

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



Non-complying activity

Application numbers:

BUN60359817 (Council Reference)

LUC60359819 (s9 land use consent)

DIS60359818 (s15 stormwater permit)

Applicant:

Fulton Hogan Limited

Site address:

475 Quarry Road, land at Quarry Road, and 121 MacWhinney Drive, Drury

Legal description:

475 Quarry Road: LOT 109 DP 540628, LOT 6 DP 509893

Land at Quarry Road: PT ALLOT 152 SETT OF MAKETU SUB SEC 2 PSH OPAHEKE, Lot 2 DP 41441, ALLOT 168 Sbrn Sec 2 Parish of Opaheke, Lot 1 DP 46285, ALLOT 175 Sbrn Sec 2 Parish of Opaheke, Lot 2 DP 19546, Lot 1 DP 19546, Lot 1 DP 32801, ALLOT 211 SUB SEC 2 Parish OF OPAHEKE, PT A

121 MacWhinney Drive: LOT 4 DP 509893, LOT 5 DP 509893, Lot 1 DP 126627

Proposal:

To relocate the front of house activities associated with the existing quarry mineral extraction activities at 475 Quarry Road, 121 MacWhinney Drive, and the land at Quarry Road, Drury.

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60359819

Auckland Unitary Plan (Operative in part)

Business – Heavy Industry Zone

- Mineral extraction activities (and accessory activities) are not provided for within the Business – Heavy Industry Zone. In accordance with H16.4.1 (A1), consent is required as a **non-complying activity**.

Business – Light Industry Zone

- Mineral extraction activities (and accessory activities) are not provided for within the

Business – Light Industry Zone. In accordance with H17.4.1 (A1), consent is required as a **non-complying activity**.

Special Purpose – Quarry Zone (Chapter H28)

- Mineral extraction activities require consent as a **controlled activity** in accordance with H28.4.1 (A7);

Discharge of contaminants (s15) – DIS60359818

Auckland Unitary Plan – Operative in Part (AUP OP)

Regional Land Use

Chapter E8 – Stormwater – Discharge and Diversion

- Consent is required for the diversion and discharge of stormwater runoff from impervious areas not otherwise provided for as a **discretionary activity** in accordance with (A10).

Decision

I have read the applications, supporting documents, and the report and recommendations on the applications for resource consents. I am satisfied that I have adequate 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, 104D, 104B, 105 and 107 and Part 2 of the RMA, the resource consents are **GRANTED**.

Reasons

The reasons for this decision are:

1. The adverse effects of the activities on the environment have been found under s95 to be no more than minor. As such, there is no prohibition under s104D on granting these resource consents.
2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
 - a. In the context of the existing site and receiving environment (including planting of the consented noise bund), the proposed re-location of the ancillary “front of house” activities associated with the existing quarry is considered to be in keeping with the existing character and amenity of the site, and is not anticipated to have any discernible adverse effects. Importantly, although the weighbridge, quarry access and truck park will be located within the industrial zoned site, these activities are of a scale and nature that is not anticipated to have any discernible adverse effects on the character and amenity of the surrounding receiving environment, and are anticipated to integrate with the existing quarry activities;
 - b. Adverse effects on water quality, water quantity, and as a result of the management of stormwater on the site, can be managed to ensure that they are acceptable.

- c. In the context of the existing site and surrounding receiving environment (including the planting of the noise bund in accordance with R/LUC/2015/2513, R/REG/2015/2508, and R/REG/2015/2514), any adverse landscape and visual effects are anticipated to be very low, and it is considered that any adverse effects are less than minor;
 - d. The stormwater management proposed by the applicant is considered appropriate for the site, and will ensure that any adverse effects on water quality, water quantity, and as a result of the management of stormwater on the site are suitably mitigated so that they are acceptable from a resource management perspective;
 - e. No adverse effects relating to the management of land disturbance activities (including erosion and sediment) are anticipated beyond those approved as part of R/LUC/2015/2419 and R/REG/2015/2420;
 - f. The relocated quarry access is consistent with the DSIP provisions and new quarry access road provided for under SUB60325513 (as varied by SUB60325513-A and SUB60325513-B);
 - g. Subject to the implementation of the acoustic barrier (and noise compliance reporting) the proposal is not anticipated to have any adverse noise effects;
 - h. In terms of positive effects, the proposal contributes to providing a more efficient layout of the existing quarry activities, which are considered to be an appropriate and efficient use of the land resource from a resource management perspective. In addition, the proposal enhances stormwater management for the site, enabling the discharge and diversion of stormwater in a manner that is considered consistent with best practice for the site; and
 - i. With reference to s104(1)(ab), 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 relevant statutory documents. In particular:
- a. The discharge and diversion of stormwater can be managed to ensure that the outcomes of the proposal are consistent with the anticipated outcomes of the New Zealand Coastal Policy Statement and National Policy Statement for Freshwater Management and the management of effects on water bodies is appropriate;
 - b. The proposed relocation of the ancillary “front of house” activities for the mineral extraction activities and management of stormwater for the site is considered to be generally consistent with the direction of the Auckland Unitary Plan (Operative in part), and anticipated outcomes for the Plan for the Drury Industrial Precinct (Sub precincts A and E), the Heavy and Light Industrial Zones, and the Special Purpose Quarry zone. Furthermore, the management of stormwater for the site provides for the application of the best practicable option (BPO) to be applied as part of integrated stormwater management approach for the site, providing at source stormwater management to mitigate adverse effects on the receiving environment and is considered to be consistent with the direction of the Auckland Unitary Plan (Operative in Part) with respect to the management of stormwater discharge and diversion.
 - c. The application has demonstrated that it complies with the controlled activity standards

listed in H28.6.2, and in particular that:

- i. the proposed activities can be carried out to comply with the noise standards (H28.6.2.1);
 - ii. the buildings have been designed to meet the relevant standards for building height (H28.6.2.3), maximum building coverage (H28.6.2.4), Yards (H28.6.2.5); and
 - iii. Land disturbance activities are managed in accordance with the existing consents held for the mineral extraction activities (and Quarry Management Plan required by those consents).
4. In accordance with an assessment under s104(1)(c) of the RMA, consideration of the following other matter is appropriate:
- a. Stormwater Bylaw 2018:

With respect to the FOH (South) catchment, having considered the application as part of the assessment of DIS60359818, including the assessment and acceptance of the proposal by Healthy Waters, in accordance with s18 of the bylaw, it is considered that the terms of that consent are sufficient to satisfy the requirements of the bylaw in this case, and the diversion and discharge of stormwater from this catchment are approved under the bylaw.

No other matters are considered relevant.

5. Having considered the nature and scale of the effects associated with the proposed discharges of contaminants to land, the discharges are considered appropriate with respect to s105 and in particular:
- a. The applicant has given regard to the nature of potential discharges and sensitive areas of the receiving environment, and provided sufficient detail to confirm that the adverse effects can be managed so that they are acceptable;
 - b. The applicant has proposed best practice stormwater management to ensure that effects of contaminants are managed in the most efficient and effective way for the environment.
 - c. Given the nature of the proposal, no alternatives are practical.
6. There are no reasons with respect to the provisions of s107 that restrict the granting of consent.
7. With respect to s123 of the RMA it is considered appropriate that the stormwater discharge and diversion have a term of 35 years as the nature of the activity is unlikely to change during this period and suitable conditions of consent in-line with the ongoing maintenance and operation of the approved stormwater management system can be imposed;
8. There is no prohibition under s104D of the RMA on granting this non-complying activity proposal. This is because the proposal is not contrary to the objectives and policies of the relevant plan, and will have only minor adverse effects on the environment.
9. In the context of these non-complying activity applications for land use and discharge consents, where the objectives and policies of 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. They also provide a clear framework for assessing all relevant potential effects

and 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.

10. Overall the proposal is considered to be consistent with the relevant matters of the AUP :OP, and in particular the outcomes anticipated for the management of diversion and discharge of stormwater, and with respect to the management of mineral extraction activities, and the outcomes anticipated for the Business – Heavy Industry, Light Industry, and Special Purpose Quarry Zones across the region. Any actual or potential adverse effects are assessed to be acceptable in the context of the receiving environment and management techniques that form part of the application.

Furthermore the application is considered to meet the relevant tests of the RMA, and can be considered to support an efficient use of an existing land resource. For these reasons, the proposal is considered to be acceptable from a resource management perspective.

Conditions

Under sections 108 and 108AA of the RMA, these consents are subject to the following conditions:

General conditions

These conditions apply to all resource consents.

1. These consents shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers LUC60359819 and DIS60359818 (Council Reference BUN60359817):
 - Application Form and Assessment of Environmental Effects prepared by OsborneHay and titled “Application for Resource Consents to Relocate Quarry Related Activities, Assessment of Environmental Effects, dated July 2020.

Report title and reference	Author	Rev	Dated
Drury Quarry – Stormwater Management Plan Ver. 2.0	Tonkin + Taylor	2.0	16 September 2020
Engineering Report	Land Partners		29 June 2020
Acoustic Assessment: Proposed Front of House Operations	Marshall Day Acoustics		29 June 2020
Detained Site Investigation – Stevenson Quarry Front of House Redevelopment	PDP		24 April 2020
Contaminated Site Management Plan – Stevenson Quarry Front of House Redevelopment	PDP		2 July 2020
Traffic Assessment of changes to quarry access and layout, Drury Quarry, Drury	TEAM		7 April 2020

Assessment of Landscape and Visual Effects Stevenson Aggregates Limited – Drury Quarry, Quarry Road – Drury	LA4		24 June 2020
Drury Quarry Front of House Reorganisation Archaeological Appraisal	Clough & Associates Ltd		Mar 2020
Geotechnical Assessment Report – Front of House Redevelopment	GAIA	A	24 th May 2020

Drawing title and reference	Author	Rev	Dated
C110 A – Overall Plan 1	Land Partners	3	22.6.20
C111 – Plan North	Land Partners	1	APR 20
C112 – Central Plan	Land Partners	1	APR 20
C113 – South Plan	Land Partners	1	APR 20
C120 – Cut Fill Plan – Overall	Land Partners	1	21.8.20
C240 – Stormwater collection bulk metal areas	Land Partners	1	17.8.20
C400 – Overall Drainage Plan 1	Land Partners	2	21.8.20
C401 – Overall Drainage Plan 2	Land Partners	2	21.8.20
C402 – Drainage Plan 1	Land Partners	2	21.8.20
C403 – Drainage Plan 2	Land Partners	2	21.8.20
C404 – Drainage Plan 3	Land Partners	2	21.8.20
C405 – Drainage Plan	Land Partners	2	21.8.20
C430 – Overall Catchment Plan	Land Partners	1	APR 20
C435 – Industrial Trade Activity Plan	Land Partners	1	AUG 20
C436 – Overall Road SW Flow Scheme	Land Partners	1	APR 20
C437 – Overall Road Flow Scheme Sheet 2	Land Partners	1	APR 20
LT500-Filter Press General Assembly Drury Quarry	MIMICO	A	18/03/20
ST10-SLPL-0000-PGA-A0001			

Lamella Foundation Pad Elevation 1 079/16/S04	LM Structural	0	14.12.18
Lamella Foundation Pad Sectional Elevation 2 079/16/S05	LM Structural	0	14.12.18
Lamella Foundation Pad Elevation 3 079/16/S06	LM Structural	0	14.12.18
Pug Mill Elevation Grid Line A 079/16/S24	LM Structural	0	7.12.18
Pug Mill Elevation Grid Line B & C 079/16/S25	LM Structural	0	7.12.18
Pug Mill Elevation Grid Line D 079/16/S26	LM Structural	0	7.12.18
Pug Mill Elevation Grid Line 1 079/16/S27	LM Structural	0	7.12.18
Laboratory Plan 1	-	-	-
Laboratory Plan 2	-	-	-
Laboratory Plan 3	-	-	-
Laboratory Plan 4	-	-	-
Laboratory Plan 5	-	-	-

Other additional information	Author	Rev	Dated
Further Information Response: Letter: BUN 60359817: STEVENSON AGGREGATES LIMITED – RESPONSE TO REQUEST FOR FURTHER INFORMATION ON RESOURCE CONSENT APPLICATION TO RELOCATE AND REARRANGE THE FRONT OF HOUSE ACTIVITIES ASSOCIATED WITH THE DRURY QUARRY – 475 QUARRY ROAD DRURY Including attached updated plans, technical details, and calculations	Greg Osborne		24.08.2020
Further Information Response: Email: Drury Quarry Including attached updated SMP	Scott McIntyre, LandPartners		17.09.2020

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 \$1020.00 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 consents.

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.

Specific conditions – land use consent LUC60359819

Land Disturbance

4. To ensure compliance with the controlled activity standard for land disturbance, the management techniques required by the existing consents held for all land disturbance and earthworks associated with the Front of house redevelopment shall be incorporated in the Quarry Management Plan.

Landscape Conditions

Planting and Fencing on Lot 109

5. Within the first planting season following the completion of the relocation works within Lot 109, the consent holder shall implement planting and fencing in accordance with the specific requirements of the Drury South Industrial Precinct Rule I402.6.2(6) and thereafter retain and maintain this planting in perpetuity to the satisfaction of Council.

Acoustic Conditions

Noise limits (operational)

6. Noise arising from operation of the quarry activity and associated truck movements on the site shall be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound and shall be assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise and must not exceed the noise levels in: -
 - a) Table H28.6.2.1.1 when measured at a notional boundary from any dwelling that existed at 1 January 2001 outside the Special Purpose – Quarry Zone; and
 - b) Table E25.6.5 when measured within the boundary of any site zoned Business – Heavy Industry or Business – Light Industry.

Advice Note

The consent holder is reminded of their general obligation under section 16 of the Resource Management Act 1991 to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level.

Installation of acoustic barrier

7. Prior to trucks utilising the internal road along the western boundary of the site acoustic fencing shall be constructed along a portion of the western site boundary in accordance with Figure 1 and Appendix C specified in the acoustic assessment dated 29 June 2020 prepared by Marshall Day Acoustics. The fence shall be no less than 2.0 m in height and constructed with no gaps along the entire length or at the base between the fence and the ground. The surface mass of any timber acoustic fence shall be no less than 9 kg/m² (e.g. 18 mm thick plywood or palings).

Noise compliance monitoring

8. A one-off noise measurements shall be undertaken by a suitably qualified acoustics expert within four (4) weeks of the activity commencing full operation (including trucks utilising the internal road along the western boundary of the site) and after completion of the acoustic fencing to confirm compliance with the operational noise limits detailed in the conditions of this consent and, a compliance report shall be prepared and provided to the Council within two weeks of measurements being undertaken.

In the event that compliance is not demonstrated, the report is to identify likely sources of noise leading to the non-compliance, recommended further investigations and action points and a proposed timeframe for completing the investigation and implementing the findings, which shall be less than four (4) weeks unless an alternative timeframe is agreed with the Council or other steps are taken to comply with the relevant noise limits in the intervening period.

Geotechnical Condition

Certification

9. The construction of retaining walls and building foundations and the placement and compaction of fill material shall be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional shall ensure that they are constructed and otherwise completed in accordance with *Geotechnical Assessment Report – Front of House Redevelopment*, prepared by Gaia Engineers, dated 24 May 2020.
10. Certification from a suitably qualified engineering professional responsible for supervising the works shall be provided to the Council, confirming that the works have been completed in accordance with the conditions of this consent, within six months of completion of the land modification works to allow for settlement monitoring. Written certification shall be in the form of a geotechnical completion report, or any other form acceptable to the council.

Specific conditions – Stormwater Diversion and Discharge permit DIS60359818

Duration

11. Stormwater diversion and discharge permit DIS60359818 shall expire on 35 years from the date of granting unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Stormwater management works

12. The management of stormwater, is to be in accordance with Table 1 and Table 2 below, shall be in accordance with the Stormwater Management Plan for Drury Quarry; Version: 2.0 and completed prior to discharges of stormwater from impervious area commencing from the site:

Table 1: Stormwater Management Outcomes- Front of House (North)

Works to be undertaken	Catchment area: impervious	Design requirement(s)
<i>(Offline) Wetland</i>	~11.7ha	- In accordance with GD01 to achieve water quality and hydrology mitigation objectives including planting plan. - Sized to meet the following hydrology mitigation¹: - Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the predevelopment and post-development runoff volumes from the 95th percentile, 24-hour rainfall event including the 5 mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required. - Water quality treatment of the 90% rainfall event
<i>Wedge pits</i>	-	To provide pre-treatment prior to discharge into the wetland.
<i>Outfall(s) (Including the Quarry pit outfall)</i>	-	Erosion protection to minimise bed scour and bank erosion at the point of discharge in accordance with TR2013/018.
<i>All roof areas</i>	<i>Roofing material</i>	No exposed unpainted metal surfaces

Advice Note:

¹ If retention is not likely to be achieved for areas of the site due to the low potential for stormwater infiltration to ground, then the required detention volume shall be increased by the retention volume.

Final design details of stormwater management associated with Front of House (North) in Table 1 to be agreed upon prior to construction between Consent Holder and the Council.

Table 2: Stormwater Management Outcomes- Front of House (South)*

Works to be undertaken	Catchment area: impervious	Design requirement(s)
(x3) Hynds First Defence units	~6.254ha	- To provide pre-treatment prior to discharge into the DSIP wetland 1. - In accordance with manufacturer's design specification for 75% TSS removal for long term
Wedge pits	~6.254ha	To provide pre-treatment prior to discharge to Hynds First Defence Units and then into the DSIP wetland 1.
(x3) Re-use tanks	Office Laboratory and roof areas	- To be approved at building consent stage - Provide retention (volume reduction) of at least 5mm runoff depth for the impervious area for which hydrology mitigation is required;
All roof areas	Roofing material	No exposed unpainted metal surfaces

Advice Note:

* FOH (South) activities subject to LUC60359819 overlap with the activities subject to the Stormwater bylaw 2015, therefore the compliance with the requirements of this bylaw is included as part of consent DIS60359818 to assist the applicant and the council manage the compliance of the consent.

Final Design of stormwater management associated with Front of House (South) in Table 2 to be agreed upon prior to construction and/or discharge to DSIP Wetland 1, between Consent Holder and Healthy Waters Department.

Modifications approval

- In the event that alternative stormwater management is proposed which is not specified in Table 1 and Table 2, the consent holder shall submit all the information for certification of the approach to the Council, prior to implementation.

Advice Note:

All proposed changes for Table 1 must be discussed with the Council prior to implementation;

All proposed changes for Table 2 must be discussed with the Council and Healthy Waters Department, prior to implementation;

Any changes to the proposal which will affect the capacity or performance of the stormwater management system will require an application to Council pursuant to Section 127 of the RMA. An example of a minor modification can be a change to the location of a pipe or slight changes to the site layout. If there is a change of device type (even proprietary), the consent will have to be varied (s127 under the RMA).

Construction meetings

14. A pre-construction meeting shall be held by the consent holder, prior to commencement of the construction of any stormwater devices specified in Table 1 and Table 2 in the conditions of this consent, that:
- a. is arranged five working days prior to initiation of the construction of any stormwater devices on the site;
 - b. is located on the subject area;
 - c. includes representation from the Council and Healthy Waters Department;
 - d. includes representation from the site stormwater engineer or contractors who will undertake the works and any other relevant parties.

The following information shall be made available prior to, or at the pre-construction meeting:

- timeframes for key stages of the works authorised under this consent;
 - contact details of the site contractor and site stormwater engineer; and
 - preliminary stormwater drainage plan in accordance with Condition 1.
15. A post-construction meeting shall be held by the consent holder, within 20 working days of completion of the stormwater management works specified in Table 1 and Table 2 of the conditions of this consent, that:
- a. is located on the subject area;
 - b. includes representation from the Council and Healthy Waters Department; and
 - c. includes representation from the site stormwater engineer or contractors who have undertaken the works and any other relevant parties.

Advice Note:

To arrange the construction meetings required by this consent, please contact the Council via monitoring@aucklandcouncil.govt.nz

A Healthy Waters Department representative will be included for construction meetings for stormwater device(s) associated with Table 2.

Certification of stormwater management works (As-Built Plans)

16. Within 30 days of practical completion, As-Built certification and plans of the structural controls, which are certified (signed) by a suitably qualified registered surveyor or engineer as a true record of the structural controls, shall be provided to the Council.
17. The As-Built plans shall include, but not be limited to:
 - a. The surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge point from the site, with co-ordinates expressed in terms of NZTM and LINZ datum;
 - b. Location, dimensions and levels of any major overland flowpaths including cross sections and long sections;
 - c. Plans and cross sections of all structural controls, including confirmation of the Water Quality Volume (where relevant), storage volumes and levels of any outflow control structure; and
 - d. Documentation of any discrepancies between the design plans and the As-Built plans.

Advice Note:

As-built plans for stormwater management system for Front of House (South) specified in Table 2 will also need to be provided to the Healthy Waters Department at the Engineering Approval Stage.

Operation and Maintenance

18. An Operation and Maintenance Plan shall be provided to the Council 5 days prior to the post-construction meeting required for stormwater devices specified in Table 1 and Table 2 by this consent. The plan shall include and not be limited to the following:
 - a. details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;
 - b. a programme for regular maintenance and inspection of the stormwater management system;
 - c. a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
 - d. a programme for post storm inspection and maintenance;
 - e. a programme for inspection and maintenance of the outfall; and

- f. general inspection checklists for all aspects of the stormwater management system, including visual checks.
- 19. The stormwater management system shall be managed in accordance with the approved Operation and Maintenance Plan.
- 20. The Operation and Maintenance Plan shall be updated and submitted to the Council for approval, upon request.

Maintenance Report

- 21. Details of all inspections and maintenance for the stormwater management system, for the preceding three years, shall be retained.
- 22. A maintenance report shall be provided to the Council on request.
- 23. The maintenance report shall include the following information:
 - a. details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process;
 - b. details of any maintenance undertaken; and
 - c. details of any inspections completed.

Advice notes

General

- 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. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
- 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 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.*

Engineering

6. *The construction of the new vehicle crossing requires an Engineering Plan Approval to link with Road 2E when vested to Council.*
7. *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing future public works in the absence of that approval.*

Industrial Trade Activities

8. *In order to maintain a permitted activity status for the unlisted activity within Front of House (North) namely 'aggregate processing plant and ancillary activities) under the Industrial and Trade Activity chapter E33 (Rule E33.4.1 (A3) and E33.4.2 (A11) of the Auckland Unitary Plan (Operative in Part) the consent holder shall submit the following plans to the Council, within 3 months of granting of this consent:*
 - i. *Environmental Management Plan. The plan must be prepared in accordance with Table E33.9.2*
 - ii. *Spill Response Plan. The plan must be prepared in accordance with Table E33.9.1*

The plans shall be maintained on site and supplied to Council upon request.

Contamination management

9. *The applicant is advised that in order to meet the permitted activity regulations under the NES:CS and Chapter 30 of the AUP, the development shall be managed in accordance with the requirements of the Contaminated Site Management Plan titled "Contaminated Site Management Plan – Stevenson Quarry Front of House Redevelopment, prepared by PDP, dated 2 July 2020 submitted with the application*

Heritage/Archaeological – Accidental Discovery

10. *Should earthworks on the site result in the identification of any previously unknown archaeological site, the land disturbance – Regional Accidental Discovery rule [E12.6.1] set out in the Auckland Unitary Plan Operative in part (November 2016) shall be applied.*
11. *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 holders 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.*

Heritage New Zealand Pouhere Taonga Act 2014

12. *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(–

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

I. 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

II. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

2) 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

13. 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 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.

Delegated decision maker:

Name: Doug Fletcher

Title: Principal Project Lead, Premium Resource Consents

Signed:



Date: 7 October 2020

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 ☐	Auckland Isthmus ☐	Hauraki Gulf Islands ☐	Waitakere ☐
Manukau ☐	Rodney ☐	North Shore ☐	Papakura ☐	Franklin ☐
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.