

Decision on an application for a resource consent under the Resource Management Act 1991



Discretionary activity

Application Numbers:	BUN60444050 (Council Reference) LUC60443991 (s9 Land Use Consent) LUS60443435 (s11 Streamworks Consent)
Applicant's Name:	Watercare Services Limited
Site Address:	54 & 60 Roma Road, Mount Roskill
Legal Description:	Section 1 Survey Office Plan 468523 (54 Roma Road) Lots 11 and 13 DP 36008, Part Lots 7, 9 and 12 DP 36008, Lot 4 DP 46135, Lot 8 DP 52447 (60 Roma Road)

Proposal:

Reshape and recontour of the existing stream within the southwestern portion of 54 Roma Road and the immediately adjoining portion of 60 Roma Road, including earthworks and vegetation removal within a riparian margin, the undertaking of channel clearance, habitat enhance works, the diversion of a stream, and construction noise and vibration non-compliances.

The following resource consents are required:

Land use consents (s9) – LUC60443991

District

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

Land Disturbance – District

- The undertaking of earthworks within a business zone that exceed 5m² and 5m³ within a riparian yard, is a **restricted discretionary activity** under Standard E12.6.2 (1)(b) / Rule C1.9.(2).

Vegetation Management and Biodiversity

- The removal of vegetation within 10m of an urban stream, is a **restricted discretionary activity** under Rule E15.4.1(A19).

Noise and Vibration

- The undertaking of construction works that will not comply with the construction noise and vibration limits set out in Standards E25.6.27.(1) and E25.6.30.(1), is a **restricted discretionary activity** under Rule E25.4.1(A2).

Streamworks consents (ss13 & 14) – LUS60443435

AUP(OP)*Lakes, Rivers, Streams and Wetlands*

- Depositing rocks and logs within a stream for the purposes of habitat enhancement and not located within a management or ecological overlay, is a **restricted discretionary activity** under Rule E3.4.1(A5).
- Stream channel clearance of more than 100m and not located within a management or ecological overlay, is a **discretionary activity** under Rule E3.4.1(A11).
- The diversion of a stream to a new course and associated disturbance and sediment discharge and not located within a management or ecological overlay, is a **discretionary activity** under Rule E3.4.1(A19).

The consenting provisions of Plan Change 78 are not relevant with respect to the subject sites such that the provisions of the AUP(OP) prevail.

Decision

I have read the application, supporting documents and the report and recommendations on the consent application. 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 application.

Acting under delegated authority, under sections 104, and 104B of the RMA and Part 2, the application is **GRANTED**.

1. Reasons

The reasons for this decision are:

1. In accordance with an assessment under s104(1)(a) of the RMA, the actual and potential effects from the proposal will be of an acceptable nature and scale in this environment. This is because the proposed works have been designed in a manner that is respectful of their surrounding environment with any adverse relating to earthworks, streamworks, vegetation removal, ecology, construction nuisances, and cultural values mitigated by:
 - a. the implementation of accidental discovery protocols and appropriate erosion and sediment control and construction management measures, which will minimise adverse effects resulting from physically undertaking the proposed works;
 - b. the nature and design of the earthworks and stream diversion works, which ensures that adverse effects with respect to increased levels of flooding and other natural hazard risks will not result;
 - c. undertaking the streamworks in a manner that ensures that freshwater ecological values will be appropriately maintained through the implementation of erosion and sediment controls, the salvage and relocation of native fish, and extensive stream habitat enhancement works;
 - d. ensuring that the design of the diverted stream will not affect or constrain the future use and development of the adjoining residential sites along Marion Avenue, which ensures that persons with an interest in these sites will not be adversely affected;
 - e. the restoration planting and fauna management measures proposed, which will address any adverse terrestrial ecological effects;
 - f. the measures proposed to ensure that adverse noise and vibration effects during construction are managed appropriately; and
 - g. the positive effects in respect of improvements to stream habitat in terms of quality and quantum with a net gain of ecological values expected to result.
2. In accordance with an assessment under s104(1)(ab) of the RMA, there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
3. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is consistent with the requirements of the National Policy Statement for Indigenous Biodiversity, National Policy Statement for Freshwater Management, and the relevant objectives, policies and assessment criteria within Chapters E3 'Lakes, Rivers, Streams and Wetlands', E12 'Land Disturbance – District', E15 'Vegetation Management and Biodiversity', and E25 'Noise and Vibration' of the Auckland Unitary Plan (Operative in Part) for the following reasons:
 - a. There is a functional need for the works, being the restoration and enhancement of the

existing degraded stream environment, with no practical alternative options being available to achieve the same outcome.

- b. Erosion and sediment control measures of suitable scale and design will be implemented, which will limit the potential for erosion to occur and suitably control and contain any sediment runoff that is unavoidable, noting the importance of doing so with respect to the ecological values of the subject stream environment and cultural values.
- c. The earthworks will be undertaken in accordance with appropriate construction methodologies, which in combination with their appropriate scale in terms of excavation depth and fill height and the implementation of suitably designed channel and batter slopes, ensures that adverse land stability issues with respect to the site and surrounding environment will be unlikely to result.
- d. As verified by the flood modelling undertaken, the proposed works will not diminish the capacity of the works area to convey the flow of water during a design flooding event, nor will flood waters be diverted onto sites within the surrounding environment that are currently unaffected by flooding. In fact, it is likely that the works will reduce overall levels of flooding through the provision of additional storage volume and improved water conveyancing such that the overall outcome will be an improvement on the existing situation.
- e. Adverse noise and vibration effects resulting from undertaking the proposed works will be suitably managed through the implementation of a detailed construction noise and vibration management plan and best practicable option construction management measures. This includes the installation of temporary noise barriers where practical, the appropriate selection of construction equipment, the shrouding of machinery, compliance with structural integrity vibration limits, and liaising with neighbouring site occupants to ascertain levels of sensitivity and suitable times for undertaking high disturbance works. These factors ensure that adverse noise and vibration effects will be minimised to as great an extent as possible, and that any resulting adverse effects, noting the limited duration of the noise exceedances, will be mitigated to acceptable levels.
- f. General construction nuisances, including traffic, dust, waste control and overall site management will be managed through the implementation of a detailed construction management plan, which will ensure that any adverse effects as a consequence of increased levels of vehicle movements and on-site activity will be suitably addressed, again noting their temporary nature.
- g. For the reasons outlined in a. above, the proposed streamworks are reasonably necessary and will be undertaken in a manner that ensures that any adverse effects with respect to freshwater ecological values and biodiversity are suitably remedied or mitigated. This will be achieved by undertaking the works in a manner that addresses sediment loss and ensures that biota within the existing stream environment is suitably

protected and provided for through trapping and relocation, with the diverted stream and riparian margin environment being of high-quality in terms of the habitat it will provide, resulting in a likely net gain in ecological values.

- h. The riparian restoration works proposed along with fauna management measures in respect of lizards and birds ensures that adverse effects with respect to natural and visual amenity and terrestrial ecological values will fall within acceptable levels.
 - i. There are no known sites or areas of historic heritage or cultural value located within the development area as recognised or identified within the AUP(OP), with the implementation of accidental discovery protocols ensuring that any unknown artefacts of interest to Māori that may be uncovered will be identified and preserved as necessary. Cultural induction, works blessing and management / enhancement plan input from Te Āākitai Waiohua, being the only Mana Whenua group that has expressed interest in the development, will further ensure that cultural values are suitably addressed.
4. In accordance with an assessment under s104(1)(c) of the RMA, there are no other relevant matters.
 5. In the context of the subject discretionary activity application where the objectives and policies in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. As they also provide a clear framework for assessing all relevant potential effects, there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
 6. Overall, the proposal is considered to result in acceptable actual and potential effects and is consistent with the relevant objectives and policies of the National Policy Statement for Indigenous Biodiversity, the National Policy Statement for Freshwater Management, and the Auckland Unitary Plan (Operative in Part) and Part 2 of the RMA.

2. Conditions

Under section 108 of the RMA, this consent is subject to the following conditions:

General

Application Documents

1. The consented development must 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 numbers LUC60443991 and LUS60443435 of BUN60444050:

- a. Application form and Assessment of Environmental Effects, prepared by Tonkin & Taylor Limited, Job Number 1015172.1701, Version 2.0, dated January 2025.
- b. Further information response letter, prepared by Tonkin & Taylor Limited, Job Number 1015172.1701, dated 12 May 2025.
- c. Ecological Impact Assessment, prepared by Tonkin & Taylor Limited, Job Number 1015172.1701, Version 3.0, dated December 2024.
- d. Fish Management Plan, prepared by Ecology New Zealand Limited, Report Number 25054-1-001, Revision 0, dated 11 March 2025.
- e. Lizard Management Plan (Draft), prepared by Ecology New Zealand Limited, Report Number 24221-1-001, Revision 0, dated 6 December 2024.
- f. Construction Noise and Vibration Technical Assessment, prepared by Tonkin & Taylor Limited, Job Number 1015172.1701, Version 2.1, dated December 2024.
- g. Construction Noise and Vibration Management Plan (draft), prepared by Tonkin & Taylor Limited, Job Number 1015172.1701, Version 1.1, dated 5 December 2024.
- h. Memorandum titled “Hydraulic Modelling Updates for May Road Proposed Ecological Enhancements”, Document Ref: JNZ-WSL-CIP-TM-0000141, Revision 1, dated 17 January 2024.
- i. Erosion and Sediment Control Plan, prepared by McConnell Consultancy Limited, Revision B, dated 26 September 2024.
- j. Plans as detailed below:

Drawing No.	Title	Prepared by	Dated
2011806.057, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements Layout Plan	Watercare Services Limited	17 November 2023
2011806.061, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Cross Sections Sheet 3 of 8	Watercare Services Limited	17 November 2023
2011806.062, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Cross Sections Sheet 4 of 8	Watercare Services Limited	17 November 2023

2011806.063, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Cross Sections Sheet 5 of 8	Watercare Services Limited	17 November 2023
2011806.064, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Cross Sections Sheet 6 of 8	Watercare Services Limited	17 November 2023
2011806.065, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Cross Sections Sheet 7 of 8	Watercare Services Limited	17 November 2023
2011806.066, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Cross Sections Sheet 8 of 8	Watercare Services Limited	17 November 2023
2011806.067, Issue 1	May Rd – Central Interceptor (DSCIN) 11 Stormwater, Site Ecological Enhancements – Typical Details	Watercare Services Limited	17 November 2023
AL-001. Rev A	Cover Sheet	Beca Limited	Not dated
AL-002. Rev A	May Road Stream	Beca Limited	4 December 2023
AL-003. Rev A	May Road Stream Detailed Plan 1	Beca Limited	4 December 2023
AL-004. Rev A	May Road Stream Detailed Plan 2	Beca Limited	4 December 2023
AL-005. Rev A	May Road Stream Detailed Plan 3	Beca Limited	4 December 2023
AL-006. Rev A	Typical Cross Sections	Beca Limited	4 December 2023

AL-007. Rev A	Typical Details	Beca Limited	4 December 2023
AL-007. Rev A	Planting Schedule	Beca Limited	4 December 2023

Consent Lapse

2. Pursuant to section 125 of the RMA, these consents lapse ten years after the date granted unless:
 - a. the consent is given effect to; or
 - b. the Council extends the period after which the consent lapses.

Consent Expiry – Earthworks

3. Pursuant to section 123 of the RMA, the regional earthworks aspects land use consent LUC60443991 expires ten years after the date it is granted, unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Consent Expiry – Streamworks

4. Pursuant to section 123 of the RMA, streamworks consent LUS60443435 expires 35 years after the date it has been granted, unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Monitoring Charges

5. The consent holder must pay the Council an initial consent compliance monitoring charge of \$1,194 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Advice Note:

The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must 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.

Seasonal Restrictions

6. Earthworks and streamworks authorised by this consent on the subject site must not be

undertaken between 01 May and 30 September in any year without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and works must not occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

Te Aakitai Waiohua

7. The consent holder must provide Te Aakitai Waiohua with at least 10 working days notice ahead of works commencing to allow them the opportunity to provide cultural inductions to contractors so that they are aware of the cultural landscape and values, including cultural heritage potential, and a blessing of the site. If notice is provided to Te Aakitai Waiohua and they do not respond within the ten working day timeframe, evidence of this must be submitted to Council so that works can proceed as otherwise planned.
8. No less than 10 working days prior to the below plans being provided to Council for certification under the applicable condition (i.e. no less than 20 working days prior to the commencement of the relevant activity), the consent holder must provide Te Aakitai Waiohua the opportunity to review and provide feedback on:
 - a. The lizard management plan (condition 24);
 - b. The stream enhancement plan (condition 31); and
 - c. The fish management plan (condition 32).

The consent holder must provide the Council with a summary of the feedback received and a response indicating how the feedback has been addressed within the finalised plan. Where not incorporated, reasons why must be provided. In such a circumstance, the necessary measures to be incorporated into the relevant plan will form part of the certification process required by conditions 24, 31 and 32.

Pre-Start Meeting

9. Prior to the commencement of any works authorised by this consent, the consent holder must hold a pre-start meeting that:
 - a. Is located on the subject site;
 - b. Is scheduled not less than five (5) working days before the anticipated commencement of earthworks, unless an alternative timeframe is agreed between all parties;
 - c. Includes representation from the Council;
 - d. Includes representation from Te Aakitai Waiohua to undertake cultural induction and blessing actions, if required in accordance with condition 7; and

- e. Includes representation from the contractors who will undertake the works.

The meeting must discuss the proposed works and must ensure all relevant parties are aware of, and familiar with, the necessary conditions of this consent and the various management plans that require implementation throughout.

The following information must be made available at the pre-start meeting:

- a. Timeframes for key stages of the works authorised under this consent;
- b. Identification of any higher risk locations on the site;
- c. Resource consent conditions;
- d. The construction management plan (condition 10);
- e. The construction noise and vibration management plan (condition 11);
- f. Lizard management plan (condition 24);
- g. Stream enhancement plan (condition 31);
- h. The fish management plan (condition 32); and
- i. Finalised erosion and sediment control plan (condition 39);

Advice Note:

To arrange the pre-start meeting required by condition 9, please contact the Council at monitoring@aucklandcouncil.govt.nz or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided two days prior to the meeting.

It may be necessary to hold more than one pre-start meeting given the staged nature of the works.

The consent holder is advised that Jeff Lee, Tete Consultancy, teteconsultancy@gmail.com, is the contact for Te Aakitai Waiohū. Any requirements for on-going cultural monitoring must be agreed with between the consent holder and Te Aakitai Waiohū and will not be enforced by the Council.

General Construction Conditions

Construction Management Plan

10. No less than 10 working days prior to the commencement of any works authorised by this consent, the consent holder must prepare and submit a construction management plan (**CMP**) to Council for certification. Earthworks or streamworks activity must not commence until written certification of the CMP has been provided and all measures identified in that

plan as needing to be established prior to commencement of works have been implemented.

The purpose of the CMP is to avoid, remedy or mitigate all temporary effects of earthworks and streamworks activity. The CMP must contain specific details relating to the management of all associated works to address the following matters:

- a. Vehicle parking requirements for site staff, contractors and sub-contractors.
- b. Site or project manager contact details (phone, email, postal address).
- c. Material and vehicle storage and stockpile containment measures.
- d. Construction waste management.
- e. Traffic movements, including the management of heavy vehicles to ensure the safe movement of vehicles along Roma Road and the wider road network, which may include: restricting traffic movements during peak morning and afternoon commuter periods; measures to prevent trucks queuing along Roma Road; the use of spotters to assist with reverse manoeuvring, if required; and the provision of signage and other safety measures.
- f. Measures to ensure that the site access point(s) is / are clearly signposted and to ensure that pedestrian access on the public footpaths in the vicinity of the site is safe during construction works;
- g. Measures to contain and remove contaminants to prevent them entering the stormwater system; and
- h. Dust control measures.

All works must be carried out in accordance with the certified CMP and a copy of the approved CMP must be kept on site for inspection by authorised Council staff during monitoring visits.

The CMP may be altered as necessary to reflect the relevant earthworks / streamworks stages. Any amendments must be certified in writing by the Council prior to being implemented and all works must then be carried out in accordance with the amended, certified CMP.

Advice Note:

It is the responsibility of the applicant to seek additional approval for the Construction Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.

Construction Noise and Vibration Management Plan

11. No less than 10 working days prior to the commencement of any earthworks or

streamworks authorised by this consent, the consent holder must submit a construction noise and vibration plan (**CNVMP**) to Council for certification that has been prepared by a suitably qualified and experienced acoustic expert.

The objectives of the CNVMP are set out as follows:

- a. Identify and adopt the best practicable option (**BPO**) for the management of construction noise and vibration
- b. Inform the duration, frequency and timing of works to manage disruption.
- c. Require engagement with affected receivers and timely management of complaints.

The CNVMP must be in accordance with the draft CNVMP prepared by Tonkin & Taylor Limited, Job Number 1015172.1701, Version 1.1, dated 5 December 2024, as referenced in condition 1 and must include the following:

- a. The relevant measures from NZS 6803:1999 “Acoustics – Construction Noise”, Annex E2 “Noise management plans”.
 - b. The relevant measures from DIN 4150-3:2016 “Vibrations in buildings – Part 3: Effects of vibration on structures”, Appendix E “Minimising the effects of vibration”
 - c. Predicted noise and vibration levels at the identified receivers
 - d. Specific mitigation measures for high noise and vibration activities such as rock breaking.
 - e. Locations and programme for monitoring of noise and vibration levels.
 - f. A complaint procedure.
12. Earthworks or stream works must not commence until written certification of the CNVMP has been provided.
 13. The earthworks and stream works must be carried out in accordance with the certified CNVMP.
 14. A copy of the approved CNVMP must be kept on site for inspection by authorised Council staff during monitoring visits.
 15. The CNVMP may be altered as necessary to reflect the relevant earthworks / stream works stages. Any amendments must be certified in writing by the Council prior to being implemented and all works must then be carried out in accordance with the amended, certified CNMVP.

Written Advice to Neighbouring Properties

16. The consent holder must advise the occupants of neighbouring buildings within 50m of the application site, in writing, no less than 10 working days prior to these works

commencing on the site. The written advice must include a brief description of the works, the expected duration of the works, the predicted noise and vibration levels, the mitigation to be implemented, the working hours, and contact details for any concerns regarding noise and vibration.

Construction Hours – Rock Breaking

17. Rock breaking works must be restricted to between 8:30 am to 5:00 pm Monday to Friday. All other construction works must be restricted to between 7.30 am and 6.00 pm Monday to Saturday. No works are permitted on Sundays or public holidays. The restriction on hours of works does not apply to low noise generating activities such as site set up or staff meetings and any activity meeting the permitted activity construction standards, which may occur outside of these hours.

Construction Noise Levels

18. With the exception of the properties listed in the table below, the noise arising from the proposed construction work activities must not exceed 70 dB LAeq and 85 dB LAm_{ax} when measured 1 m from the façade of any occupied building in accordance with the requirements of NZS6803:1999.

Activity	Address	Noise limits
Rock breaking, excavation	55A Marion Road 2/49 Marion Road	80 dB LAeq and 95 dB LAm _{ax}
Rock breaking, excavation	2/51 Marion Road 41A Marion Road 60 Roma Road	75 dB LAeq and 90 dB LAm _{ax}

Vibration – Structural

19. Vibration levels arising from the construction activity on the site must comply with the guideline values set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site.

Vibration – Amenity

20. The occupants of properties listed below must be advised in writing no less than three (3) working days prior to the vibration-generating works predicted to exceed 2 mm/s PPV commencing; and the written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.

- 2/49 Marion Ave

- 2/51 Marion Ave
- 53A Marion Ave
- 55A Marion Ave

Noise and Vibration Monitoring

21. The consent holder must carry out noise and vibration monitoring as follows:
 - a. At the first commencement of rock breaking, compaction and any other activities with potential to infringe the noise and vibration limits.
 - b. When a reasonable complaint is received or monitoring is requested by the Council.
 - c. In accordance with New Zealand Standard NZS6803:1999 Acoustics – Construction noise for noise monitoring and German Industrial Standard DIN 4150-3 (1999) Structural Vibration – Part 3 Effects of Vibration on Structures for vibration.
22. Monitoring must be undertaken by suitably trained and experienced personnel and reviewed by an acoustic consultant if the noise measurements are within 3dB of the relevant noise limit or undertaken in a proxy location that is further away from the noise source compared to the relevant assessment position. An acoustic consultant must undertake additional noise and/or vibration measurements in the event of an exceedance.
23. If noise and or vibration levels are found to exceed the relevant limits of this consent, then the work causing the exceedance must stop when safe to do so until mitigation is implemented to ensure the noise and or vibration limits are met.

General Ecological Conditions

Lizard Management Plan (LMP)

24. No less than 10 working days prior to the commencement of any vegetation removal works, an updated lizard management plan prepared by a suitably qualified and experienced ecologist / herpetologist must be submitted to Council for written certification.

The updated LMP must be in accordance with the Lizard Management Plan (Draft), prepared by Ecology New Zealand Limited, Report Number 24221-1-001, Revision 0, dated 6 December 2024, as referenced in condition 1. The updated LMP must be designed so as to achieve the following two objectives:

- a. The population of each species of native lizard present on the site at which vegetation clearance is to occur must be maintained or enhanced, either on the same site or at an appropriate alternative site.
- b. The habitat(s) that lizards are transferred to (either on site or at an alternative site) will support viable native lizard populations for all species present pre-development

that are translocated.

The LMP must address the following (as appropriate):

- a. Credentials and contact details of the ecologist/herpetologist who will implement the plan.
 - b. Timing of the implementation of the LMP.
 - c. A description of methodologies for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, i.e. nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols, and relocation protocols (including method used to identify suitable relocation site(s)),
 - d. A description and map of the relocation site, including discussion of the following:
 - Provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released skinks that have been rescued.
 - Any protection mechanisms (if required) to ensure the relocation site is maintained (e.g. covenants, consent notices etc).
 - Any weed and pest animal management to ensure the relocation site is maintained as appropriate habitat.
 - A plan / map detailing the location of the salvage and relocation sites.
 - e. Monitoring methods, including but not limited to: baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites; pre and post – translocation surveys; and monitoring of effectiveness of pest control and / or any potential adverse effects on lizards associated with pest control.
 - f. A post-vegetation clearance search for remaining lizards.
 - g. Confirmation of landowner approval where relocation is offsite.
25. Vegetation removal works must not commence until written certification of the LMP is received from the Council.

Advice Note:

Please note that it is recommended that the lizard rescue plan is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for geckos following felling of trees and shrubs and to rescue any skinks from ground cover vegetation and terrestrial retreats.

26. A suitably qualified and experienced ecologist / herpetologist must be on-site to oversee the implementation of the LMP certified by condition 24. All lizard management works on

site must be undertaken in accordance with the certified LMP and must only be undertaken between the months of October and April.

Lizard Management Plan Findings

27. Within 10 working days of completion of the works, all findings resulting from the implementation of the LMP must be recorded by a suitably qualified and experienced ecologist / herpetologist on an Amphibian / Reptile Distribution Scheme (**ARDS**) card (or similar form that provides the same information) which must be sent to Council.

Advice Note:

All native lizards are absolutely protected under the Wildlife Act 1953 under which it is an offence to disturb, harm, or remove them without a permit from the Minister of Conservation.

For further information on lizards that are protected under the Wildlife Act and determination of a suitable new habitat please contact the council's Environmental Services team ecologicaladvice@aucklandcouncil.govt.nz.

Department of Conservation restricts lizard capture, handling and relocation to between the months of October – April.

All correspondence relating to lizard management conditions can be emailed to monitoring@aucklandcouncil.govt.nz and cc'd to ecologicaladvice@aucklandcouncil.govt.nz

Vegetation Clearance

28. For vegetation clearance during the main bird breeding season between October to February, an approved and experienced ecologist or ornithologist must visually inspect all trees and shrubs, including checking cavities and hollows, proposed for removal within 24 hours prior to felling to identify any active nests. Should any nesting be observed, a 20m buffer of vegetation must be required to remain around the nest site until an approved and experienced ecologist or ornithologist has confirmed that the nest has failed, or the chicks have hatched and naturally left the natal site. Following inspection and confirmation of absence of nesting birds, the consent holder must submit a completion report to the Council for certification.

Advice Note:

Almost all native bird species are absolutely protected under the Wildlife Act 1953. It is an offence to deliberately disturb or destroy them, their eggs or nests. By restricting vegetation clearance to outside of the main native bird breeding season the risk of disturbing nesting birds is significantly reduced, however vegetation should still be checked for obvious signs of nesting activity prior to clearance works being undertaken.

Landscape Planting

29. The riparian enhancement planting detailed within plans AL-001 to AL-007, Rev. A, prepared by Beca Limited, dated 4 December 2023, as referenced in condition 1, must be implemented in the first planting season (Late April - September) immediately following completion of works. Confirmation in the form of a planting completion report must be provided to the Council within 30 working days of the planting works being completed. This report must confirm the species, grade, number of plants planted, locations replanted and that the planting has been completed in accordance with best practice.

All plants are to be eco-sourced from the Tamaki Ecological District.

30. Any Myrtaceae species (e.g. mānuka, kānuka) being delivered to the site in accordance with condition 29 must be from a plant pass certified supplier with a Myrtle Rust Specific Module standard. Participating producers can be found at www.plantpass.org.nz/biosecurity/participatingproducers. A copy of the plant delivery receipt must be provided to Council within five working days of plant delivery demonstrating that plants were sourced from a certified supplier.

Advice Note:

The New Zealand Plant Producers Incorporated has developed a framework of supply chain biosecurity protocols. Sourcing Myrtaceae species from participating producers will satisfy the above condition. A copy of the Myrtle Rust Plant Production Management Protocol can be found at the website (<https://nzppi.co.nz/CURRENT-THREATS/19727-s119533/>).

Stream works-specific conditions

Stream Enhancement Plan

31. No less than 10 working days prior to the commencement of streamworks, a stream enhancement plan must be prepared by the consent holder and submitted to Council for written certification.

The stream enhancement plan must include the following:

- a. Measures to ensure that the diversion channel provides for passage for all native freshwater fish in perpetuity.
- b. The location of all measures proposed to enhance the ecological value of the diversion channel to act as habitat for native freshwater fish. Measures may include riparian planting, instream habitat features, variable water depths and variable flow conditions across the channel cross section.
- c. Monitoring and maintenance provisions as appropriate to the features ensure the

ecological performance does not erode over life of this consent.

Streamworks must not commence until written certification of the stream enhancement plans is received from the Council.

Fish Management Plan

32. No less than 10 working days prior to the commencement of stream works (including dewatering), the fish management plan (**FMP**), prepared by Ecology New Zealand Limited, Report Number 25054-1-001, Revision 0, dated 11 March 2025, as referenced in condition 1, must be updated by the consent holder to include the following and submitted to Council for written certification:
 - a. The expected timing and duration of fish capture.
 - b. The methodologies used to ensure all fish are captured and transported in accordance with best practice.
 - c. Specific measures for ensuring fish elsewhere in the catchment do not enter the works area.
 - d. Fish relocation sites.
 - e. The names, experience and qualifications (including any necessary permits) of those involved in undertaking the fish relocations.
33. Streamworks must not commence until written certification of the FMP is received from the Council.

Native Fish Capture

34. Native fish capture and relocation must be undertaken in accordance with the FMP certified by condition 32 and must only be undertaken by a suitably qualified and experienced freshwater ecologist. The freshwater ecologist must also be onsite during the dewatering process to ensure that any remaining native fish that were not caught during de-fishing are salvaged.

Biosecurity

35. All tools, vehicles and equipment used on site must be cleaned of all water, soil, vegetation, or other material that has, or may have, come from an organism of biosecurity concern and must be thoroughly washed with Sterigene (or other suitable agent) on entry and exit from the site, on every occasion, to avoid the spread of any organism of biosecurity concern listed in the Regional Pest Management Strategy.

Stream Dewatering Pumps

36. Any pumps used during stream dewatering activities must include a 3mm mesh screen to ensure fish do not enter the pump.

Fish Salvage Report

37. The consent holder must provide to the Council a fish salvage report detailing the relocation site, the species and number of freshwater fauna relocated prior to and during dewatering within 10 working days of completion of the FMP requirements for the Project. These results must be uploaded into NIWA's New Zealand native freshwater Fish database.

Overland Flow Path Maintenance

38. The recontoured stream / overland flow path must maintain the consented capacity level and the existing entry and exit points and must be kept free of all obstruction at all times.

Earthworks-Specific Conditions

Finalised Erosion and Sediment Control Plan

39. No less than 10 working days prior to the commencement of earthworks or stream works activity authorised by this consent, the consent holder must submit a finalised erosion and sediment control management plan (**ESCP**) to Council for written certification. The final ESCP must be in accordance with Auckland Council *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 3 (GD05)*.

The final ESCP must contain sufficient detail to address the following matters (as relevant):

- a. Specific erosion and sediment control works (location, dimensions, capacity) including for the stream works authorised by this consent.
 - b. Results of bench-testing for the chemical dosing of the decanting earth bunds (if required).
 - c. Supporting calculations and design drawings.
 - d. Catchment boundaries and contour information.
 - e. Details of construction methods.
 - f. Timing and duration of construction and operation of control works (in relation to the staging and sequencing of works).
 - g. Details relating to the management of exposed areas (e.g. grassing, mulching).
 - h. Monitoring and maintenance requirements.
40. Earthworks or streamworks activity must not commence until written certification from the Council is provided that the final ESCP satisfactorily meets the requirements of GD05.

41. Any amendments must be certified in writing by the Council prior to being implemented and all works must then be carried out in accordance with the amended, certified ESCP.

Advice Notes:

In the event that minor amendments to the final ESCP is required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the final ESCP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council, prior to implementation to confirm that they are within the scope of this consent.

Please note that the diversion of stormwater and / or groundwater may require a consent in accordance with the AUP(OP).

Certification

42. Within ten working days following implementation and completion of the specific erosion and sediment controls required by the finalised ESCP in condition 39, and prior to commencement of earthworks and stream works, the consent holder must provide to Council written certification prepared by a suitably qualified and experienced person confirming that the erosion and sediment control measures have been constructed in accordance with GD05. Written certification must be provided in the form of a report or any other form acceptable to the Council.

Advice Note:

Certification of the sediment and erosion control structure(s) should contain sufficient details to address the following matters:

- a. Details on the contributing catchment area;*
- b. Retention volume of structure (dead storage and live storage measured to the top of the primary spillway);*
- c. Dimensions and shape of structure;*
- d. Position of inlets/outlets; and*
- e. Details regarding the stabilisation of the structure.*

Operational Effectiveness

43. The operational effectiveness and efficiency of all erosion and sediment control measures must be maintained in accordance with GD05 throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.

Earthworks Management

44. All earthworks must be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works in the vicinity of the discharge must cease immediately, and the discharge must be mitigated and / or rectified.

Perimeter Controls

45. Perimeter controls must be operational before works commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site must be diverted away from works areas via a stabilised system to prevent surface erosion.

No Deposition

46. There must 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 must immediately be removed. Roads or footpaths must not 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; and*
- *Cesspit protection.*

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

It is recommended that any potential measures are discussed with the Council's monitoring officer who will provide guidance on the most appropriate approach to take. Please contact Auckland Council on monitoring@aucklandcouncil.govt.nz or 09 301 0101 for more details. Alternatively, please refer to GD05.

Erosion and Sediment Control Maintenance

47. The erosion and sediment controls at the site of the works must be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or

performance of the control measure. A record must be maintained of the date, time and any maintenance undertaken in association with this condition which must be forward to the Council on request.

Progressive Stabilisation

48. The works areas must be progressively stabilised against erosion in accordance with GD05 as soon as practicable as earthworks are finished over various staged areas of the site.

Earthworks and Streamworks Abandonment

49. Immediately upon abandonment or completion of earthworks and stream works on the subject site, all areas of bare earth must be permanently stabilised against erosion.

Advice Note:

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

- a. The use of mulching.*
- b. Top-soiling, grassing and mulching of otherwise bare areas of earth.*
- c. 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 any potential measures are discussed with the Council's monitoring officer who will provide guidance on the most appropriate approach to take. Please contact Auckland Council on monitoring@aucklandcouncil.govt.nz or 09 301 0101 for more details. Alternatively, please refer to GD05.

Machinery Operation

50. All machinery must be operated in a way which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities must be carried out away from any water body such that any spillage can be contained so it does not enter the watercourse associated with this consent. The use of grouts and concrete products must also be limited adjacent to the watercourse with all mixing of products carried out outside the 100-year floodplain area such that any spillage can be contained so it does not enter the watercourses associated with this consent.
51. The consent holder must ensure that, as far as practicable, all machinery operates from the stream banks at all times. Machinery must not enter the wetted cross section of a freshwater watercourse at any time, as far as is practicable.

Dust

52. Discharges of dust must not cause offensive or objectionable effects at any location beyond the boundary of the Site, in the opinion of an enforcement officer when assessed in accordance with the Good Practice Guide for Assessing and Managing Dust (*Ministry for the Environment, 2016*). The consent holder must ensure that dust management during the works generally complies with the recommendations of this Good Practice Guide and minimises dust generation as far as practicable. This must include having sufficient water to dampen exposed soil and unsealed areas, and/or other dust suppressing measures, available as necessary.

Archaeological Sites

53. If any unrecorded archaeological sites are exposed because of consented work on the site, then these sites must be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holder must prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Team Leader (for the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within one calendar month of the completion of work on the site.

Accidental Discovery Protocol

54. If, at any time during site works, potential koiwi (human remains) or archaeological artefacts are discovered, then the following discovery protocol must be followed:
- a. All earthworks must cease in the immediate vicinity (at least 10 m from the site of the discovery) while a suitably qualified and experienced archaeologist is consulted to establish the type of remains.
 - b. If the material is identified by the archaeologist as human, archaeology or artefact, earthworks must not be resumed in the affected area (as defined by the archaeologist). The consent holder must immediately advise the Council, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.
 - c. If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from those Iwi groups with mana whenua interest in the area, including Te Aakitai Waiohau, are to be provided information on the nature and location of the discovery.
 - d. The consent holder must not recommence works until approved by the Council.

As-Built Plans

55. Within 20 working days following the completion of the stream works, the consent holder must provide to the Council, certified (signed) as-built plans that confirm that the stream channel has been constructed and enhanced in accordance with the consent drawings.

The consent holder must engage a suitably qualified professional engineer to prepare these plans as well as a suitably qualified ecologist / environmental scientist to certify these plans. These plans must also be certified by a suitably qualified and experienced freshwater ecologist to confirm the creation of ecological and habitat features.

Advice Note:

The intent is that the as-built certification provides assurance that the diversion channel will provide for fish passage for all native freshwater fish in perpetuity without relying on any remedial structures.

56. The consent holder must provide an as-built plan of the recontoured stream prepared by a licensed cadastral surveyor along with written certification from a suitably qualified engineering professional confirming the finished surface levels and the contained overland flow path meet the flood hazard design requirements set out in the memorandum titled “Hydraulic Modelling Updates for May Road Proposed Ecological Enhancements”, Document Ref: JNZ-WSL-CIP-TM-0000141, Revision 1, dated 17 January 2024, as referenced in condition 1.

Advice Note:

If appropriate, it may be possible to submit one as-built plan that addresses both condition 55 and 56.

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 email 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. 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. A Carriageway Access Request may also be required from Auckland Transport as well as Engineering Approval for any works that affect public stormwater. This consent does not remove the need to comply with all other current and applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law.

This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

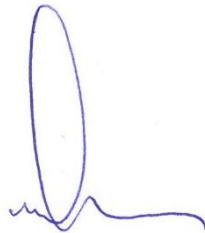
5. The stormwater network upgrades, any accessway / entrance alterations and all disconnections (removal of redundant assets), will require engineering approval(s) to be obtained from the council prior to construction. All stormwater systems must be constructed in accordance with The Auckland Code of Practice for Land Development and Subdivision Chapter 4, Stormwater. See the council's website (www.aucklandcouncil.govt.nz) for more information on the engineering approval process, or call (09) 301 0101 and ask to speak to a Development Engineer from your local service centre.
6. 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 RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.

Delegated decision maker:

Name: Warwick Pascoe

Title: Principal Project Lead
Premium Resource Consents

Signed:



Date: 2 Sept 2025



Resource Consent Notice of Works Starting

Please email this form to **monitoring@aucklandcouncil.govt.nz** at least **5 days** prior to **work starting** on your development or post it to the address at the bottom of the page.

Site address:				
AREA (please tick the box)	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
Resource consent number:			Associated building consent:	
Expected start date of work:			Expected duration of work:	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

Signature: Owner / Project Manager (indicate which)	Date:
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Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via monitoring@aucklandcouncil.govt.nz to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.