51959 regional earthworks and P51968 regional streamworks (package 2)	Granted(Construction Monitoring Underway)	07/04/2017
51968	Land Use - Stream Consent Regional stream work p51968 - Related to P51959 regional earthworks , P51967 regional stormwater discharge (package 2)	Granted(Construction Monitoring Underway)	07/04/2017

Application No.	Description	Decision	Decision Date
51959	Land Use Consent Land use - Regional earthworks P51959- relates to P51967 regional stormwater discharge and P51968 regional streamworks (package 2)	Granted(Construction Monitoring Underway)	07/04/2017
LUC60334305	Land Use Consent The proposal involves site enabling works required to prepare the site for future subdivision. This comprises of earthworks to re-contour existing ground levels across the site with supporting retaining structures, and proposed mitigation landscaping (in replacement for that previously consented).	Granted(Construction Monitoring Underway)	10/07/2019
DIS60335258	Discharge Consent The Applicant seeks resource consent to undertake a 15 lot subdivision and enable associated stormwater discharge from all new impervious surfaces of future developments at 72 Tidal Road. The subdivision involves 12 vacant lots for light industrial use, 2 jointly owned access lots and 1 vacant lot for cultural purposes.	Granted(Construction Monitoring Underway)	31/10/2019
SUB60335259-A	Change of Condition (s127) Vary condition 16 of SUB60335259 (under BUN60335257)	Granted	29/05/2020
DIS60354886	Discharge Consent Discharge consent for contaminants from an industrial and trade activity. To construct two new warehouse buildings and ancillary offices. Warehouse unit A consists of 10,000m ² of warehouse building space with 1,300m ² of ancillary office space. Warehouse unit B consists of 1,635m ² of warehouse building space with 250m ² of ancillary office space.	Granted(Construction Monitoring Underway)	27/07/2020
DIS60354883	Discharge Consent Stormwater diversion and discharge under E8(A10) - related to LUC60350139	Granted	27/07/2020

Application No.	Description	Decision	Decision Date
SUB60335259-B	Change of Condition (s127) In September 2019, Ambury Properties Limited was granted resource consent (BUN60335257, SUB60335259, DIS60335258), to undertake vacant lot subdivision, diversion and discharge of stormwater and enable the provision of infrastructure servicing for the site at 72 Tidal Road. Condition 16 requires the consent holder to provide a private stormwater system, including the meeting specified volumes on-site stormwater retention and detention. Consent notice is to be placed on Record of Title to ensure on-going compliance. On 4 September 2020, the Council approved land use Resource Consent LUC60357003, to enable the establishment of a warehouse facility on Lot 1 of 72 Tidal Road and 70 Tidal Road). Condition 28 of Resource Consent LUC60357003 includes a requirement for on-site stormwater management system, including specified volumes of stormwater detention and retention. Advice note to Condition 28 acknowledged that while the proposed private stormwater system does not meet the required volumes specified in Condition 16 of the approved subdivision resource consent (SUB60335259), the proposed detention and retention volumes set out in Condition 28 provide an acceptable solution. In light of the approved private stormwater system under Resource Consent LUC60357003 (which has been deemed to be an acceptable solution by Council), the applicant seeks to vary Condition 16 of the approved Subdivision Resource Consent (SUB60335259) to ensure alignment between the two approved resource consents (in particular, noting the requirement under Condition 16(c) to require a consent notice to be placed on the Record of Title to ensure on-going compliance).	Granted	23/11/2020
SUB60335259-C	Change of Condition (s127) Exclude Lot 2.	Granted	15/12/2020

Subdivisions

78 Tidal Road MANGERE Auckland 2022

Application No.	Description	Decision	Decision Date
SUB60335259	Subdivision Consent The Applicant seeks resource consent to undertake a 15 lot subdivision and enable associated stormwater discharge from all new impervious surfaces of future developments at 72 Tidal Road. The subdivision involves 12 vacant lots for light industrial use, 2 jointly owned access lots and 1 vacant lot for cultural purposes.	Granted	31/10/2019
SRV90086366	Subdivision survey plan ((s)223) 223 Survey Plan - 12 Lot Subdivision LT 551487	Granted	04/03/2021

Application No.	Description	Decision	Decision Date
CCT90088485	Subdivision completion cert ((s)224C) 224c LT-551487	Approved	07/03/2021

Engineering Approvals

78 Tidal Road MANGERE Auckland 2022

Application No.	Description	Decision	Decision Date
53252	Engineering Compliance Major engineering approval - Proposed new wastewater connection - Related to P52284	Approved (Awaiting Payment)	25/05/2017

If there are any conditions, then only that portion of the consent will be included in the attachments section. The applicant should satisfy themselves as to whether all conditions of resource consents for this property have been met.

Further Information

The Council may hold additional information for this property, for example concerning resource consents for discharges to air, land or water issued by the former Auckland Regional Council prior to 1 November 2010. If you would like Auckland Council to search for this type of information, please contact us.

Building

78 Tidal Road MANGERE Auckland 2022

Application No.	Description	Issue Date	Status
BCO10283305	2.5m High Structural Timber pole retaining wall close to property boundary, constructed parallel to Portage Road.	16/04/2019	CCC Issued 09/09/2020 (See Note 2)
BCO10297234	Private Stormwater and Wastewater lot connections to be connected to the Public Line to service vacant lots.	12/11/2019	CCC Issued 11/09/2020 (See Note 2)
BCO10308162-1 BCO10308162-1-A	This project consists of the construction of two new warehouse buildings. Stage 1 Consent - Foundation, Drainage and Super-structure. Amendment - Amendment to the structural portal frame.	22/07/2020	CCC Not Issued (See Note 3)
BCO10308162-2	Lot 9 - Stage 2 of 2 Stages - two new warehouses (Unit A and Unit B) and associated offices. The warehouses include storage of 12.7m and 12.4m respectively. Unit A includes a floor area of 10,000m ² and Unit B includes a floor area of 1650 m ² . This stage relates to Architecture, Services and Balance of Works.	29/09/2020	CCC Not Issued (See Note 3)

Note	Description
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Note	Description
2	Code Compliance Certificate (CCC) for this consent was issued.
3	Consent approved but a final Code Compliance Certificate (CCC) for this consent has not been issued. To obtain a CCC an inspection to confirm compliance with the approved plans and standards may be sought.

Please note that prior to the Building Act 1991; Councils were not required to maintain full records of building consents [etc] issued under the Building Act. While Auckland Council has always endeavoured to maintain full records of pre-Building Act 1991 matters, not all records for this period have survived and in other cases where building work is documented, information may be incomplete. Council does not accept responsibility for any omission.

It is recommended that the Council property file is viewed and compared with the actual building and activities on site to identify any illegal or unauthorised building works or activities.

Compliance Schedules (Building Warrant of Fitness)

The Council has no record of a Compliance Schedule for this property/building.

If it is evident that any specified systems such as lifts or commercial fire alarms are present in the building, the owner must ensure there is a current compliance schedule or building warrant of fitness.

Swimming/Spa Pool Barriers

The Council has no record of a swimming pool or spa pool being registered on this property. Swimming pools and spa pools must have a barrier that complies with the Building Act 2004.

Pool barrier information is available for viewing at <http://www.aucklandcouncil.govt.nz>

Licences

There are NO current licences recorded

s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006

The Council has not been notified of any information under Section 124 of the Weathertight Homes Resolution Services Act 2006 relating to this property.

s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use

Purchasers or those intending to develop the land should satisfy themselves that the land is suitable for any intended use or future development proposal. In addition to any site specific limitations recorded below,

general restrictions that apply across the region may be relevant to any development proposals on this property.

Auckland Unitary Plan - Operative in Part (AUP:OP)

The **Auckland Unitary Plan - Operative in part(AUP:OP)** applies to this property and should be carefully reviewed and considered, as it may have implications for how this property can be developed and/or used. Those parts of the Auckland Unitary Plan that are operative replace the corresponding parts of legacy regional and district plans. However, certain parts of the AUP:OP are the subject of appeals and have not become operative. If a property is subject to an appeal this will be identified on the attached Unitary Plan Property Summary Report. Where this is the case, both the Auckland Unitary Plan Decisions version and the legacy regional and district plans will need to be considered.

The AUP:OP zones, controls, overlays, precincts, and designations that apply to this property are set out in the Property Summary Report, which is attached to this memorandum.

The AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplan>

The legacy regional and district plans can be viewed here:

<https://www.aucklandcouncil.govt.nz/districtplans>

<https://www.aucklandcouncil.govt.nz/regionalplans>

The appeals to the AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Auckland Council District Plan - Hauraki Gulf Islands Section (Operative 2013) (DP:HGI)

While the regional provisions in the AUP:OP apply to the Hauraki Gulf Islands, and are set out in the Property Summary Report attached to this memorandum, the AUP:OP does not contain any district provisions for the Hauraki Gulf Islands. If the Property Summary Report attached to this memorandum lists its zone as "Hauraki Gulf Islands", the district provisions that apply are in the Auckland Council District Plan Hauraki Gulf Islands Section (Operative 2013) (**DP:HGI**).

The relevant maps of the DP:HGI are attached to this memorandum, if applicable. The text of the DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

Plan Changes and Notices of Requirement

Changes to the AUP:OP and DP:HGI may be proposed from time to time. These proposed plan changes may relate to either the maps or the text of those plans. Any proposed changes to the AUP:OP relevant to this property will be listed as a modification in the Property Summary Report attached to this memorandum. However, proposed changes to the DP:HGI will not appear on the Property Summary report. That information can be found on the Auckland Council website.

Please refer to the AUP:OP for information on any proposed Plan Changes or see the Auckland Council modifications website at:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Information relating to any proposed Plan Changes to DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

From time to time a requiring authority, such as a Ministry of the Crown or a council controlled organisation, may notify Auckland Council that they require certain land to be designated for a certain purpose. If this property is the subject of such a notice of requirement, that notice may have implications for how this property can be developed or used from the date it is received by Council.

If this property is not on the Hauraki Gulf Islands, any notices of requirement applicable will be listed as a modification in the Property Summary Report attached to this memorandum.

If this property is on the Hauraki Gulf Islands, any notice of requirement will be available on the Auckland Council Website.

Information on all current notices of requirement can be found on the modifications page here:
<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Copies of the appeals to the Auckland Unitary Plan can be viewed online at:
<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Heritage Site

The site may contain or may be adjacent to a Protected Building, Object or Place:

Heritage ID: 20356

Name:

Site Type: Agricultural/Pastoral

Heritage ID: 20355

Name:

Site Type: Agricultural/Pastoral - European

Auckland Unitary Plan

Please note that the Auckland Unitary Plan (Operative in part) applies to this property. The Unitary Plan should be carefully reviewed and considered, as it may have implications for how this property can be developed or used. Parts of the Unitary Plan that are relevant to this property relating to zones, overlays, controls, designations and other restrictions are identified in the Property Summary Report attached to this LIM.

The Unitary Plan can be accessed at Council service centres and libraries and can be found on the following internet page:

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/home.aspx>

Information concerning Caveat, Bond, Encumbrance, Consent Notice and Covenant

For any information concerning Caveats, Bonds, Encumbrances, Consent Notices or Covenants, please refer to the Certificate of Title for this property.

s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation

No information has been notified to Council.

s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004

Underground Services and District Plan maps are attached.

Please note: Height restrictions apply where overhead power lines cross the site. Works near water services utilities may require approval. Works near high-pressure Gas, Oil or LPG pipelines create risk of damage and must first be approved. Please contact the relevant Utility provider in your area for further information.

Any escape of gas or liquid from the pipelines is potentially dangerous and requires immediate action as soon as discovered (Dial 111 and ask for the Fire Service).

Attachments

As the placement of the building/s on the attached maps is based on aerial photography we cannot guarantee the accuracy. A formal survey will indicate the exact location of the boundaries.

- Auckland Unitary Plan Property Summary Report
- Auckland Unitary Plan - Operative in part Maps and Map Legend
- Auckland Council District Plan - Hauraki Gulf Islands Section (if applicable)
- Underground Services & Utilities Map and Map Legend
- Special Land Features Map and Map Legend

Please note Map Legends have been created for use across the region and may contain features which were not captured by the previous legacy Councils; therefore the information may not be available for these maps. Please contact the Resource Management Planning Team in your area for further information on any features which may or may not appear on your map.

- Consent Conditions : 49765
- Consent Conditions : 51959

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

78 Tidal Road MANGERE 2022

Legal Description

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

Appeals

Modifications

Zones

Business - Light Industry Zone

Precinct

Puhinui sub-precinct F, Sub-precinct

Controls

Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise

Controls: Macroinvertebrate Community Index - Native

Controls: Macroinvertebrate Community Index - Rural

Controls: Stormwater Management Area Control - Puhinui - Flow 1

Overlays

Infrastructure: Aircraft Noise Overlay - Aircraft noise notification area (ANNA) - Auckland Airport - aircraft noise notification area

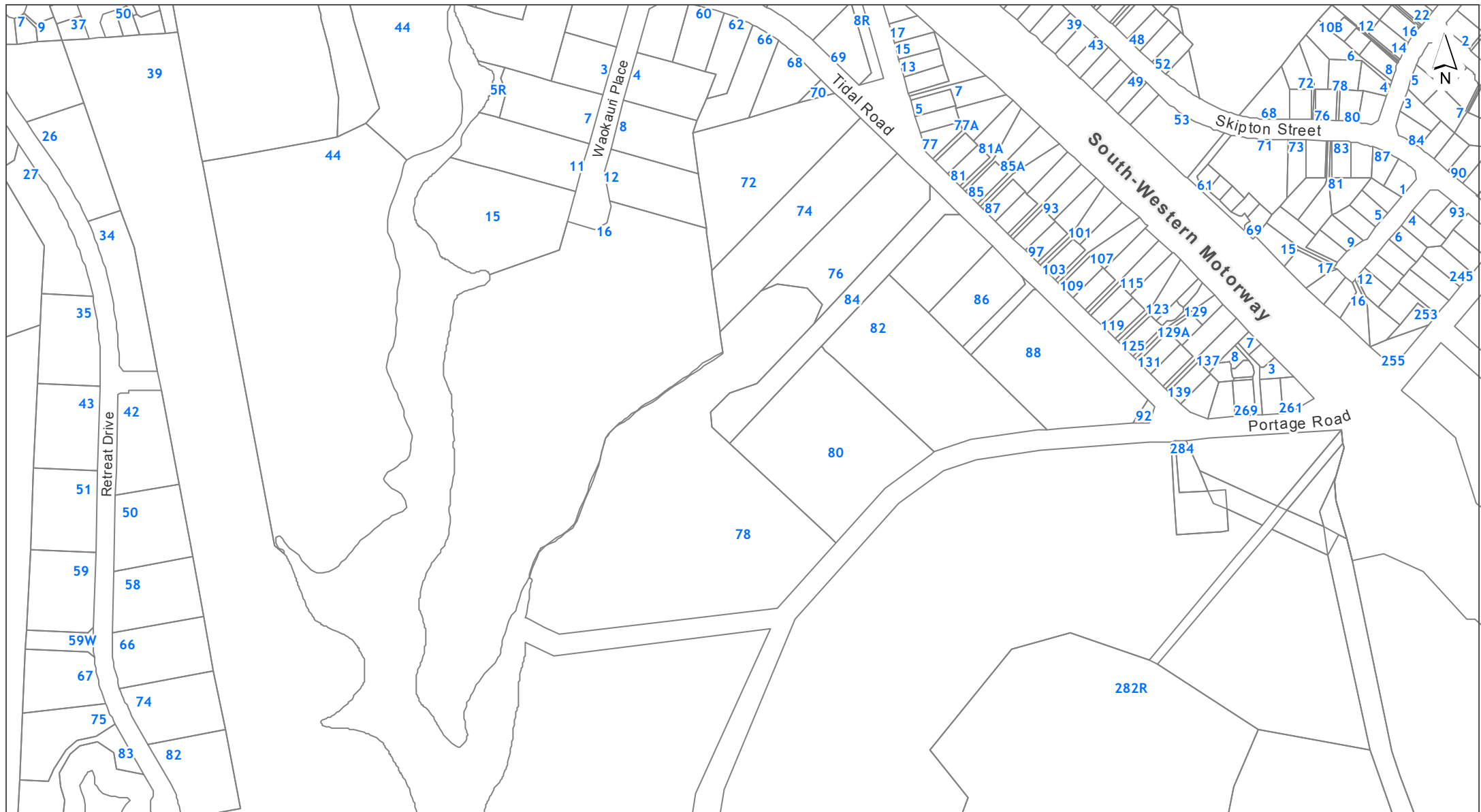
Infrastructure: Aircraft Noise Overlay - Moderate aircraft noise area (MANA) - Auckland Airport - moderate aircraft noise area

Natural Heritage: Outstanding Natural Features Overlay [rcp/dp] - ID 22 - Crater Hill

Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Manukau Southeast Kaawa

Designations

Designations: Airspace Restriction Designations - ID 1102 - Protection of aeronautical functions - obstacle limitation surfaces - Auckland International Airport Ltd - Confirmed



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Built Environment

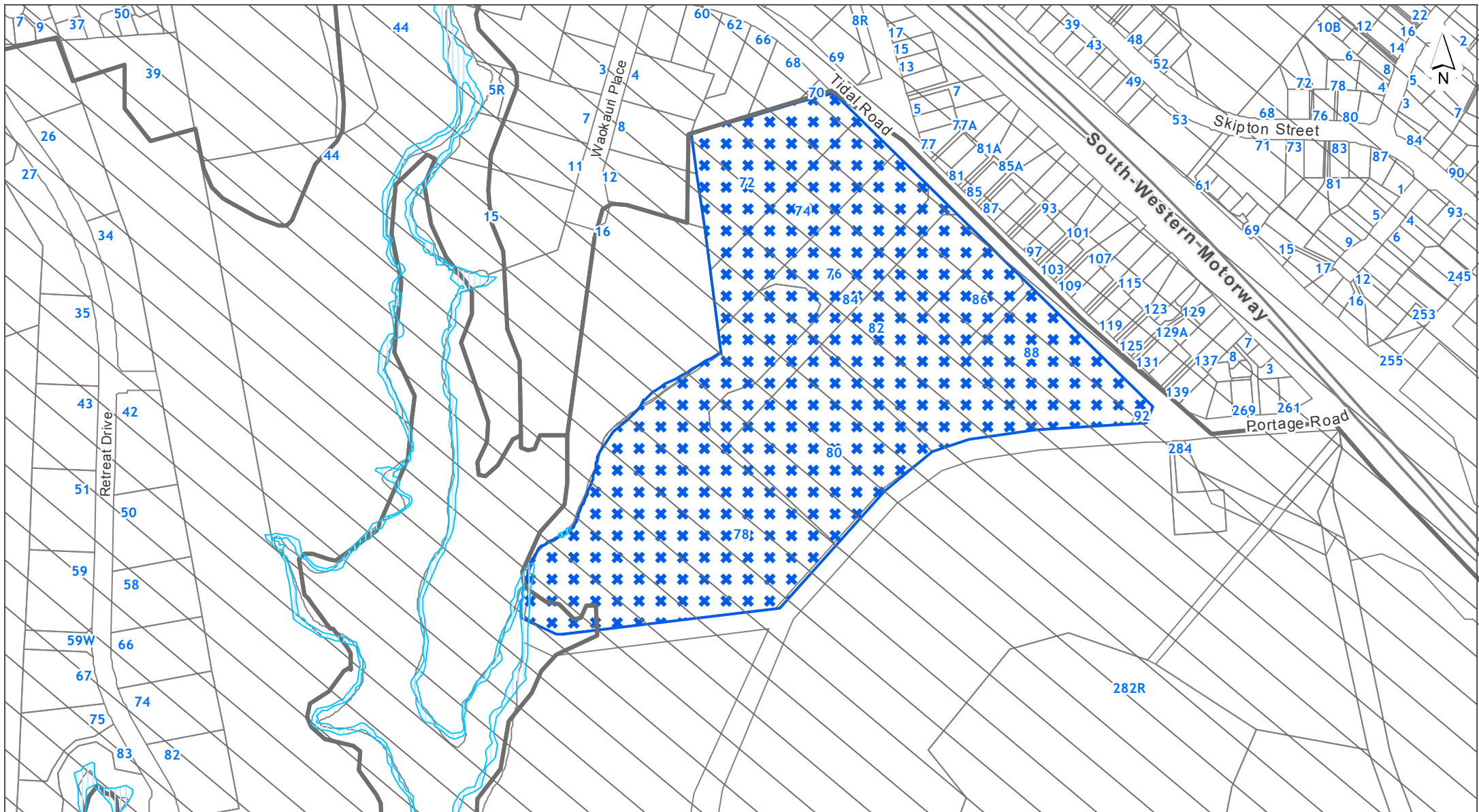
78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487



Scale @ A4
= 1:5,000

Date Printed:
12/04/2021



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Controls

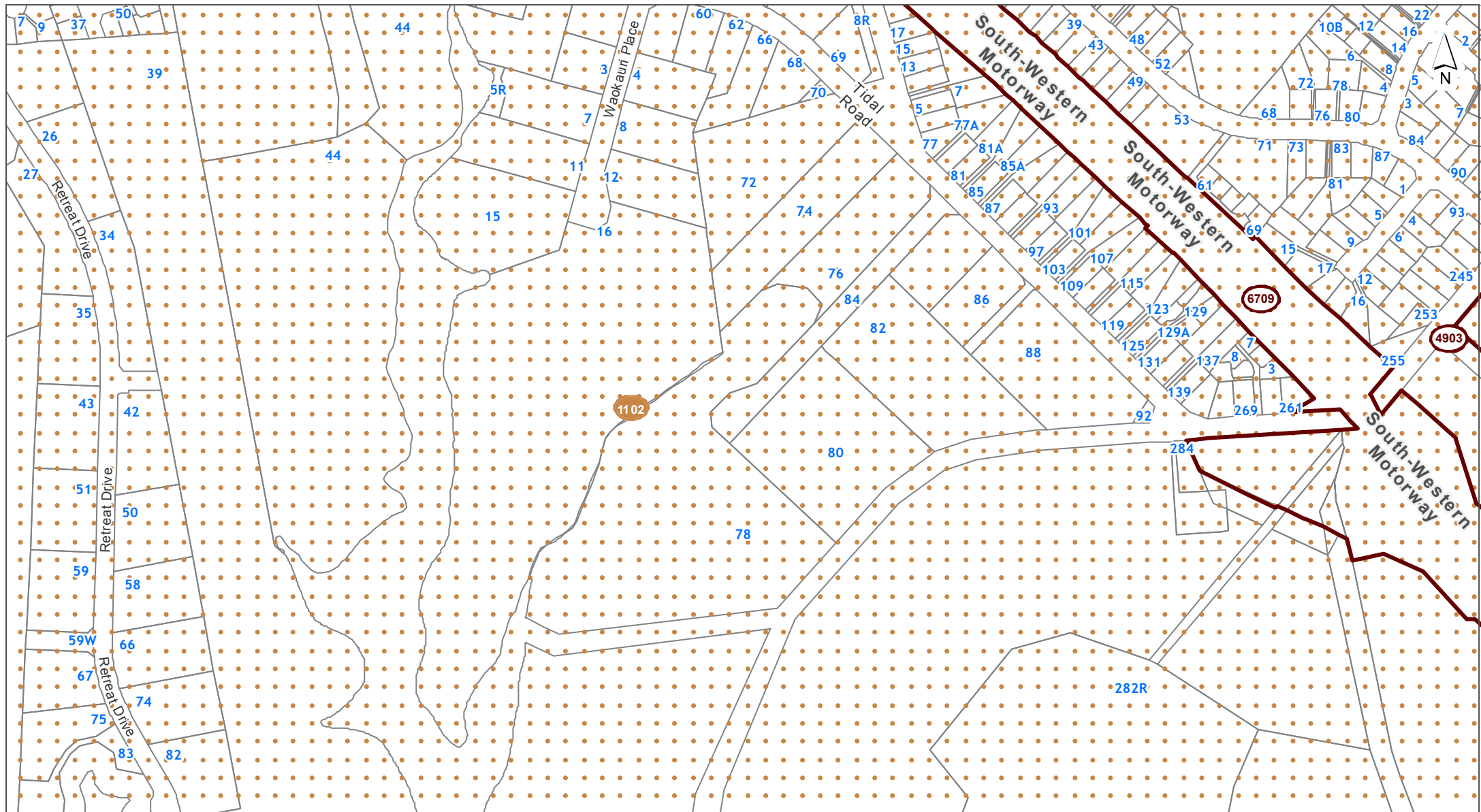
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Designations

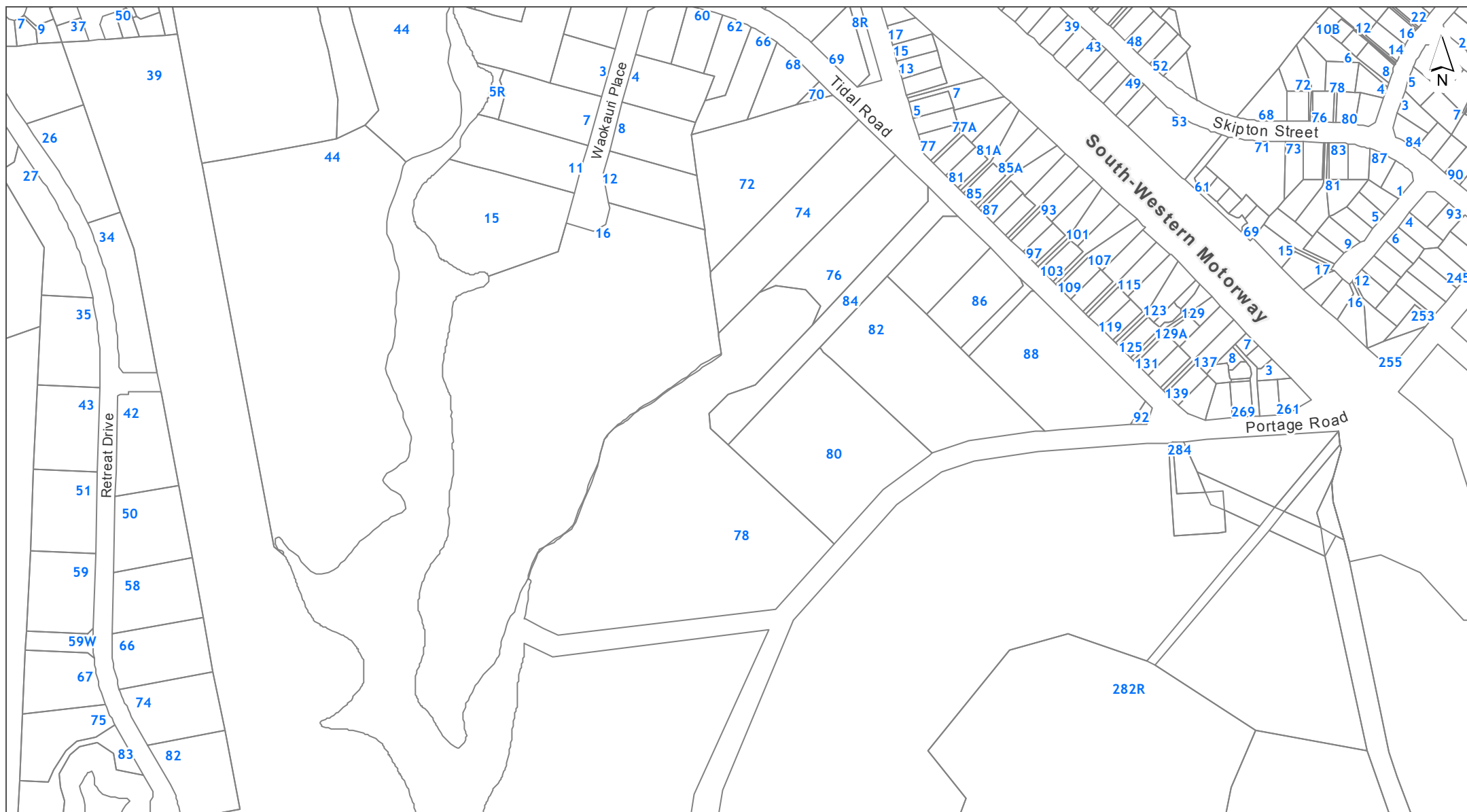
78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
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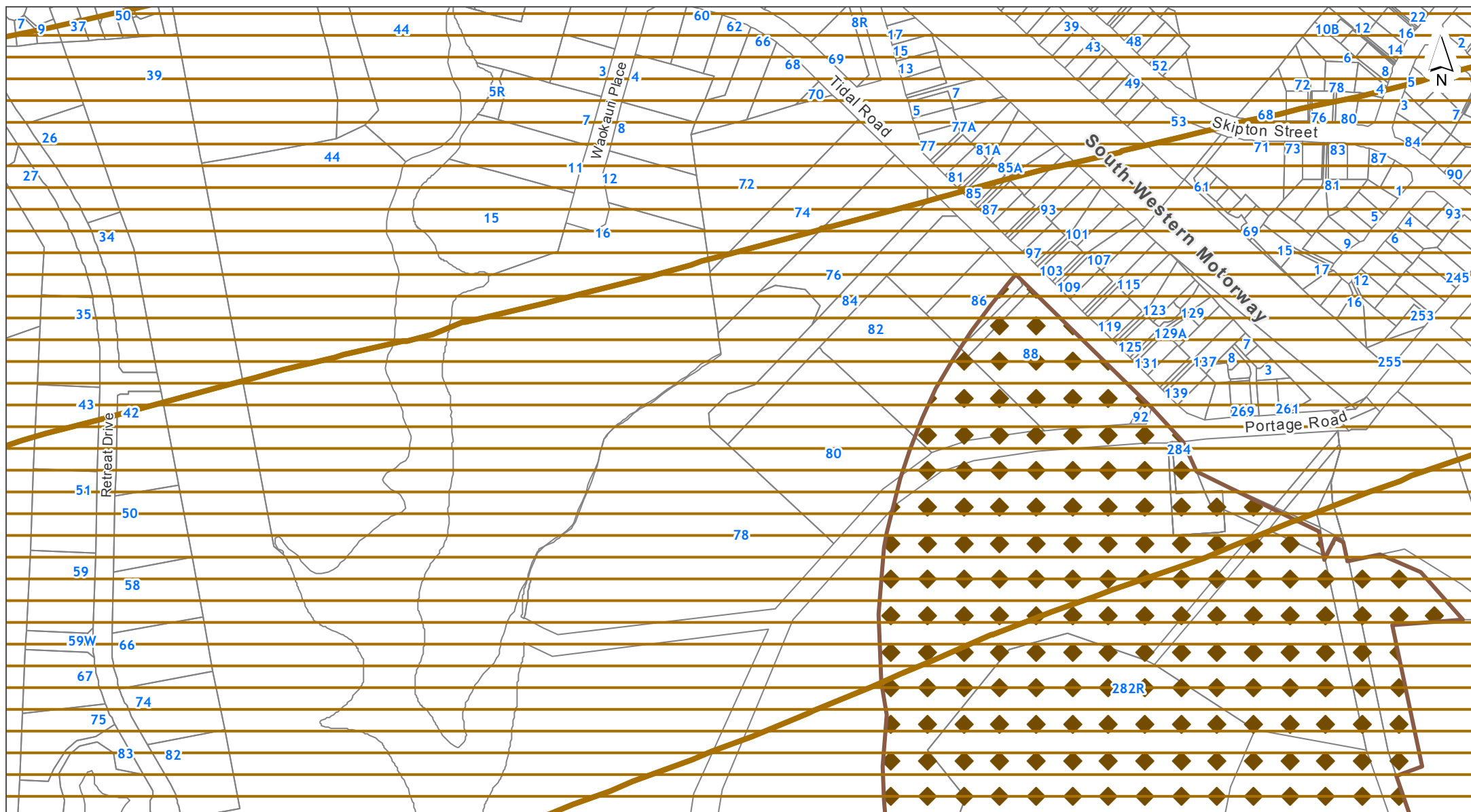
Historic Heritage and Special Character**78 Tidal Road MANGERE 2022**

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

0 30 60 90
Meters

Scale @ A4
= 1:5,000

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Infrastructure

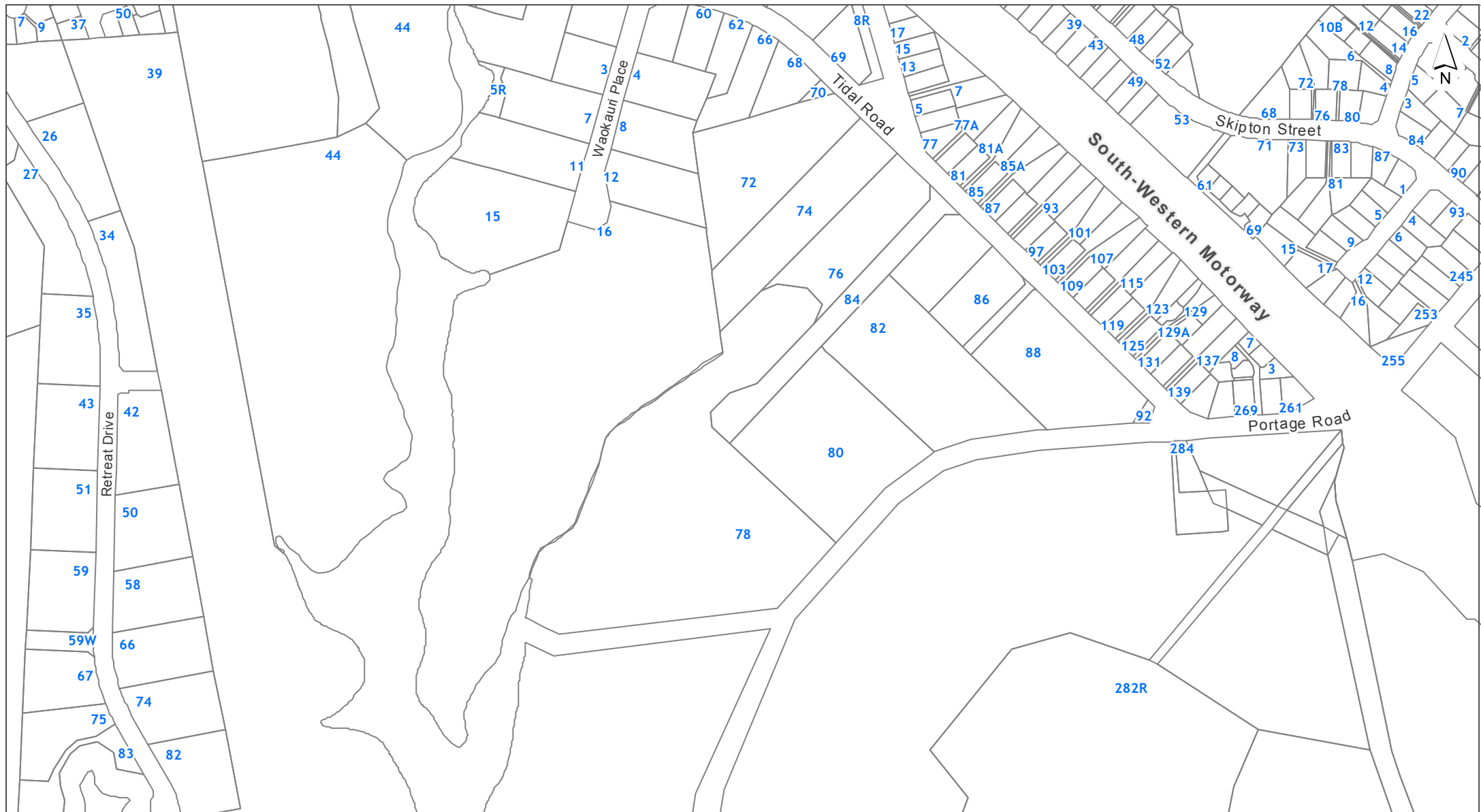
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0 30 60 90
Meters

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Mana Whenua

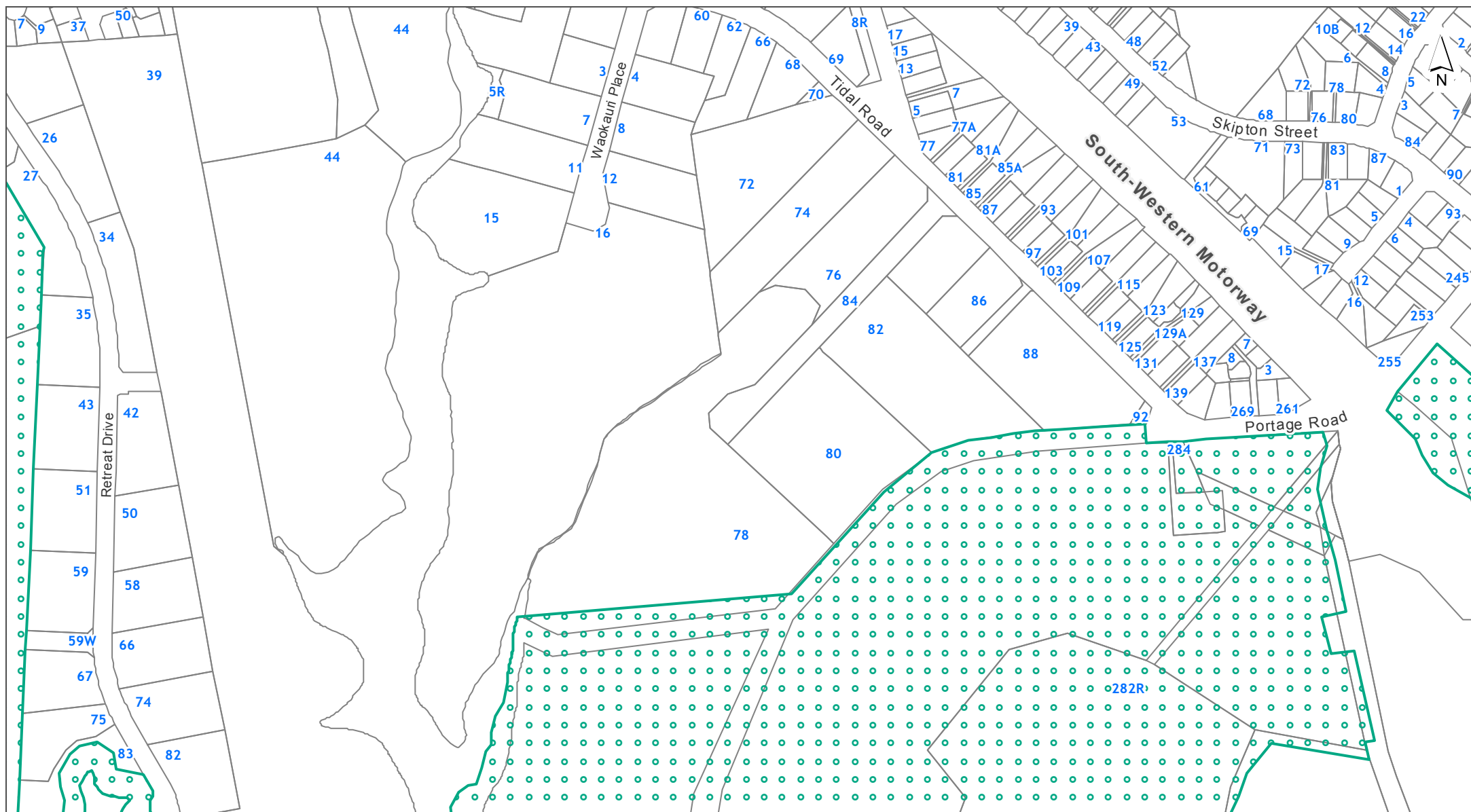
78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487



Scale @ A4
= 1:5,000

Date Printed:
12/04/2021

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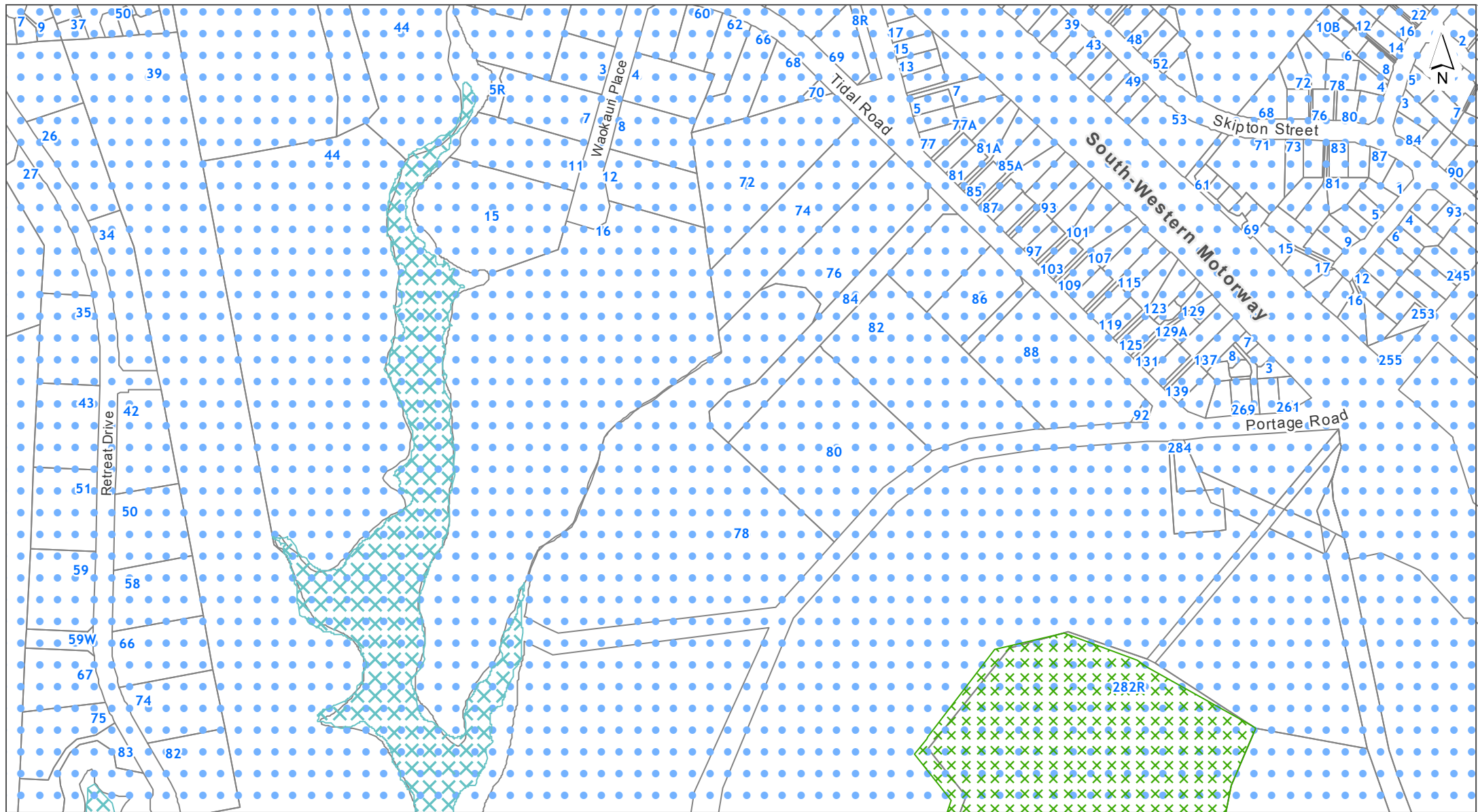
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Natural Heritage**78 Tidal Road MANGERE 2022****LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487**

0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
12/04/2021



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Natural Resources

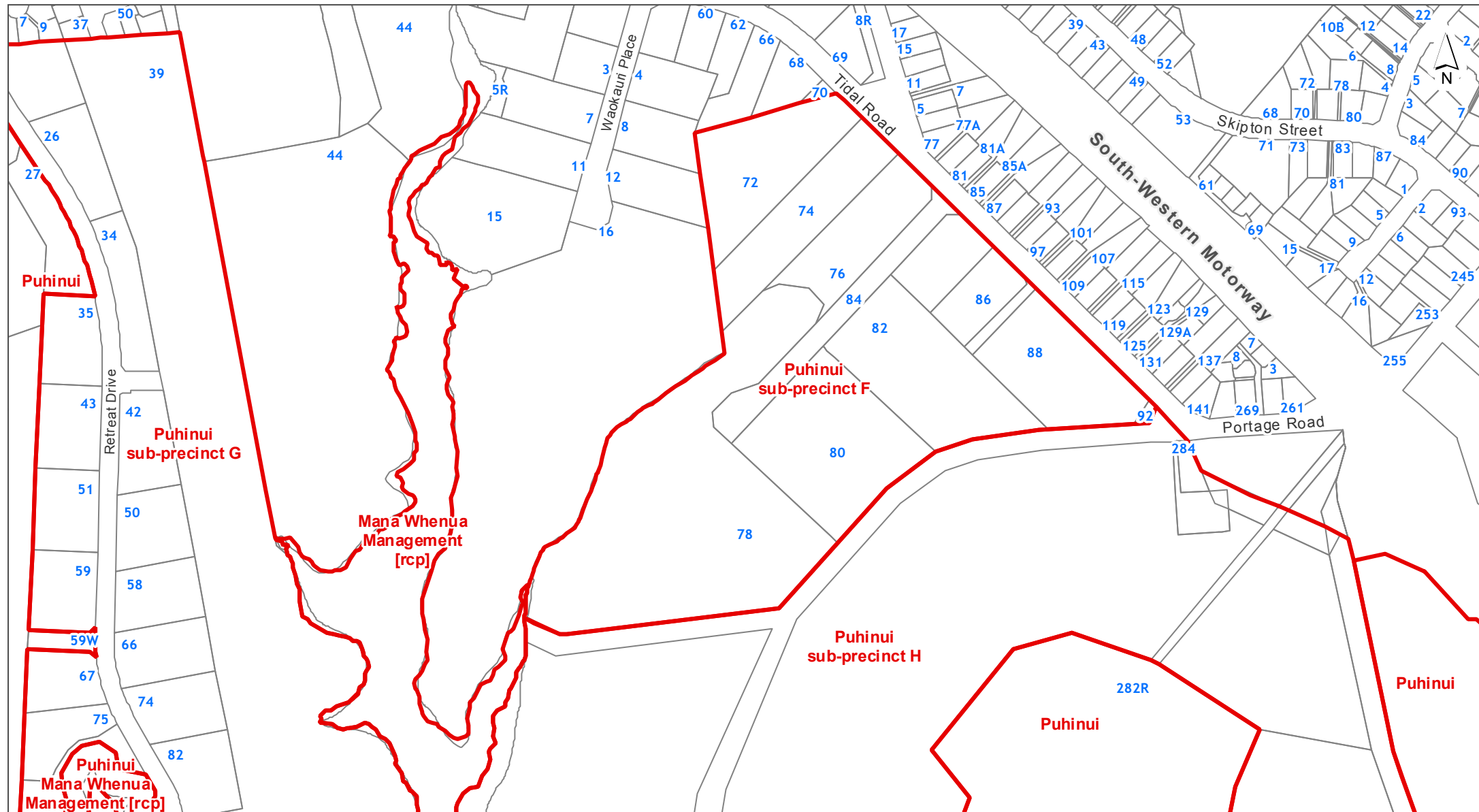
78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

0 30 60 90
Meters

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Precincts

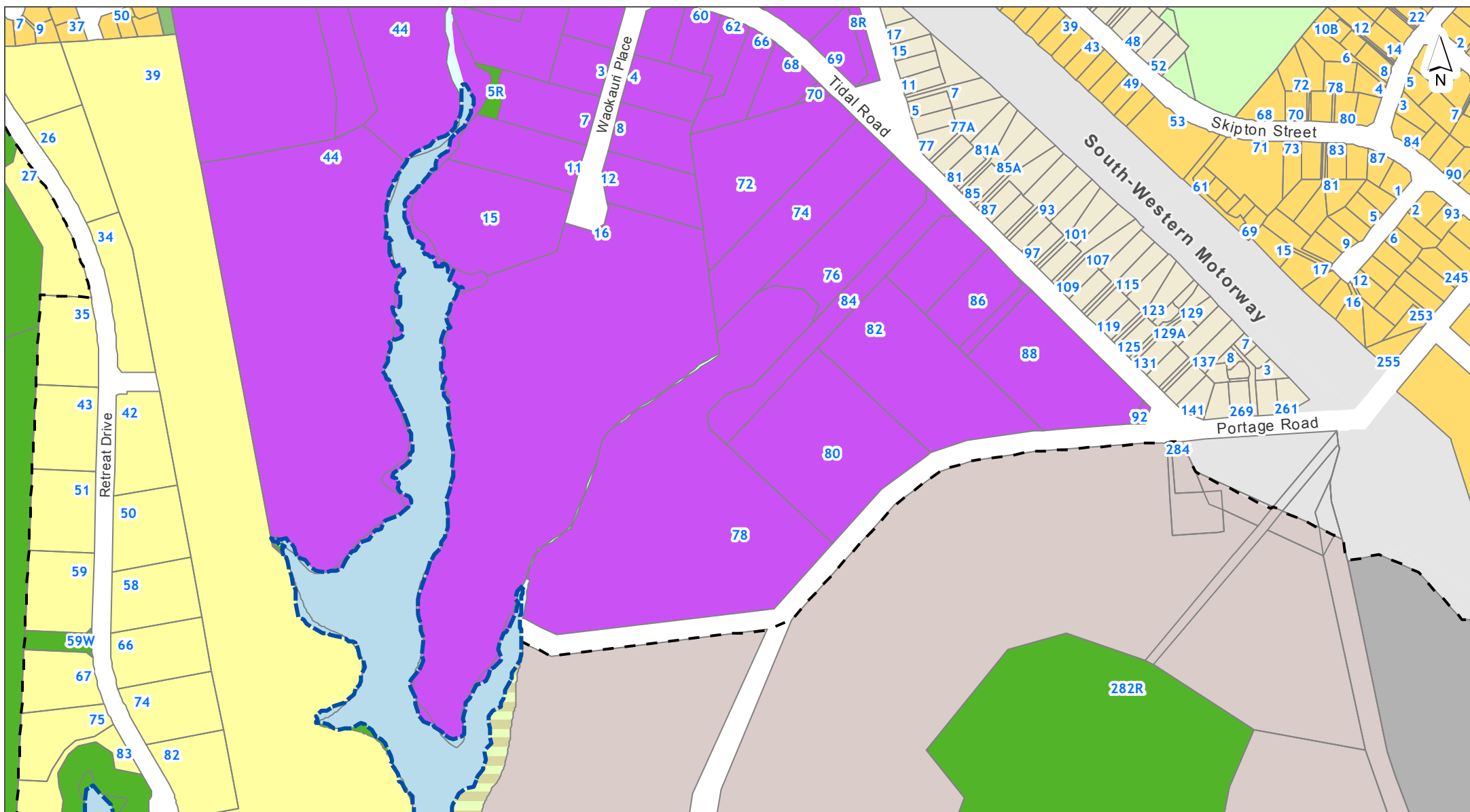
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LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

0 30 60 90
Meters

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Date Printed:
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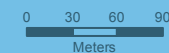


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Zones and Rural Urban Boundary

78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487





Scale @ A4
= 1:5,000



Date Printed:
12/04/2021

NOTATIONS

Appeals

-  Properties affected by Appeals seeking change to zones or management layers
-  Properties affected by Appeals seeking reinstatement of management layers

Proposed Plan Modifications



-  Notice of Requirements
-  Plan Changes

Tagging of Provisions:

- [i] = Information only
- [rp] = Regional Plan
- [rcp] = Regional Coastal Plan
- [rps] = Regional Policy Statement
- [dp] = District Plan (only noted when dual provisions apply)

ZONING

Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone


Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone

Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

-  Special Purpose Zone - Airports & Airfields
Cemetery
Quarry
Healthcare Facility & Hospital
Tertiary Education
Māori Purpose
Major Recreation Facility
School
-  Strategic Transport Corridor Zone

Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone














Precincts

--- Rural Urban Boundary









--- Indicative Coastline [i]

Overlays


Natural Resources

	Terrestrial [rp/dp]	} Significant Ecological Areas Overlay
	Marine 1 [rcp]	
	Marine 2 [rcp]	
	Water Supply Management Areas Overlay [rp]	
	Natural Stream Management Areas Overlay [rp]	
	High-Use Stream Management Areas Overlay [rp]	
	Natural	} Lake Management Areas Overlay (Natural Lake and Urban Lake)
	Urban	
	High-Use Aquifer Management Areas Overlay [rp]	
	Quality-Sensitive Aquifer Management Areas Overlay [rp]	
	Wetland Management Areas Overlay [rp]	

Infrastructure

	Airport Approach Surface Overlay	
	Aircraft Noise Overlay	
	City Centre Port Noise Overlay [rcp / dp]	
	Quarry Buffer Area Overlay	
	National Grid Subdivision Corridor	} National Grid Corridor Overlay
	National Grid Substation Corridor	
	National Grid Yard Compromised	
	National Grid Yard Uncompromised	
















Mana Whenua

	Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]
--	--








Built Environment

	Identified Growth Corridor Overlay
--	------------------------------------





















Natural Heritage

	Notable Trees Overlay	
	Outstanding Natural Features Overlay [rcp/dp]	
	Outstanding Natural Landscapes Overlay [rcp/dp]	
	Outstanding Natural Character Overlay [rcp/dp]	
	High Natural Character Overlay [rcp/dp]	
	Viewshafts	} Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
	Height Sensitive Areas	
	Regionally Significant Volcanic Viewshafts Overlay Contours [i]	
	Locally Significant Volcanic Viewshafts Overlay [rcp/dp]	
	Locally Significant Volcanic Viewshafts Overlay Contours [i]	
	Modified	} Ridgeline Protection Overlay
	Natural	
	Local Public Views Overlay [rcp/dp]	
	Extent of Overlay	} Waitakere Ranges Heritage Area Overlay
	Subdivision Schedule	

Historic Heritage & Special Character

	Historic Heritage Overlay Place [rcp/dp]	
	Historic Heritage Overlay Extent of Place [rcp/dp]	
	Special Character Areas Overlay Residential and Business	
	Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]	
	Auckland War Memorial Museum Viewshaft Overlay Contours [i]	
	Stockade Hill Viewshaft Overlay – 8m height area	
	Stockade Hill Viewshaft [i]	

Controls

	Key Retail Frontage	} Building Frontage Control
	General Commercial Frontage	
	Adjacent to Level Crossings	} Vehicle Access Restriction Control
	General	
	Motorway Interchange Control	
	Centre Fringe Office Control	
	Height Variation Control	
	Parking Variation Control	
	Level Crossings With Sightlines Control	
	Arterial Roads	
	Business Park Zone Office Control	
	Hazardous Facilities	} Emergency Management Area Control
	Infrastructure	
	Macroinvertebrate Community Index	
	Flow 1 [rp]	} Stormwater Management Area Control
	Flow 2 [rp]	
	Subdivision Variation Control	
	Surf Breaks [rcp]	
	Cable Protection Areas Control [rcp]	
	Coastal Inundation 1 per cent AEP Plus 1m Control	

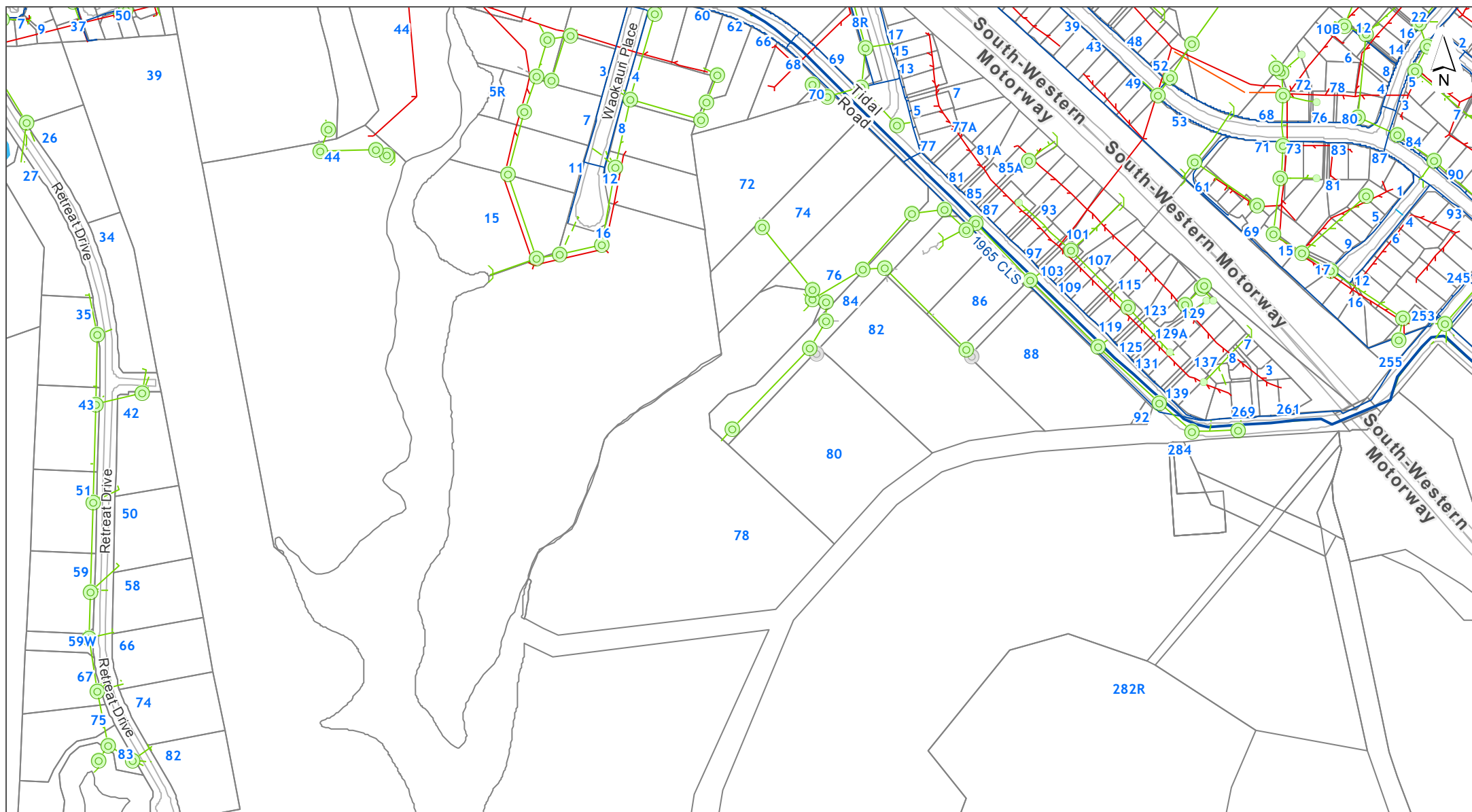
Designations



Designations



Airspace Restriction Designations



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Underground Services

78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
12/04/2021

Stormwater

Note: Unless otherwise specified in the text below, the *colour* of a Stormwater symbol is determined by the ownership or usage status, using the following colour scheme:

Public, **Private** or **Abandoned**

	Treatment Device		Overland Flowpath (Public)
	Septic Tank		Overland Flowpath (Private)
	Septic Tank (Hi-Tech)		Forebay (Public)
	Soakage System		Forebay (Private)
	Inspection Chamber		Treatment Facility (Public)
	Manhole (Standard / Custom)		Treatment Facility (Private)
	Inlet & Outlet Structure		Pump Station
	Inlet & Outlet (No Structure)		Planting
	Catchpit		Embankment
	Spillway		Viewing Platform
	Safety Benching		Bridge
	Culvert / Tunnel		Erosion & Flood Control (Other Structure)
	Subsoil Drain		Erosion & Flood Control (Wall Structure)
	Gravity Main		
	Rising Main		
	Connection		
	Fence		
	Lined Channel		
	Watercourse		

Water

	Valve
	Hydrant
	Fitting
	Other Watercare Point Asset
	Other Watercare Linear Asset
	Local Pipe (Operational-NonPotable)
	Local Pipe (Operational-Potable)
	Local Pipe (Operational Not Vested)
	Local Pipe (Abandoned / Not Operational)
	Transmission Pipe (Operational-NonPotable)
	Transmission Pipe (Operational-Potable)
	Transmission Pipe (Not Operational)
	Transmission Pipe (Proposed)
	Pump Station
	Reservoir
	Other Structure (Local)
	Chamber (Transmission)
	Water Source (Transmission)
	Other Watercare Structures and Areas

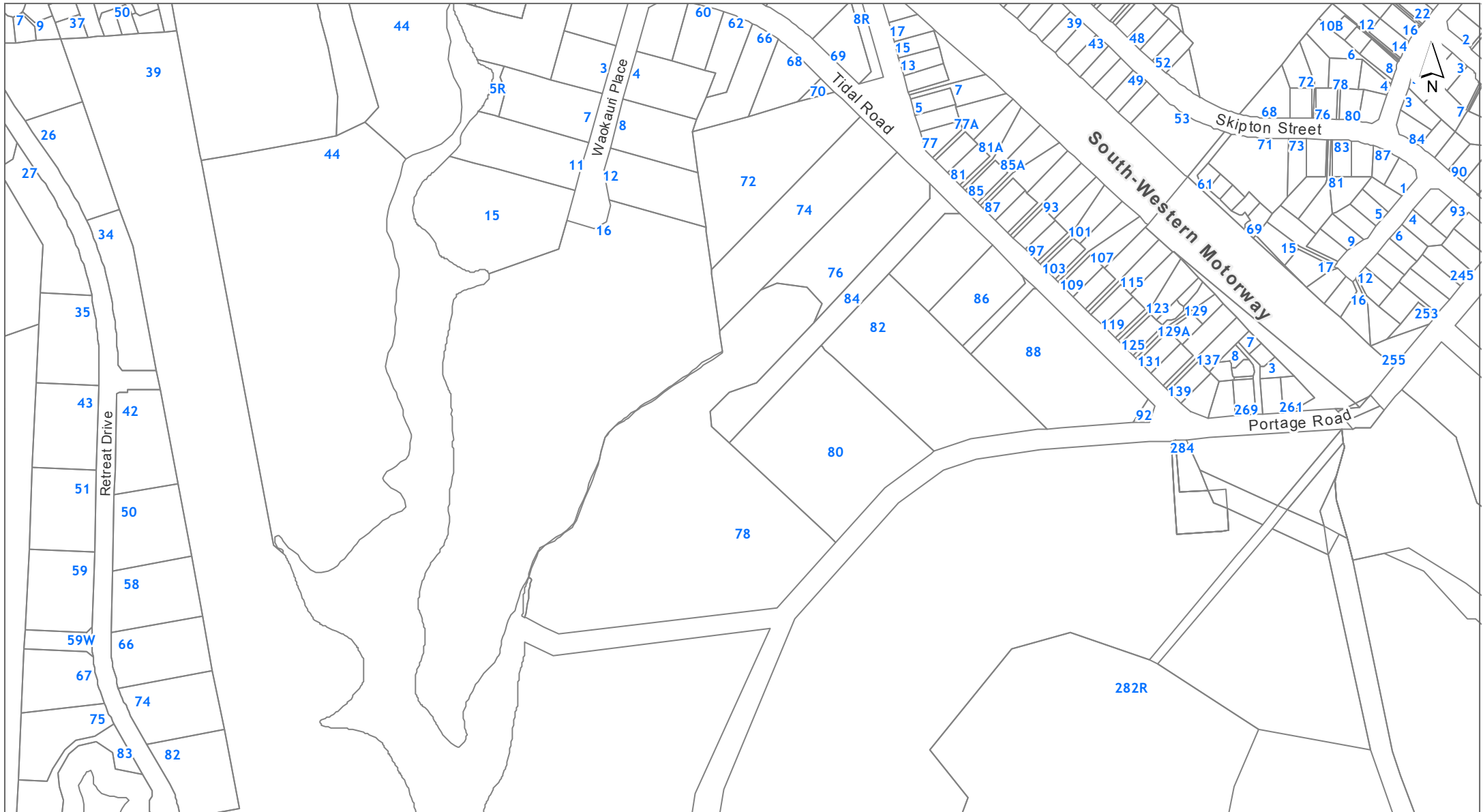
Wastewater

	Fitting
	Fitting (Non Watercare)
	Manhole
	Pipe (Non Watercare)
	Local Pipe (Operational)
	Local Pipe (Operational Not Vested)
	Local Pipe (Abandoned / Not Operational)
	Transmission Pipe (Operational)
	Transmission Pipe (Not Operational)
	Transmission Pipe (Proposed)
	Chamber
	Structure (Non Watercare)
	Pump Station
	Wastewater Catchment

Utilities

	Transpower Site
	Pylon (Transpower)
	110 kv - Electricity Transmission
	220 kv - Electricity Transmission
	400 kv - Electricity Transmission
	Aviation Jet A1 Fuel Pipeline
	Liquid Fuels Pipeline [Marsden to Wiri]
	Gas Transmission Pipeline
	High-Pressure Gas Pipeline
	Medium-Pressure Gas Pipeline
	Indicative Steel Mill Slurry Pipeline
	Indicative Steel Mill Water Pipeline
	Fibre Optic Cable (ARTA)
	Contour Interval

Legend
updated:
21/09/2020



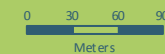
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Hazards

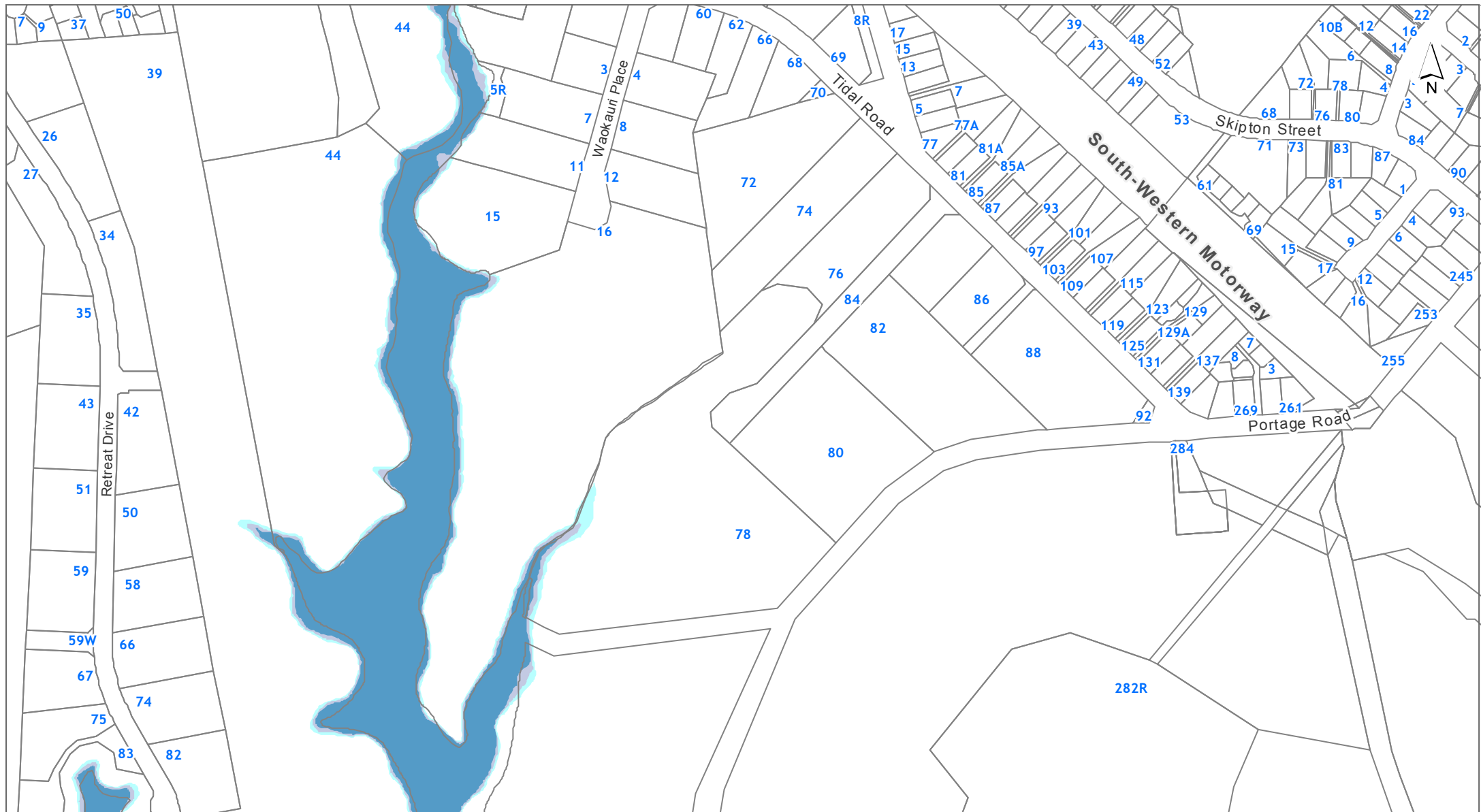
78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487



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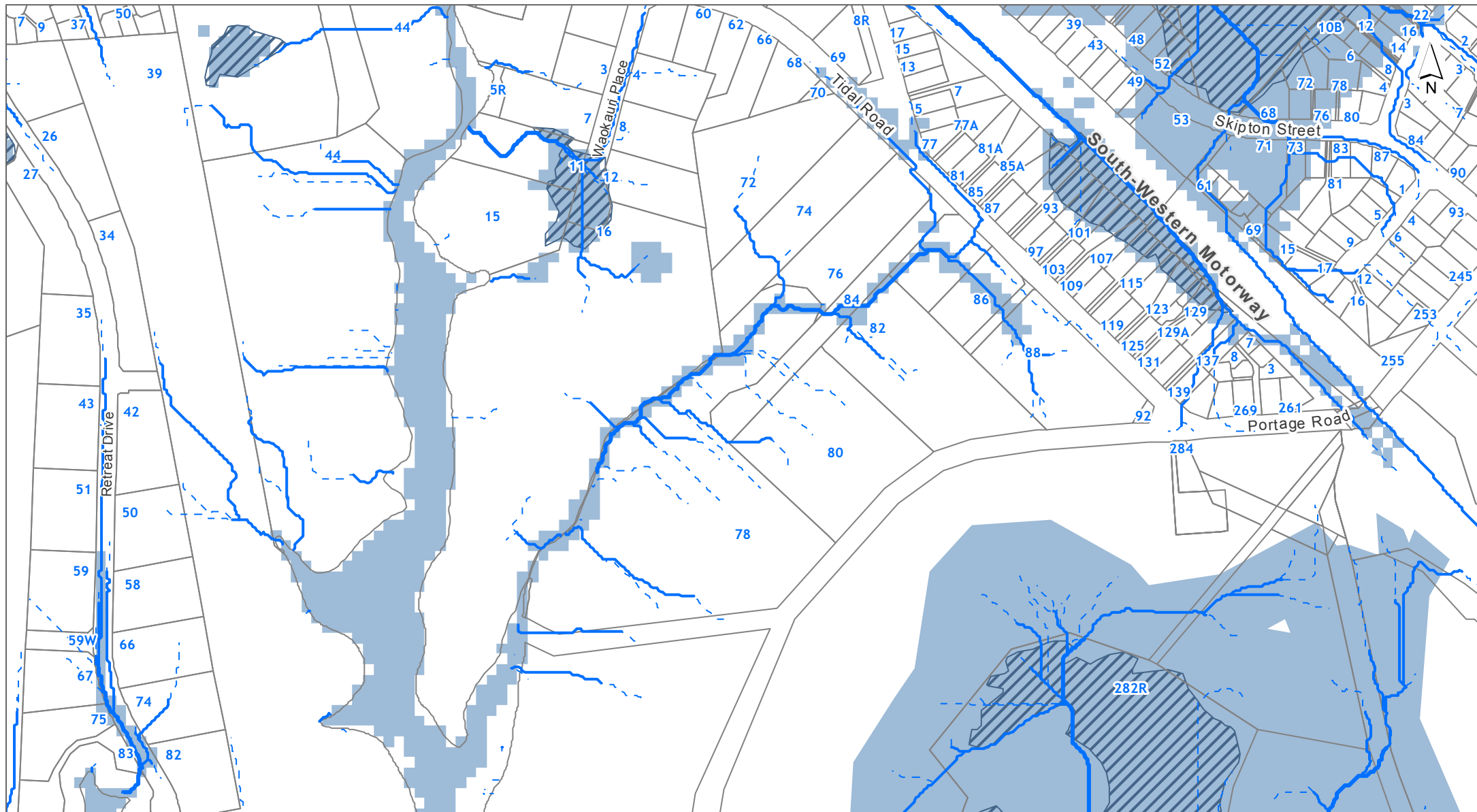
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Natural Hazards - Coastal Inundation**78 Tidal Road MANGERE 2022****LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487**

0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
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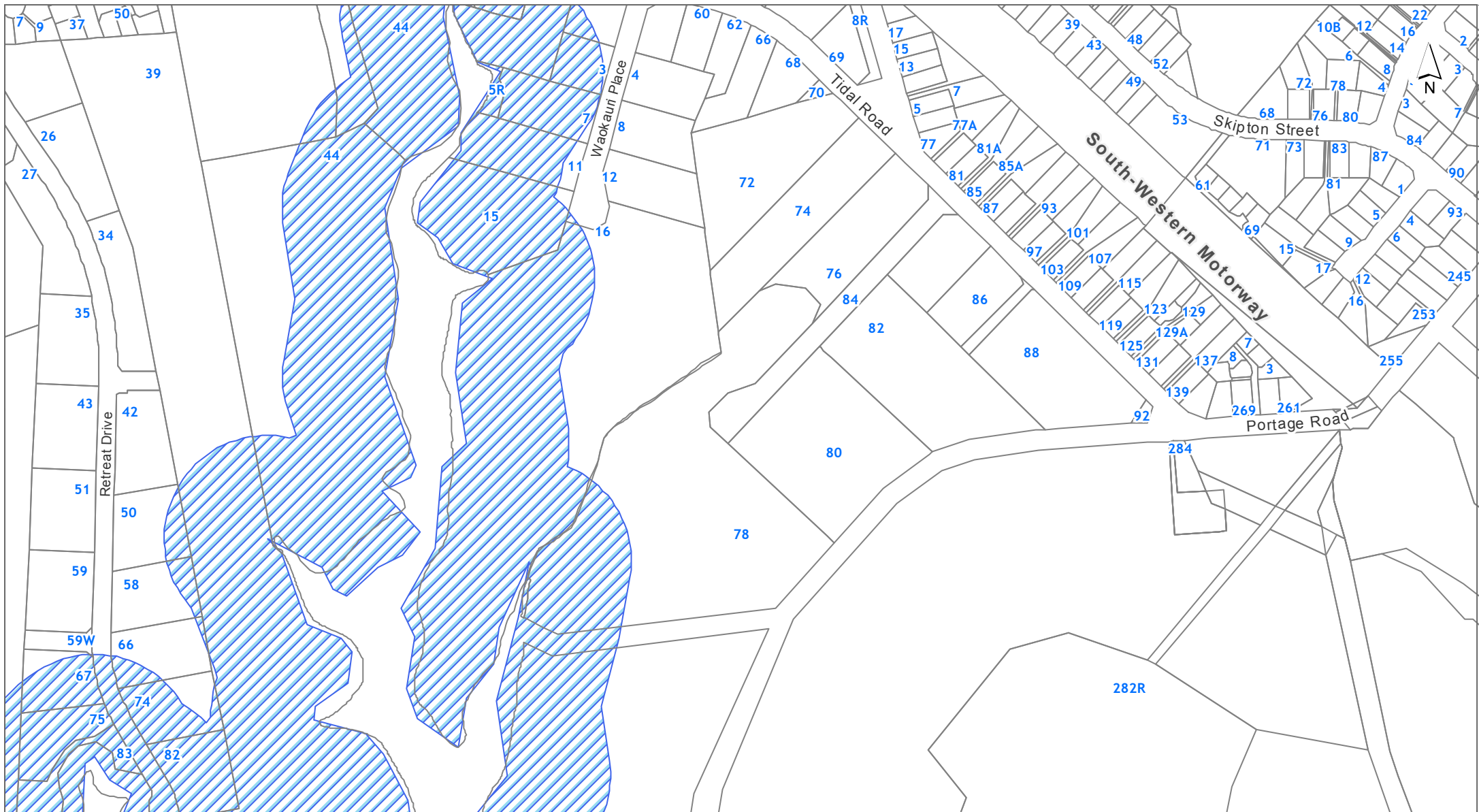
Natural Hazards - Flooding**78 Tidal Road MANGERE 2022**

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

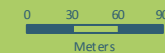
0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
12/04/2021

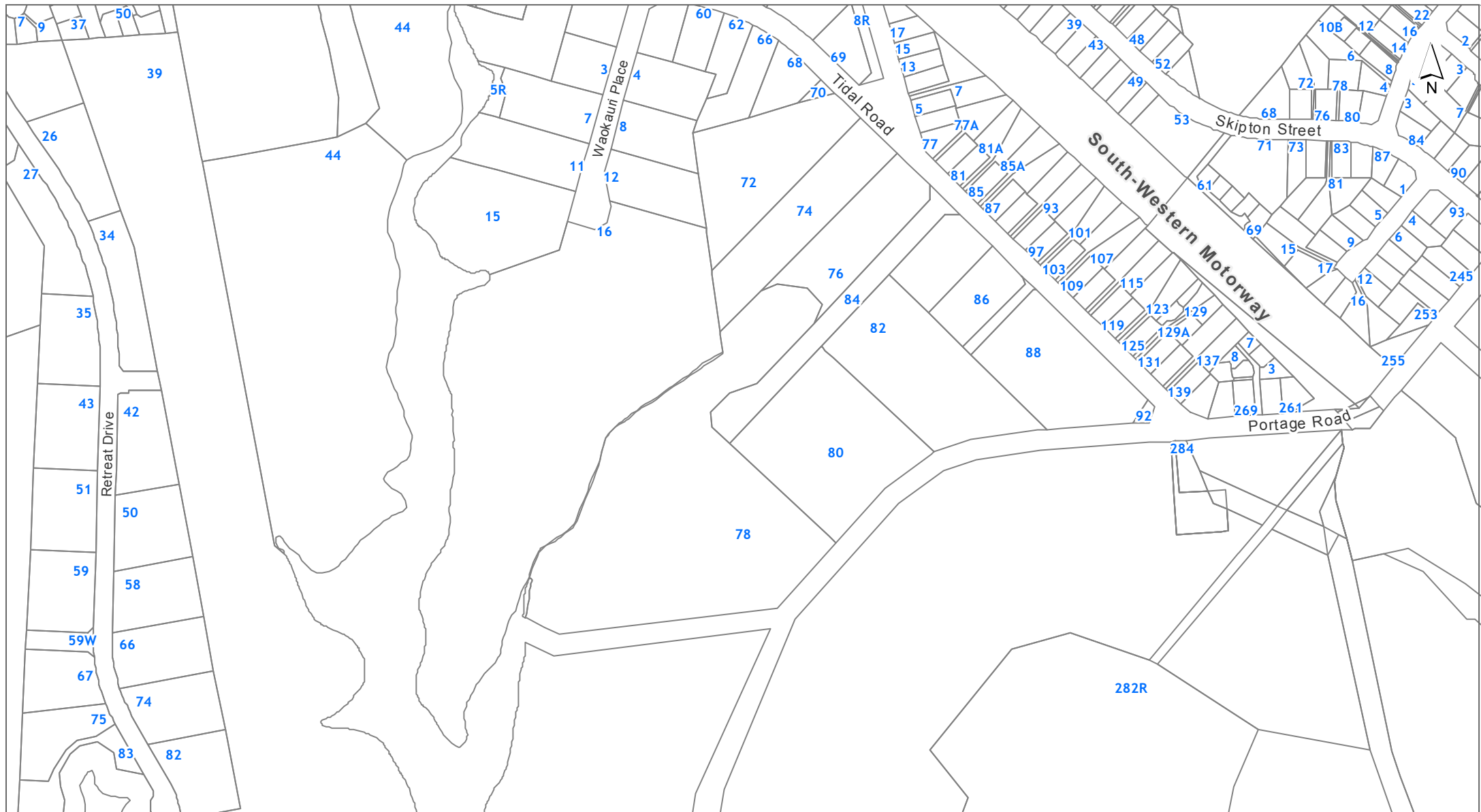
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Natural Hazards - Sea Spray**78 Tidal Road MANGERE 2022****LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487**

Scale @ A4
= 1:5,000

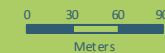
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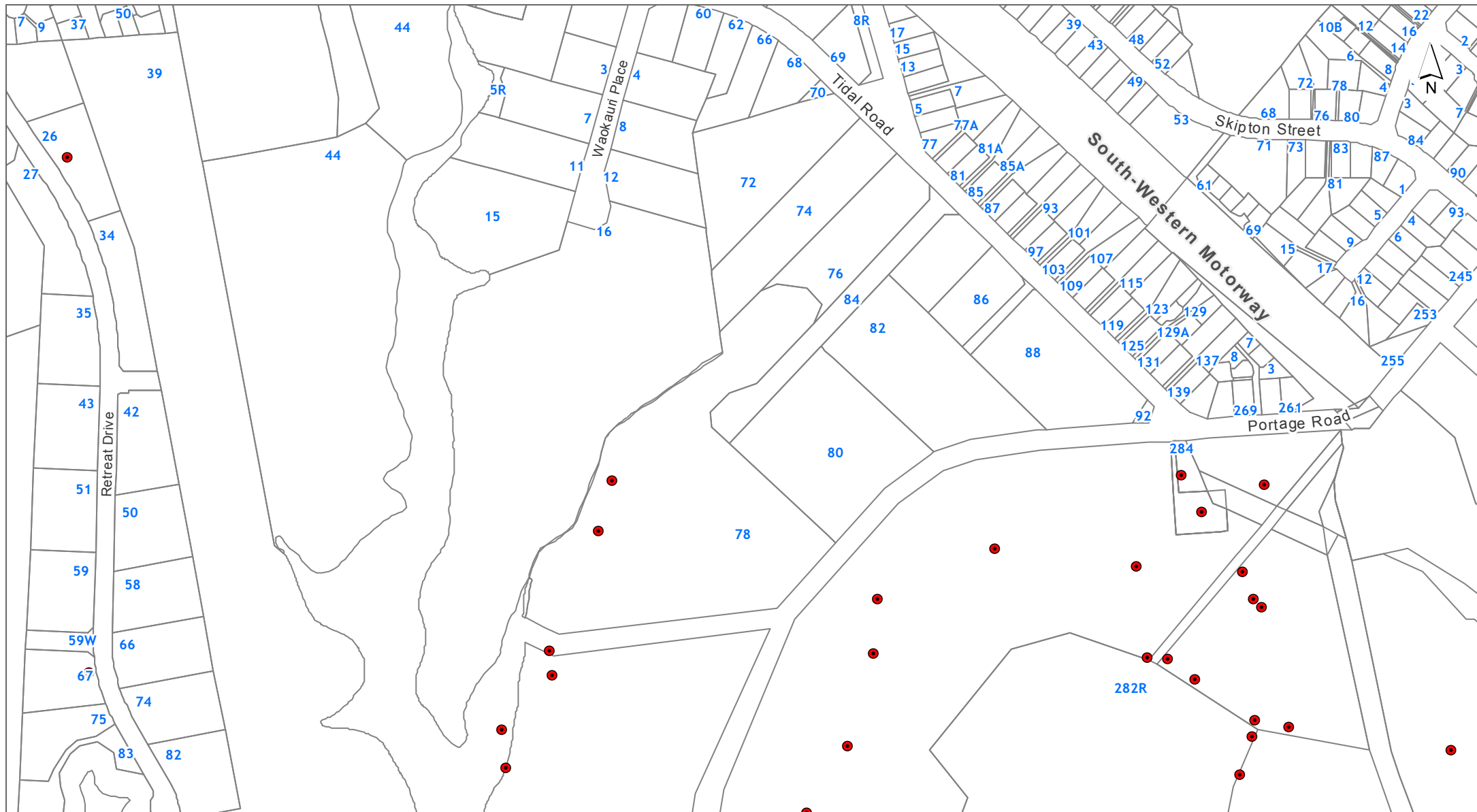
Natural Hazards - Volcanic Cones**78 Tidal Road MANGERE 2022**

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487



Scale @ A4
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Date Printed:
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Other

78 Tidal Road MANGERE 2022

LOT 9 DP 551487, 1/5 SH LOT 50 DP 551487

0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
12/04/2021
















Hazards

Soil Warning Area

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAIL) (Franklin District only)
-  Inundation (Franklin District only)
-  Rainfall Event (Franklin District only)
-  Slippage (Franklin District only)
-  Subsidence (Franklin District only)
-  Slippage / Subsidence / Erosion etc (Auckland City and Papakura District only)
-  Uncertified Fill (Auckland City and Papakura District only)
-  Organic Soil (Auckland City and Papakura District only)
-  Filled / Weak Ground (Auckland City and Papakura District only)
-  Refuse Tips Site / Weak Area (Auckland City and Papakura District only)
-  Unstable / Suspected Ground (Auckland City and Papakura District only)
-  Allochthon Waitemata (Rodney District only)
-  Motatau Complex (Rodney District only)
-  Puriri Mudstone (Rodney District only)
-  Mahurangi Limestone (Rodney District only)
-  Mangakahia Complex (Rodney District only)
-  Hukerenui Mudstone (Rodney District only)
-  Whangai Formation (Rodney District only)
-  Tangihua Complex (Rodney District only)
-  within 150m of Northland Allochthon (Rodney District only)




Hazards

Soil Warning Area continued

-  Soil D (Rodney District only)
-  within 150m of Soil D (Rodney District only)
-  Soil C (Rodney District only)
-  within 150m of Soil C (Rodney District only)
-  Soil B (Rodney District only)
-  within 150m of Soil B (Rodney District only)
-  Soil A (Rodney District only)
-  Gas Main Pipeline
-  Petroleum Pipeline
-  Closed Landfill (Auckland Council owned)
-  Closed Landfill (Privately owned)
-  Air Discharge (Franklin District only)
-  No Soakage (Franklin District only)
-  Indicative Steel Mill Slurry Line 20m Buffer (Franklin District only)
-  Indicative Steel Mill Water Line 20m Buffer (Franklin District only)

Natural Hazards

Overland Flow Path

-  Catchment area 2000m² to 3999 m²
-  Catchment area 4000 m² to 3 Ha
-  Catchment area 3 Ha and above

 1% AEP Flood Plain




 Flood Prone Areas

 Flood Sensitive Areas

 Sea Spray








 Volcanic Cones

Coastal Inundation

-  1% AEP
-  1% AEP plus 1m sea level rise
-  1% AEP plus 2m sea level rise

Other

Cultural Heritage Index

-  Archaeological Site
-  Hayward and Diamond
-  Historic Botanical Site
-  Historic Structure
-  Maori Heritage Area
-  Maritime Site
-  Reported Historic Site

The information Council holds in relation to Special Land Features differs based on the area a property is located in. Those areas where information is held on a Special Land Feature is denoted in the legend above.

Legend updated: 12/06/2018

Decision on applications for resource consent under the Resource Management Act 1991



Restricted Discretionary Activity

Application numbers:	49765 (District Land Use) P49765 (Regional Sediment Control) P49771 (Regional Contaminated Land)
Applicant's name:	Ambury Properties Ltd
Site address:	72 Tidal Road, Mangere
Legal description:	Pt Allot 56 SO 20148 Parish of Manurewa
Site area:	14.8305 hectares
Operative plan:	Auckland Council District Plan (Manukau Section)
Zoning:	Mangere Puhinui Rural Zone
Proposed Auckland Unitary Plan ("PAUP") Decisions Version Zoning & Precinct:	Light Industry
Special features, overlays etc:	Infrastructure: Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Airspace Restriction Designations, Auckland International Airport Ltd General Coastal Marine Mana Whenua Management Precinct Puhinui Sub Precinct F and H Significant Ecological Areas- SEA- M2-27a. Marine 2 Natural Resource: High Use Aquifer [rp] – Manukau Southeast Kaawa Natural Heritage Outstanding Natural Features- ID 22 Crater Hill
Proposal :	Earthworks to form a stable building platform within southern portion of the site

Please replace
Consent decision
with attached
all others - plans,
report, letters
are OK as is.

The resource consents required are:

District Plan

Auckland Council District Plan (Manukau Section)

- Earthworks over 200m³ requires consent for a Restricted Discretionary Activity.

Auckland Council Regional Plan : Sediment Control

- Land use consent for earthworks is required under the provisions of Rule 5.4.3.1 of the Auckland Council Regional Plan: Sediment Control (ACRP:SC). Consent for a Restricted Discretionary activity under this rule is required for earthworks over an area greater than 0.25 hectares within the sediment control protection area.

Auckland Council Regional Plan: Air, Land and Water

- A discharge permit is required under Section 15(1) of the Resource Management Act 1991 (the RMA) as there is no NES which authorises the discharge from the site, and soil analysis presented in the DSI exceeds the acceptable contamination levels specified in the PA Criteria of the ACRP:ALW (Schedule 10).
- Rule 5.5.44 in the ACRP:ALW covers the discharge of contaminants from land containing elevated levels of contaminants that does not comply with the standards and terms of Rules 5.5.40, 5.5.41 or 5.5.42. The standards and terms of Rule 5.5.44 have been met, and consent is required as a Controlled Activity.

Proposed Auckland Unitary Plan Decisions Version (PAUP D.V.)

- Land use consent for earthworks is required under the provisions of Rule H 4.2.1.1 of the Proposed Auckland Unitary Plan (PAUP). Consent for a restricted discretionary activity under this rule is required for earthworks greater than 2,500m² and 2,500m³ in a Rural Zone.
- The Proposed Auckland Unitary Plan (PAUP) was notified on the 30 September 2013, that is prior to this application being lodged, and therefore the application must also be assessed under the relevant Contaminated Land Rules of the PAUP, which have immediate effect.
- Rule H.4.5.2.2.2 allows certain contaminant discharges associated with the remediation of contaminated land as a controlled activity. It is considered all the conditions of that rule will be met by the proposed works and therefore the proposal is regarded as a Controlled Activity under rule H.4.5.2.2.2 of the PAUP.

NES- National Environmental Standards

- The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES) applies to certain activities proposed

on a piece of land, which has (potentially) been impacted by previous or current activities or industries that are included in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL).

- Disturbance of small volumes of soil (less than 25 m³ per 500 m² of land) requiring less than 5 m³ of soil per 500 m² of land to be removed from site is a Permitted Activity under Clause 8(3) of the NES, provided the activity duration is less than 2 months and the other provisions of Clause 8(3) are met.
- Disturbance or removal of greater volumes of soil requires consent if a detailed site investigation shows that contamination levels are below the standards detailed in the NES. This proposal is classified as a Controlled Activity as per Regulation 9 of the NES.

Decision

I have read the application, supporting documents, and the report and recommendations on the consent applications. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the applications.

Acting under delegated authority, under Sections 104, 104A and 104C the applications are **GRANTED**.

1. Reasons

The reasons for this decision are:

In accordance with an assessment under Section 104(1)(a) of the RMA the actual and potential effects from the proposal will be avoided, mitigated or remedied as:

1. It is considered that the applicant's assessment adequately identifies the potential effects which may result from the proposal and that there are no anticipated additional effects that may be generated. Furthermore, the erosion and sediment controls proposed, along with the conditions imposed below, provide the best practicable mitigation for undertaking earthworks of this nature.
2. The controls proposed are in general accordance with TP90, the relevant guidance document in this particular case. The proposed controls, namely the stabilised construction entranceway, clean water diversion bund, dirty water diversion channels, sediment retention ponds, silt fences and super silt fences, are considered appropriate given the volume and area of earthworks proposed.
3. Provided the erosion and sediment controls are installed and constructed in accordance with the Application Report, supporting documentation as noted below and any additional requirements as may be required by the guidance outlined in TP90, it is considered that the combined erosion and sediment control devices and methodology represents best practice techniques for the management of sediment during earthworks of this nature. Overall, it is expected that the potential effects of sediment discharge will be appropriately managed to ensure that the effects of site works upon the receiving environment and its ecological values can be adequately avoided, managed or mitigated.

4. The removal of contaminated soils from the site to an approved disposal site will ensure that the site is suitably remediated.
5. The Proposed Auckland Unitary Plan- Decisions Version has recognised this site is to be for light industrial purposes and therefore the proposed earthworks to establish a future stable building platform is deemed to be of a logical progression. These site works will be monitored during this stage of land modification to ensure that there will be no adverse effects on the local road network or on any immediate neighbouring properties.

2. Conditions

Under Section 108 of the RMA, these consents are subject to the following conditions:

General conditions

These conditions apply to all resource consents.

1. The proposed earthworks activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent number 49765, P49765 and P49771
 - Application Form, and Assessment of Environmental Effects prepared by Envivo dated 29 March 2016 and amended information supplied 19th August 2016.

Plan title /reference/revision	Author	Dated	Sheet No
RC01A			
Existing Contour Plan Overall C101 Rev 3	Burrett and Associates Ltd	07/16	1
Surface Protection & Finishes Plan C110 Rev 3	B&A Ltd	07/16	2
Design Contour Plan Sheet 1 of 3 C111 Rev 3	B&A Ltd	07/16	3
Design Contour Plan Sheet 2 of 3 C112 Rev 3	B&A Ltd	07/16	4
Design Contour Plan Sheet 3 of 3 C113 Rev 3	B&A Ltd	07/16	5
Site establishment, Earthworks & Cut/Fill C120 Rev 3	B&A Ltd	07/16	6
Bulk Earthworks & Cut/fill Plan C121 Rev 4	B&A Ltd	07/16	7
Site Cross Section Chainage Plan C122 Rev 3	B&A Ltd	07/16	8
Site Cross Sections South-West/North-East Chainage 80-280 C123 Rev 3	B&A Ltd	07/16	9

Site Cross sections South-East/North-West Chainage 80-280 C124 Rev 3	B&A Ltd	07/16	10
Site Cross Sections South-East/North-West Chainage 320-560 C124 Rev 3	B&A Ltd	07/16	11
Site establishment/ Erosion&Sediment Control C130 Rev 3	B&A Ltd	07/16	12
Bulk Earthworks/Erosion & Sediment Control C131 Rev 5	B&A Ltd	07/16	13
Sediment Retention Pond#1 C132 Rev 3	B&A Ltd	07/16	14
Sediment Retention Pond #1 Cross Sections C133 Rev 3	B&A Ltd	07/16	15
Sediment Retention Pond #2 C 134 Rev 3	B&A Ltd	07/16	16
Sediment Retention Pond #2- Cross Sections C135 Rev 3	B&A Ltd	07/16	17

- Reports and Additional Information

- *'Proposed Earthworks, 72 Tidal Road, Mangere, Resource Consent Application and Assessment of Effects on the Environment'* dated 29 March 2016 and prepared by Envivo Limited (hereafter referred to as the 'Application Report').
- *'Application for Land Use Consent: Erosion and Sediment Control for the Development of Site at 72 Tidal Road, Mangere for Ambury Properties Ltd'* dated August 2016 and prepared by Burrett and Associates Limited (hereafter referred to as the 'Engineering Report').
- *'Geotechnical Report – Earthworks, 72 Tidal Road, Mangere'* dated August 2016 and prepared by Tonkin and Taylor Limited (hereafter referred to as the 'Geotechnical report').

Detailed Site Investigation (DSI), 72 Tidal Road, Mangere, Auckland, dated 13 August March 2016, prepared by Geosciences Ltd REP-0680/DSI/AUG15

Remediation Action Plan (RAP), 72 Tidal Road, Mangere, Auckland, dated 11 April 2016, prepared by Geosciences Ltd.

Site Management Plan (SMP), 72 Tidal Road, Mangere, Auckland, dated/ revised October 2016, prepared by Geosciences Ltd REP-0680/SMP/MAR 16

Geotechnical Investigation Report completed by Tonkin and Taylor Limited Reference

Number 29882 dated August 2016.

Additional information was provided in the following Section 92 response documents:

- 'RE: 72 tidal Road, Mangere- 49765 and 49771 Regional' dated 21 September 2016 and prepared by James Hook of Envivo Limited.
 - 'RE: 72 tidal Road, Mangere- 49765 and 49771 Regional' dated 9 September 2016 and prepared by James Hook of Envivo Limited.
 - 'Proposed Site Development at 72 Tidal Road, Mangere for Ambury Properties Limited, Resource Consent Issues Stage 1' dated August 2016 and prepared by Burrett and Associates Limited.
 - 'RE: Section 92 Questions for 72 Tidal Road Email 2 of 2' dated 6 May 2016 and prepared by Guy Burrett of Burrett and Associates Limited.
 - 'RE: Section 92 Questions for 72 Tidal Road Email 2 of 2' dated 3 May 2016 and prepared by Guy Burrett of Burrett and Associates Limited.
 - 'RE: Section 92 Questions for 72 Tidal Road Email 1 of 2' dated 14 April 2016 and prepared by Guy Burrett of Burrett and Associates Limited.
 - 'RE: Section 92 Questions for 72 Tidal Road Email 2 of 2' dated 14 April 2016 and prepared by Guy Burrett of Burrett and Associates Limited.
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 \$900.00 (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/s.

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 start Conditions

Pre-start meeting

4. 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 the responsible Monitoring Officer
- includes representation from the contractors who will undertake the works

The meeting shall discuss the erosion and sediment control measures, the earthworks methodology, and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

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;
- A Finalised Erosion and Sediment Control Plan (required by condition 7);
- A Chemical Treatment Management Plan (required by condition 5).
- Archaeological matters - A site works briefing shall be provided by the project 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 Team Leader: Southern Monitoring, the Auckland Council Heritage Unit and Heritage New Zealand Pouhere Taonga) and Mana Whenua. Documentation demonstrating that the contractor briefing has occurred shall be forwarded to the Team Leader Southern Monitoring prior to work commencing on the site.

This pre-start meeting shall be held prior to the commencement of the earthworks activity in each period between October 1 and April 30 of any year that this consent is exercised.

Advice Note:

To arrange the pre-start meeting required by this Condition please contact the Team Leader of Southern Monitoring. To arrange this meeting please email monitoring@aucklandcouncil.govt.nz or call 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.

5. Prior to the commencement of bulk earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader of Southern Monitoring. The plan shall include as a minimum:
 - a) Specific design details of the chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds and a batch dosing methodology for any decanting earth bunds installed;
 - 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.

Advice Note:

In the event that minor amendments to the CTMP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP may require an application to be made in accordance with Section 127 of the RMA. Any minor amendments should be provided to the Team Leader of Southern Monitoring prior to implementation to confirm that they are within the scope of this consent.

6. Prior to earthworks commencing, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Team Leader Southern Monitoring to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in condition (7) of this consent.

Certified controls may include the stabilised construction entranceway, clean water diversion bund, dirty water diversion channels, sediment retention ponds, decanting earth bunds, silt fences and super silt fences. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:

- a) Contributing catchment area;
- b) Shape of structure (dimensions of structure);
- c) Position of inlets/outlets; and
- d) Stabilisation of the structure.

7. Prior to the commencement of earthworks activity on the subject site, a finalised Erosion and Sediment Control Management Plan (ESCP) shall be prepared *and* submitted to the Team Leader of Southern Monitoring. No earthworks activity on the subject site shall commence until confirmation from council is provided that the ESCP is satisfactory.

Advice note:

The Erosion and Sediment Control Plan required by Condition (X3) should contain sufficient detail to address the following matters:

- *specific erosion and sediment control works (location, dimensions, capacity)*
- *supporting calculations and design drawings*

- *catchment boundaries and contour information*
- *details of construction methods*
- *timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks)*
- *details relating to the management of exposed areas (e.g. grassing, mulching)*
- *monitoring and maintenance requirements*

Specific conditions – land use consent (49765)

Development in Progress

Land Stability/Retaining Walls - Development in progress

8. The proposed earthworks shall be undertaken as per the recommendation provided by the geotechnical report prepared by Tonkin & Taylor Ltd, Dated August 2016, Ref – 29882.004.v2 and also in a manner which ensures that the land within the site, and on adjoining properties, remain stable at all times. In this regard;
 - (a) The consent holder shall employ a CPEng qualified Engineer, Registered Professional Surveyor or other suitably qualified person acceptable to Council to investigate, direct and supervise all construction works, particularly in close proximity to neighbouring properties to ensure that an appropriate design and construction methodology is carried out to maintain the short and long term stability of the site and surrounds.
 - (b) Temporary stabilizing/retaining wall works shall be constructed in a timely manner under engineering supervision. The consent holder shall ensure that all necessary design/approvals for stabilizing/retaining wall works are obtained and that sufficient resources are available, as directed by the engineer, prior to commencement of any significant excavation works.

Advice Note:

A Building Consent is required for (structures, retaining walls, private drainage, demolitions etc) unless exempted under Schedule 1 of the Building Act 2004.

- (c) All works shall be undertaken in a manner that does not create an adverse effect on neighbouring properties due to vibration.

Earthworks

9. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader Southern - Compliance and Monitoring.

There shall be no deposition of earth, mud, dirt or other debris on any public 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 stormwater 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 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*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.

10. The use of noise generating motorised equipment and vehicles associated with all earthworks and construction activities on the subject site shall be restricted to between the hours 7am to 7pm, Monday to Saturday inclusive. There shall be no operation of noise-generating, motorised equipment and vehicles associated with the activity on the subject site on Sundays or Public Holidays.

Vehicle crossing

11. The proposed temporary vehicle crossing shall be constructed as per Council R10B standard and reinstated upon completion of the works.

Discharge of contaminants to land and water from the remediation of contaminated land

12. The discharge from remediation and disturbance of contaminated soil on the subject site shall be carried out in accordance with the plans and all information submitted with the application, in particular the reports:
 - The report *Proposed Earthworks, 72 Tidal Road, Mangere, Resource Consent Application & Assessment of Effects on the Environment*, dated 29 March 2016, prepared by Envivo Ltd.
 - *Detailed Site Investigation (DSI), 72 Tidal Road, Mangere, Auckland*, dated 18 March 2016, prepared by Geosciences Ltd
 - *Remediation Action Plan (RAP), 72 Tidal Road, Mangere, Auckland*, dated 11 April 2016, prepared by Geosciences Ltd.

- *Site Management Plan (SMP), 72 Tidal Road, Mangere, Auckland, dated 18 March 2016, prepared by Geosciences Ltd.*

Advice Note:

The council acknowledges that the Site Management Plan/Remediation Action Plan is intended to provide flexibility of the management of the works and contaminated site discharge. Accordingly, it may need to be updated, any updates should be limited to the scope of this consent and consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact Team Leader Southern Monitoring.

13. All remediation works shall be supervised by a suitably qualified and experienced contaminated land practitioner, who shall :
 - (a) Undertake monitoring of all remediation and disturbance works in accordance with the management options and contingency measures outlined in the report "*Remediation Action Plan (RAP), 72 Tidal Road, Mangere, Auckland*", dated Auckland, dated 11 April 2016; and
 - (b) Ensure that all relevant conditions are adhered to.
14. All sampling and testing of contamination on the site, if required, shall be overseen by a suitably qualified and experienced contaminated land practitioner. All sampling shall be undertaken in accordance with *Contaminated Land Management Guidelines, No.5 - Site Investigation and Analysis of Soils*, Ministry for the Environment, revised 2011.

Advice Note:

All testing and analysis should be undertaken in a laboratory with suitable experience and ability to carry out the analysis. For more details on how to confirm the suitability of the laboratory please refer to Part 4: Laboratory Analysis, of Contaminated Land Management Guidelines No.5.

15. All excavation in the work areas shall be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from beyond subject site to either land, stormwater drainage systems, watercourses or receiving waters.
16. Erosion and sediment controls shall be installed along the boundaries of the disturbance areas in accordance with the Auckland Regional Council Guidelines for Land Disturbing Activities in the Auckland Region, Technical Publication TP90. The excavation areas shall be dampened during the day to suppress the generation of dust during the works. Filter cloths or cover mats shall be installed over the stormwater cesspits in the vicinity of the excavation areas.

Advice Note:

Discharge from the site includes the disposal of water (eg. perched groundwater or collected surface water) from the remediation area.

17. The soils and/or fill material identified for off-site disposal shall primarily be loaded directly into trucks and shall be covered during transportation off site. If required, temporary

stockpiles shall be located within an area protected by erosion and sediment controls, and be covered with tarpaulins anchored at the edges outside working hours and during periods of heavy rain. All soil removed from the land disturbance area shall be deposited at a disposal site that holds a consent to accept the relevant level of contamination.

Where it can be demonstrated that the soil has been fully characterised in accordance with the Ministry for the Environment's '*A guide to the management of cleanfills*' (2002) and meets the definition of 'cleanfill', the removal to a consented disposal site is not required. In such circumstances, the Team Leader Southern Monitoring shall be advised prior its removal from the subject site.

18. Any perched groundwater, or surface water encountered within the excavation area requiring removal shall be considered potentially contaminated, and shall either:
 - a. be disposed of by a licenced liquid waste contractor; or
 - b. pumped to sewer, providing the relevant permits are obtained; or
 - c. discharged to the stormwater system or surface waters provided testing demonstrates compliance with the Australian and New Zealand Environment Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95 percent of freshwater species.
19. All imported fill shall:
 - a. Comply with the definition of 'cleanfill', as per '*A Guide to the Management of Cleanfills*', Ministry for the Environment (2002); and
 - b. Be solid material of an inert nature; and
 - c. Not contain hazardous substances or contaminants above natural background levels of the receiving site.

Advice Note:

Background levels for the Auckland Region can be found in the Auckland Regional Council technical publication "TP153, Background concentrations of inorganic elements in soils from the Auckland Region", (2001).

National Environmental Standards

20. The Consent holder shall ensure that the proposed soil disturbance activities are undertaken in accordance with the revised Site Management Plan (SMP), prepared by Geosciences Ltd, dated 3 October 2016. Prior approval shall be sought from the Team Leader Southern Monitoring, if changes to the SMP are necessary during the works.
21. Erosion and sediment controls shall be put in place to ensure that the generation of potentially contaminated sediment and stormwater is minimised and managed, according to the site specific erosion and sediment control plan.

22. Any imported fill materials shall be tested in compliance with cleanfill criteria as outlined in the Ministry for the Environment A Guide to the Management of Cleanfills (2002), and evidence thereof provided to the Team Leader Southern Monitoring.
23. The consent holder shall, at all times control any dust in accordance with the Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions, Ministry for the Environment (2001).
24. Any stockpiles shall be placed within areas provided with appropriate erosion/sediment control devices to TP90 standards and managed to ensure no excess dust is generated from the stockpiles (e.g. kept damp, vegetated or covered).
25. All silt/sediment captured by erosion/sediment control devices shall be retained on-site or disposed of off-site to an appropriate disposal facility, subject to compliance with their acceptance criteria.
26. The consent holder shall advise all prospective receivers or purchasers of stockpiled topsoil of the topsoil quality in terms of contaminant levels. No excess topsoil from the site is to be disposed of off-site as cleanfill.

Advice note

Stockpiled topsoil contains low level DDT contamination. It is the legal remit of any party receiving such topsoil to ensure that appropriate consents are obtained for the deposition of that material on their site.

27. If evidence of contamination, which has not been identified through the site investigation, is discovered during excavation, the consent holder shall immediately cease works in the vicinity of the discovery and enact the contingency provisions of the relevant RAP and SMP. Following the confirmation of discovery, the Team Leader Southern Monitoring shall be notified immediately.

Advice Note

Works may continue on other parts of the site that are not contaminated, provided that they will not impact or disturb on the area of discovery.

Specific conditions – regional earthworks consent (P49771 and P49765))

28. All decanting earth bunds utilised during earthworks shall be designed to ensure that they:
 - a. Have a two percent storage capacity, being at least two cubic metres of impoundment volume for every 100m² of contributing catchment;
 - b. Have a level invert and two layers of geotextile covering and pinned securely to the emergency spillway to prevent erosion; and
 - c. Use a floating decant device that discharge at a rate of 3 litres per second, per hectare of contributing catchment.
29. Erosion and sediment control measures shall be constructed and maintained in general

accordance with TP90 and any amendments to this document, except where a higher standard is detailed in the documents referred to in condition 1 above, in which case the higher standard shall apply.

30. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.
31. The operational effectiveness and efficiency of all erosion and sediment control measures shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
32. 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 stormwater 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 of Southern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

33. The site shall be progressively stabilised against erosion at all stages of the earthworks activity.

Advice Note:

In accordance with this Condition earthworks shall be progressively stabilised against erosion during all stages of the earthwork activity. Interim 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

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 of Southern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

34. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.
35. No earthworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Team Leader of Southern Monitoring at least two weeks prior to 30 April of any year. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in TP90 and any amendments to this document.

Advice Note:

Perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.

Archaeology

36. That the earthworks not subject to archaeological monitoring are carried under the Land Disturbance – Regional Accidental Discovery Protocol in the Proposed Auckland Unitary Plan Decisions Version 19 August 2016 (Chapter E, Section E.11.6.1 Accidental Discover Rule (ADP)).

Advice Note:

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 project archaeologist shall prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Team Leader: Monitoring (for the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within one calendar month of the completion of work on the site.

Post Development Conditions

P49765

37. Upon abandonment or completion of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Team Leader of Southern Monitoring.

Advice Note:

Should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:

- *the use of mulching*
- *top-soiling, grassing and mulching of otherwise bare areas of earth*
- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward*

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 of Southern Monitoring for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

P49771

38. Where contaminants are identified that have not been anticipated by the application, works in the area containing the unexpected contamination shall be notified to the Team Leader Southern Monitoring, Compliance, Auckland Council. Works shall be undertaken in accordance with the contingency procedures outlined within the in the reports titled "Remediation Action Plan (RAP), 72 Tidal Road, Mangere, Auckland", dated Auckland, dated 11 April 2016, and " Site Management Plan (SMP), 72 Tidal Road, Mangere, Auckland", dated 18 March 2016, and prepared by Geosciences Ltd. Any unexpected contamination and contingency measures shall be documented in the Site Completion Report.

Advice Note:

In accordance with this Condition any unexpected contamination, may include contaminated soil, perched water or groundwater. The consent holder is advised that where unexpected contamination is significantly different in extent and concentration from that anticipated in the original site investigations, handling the contamination may be outside the scope of this consent. Advice should be sought from the Team Leader Southern Monitoring as to whether carrying out any further work in the area of the unexpected contamination is within scope of this consent.

39. This consent for P47991 alone shall expire on 30 April 2021 unless it has been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.
40. Within three months following completion of earthworks, a Site Completion Report (SCR) and a Site Validation Report (SVR) shall be provided to the satisfaction of the Team Leader Southern Monitoring.

The Site Completion Report shall include but be limited to-

- Quantities of soil material removed from the site (with disposal receipts), including records of all stockpiled topsoil removed from site;

- Description of any unforeseen contaminated material encountered during site earthworks;
- Lab soil testing (if any);
- Any relevant incidents/complaints;
- Scaled plans showing the locations and volumes of all topsoil stockpiles remaining on-site;
- Conditions of the final site ground surface
- Relevant photographs.

The Site Validation Report (SVR) required shall contain sufficient detail to address the following matters:

- i. a summary of the works undertaken, including a statement confirming whether the excavation of the site has been completed in accordance with the application reports listed in Condition 1.
- ii. the location and dimensions of the excavations carried out, including a relevant site plan.
- iii. a summary of any testing undertaken, including tabulated analytical results, and interpretation of the results in the context of the contaminated land rules of the Auckland Council Regional Plan: Air, Land, and Water and the Proposed Auckland Unitary Plan (PAUP).
- iv. copies of the disposal dockets for the material removed from the site.
- v. evidence that all imported fill material complies with the definition of 'cleanfill', as per 'A Guide to the Management of Cleanfills', Ministry for the Environment (2002).
- vi. records of any unexpected contamination encountered during the works, if applicable.
- vii. details regarding any complaints and/or breaches of the procedures set out in the Remediation Action Plan and Site Management Plan, and the conditions of this consent.

3. 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 the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring inspector unless otherwise specified. Please contact monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
3. *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.*
4. *If you 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 Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.*

5. 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 in Employment Act 1992), 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.
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 Unitary, District or Regional Plans. According to the Act (section 6) archaeological site means, subject to section 42(–

any place in New Zealand, including any building or structure (or part of a building or structure), that 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 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.

- **Protected Objects Act 1975**

Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (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*
- c) is more than 50 years old*

The Act is administered by the Ministry of Culture and Heritage. Tāonga 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 tāonga 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, 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 – 04 499 4229 / protected-objects@mch.govt.nz

7. The site validation report shall meet with the requirements of the Contaminated Land Management Guidelines, Reporting on Contaminated Sites in New Zealand, Ministry for the Environment, 2011.
8. In the event that minor amendments to the erosion and/or sediment controls are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the controls may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Team Leader of Southern Monitoring prior to implementation to confirm that they are within the scope of this consent.
9. Asbestos
 - Prior to demolishing existing buildings on site, attention of the consent holder is drawn to the provisions of the Health and Safety at Work (Asbestos) Regulations 2016 and the New Zealand Guidelines for the Management and Removal of Asbestos, New Zealand Demolition and Asbestos Association, March 2011;
 - The consent holder should engage a person holding a Certificate of Competence (CoC) for restricted work to inspect existing buildings (where refurbishment or demolition is proposed), to confirm the presence or absence of asbestos containing materials (ACM) within the buildings;
 - If asbestos containing materials are identified within any buildings, the consent holder should prepare a site specific asbestos management plan detailing asbestos identification process, removal and disposal procedures, risk assessment and its mitigation measures, air monitoring, health and safety procedures for protection of site workers and the public;
 - Attention of the consent holder is drawn that should asbestos containing materials be found on site following the demolishing/removal of existing buildings, remediation and validation sampling of site soils for asbestos are likely to be required.
 - If you are demolishing any building that may have asbestos containing materials (ACM) in it you have obligations under the relevant regulations for the management and removal of asbestos, including the need to engage a Competent Asbestos Surveyor to confirm the presence or absence of any ACM. Work may have to be carried out under the control of a person holding a WorkSafe NZ Certificate of Competence (CoC) for restricted works. If any ACM is found, removal or demolition will have to meet the Health

and Safety at Work (Asbestos) Regulations 2016. Information on asbestos containing materials and your obligations can be found at www.worksafe.govt.nz.

- If ACM is found on site following the demolition or removal of the existing buildings you may be required to remediate the site and carry out validation sampling. Dependent on the amount of soil disturbance a further consent application may be required.

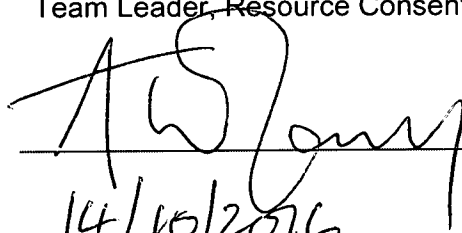
Delegated decision maker:

Name: Alice Iuli-Tay

Title: Team Leader, Resource Consents

Signed:

Date:


14/10/2016

Date 14/10/2016
Commencement of 15 working days
RE. S357 RM Act 1991

7 December 2016

John Yan
Envivo Limited
PO Box 109207
Newmarket
Auckland 1149
Email: john.yan@envivo.co.nz

Copy: Paula Diamond
Ambury Properties Limited
PO Box 93315
Otahuhu
Auckland 1640
Email: paula.diamond@thecomfortgroup.co.nz

Dear John

Request for further information pursuant to section 92 of the Resource Management Act 1991

Application number:	51959, 51967 & 51968
Applicant:	Ambury Properties Limited
Proposed activity:	Enabling works related to construction of a future manufacturing and warehouse development. The enabling works involve site re-contouring (within and outside of the earthworks area covered by Stage 1), reclamation of a stream, rerouting and extending a public stormwater infrastructure, ecological restoration and re-vegetation, retaining wall construction and vegetation removal.
Site address:	72 Tidal Road, Mangere

I have undertaken a preliminary planning check of the above application. Further to our discussion at the hui and site walkover of 2 December 2016 on clarifications needed to complete consideration of the resource consent, under section 92 of the Resource Management Act 1991 (RMA), I request the following further information to enable an appropriate understanding of the proposal and assessment of its effects:

1. Provide the relevant stream channel classification relative to the Auckland Unitary Plan Part Operative 2016 (the AUPPO 2016). There is reference to the stream being reclaimed (immediately downstream of the Tidal Road culvert outlet), and the channel is either intermittent or ephemeral.

This will determine the correct trigger for resource consent. Clarify the reclamation trigger and activity status.

2. Confirm the dimensions of each wetland(s) and stream area to be reclaimed and delineate them on a plan.
3. The proposed ecological mitigation is 'like for like', the 1:1 and 1:1.5 mitigation ratios are adequate to mitigate potential ecological effects. This only assesses the current ecological value of the affected area, thus:
 - a) provide a commentary of the potential value of the online farm dam, the stream channel above it and also the two wetland areas, all of which are proposed to be reclaimed
 - b) justify the 'like for like' mitigation in terms of using wetland mitigation for offsetting stream loss (online farm dam and the stream channel above this), and
 - c) explain why the 1:1 and 1:1.5 mitigation ratio is acceptable when the regional average for stream reclamation is 1:3, this should also include justification on potential value and time delays for any mitigation to reach potential values.
4. Provide clearer plans for erosion and sediment control, perhaps, use black symbols rather than colour highlighter lines so there is clarity between different boundary and internal controls.
5. It appears that the clean water diversion channel does not include all of the boundary of the upper most slope and some areas within the site do not drain to a sediment retention device, could we have clarity on this, and if those are errors then please correct.
6. Clarify and confirm, if the soil contamination assessment undertaken previously had investigated the entire site, and whether the new area of earthworks (additional to Stage 1 i.e. that north west of the stream) contains any contaminants, and if there is a trigger for consent under the AUPPO 2016 or National Environmental Standards.

The reason for this clarification is the present rubbish and metal scrap content within this part of the site.

7. Check and confirm the status of the resource consent application under provision D1 – Outstanding Natural Features Overlay of the AUPPO 2016 relative to the earthworks and retaining walls, Categories V and F – feature reference 22.
8. Similar to item 7, check and confirm status of the application under provision E36 – Natural Hazards and Flooding of the AUPPO 2016.
9. Confirm if there is any impact on natural ground water movement from the proposed cuts in the land, particularly, that near the base of Crater Hill.
10. Check and confirm if there is a trigger for consent for installation of the outfall structure from the rerouted and extended stormwater outfall.
11. Confirm the area and volume of works within the riparian area related to the weed removal and ecological restoration. Confirm if the riparian yard planting requirement of the Puhinui Precinct (I4320.1) of the AUPPO 2016 is met. Identify any triggers for consent, where relevant.
12. Confirm the height of the retaining wall near the stream and provide an elevation plan (similar to that provided for the southern retaining wall). Confirm if this retaining wall triggers a reason for consent for buildings within the riparian area.
13. Confirm the depth of the cut along the north-western boundary and if any retaining walls are proposed at this location.
14. Confirm if there are any works proposed to or near the shelter belt trees along the north-western boundary. Outline if there are additional reasons for consent relative to these trees.

You must provide this information within 15 working days (before 17 January 2017). If you are unable to provide the information within 15 working days, then please contact the reporting planner named below so that an alternative timeframe can be mutually agreed.

If you do not respond within 15 working days, refuse to provide the information or do not meet an agreed alternative timeframe between Council and yourself, this application must be publicly notified as required by section 95C of the Resource Management Act 1991.

Under section 88C of the RMA, the processing of your application is suspended until the above matters have been addressed, or the 15 working day time limit has expired.

Other matters – not pursuant to section 92 of the RMA:

- i. It is recommended that the tree removal application be combined with this application or omit that part of the earthworks proposal under this application within the outstanding natural feature, and include it within the application referenced 52104.
- ii. Provide an update on cultural matters including mana whenua input into the vegetation removal application within an outstanding natural feature and associated earthworks as well as for the works covered under the subject application.
- iii. Provide an update or confirm the status of the archaeological authority relative to the known and possible cultural features within the site.
- iv. Clarify any mitigation opportunities discussed for the stormwater infrastructure catering for the road runoff with Auckland Council or Auckland Transport. This relates to the stormwater infrastructure being rerouted and extended.
- v. Clarify the permanent stream notation in Figure I432.10.1: Puhinui Precinct Plan 1 of the AUPPO 2016 within the area of works, if known, or your position on this notation, particularly as Figure I432.10.2: Puhinui Precinct Plan 2 of the AUPPO 2016 does not repeat this notation.
- vi. The rule references for which consents are sought are erroneous (stream works and stormwater), page 16 – check those and provide an update.

If you have any queries, please contact me and quote the application number above.

Yours sincerely



Vishal Chandra
North Island Planning Lead
Babbage Consultants Limited c/o Auckland Council