

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: The Point Mission Bay

Fast-Track application number: FTAA-2511-1133

Council application numbers: BUN60459442 (LUC60459443, WAT60459444)

2.0 Technical Specialist Memo – Earthworks & Erosion and Sediment Control

To: Angelika Vaze – Lead Planner
Warwick Pascoe – Principal Project Lead

From: Matthew Byrne – Erosion & Sediment Control Consultant to Earth, Streams and Trees Team

Qualifications & Relevant Experience: I hold the qualifications of: Bachelor of Environmental Studies and have over 21 years of experience in the field of earthworks and streamworks assessment, and earthworks and streamworks environmental compliance monitoring.

I am a member of the International Erosion and Sediment Control Association (Australasia). I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in Accordance with the Code of Conduct: I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

29 January 2026

3.0 Executive Summary

The following memorandum assesses the applicant's proposal to undertake approximately 30,000m³ of earthworks over 1.76ha associated with the development of a retirement village on the land generally located at the northern end of Kupe Street, Te Arawa Street, Rukutai Street and Aotea Street, Orakei (the Site). Five stages of earthworks are proposed over a 9-10 period and predominantly involve cut to waste for the formation of basement and foundation excavations associated with the construction of four new buildings. Ancillary earthworks include those for the construction of temporary in-ground retaining walls to support the basement excavations, including sheet piles and/or bored pile walls, and for the installation of all associated civil infrastructure and services.

To manage the potential effects of earthworks, the applicant has provided a draft Earthworks Management Plan (EMP) and an Erosion and Sediment Control Management Plan (ESCMP) that proposes erosion and sediment control measures in accordance with Auckland Council guideline document number 5, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05) and industry best practice. The assessment concludes that provided the earthworks are undertaken in accordance with the application documents, including a final EMP, ESCMP, and earthworks related conditions of consent, the potential effects associated with all land disturbance will be appropriately managed.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Substantive Application for The Point Mission Bay to Construct and Operate a Comprehensive Retirement Village (Integrated Residential Development) on the Site at 217 Kupe Street, 106 Rukutai Street, 95 Aotea Street, Rukutai Recreation Reserve, and Aotea Street Recreation Reserve, Orakei, Auckland. (AEE)
- Infrastructure Report, The Point Retirement Village Mission Bay. (AEE - Attachments 7A – 7D)
- Proposed Conditions of Consent. (AEE - Attachment 23)
- Draft Earthworks Management Plan. (AEE - Attachment 27, including appendices)
- Rule Compliance Assessment. (AEE – Attachment 31)

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

The applicant has incorrectly identified the reasons for consent relating to earthworks under chapter E11 of the Auckland Unitary Plan: Operative in Part (AUP:OP). The applicant has indicated that consent for a restricted discretionary activity is required under rule E11.4.1 (A4), as the earthworks proposed are greater than 10,000m² up to 50,000m², where land has a slope less than 10 degrees, outside a Sediment Control Protection Area. However, I have reviewed the earthworks plans and have determined that there are slopes within the proposed earthworks area that are greater than 10 degrees, including deep excavations of up to 9m in some locations. As such, consent for a restricted discretionary activity is required under rule E11.4.1 (A8), as the earthworks are greater than 2,500m² on land with a slope equal or greater than 10 degrees, outside of a Sediment Control Protection Area.

6.0 Specialist Assessment

6.1 - Site Description & Existing Environment

Sections 10.5 – 10.24 of the applicant's AEE contains a description of the site and its surrounding area. I have accepted and adopted these descriptions when completing my assessment below.

Potential sediment discharges associated with the proposed earthworks will be overland to the north, east and southeast, to the existing reticulated system, or to the coastal marine area of Mission Bay, part of the wider Hauraki Gulf and located approximately 475m northeast of the site's northeastern most point.

6.2 - Assessment of Effects on the Environment - Earthworks

The potential environmental effects of the proposed earthworks are primarily associated with erosion of exposed surfaces at the site and the subsequent sedimentation of the receiving environment, being overland flows which may enter the existing reticulated stormwater system, or the coastal marine area of Mission Bay.

Sediment can degrade aquatic values such as water quality, smother habitat for aquatic fauna within these receiving environments, and directly impact aquatic fauna by blocking their breathing apparatus. The applicant has stated that the project will utilise erosion and sediment control (ESC) measures, designed in accordance with GD05, to help ensure the earthworks are appropriately managed.

Earthworks in brief:

- Approximately 25,150m³ of cut and 4,690m³ of fill over approximately 1.76ha are proposed.
- The application documents include an EMP which contains a set of erosion and sediment control plans (ESCPs) in general accordance with GD05. The EMP provides details of a range of ESC measures proposed during each of the five stages of earthworks.

The ESCPs provided are draft only and the applicant has proposed the provision of a final EMP ahead of earthworks commencing. This is not uncommon, particularly given that the length of time proposed earthworks are expected to take. Provision of a final plan ahead of earthworks commencing allows for changes to the EMP and any individual ESCPs, depending on the nominated contractor's equipment and/or resources. It also allows for revision of the EMP and/or ESCPs, based on minor changes to the earthworks themselves which in turn may require minor

changes to the ESCPs. Regardless, the draft EMP proposes a range of ESC measures in accordance with GD05, and it is the applicant's intention that the final EMP will be within scope of the draft EMP. I support the applicant's proposal in this regard.

6.3 – Erosion and Sediment Controls

The main method of sediment control proposed during any given stage of earthworks is the use of mobile clarifying units such as a lamella clarifier, which will treat sediment laden water before it is discharged to the existing reticulated stormwater system. Staged earthworks include the establishment of deep basement excavations which will "naturally" impound surface runoff which will then be dewatered by sump-pumps to the mobile clarifying units. The applicant has also proposed chemical treatment of these mobile clarifiers to maximise their sediment removal efficiencies and a draft chemical treatment management plan (ChTMP) has been included as an appendix to the draft EMP. I note, however, that the ChTMP is based on the use of sediment retention ponds and decanting earth bunds, neither of which are proposed for this earthworks operation. As such, I have recommended a minor revision to the draft ChTMP to help ensure that it is fit for purpose and based on the actual earthworks and sediment control methodology proposed.

Notwithstanding the recommendation to amend the proposed ChTMP, based on my knowledge and experience with similar earthworks operations, the overall earthworks methodology proposed is considered to represent industry best practice and is in accordance with the guidance contained in GD05 and as such, I support the applicant's proposal in this regard.

Other methods of sediment control proposed include the installation and/or establishment of silt fences and silt socks, and the protection of live cesspits in the vicinity of areas subject to land disturbance. Silt fences and silt socks will generally be installed along down gradient boundaries and around temporary stockpiles, and internally as work zones change, whilst cesspit protection will be applied to cesspits as and when required. The manner in which these devices are proposed is typical of an earthworks operation of this nature and I consider the applicant's proposal in this regard to be in accordance with GD05, and I support the applicant's proposal in this regard.

Erosion controls proposed throughout any given stage of the earthworks include the use of stabilised construction entrances to limit the amount of sediment tracked onto the surrounding public road network as a result of construction vehicle movements, the installation of contour drains to break up and spread concentrated flows to reduce their erosive potential, the establishment of clean water diversion channels/bunds to divert clean water away from exposed surfaces so it does not affect (overwhelm) sediment controls, and hydroseeding and/or mulching exposed areas as earthworks are completed, or as desired gradients are achieved. Mulching and hydroseeding may also be done as a temporary protection measure and represents progressive stabilisation during earthworks. I support the applicant's proposal in this regard.

I have assessed the proposed ESC measures and whilst the use of contour drains in accordance with GD05 is unlikely given the gradients at the site and given the nature of the earthworks. The applicant has proposed them in a manner whereby they will act as dirty water diversions, however, contour drains are not typically robust enough to act as dirty water diversions. However, given the relatively small areas for each stage of earthworks, (all stages being less than 7,400m²), contour drains used alongside clean water diversions will be effective at managing dirty runoff. It may also be that the draft ESCPs misinterpreted contour drains for dirty water diversion drains as they are similar. Regardless, provided the contour drains are constructed in accordance with GD05 and are used in

conjunction with clean water diversions, they will be effective at managing dirty runoff within areas subject to land disturbance. As such, I support the applicant's proposal in this regard.

Additional ESC measures proposed by the applicant include regular monitoring and maintenance of all ESC measures utilised throughout the earthworks operation, monitoring of the weather and the installation / application of additional ESC measures should inclement weather be forecast, assessment and adjustment of ESC measures as and when required throughout the earthworks operation, and making sure construction staff are aware of the ESC requirements and relevant earthworks related conditions, prior to earthworks commencing. These measures also represent industry best practice and are in accordance with the guidance contained in GD05, and as such, I support the applicant's proposal in this regard.

6.4 – Timing & Seasonal Restriction

The applicant has stated that enabling works for the project are to commence during the 4th quarter of 2026, continue through to the 3rd quarter of 2034. From an earthworks point of view, I consider that these timeframes are easily achievable, however, I note that other factors such as building construction and factors unrelated to the physical earthworks themselves, will potentially affect timeframes. Regardless, I have recommended a 15-year duration for the earthworks permit as this will provide a 5-6 year contingency against unforeseen delays in completing the works. Further, I note that a 15-year timeframe is three times longer than a standard earthworks permit and that there is potential for ESC technologies to change and/or be deemed inappropriate over that time. Typically, this is addressed by the inclusion of a review condition which has been proposed by the applicant in this case. As such, I consider a 15-year timeframe for the earthworks permit to be appropriate.

The applicant has also proposed a seasonal restriction limiting earthworks at the site to the standard Auckland Council earthworks season, being 1 October to 30 April of any year. The intention of this condition is to minimise the overall duration that bare earth is exposed, and to reduce the potential effects of sedimentation on the receiving environment during Auckland's wetter winter months. I support the applicant's proposal in this regard.

5.5 – Conclusion

With regard to the proposed earthworks, the applicant states that best practice ESC measures will be utilised to ensure the proper management of any potential sediment related effects, and that any resulting effects will be less than minor. An assessment of the technical aspects of the earthworks and sediment control methodology has been undertaken and provided the earthworks are completed in accordance with the application documents and all supporting information, including any additional recommendations noted above, I concur with the applicant's assessment and consider that the potential effects associated with sediment discharge will be appropriately managed.

7.0 Section 67 Information Gap

Regarding the proposed earthworks, I have identified that there are no section 67 information gaps.

8.0 Recommendation

Based on the information available regarding the proposal's earthworks, including erosion and sediment control and construction water management, I support the application.

9.0 Proposed Conditions

Table 1 below contains the earthworks related conditions proposed by the applicant, alongside my recommended amendments. Table 1 also includes reference to proposed "earthworks related" conditions that are not within scope of my assessment, such as conditions for managing dust which have been assessed by Council's Air Discharge Expert, and conditions relating to site stability and other geotechnical requirements, which have been assessed by Council's Development Engineer. Only those conditions requiring amendment and/or reference to being within scope of my assessment or not, have been included in Table 1.

As per the Infrastructure Report included with the application documents, I have followed the number of Draft Conditions *agreed to date.

** The Infrastructure Report referred to above is dated 13 November 2025, and it is possible that additional amendments to the numbering of agreed draft conditions have occurred.*

Table 1 – Applicants Proposed Consent Conditions and Recommended Amendments and Additional References.

	Proposed Conditions		Proposed Amendments have been <u>underlined</u> and/or struck through and matters not within scope of the assessment completed in this memo have been highlighted .
19	<p>The consent holder must prepare and submit to Council for certification a final Earthworks Management Plan (EMP). The EMP must be generally in accordance with the draft EMP prepared by CLC.</p> <p>The objective of the EMP is to outline suitable erosion and sediment control measures during all earthworks to ensure that all stormwater runoff from the Site is managed and controlled so that no silt, sediment or water containing silt or sediment is discharged into stormwater pipes, drains, or channels.</p> <p>The EMP must include details regarding the following:</p> <ul style="list-style-type: none"> a) Confirmation that the EMP has been prepared in accordance with Auckland Council Guideline Document 2016/005: “Erosion and Sediment Guide for Land Disturbing Activities in the Auckland Region” (GD05). b) Earthworks construction timeframes and staging. c) Details of specific erosion and sediment controls to be implemented and maintained during the earthworks (location, dimensions, capacity). d) Earthworks and sediment control monitoring and maintenance requirements. e) Earthworks construction methodology, including: <ul style="list-style-type: none"> (i) Site access and traffic management. (ii) Work hours. (iii) Off -site disposal site(s). (iv) Plant, equipment and personnel. 	19	<p>The consent holder must prepare and submit to Council for certification a final Earthworks Management Plan (EMP). The EMP must be generally in accordance with the draft EMP prepared by CLC.</p> <p>The objective of the EMP is to outline suitable erosion and sediment control measures during all earthworks to ensure that all stormwater runoff from the Site is managed and controlled so that no silt, sediment or water containing silt or sediment is discharged into stormwater pipes, drains, or channels.</p> <p>The EMP must include details regarding the following:</p> <ul style="list-style-type: none"> a) Confirmation that the EMP has been prepared in accordance with Auckland Council Guideline Document 2016/005: “Erosion and Sediment Guide for Land Disturbing Activities in the Auckland Region” (GD05). b) Earthworks construction timeframes and staging. c) Details of specific erosion and sediment controls to be implemented and maintained during the earthworks (location, dimensions, capacity). d) Earthworks and sediment control monitoring and maintenance requirements. e) Earthworks construction methodology, including: <ul style="list-style-type: none"> (i) Site access and traffic management. (ii) Work hours. (iii) Off -site disposal site(s). (iv) Plant, equipment and personnel.

	<p>(v) Protection of existing property and services (including installation of anchors, propping and construction of permanent or temporary retaining walls).</p> <p>(vi) Excavation support or instability control.</p> <p>(vii) Hazardous substance spill protection.</p> <p>(viii) Dust control.</p> <p>f) Supporting calculations and design drawings (where relevant).</p> <p>g) Catchment boundaries and contour information.</p> <p>h) Accidental Discovery Protocols (refer Conditions 38 -39).</p> <p>i) Timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks).</p> <p>j) Details relating to the management of exposed areas (e.g. site stabilisation and reinstatement, grassing/mulching).</p>		<p>(v) Protection of existing property and services (including installation of anchors, propping and construction of permanent or temporary retaining walls).</p> <p>(vi) Excavation support or instability control.</p> <p>(vii) Hazardous substance spill protection.</p> <p>(viii) Dust control.</p> <p>f) Supporting calculations and design drawings (where relevant).</p> <p>g) Catchment boundaries and contour information.</p> <p>h) Accidental Discovery Protocols (refer Conditions 38 -39).</p> <p>i) Timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks).</p> <p>j) Details relating to the management of exposed areas (e.g. site stabilisation and reinstatement, grassing/mulching).</p>
20	<p>The earthworks construction methodology required by Condition 19(e) must be written or reviewed by a Chartered Professional Geotechnical Engineer or a Professional Engineering Geologist for the contractor to undertake the earthworks, and include the recommendations provided within the Geotechnical Assessment Report – The Point Mission Bay prepared by Tonkin+Taylor,</p> <p><i>Advice note: The EMP may be subject to amendment through the life of the Project. Any subsequent amendment of the certified EMP which comprises changes to proposed construction methodology must be tracked and the revised EMP submitted to the Council for certification</i></p>	20	<p>The earthworks construction methodology required by Condition 19(e) must be written or reviewed by a Chartered Professional Geotechnical Engineer or a Professional Engineering Geologist for the contractor to undertake the earthworks, and include the recommendations provided within the Geotechnical Assessment Report – The Point Mission Bay prepared by Tonkin+Taylor.</p> <p><i>Advice note: The EMP may be subject to amendment through the life of the Project. Any subsequent amendment of the certified EMP which comprises changes to proposed construction methodology must be tracked and the revised EMP submitted to the Council for certification</i></p>
21	<p>The consent holder must prepare and submit to Council for certification a final Chemical Treatment Management Plan (ChemTMP). The ChemTMP must</p>	58	<p><u>Prior to earthworks commencing, the</u> consent holder must prepare and submit to Council for <u>written</u> certification, a final Chemical Treatment</p>

	<p>be prepared in accordance with GD05 and submitted to Council for certification.</p> <p>The final ChemTMP must be generally in accordance with the draft ChemTMP prepared by Erosion Control Co. Ltd, dated August 2025. The final ChemTMP must include:</p> <p>(a) specific design details of chemical treatment system based on a rainfall activated methodology for the Site’s decanting earth bunds and / or sediment retention ponds; (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.</p>	<p>Management Plan (ChemTMP). The ChemTMP must be prepared in accordance with GD05 and submitted to Council for certification.</p> <p>The final ChemTMP must be generally in accordance with the draft ChemTMP prepared by Erosion Control Co. Ltd, dated August 2025. The final ChemTMP must include:</p> <p>(a) specific design details of chemical treatment system based on a <u>methodology whereby impounded water is pumped to a mobile clarifying unit; to rainfall activated methodology for the Site’s decanting earth bunds and /or sediment retention ponds;</u> (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.</p> <p><i><u>Advice note: The ChemTMP may be subject to amendment through the life of the Project. Any subsequent amendment of the certified EMP which comprises changes to proposed construction methodology must be tracked and the revised Chemical Treatment Management Plan submitted to the Council for certification .</u></i></p>
22	<p>Earthwork activities must not commence until certification is provided by Council that the ChemTMP meets the requirements of GD05, and</p>	<p>Earthwork activities must not commence until certification is provided by Council that the ChemTMP meets the requirements of GD05, and the measures referred to in that plan have been put in place.</p>

	<p>the measures referred to in that plan have been put in place.</p> <p><i>Advice note: The ChemTMP may be subject to amendment through the life of the Project. Any subsequent amendment of the certified EMP which comprises changes to proposed construction methodology must be tracked and the revised Chemical Treatment Management Plan submitted to the Council for certification.</i></p>	<p><i>Advice note: The ChemTMP may be subject to amendment through the life of the Project. Any subsequent amendment of the certified EMP which comprises changes to proposed construction methodology must be tracked and the revised Chemical Treatment Management Plan submitted to the Council for certification.</i></p> <p>*The advice note proposed under condition 22 must be included under condition 21, not condition 22.</p>
23	<p>The sediment retention pond and all decanting earth bunds employed on Site must be chemically treated in accordance with the ChemTMP. All measures required by the ChemTMP must be put in place prior to commencement of the earthworks activity and be maintained for the duration of the earthworks activity.</p>	<p>The sediment retention pond and all decanting earth bunds <u>mobile clarifying units and any other certified impoundment systems</u> employed on Site must be chemically treated in accordance with the <u>certified</u> ChemTMP. All measures required by the ChemTMP must be put in place prior to commencement of the earthworks activity and be maintained for the duration of the earthworks activity.</p>
33	<p>Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the Site must be constructed and maintained for the duration of the relevant stage of the works in accordance with the Earthworks Management Plan.</p>	<p>Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the Site must be constructed and maintained for the duration of the relevant stage of the works in accordance with the <u>certified</u> Earthworks Management Plan.</p>
34	<p>Within ten (10) working days following implementation and completion of the specific erosion and sediment control works required by the ESCMP (relative to any staging of the works), and prior to earthworks commencing on the Site (other than works associated with the implementation of the ESCMP), the consent holder must provide the Council with written confirmation from a SQEP that the erosion and sediment control measures have been constructed in accordance with the EMP and with Auckland Council Guidance Document GD05. Written certification must be in the form of a</p>	<p>Within ten (10) working days following implementation and completion of the specific erosion and sediment control works required by the ESCMP (relative to any staging of the works), and prior to earthworks commencing on the Site (other than works associated with the implementation of the ESCMP), the consent holder must provide the Council with written confirmation from a SQEP that the erosion and sediment control measures have been constructed in accordance with the EMP, <u>the ESCMP</u>, and with Auckland Council Guidance Document GD05. Written certification must be in the form of a report or any other form acceptable to the Council.</p>

	report or any other form acceptable to the Council.	
40	The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the EMP must be maintained throughout the duration of each stage of the earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to Council on request.	The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the <u>EMP and the ESCMP</u> , must be maintained throughout the duration of each stage of the earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to Council on request.
43	All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the Site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, the consent holder must take steps to rectify the damage as soon as practicable, at the consent holder's cost.	All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the Site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, the consent holder must take steps to rectify the damage as soon as practicable, at the consent holder's cost.
44	<p>Earthworks, installation of anchors, propping and construction of permanent or temporary retaining walls must be supervised by a suitably qualified geotechnical engineering professional (who is familiar with Geotechnical Assessment Report – The Point Missi on Bay prepared by Tonkin+Taylor, dated: November 2025 , referenced in Attachment 1).</p> <p>In supervising the works, the suitably qualified geotechnical engineering professional must ensure that they are constructed and otherwise completed in accordance with the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer's contact details must be provided in writing to the Council at least ten (10) working days prior to earthworks commencing on site.</p>	<p>Earthworks, installation of anchors, propping and construction of permanent or temporary retaining walls must be supervised by a suitably qualified geotechnical engineering professional (who is familiar with Geotechnical Assessment Report – The Point Missi on Bay prepared by Tonkin+Taylor, dated: November 2025 , referenced in Attachment 1).</p> <p>In supervising the works, the suitably qualified geotechnical engineering professional must ensure that they are constructed and otherwise completed in accordance with the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer's contact details must be provided in writing to the Council at least ten (10) working days prior to earthworks commencing on site.</p>

47	There must be no airborne or deposited dust beyond the subject site as a result of the earthworks / construction activity, that in the opinion of the Council, is noxious, offensive or objectionable.	There must be no airborne or deposited dust beyond the subject site as a result of the earthworks / construction activity, that in the opinion of the Council, is noxious, offensive or objectionable.
48	Notice must be provided to the Council at least two (2) working days prior to the removal of any erosion and sediment control works specifically required by the Erosion and Sediment Control Plan	Notice must be provided to the Council at least two (2) working days prior to the removal of any erosion and sediment control works specifically required by the <u>EMP and/or ESCMP</u> . Erosion and Sediment Control Plan
49	Earthworks must not be undertaken on the Site between 1 May and 30 September in any year without the submission of a 'Request for winter works' for approval by the Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from the Council. All winter works must 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.	Earthworks must not be undertaken on the Site between 1 May and 30 September in any year without the submission of a 'Request for winter works' for approval by the Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from the Council. All winter works must 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.