

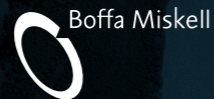
Auckland Prison Capacity Increase

Substantive Application

Volume 3 – Appendix 3J Compliance Table

Prepared for the Department of Corrections

1 April 2026



AUCKLAND PRISON

Table 1: Planning Standards under the NES-F

Rule Reference	Activity Status	Relevant Standards	Comment	
Subpart 1 – Natural inland wetlands				
38 Permitted activities (1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it— (a) is for the purpose of natural inland wetland restoration, wetland maintenance, or biosecurity; and (b) complies with the conditions. (2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it— (a) is for the purpose of natural inland wetland restoration, wetland maintenance, or biosecurity; and (b) complies with the conditions.	Permitted	The conditions are that: (4) <ul style="list-style-type: none"> (a) the activity must comply with the general conditions on natural inland wetland activities in regulation 55; and (b) if the activity is vegetation clearance, earthworks, or land disturbance, the activity must not occur over more than 500 m² or 10% of the area of the natural inland wetland, whichever is smaller; and (c) if the activity is a discharge of water, it must not be a restricted discretionary activity as described in regulation 39(3A). 	The proposal involves landscape mitigation and ecological offset and compensation planting around natural inland wetlands as identified in the LMEEP (Appendix 3A). No other works are proposed within 10m of natural inland wetlands as part of the proposed watercourse works. These works will result in land disturbance (for planting) within and within 10m of a natural inland wetland. The land disturbance is for the purpose of restoring riparian margins and natural character values of the natural inland wetlands. The proposal will comply with the relevant conditions as set out below: 4(a) the proposal will comply with the general conditions of regulation 55 as set out below. 4(b) pursuant to (5)(a), the land disturbance is associated with planting for the purpose of restoring riparian margins and natural character values of the natural inland wetlands. 4(c) the planting does not involve the discharge of water.	
		(5) However, the condition in subclause (4)(b) does not apply if— (a) the earthworks or land disturbance is for planting for restoration or wetland maintenance purposes; or (b) the vegetation clearance, the earthworks, or the land disturbance is for clearance of exotic vegetation for biosecurity purposes; or (c) the vegetation clearance, the earthworks, or the land disturbance is for clearance of indigenous vegetation that is demonstrably necessary for biosecurity purposes; or (d) the vegetation clearance, the earthworks, or the land disturbance is for clearance of exotic vegetation, using hand-held tools, for restoration or wetland maintenance; or (e) the vegetation clearance, the earthworks, or the land disturbance is for clearance of exotic vegetation (other than clearance to which paragraph (d) applies) for restoration or wetland maintenance that is undertaken in accordance with— (i) a restoration plan; or (ii) a certified freshwater farm plan.		
		55 General conditions on natural inland wetland activities		
		(1) This regulation applies if a regulation in this subpart refers to the compliance of an activity with the general conditions in this regulation.		As above.
		<i>General condition for permitted activities: prior notice of activity</i>		
(2) If this regulation applies in relation to a permitted activity, the 1 or more persons responsible for undertaking the activity must, at least 10 working days before starting the activity, provide the relevant regional council with the following information in writing: (a) a description of the activity to be undertaken; and (b) a description of, and map showing, where the activity will be undertaken; and	Corrections will provide Council notice in accordance with (2)(a) – (e) 10 working days before starting planting. Note that planting is proposed to occur prior to any vegetation removal or construction works at Watercourses 1 and 2, in accordance with the LEIMP.			

Rule Reference	Activity Status	Relevant Standards	Comment
		<p>(c) a statement of when the activity will start and when it is expected to end; and</p> <p>(d) a description of the extent of the activity; and</p> <p>(e) their contact details.</p>	
		<i>General conditions: water quality and movement</i>	
		<p>(3) The general conditions relating to water quality and movement are as follows:</p> <p>(a) the activity must not result in the discharge of a contaminant if the receiving environment includes any natural inland wetland in which the contaminant, after reasonable mixing, causes, or may cause, 1 or more of the following effects:</p> <p style="margin-left: 40px;">(iii) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p> <p style="margin-left: 40px;">(iv) a conspicuous change in colour or visual clarity;</p> <p style="margin-left: 40px;">(v) an emission of objectionable odour;</p> <p style="margin-left: 40px;">(vi) the contamination of freshwater to the extent that it is not suitable for farm animals to drink;</p> <p style="margin-left: 40px;">(vii) adverse effects on aquatic life that are more than minor; and</p> <p>(b) the activity must not increase the level of flood waters that would, in any flood event (regardless of probability), inundate all or any part of the 1% AEP floodplain (but see subclause (4)); and</p> <p>(c) the activity must not alter the natural movement of water into, within, or from any natural inland wetland (but see subclause (5)); and</p> <p>(d) the activity must not involve taking or discharging water to or from any natural inland wetland (but see subclause (5)); and</p> <p>(e) debris and sediment must not be placed—</p> <p style="margin-left: 40px;">(i) within a setback of 10 m from any natural inland wetland; or</p> <p style="margin-left: 40px;">(ii) in a position where it may enter any natural inland wetland.</p>	<ul style="list-style-type: none"> • The LEIMP sets out the methodology for the implementation of planting. • Erosion and sediment control measures will minimise the risk of sediment laden water entering the wetlands such that none of the effects identified in condition 3(a) will occur. • The proposed works do not increase any impervious surfaces and planting types have been selected carefully to ensure appropriateness to each location. However, all works are proposed on land owned by Corrections and accordingly, condition (3)(b) does not apply. • the proposed land disturbance associated with riparian planting within and within 10m of the natural inland wetlands will not alter the natural movement of water into, within or from any natural inland wetland due to the localised and relatively minor scale of works. • the proposal (planting) does not involve any taking or discharge of water to or from any natural inland wetland.
		<p>(4) Subclause (3)(b) does not apply if the person undertaking the activity—</p> <p>(a) owns or controls the only land or structures that would be affected by a flood in all or any part of the 1% AEP floodplain; or</p> <p>(b) has—</p> <p style="margin-left: 40px;">(i) obtained written consent to undertaking the activity from each person who owns or controls the land or structures that would be affected by a flood in all or part of the 1% AEP floodplain, after informing them of the expected increase in the level of flood waters; and</p> <p style="margin-left: 40px;">(ii) satisfied the relevant regional council that they have complied with subparagraph (i).</p>	
		<p>(5) Despite subclause (3)(c) and (d), the temporary taking, use, damming, or diversion of water around a work site, or discharges of water into the water around a work site, may be undertaken if the following conditions are complied with:</p> <p>(a) the activity must be undertaken during a period when there is a low risk of flooding; and</p>	

Rule Reference	Activity Status	Relevant Standards	Comment
		<ul style="list-style-type: none"> (b) the activity must be undertaken only for as long as necessary to achieve its purpose; and (c) before the activity starts, a record must be made (for example, by taking photographs) of the original condition of any affected natural inland wetland's bed profile and hydrological regime that is sufficiently detailed to enable compliance with paragraph (d) to be verified; and (d) the bed profile and hydrological regime of the natural inland wetland must be returned to their original condition no later than 14 days after the start of the activity; and (e) if the activity is damming, the dam must be no higher than 600 mm; and (f) if the activity is a diversion that uses a pump, a fish screen with mesh spacing no greater than 3 mm must be used on the intake. 	
		<p>(6) In subclauses (3) and (4), 1% AEP floodplain means the area that would be inundated in a flood event of a size that has a 1% or greater probability of occurring in any one year.</p>	
<i>General condition: earth stability and drainage</i>			
		<p>(7) The general condition relating to earth stability and drainage is that the activity must not create or contribute to—</p> <ul style="list-style-type: none"> (a) the instability or subsidence of a slope or another land surface; or (b) the erosion of the bed or bank of any natural inland wetland; or (c) a change in the points at which water flows into or out of any natural inland wetland; or (d) a constriction on the flow of water within, into, or out of any natural inland wetland; or (e) the flooding or overland flow of water within, or flowing into or out of, any natural inland wetland. 	<p>The proposed land disturbance associated with restoration and riparian planting within 10m of natural inland wetlands will not result in any instability, erosion of the bed or bank, change in or constriction of water flows or the flooding or overland flow of water within, into or out of any natural inland wetland – subject to works being undertaken in accordance with the LEIMP.</p>
<i>General conditions: earthworks, land disturbance, and vegetation clearance</i>			
		<p>(8) The general conditions on earthworks, land disturbance, and vegetation clearance are as follows:</p> <ul style="list-style-type: none"> (a) during and after the activity, erosion and sediment control measures must be applied and maintained at the site of the activity to minimise adverse effects of sediment on natural inland wetlands; and (b) the measures must include stabilising or containing soil that is exposed or disturbed by the activity as soon as practicable after the activity ends; and (c) the measures referred to in paragraph (b) must remain in place until vegetation covers more than 80% of the site; and (d) if the activity is vegetation clearance, it must not result in earth remaining bare for longer than 3 months. 	<p>The proposed LEIMP sets out the methodology for planting and will ensure conditions (7)(a) – (d) are complied with (noting that any vegetation removal will be limited to pest plants). Proposed consent condition LUC14 will ensure the proposed works are undertaken in accordance with the LEIMP.</p>
<i>General conditions: vegetation and bird and fish habitats</i>			
		<p>(9) The general conditions relating to vegetation and bird and fish habitats are as follows:</p>	<p>The LEIMP sets out the species and spacing of plants and will ensure planting is appropriate to each natural inland wetland. Species selection has been undertaken based on ecological advice. The Ecological</p>

Rule Reference	Activity Status	Relevant Standards	Comment
		<ul style="list-style-type: none"> (a) only indigenous species that are appropriate to a natural inland wetland (given the location and type of the natural inland wetland) may be planted in it; and (b) the activity must not result in the smothering of indigenous vegetation by debris and sediment; and (c) the activity must not disturb the roosting or nesting of indigenous birds during their breeding season; and (d) the activity must not disturb an area that is listed in a regional plan or water conservation order as a habitat for threatened indigenous fish; and (e) the activity must not, during a spawning season, disturb an area that is listed in a regional plan or water conservation order as a fish spawning area. 	<p>Management Plan includes a Native Bird Management Plan and Bat Management Plan which will ensure the activity does not disturb the roosting or nesting of indigenous birds (or bats) during breeding season. The area is not listed in a regional plan or water conservation order as a fish spawning area.</p>
		<i>General condition: historic heritage</i>	
		(10) The general condition relating to historic heritage is that the activity must not destroy, damage, or modify a site that is protected by an enactment because of the site's historic heritage (including, to avoid doubt, because of its significance to Māori), except in accordance with that enactment.	<p>There is one recorded archaeological site within the Site along the coastal edge of Pāremoremo Creek (R10/831). The feature is identified on the LEEMP and proposed designation condition dES21 requires that No land disturbance (other than planting by hand) shall occur within 10 metres of archaeological feature R10/831 identified on Figure C LMEEP. These measures will protect this archaeological site from damage.</p>
		(11) In subclause (10), enactment includes any kind of instrument made under an enactment.	
		<i>General conditions: machinery, vehicles, equipment, and construction materials</i>	
		<p>(12) The general conditions on the use of vehicles, machinery, equipment, and materials are as follows:</p> <ul style="list-style-type: none"> (a) machinery, vehicles, and equipment used for the activity must be cleaned before entering any natural inland wetland (to avoid introducing pests, unwanted organisms, or exotic plants); and (b) machinery that is used for the activity must sit outside a natural inland wetland, unless it is necessary for the machinery to enter the natural inland wetland to achieve the purpose of the activity; and (c) if machinery or vehicles enter any natural inland wetland, they must be modified or supported to prevent them from damaging the natural inland wetland (for example, by widening the tracks of track-driven vehicles or using platforms for machinery to sit on); and (d) the mixing of construction materials, and the refuelling and maintenance of vehicles, machinery, and equipment, must be done outside a 10 m setback from any natural inland wetland. 	<p>The proposed LEIMP sets out the methodology for implementation of planting and ensures that planting within and within 10m of natural inland wetlands will comply with the matters set out in (12)(a) – (d). Planting within and around natural inland wetlands will be undertaken by hand.</p>
		<i>General conditions: miscellaneous</i>	
		<p>(13) The other general conditions are as follows:</p> <ul style="list-style-type: none"> (a) the activity must be undertaken only to the extent necessary to achieve its purpose; and (b) the activity must not involve the use of fire or explosives; and (c) if there is existing public access to a natural inland wetland, the activity must not prevent the public from continuing to access the natural inland wetland (unless that is required to protect the health and safety of the public or the persons undertaking the activity); and 	<p>The proposed replanting has been calculated carefully in accordance with industry standards, to ensure adequate offset and compensation for the loss of stream extent associated with the proposed watercourse works. Accordingly, the works will only be undertaken the extent necessary to achieve the purpose and will assist to restore and enhance the ecological values of the existing natural inland wetlands.</p> <p>There is currently no public access to the natural inland wetlands which are contained within the Auckland Prison site.</p>

Rule Reference	Activity Status	Relevant Standards	Comment
		(d) no later than 5 days after the activity ends,— (i) debris, materials, and equipment relating to the activity must be removed from the site; and (ii) the site must be free from litter.	The proposed replanting and associated land disturbance will not require explosives and the LEIMP will ensure sub-condition (13)(d) is complied with.
Subpart 2 – Reclamation of rivers			
57 Discretionary activities	Discretionary	1. Reclamation of the bed of any river is a discretionary activity. 2. A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first— (a) satisfied itself that there is a functional need for the reclamation of the river bed in that location; and (b) applied the effects management hierarchy.	The proposal involves the piping of 124m of Watercourse 1 and 114m of Watercourse 2. The functional need of the proposed piping of watercourses is set out in section 6.3.4.2 of the Substantive Application report. The effects management hierarchy has been applied in the development of the application. This is detailed in section 7.0 of the Ecological Effects Assessment, Appendix 3B and summarised in the Volume 3 report. Resource consent is required as a Discretionary activity .
Subpart 3 – Passage of fish affected by structures			
Culverts			
70 Permitted activities (3) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions.	Discretionary	(4) The conditions are that: (a) the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert; and (b) the culvert must be laid parallel to the slope of the bed of the river or connected area; and (c) the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and (d) the culvert's width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows: (i) where $w \leq 3$, $s \geq 1.3 \times w$; (ii) where $w > 3$, $s \geq (1.2 \times w) + 0.6$; and (e) the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert's diameter is below the level of the bed; and (f) the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and (g) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).	The proposal involves the placement of culverts in the bed of Watercourses 1 and 2. (a) The proposal including new culverts and pipes will impede fish passage at both Watercourses 1 and 2. (b) Both culverts will be laid parallel to the slope of the bed as much as practicable. (c) As set out in the Engineering Design Report (Appendix 3G), the mean cross-sectional velocity of both Watercourse 1 and Watercourse 2 (measured downstream of proposed pipes) is significantly less than the estimated velocities of the proposed pipes: <u>Watercourse 1:</u> <ul style="list-style-type: none"> • Existing = 0.76m/s and 0.49m/s for the 50% 2 year and 10% 2 year • Proposed = 2.8m/s and 1.7m/s for the 50% 2 year and 10% 2 year <u>Watercourse 2:</u> <ul style="list-style-type: none"> • Existing = 0.61m/s and 0.34m/s for the 50% 2 year and 10% 2 year • Proposed = 1.4m/s and 0.8m/s for the 50% 2 year and 10% 2 year (d) As set out in section 4.5 of the Engineering Design Report, the width of the proposed pipes has been considered. <u>Watercourse 1:</u>

Rule Reference	Activity Status	Relevant Standards	Comment
			<ul style="list-style-type: none"> • The width of Watercourse 1 concrete apron at the pipe outfall, w is 2.04m. The top of the 10% 2 Year flows in the pipe network is 0.78m. $1.3 \times 2.04 = 2.65$ m. <p><u>Watercourse 2:</u></p> <ul style="list-style-type: none"> • The width of Watercourse 2 concrete apron at the pipe outfall, w is 1.23m. The top width of the 10% 2 Year flows in the pipe network is 0.38m. $1.3 \times 1.60 = 2.65$m. <p>(e) The proposed pipe networks are not open bottom or embedded.</p> <p>(f) The bed substrate is not present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time.</p> <p>(g) The proposed pipe network provides continuity of geomorphic processes such as the movement of sediment and debris comparatively to the existing scenario.</p>
<p>71 Discretionary activities</p> <p>(1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2).</p>	<p>Discretionary</p>		<p>The proposed pipes will not comply with Regulation 70(4a) as both pipes and outlets will impede fish passage, which reduces the current passage available (within the currently open reaches of watercourse).</p> <p>The proposed pipes will not comply with Regulation 70(4)(c) as the mean cross-sectional velocity of both Watercourse 1 and Watercourse 2 (measured downstream of proposed pipes) is significantly less than the estimated velocities of the proposed pipes.</p> <p>The proposed pipes will not comply with Regulation 70(4)(d) as the culvert's width where it intersects with the bed of the river or connected area(s) and the width of the bed at that location (w), both measured in metres does not compare as set out in the permitted activity standard.</p> <p>The proposed pipes will not comply with Regulation 70(4)(e) as the proposed pipe networks are not open bottom or embedded.</p> <p>The proposed pipes will not comply with Regulation 70(4)(f) as the proposed pipe networks are not open bottom or embedded.</p> <p>Resource consent is required as a discretionary activity.</p>

Table 2: Planning Standards under the NES-CS

Rule Reference	Activity Status	Relevant Standards	Comment
5 Application – Land covered	No activity status specifically	<p>(7) The piece of land is a piece of land that is described by 1 of the following:</p> <ul style="list-style-type: none"> (a) an activity or industry described in the HAIL is being undertaken on it: (b) an activity or industry described in the HAIL has been undertaken on it: (c) it is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it. <p>(8) If a piece of land described in subclause (7) is production land, these regulations apply if the person wants to—</p> <ul style="list-style-type: none"> (a) remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land: (b) sample or disturb— <ul style="list-style-type: none"> (iii) soil under existing residential buildings on the piece of land: (iv) soil used for the farmhouse garden or other residential purposes in the immediate vicinity of existing residential buildings: (v) soil that would be under proposed residential buildings on the piece of land: (vi) soil that would be used for the farmhouse garden or other residential purposes in the immediate vicinity of proposed residential buildings: (c) subdivide land in a way that causes the piece of land to stop being production land: (d) change the use of the piece of land in a way that causes the piece of land to stop being production land. 	<p>As set out in the Detailed Site Investigation (the ‘DSI report’) prepared by Aurecon (see Appendix 3M), the areas of land surrounding Watercourses 1 and 2 were previously used for horticultural activities (HAIL A10). The areas of land in the vicinity of Watercourse 1, also appears to have previously been used for placement of fill material (HAIL I). While a watercourse is not a HAIL activity, there is the potential for contaminants of concern to occur in sediment / soil and water as a result of surrounding land use.</p> <p>Accordingly, the area of the Site subject to the proposed works is considered to meet the criteria of a “piece of land” under s5(7).</p> <p>The piece of land subject to the proposal is not currently being used as production land (s5(8)).</p>
5 Application – Land not covered	Applicable for Watercourse 1 Not applicable for Watercourse 2	<p>(9) These regulations do not apply to a piece of land described in subclause (7) or (8) about which a detailed site investigation exists that demonstrates that any contaminants in or on the piece of land are at, or below, background concentrations.</p>	<p>As above, the area of works subject to the application is considered to meet the criteria of a “piece of land” under s5(7).</p> <p>A DSI report is provided in Appendix 3M, which established a complete source-pathway-receptor (SPR) linkage for Watercourse 1 for asbestos and heavy metal analyte lead associated with established HAIL activities for Watercourse 1. This means soil analytical results for asbestos were detected above the human health criteria and lead analyte above the Auckland background soils concentration and environmental criteria.</p> <p>The DSI report demonstrates that for Watercourse 2, there is an incomplete SPR lineage meaning that soil analytical results were below the adopted Auckland background soil concentration and adopted human health, environmental criteria.</p> <p>Accordingly, the NES-CS applies to Watercourse 1 and does not apply to Watercourse 2.</p>
8(3) Disturbing Soil	Permitted	<p>(3) Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:</p> <ul style="list-style-type: none"> (a) controls to minimise the exposure of humans to mobilised contaminants must— <ul style="list-style-type: none"> i. be in place when the activity begins: ii. be effective while the activity is done: 	<ul style="list-style-type: none"> (a) An Earthworks and Contamination Management Plan (ECMP) to manage exposure to human health and the environment has been prepared to support the watercourse works. The ECMP details the soil/water handling and disposal requirements based on the findings of the DSI, any health and safety and mitigation controls, including protocol for ‘trace asbestos contamination’ and ‘unexpected contamination discovery’. (Refer to Appendix 3H) (b) The watercourse works shall be reinstated to an erosion free state on completion of works.

Rule Reference	Activity Status	Relevant Standards	Comment
		<ul style="list-style-type: none"> iii. be effective until the soil is reinstated to an erosion-resistant state: (b) the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done: (c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m³ per 500 m²: (d) soil must not be taken away in the course of the activity, except that,— <ul style="list-style-type: none"> i. for the purpose of laboratory analysis, any amount of soil may be taken away as samples: ii. for all other purposes combined, a maximum of 5 m³ per 500 m² of soil may be taken away per year: (e) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind: (f) the duration of the activity must be no longer than 2 months: (g) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised. 	<ul style="list-style-type: none"> (c) Given earthworks over an indicative area of approximately 2,000 m² and total volume of approximately 2,500 m³ for Watercourse 1 is anticipated, this exceeds the 25 m³ per 500 m² threshold. (d) Given the presence of asbestos contamination above human health requires soil removal and disposal as part of the riparian vegetation stripping it is unlikely to meet the 5 m³ per 500 m² of soil may be taken away per year threshold. (e) Soil disposal requirements have been included in the ECMP (Refer to Appendix 3H). (f) The duration of the activity has been conservatively estimated as to occur over approximately a 2–3-month period with earthworks occurring over approximately a 1–2-month period. (g) Watercourse 1 does not comply with the volume of disturbance of the soil, soil taken away from the Site, and duration of the activity as described in permitted activity 8(3).
<p>9(1) <i>Removing or replacing fuel storage system, sampling soil, or disturbing soil.</i></p>	Controlled	<p>(1) If a requirement described in any of regulation 8(1) to (3) is not met, the activity is a controlled activity while the following requirements are met:</p> <ul style="list-style-type: none"> (a) a detailed site investigation of the piece of land must exist: (b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7: (c) the consent authority must have the report: (d) conditions arising from the application of subclause (2), if there are any, must be complied with. 	<p>The DSI has established that soil contamination for some localised areas on the western embankment Watercourse 1 exceeds applicable standards in regulation 7 (asbestos and lead). Accordingly, the proposal does not meet the controlled activity standards under Regulation 9 and must be assessed under Regulation 10.</p>
<p>10 <i>Restricted discretionary activities</i></p>	Restricted discretionary	<p>(2) The activity is a restricted discretionary activity while the following requirements are met:</p> <ul style="list-style-type: none"> (a) a detailed site investigation of the piece of land must exist: (b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7: (c) the consent authority must have the report: (d) conditions arising from the application of subclause (3), if there are any, must be complied with. 	<p>A DSI has been prepared in accordance with MfE CLMG No. 1 Guidelines (refer to Appendix 3H).</p> <p>The DSI (refer to the Conceptual site model in Section 5 of Appendix 3H) has established soil contamination for Watercourse 1 exceeds the applicable standards in regulation 7.</p> <p>The DSI report is provided in Appendix 3H.</p> <p>The proposal incorporates the recommended ECMP within proposed condition LUC11 which requires which requires works be undertaken in accordance with the ECMP.</p> <p>Resource consent is required as a Restricted discretionary activity for Watercourse course 1.</p>

Table 3: Planning provisions under the Auckland Unitary Plan

Activity	Activity Status	Relevant Standards	Comment
<p>General standards Any activity within Chapter E3 identified as permitted in the list below must also comply with the general standards</p>	Permitted	<p>E3.6.1.1. General standards</p> <p>(1) The activity must not, after reasonable mixing, result in any of the following effects in receiving waters:</p> <ul style="list-style-type: none"> (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of fresh water unsuitable for consumption by farm animals; and (e) any significant adverse effects on aquatic life. <p>(2) The activity must not result in an increase of existing flood levels up to and including the 1 per cent annual exceedance probability (AEP) flood plain on land or structures other than that owned or controlled by the person undertaking the activity.</p> <p>(3) The activity must not result in more than minor erosion or land instability.</p> <p>(4) Machinery must not sit directly on the wetted cross-section of the bed at the time of the work.</p> <p>(5) Explosives must not be used in the bed.</p> <p>(6) Mixing of construction materials and refuelling or maintenance of equipment must not occur within 10m of the bed and best site management practice must be used to avoid contaminant discharging into the water.</p> <p>(7) The activity must not destroy, damage or modify any sites scheduled in the Historic Heritage Overlay or the Sites and Places of Significance to Mana Whenua Overlay.</p> <p>(8) The activity must not prevent public access along the lake, river, stream or wetlands.</p>	<p>(1) The proposed works will be undertaken in accordance with the construction methodology identified in section 5 of the Engineering Design Report prepared by Aurecon and the erosion and sediment control plan identified in Appendix F of the Engineering Design Report prepared by Aurecon. Accordingly, it is anticipated that the activity will comply with E3.6.1.1(1).</p> <p>(2) The proposed pipe at Watercourse 1 has been designed to accommodate a 100-year ARI event, and the proposed pipe at Watercourse 2 has been design to accommodate the 10-year ARI event, with overland flow path designed to convey the 100-year ARI event. Accordingly, the proposal will not result in flooding on any property not subject to this application.</p> <p>(3) The proposal will not result in any erosion or land instability subject to the implementation of the recommendations set out by Aurecon in the construction methodology and erosion and sediment control plan (Appendix 3G).</p> <p>(4) No machinery is proposed to sit directly on the wetted cross-section of the bed during construction as per the construction methodology in the Engineering Design Report (section 5, Appendix 3G).</p> <p>(5) No explosives are proposed to be used.</p> <p>(6) Mixing of construction materials and refuelling or maintenance of equipment will occur beyond 10m from the stream beds.</p> <p>(7) No works are proposed in any Historic Heritage Overlay or Sites and Places of Significance to Mana Whenua Overlay.</p> <p>(8) Due to security reasons there is already no public access enabled around the streams. Accordingly, the proposal will maintain the status quo.</p> <p>The proposal meets the permitted activity standards.</p>
Works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water			
<p>(A23) Replacement, upgrading or extension of existing structures complying with the standards in E3.6.1.12</p>	Permitted	<p>E3.6.1.1. General standards</p> <p>E3.6.1.12. Works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for the replacement, upgrading or extension of structures</p> <p>(1) The activity must comply with the standards in E3.6.1.10 above.</p>	<p>The proposal includes compensation works at Watercourse 6 which includes the replacement of the existing culvert to provide for fish passage.</p> <p>E3.6.1.1; E3.6.1.10; E3.6.12</p> <p>The proposal will be designed in accordance with proposed consent condition LUC16 and designed to ensure compliance with the relevant permitted activity standards.</p> <p>The proposed activity meets the permitted activity standards.</p>

Activity	Activity Status	Relevant Standards	Comment
		<p>(2) Structure length must comply with all of the following requirements:</p> <ul style="list-style-type: none"> (a) the total length of any extended structure must not exceed 30m measured parallel to the direction of water flow. This includes the length of any existing structure and the proposed extension but excludes erosion or scour management works; and (b) any required erosion or scour management works must not exceed 5m in length, either side of the extended structure. Such works protruding into the bed do not require a separate consent as they are authorised under this rule. <p>(3) Construction material and ancillary structures must be removed from the bed following completion of the activity.</p> <p>(4) Other than provided for by another rule, the activity must not increase the height or storage capacity of any existing dam.</p> <p>(5) The structure must not prevent the passage of fish upstream and downstream in waterbodies that contain fish.</p> <p>(6) Temporary restrictions to fish passage may occur to enable construction work to be carried out.</p> <p>E3.6.1.10. Standards for works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water</p> <p>(1) All works on existing structures must comply with all of the following standards:</p> <ul style="list-style-type: none"> (a) during the activity bed disturbance upstream or downstream of the structure must not exceed 10m either side, excluding the length of the structure; (b) best practice erosion and sediment control measures must be used to minimise any discharge of sediment, including sediment impounded behind an existing structure; (c) debris or other material must not be re-deposited elsewhere in the bed of the lake, river or stream, or within the one per cent annual exceedance probability (AEP) flood plain; (d) the activity must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream; and (e) the activity must not compromise the structural integrity of the structure. 	

Activity	Activity Status	Relevant Standards	Comment
New structures and the associated bed disturbance or depositing any substance, reclamation, diversion of water and incidental temporary damming of water			
(A39) Stormwater or wastewater outfall complying with the standards in E3.6.1.14	Discretionary activity pursuant to E3.4.1(A44)	<p>E3.6.1.1. General standards</p> <p>E3.6.1.14. Standards for new structures and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water</p> <p>(1) Structure length must comply with all of the following:</p> <ul style="list-style-type: none"> (a) the total length of any extended structure must not exceed 30m measured parallel to the direction of water flow. This includes the length of any existing structure and the proposed extension but excludes erosion or scour management works; (b) any required erosion or scour management works must not exceed 5m in length, either side of the extended structure. Such works protruding into the bed do not require a separate consent as they are authorised under this rule; and (c) a new structure must not be erected or placed in individual lengths of 30m or less where this would progressively encase or otherwise modify the bed of a river or stream. <p>(2) During construction bed disturbance upstream or downstream of the structure must not exceed 10m either side, excluding the length of the structure.</p> <p>(3) The structure must not prevent the passage of fish upstream and downstream in waterbodies that contain fish, except that temporary restrictions to fish passage may occur to enable construction work to be carried out.</p> <p>(4) The structure must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream.</p> <p>(5) Construction material and ancillary structures must be removed from the bed following completion of the activity.</p> <p>(6) Other than provided for by another rule, the activity must not increase the height or storage capacity of any existing dam.</p> <p>(7) The 1per cent annual exceedance probability (AEP) flood shall be accommodated by the structure and/or by an overland flow path without increasing flood levels up stream or downstream of the structure, beyond the land or structures owned or controlled by the person undertaking the activity.</p> <p>Calculation of flow rates will be made using the Auckland Council Technical Publication 108: Guideline for stormwater runoff modelling in the Auckland Region, April 1999.</p>	<p><u>E3.6.1.1:</u> The proposal will comply with General Standards as set out above.</p> <p><u>E3.6.1.14:</u></p> <p>(1)</p> <ul style="list-style-type: none"> (a) The proposed piping exceeds 30m in length at both Watercourse 1 (124m) and Watercourse 2 (114m). (b) 8m of riprap is proposed at the outlet of Watercourse 1, exceeding the maximum 5m length of erosion or scour management works by 3m. 4m of riprap is proposed at the outlet of Watercourse 2, which complies with the maximum 5m length of erosion and scour management works. (c) As set out in the Engineering Design Report, the proposed pipes will be installed in 8m segments. <p>(2) As set out in the Engineering Design Report, trenches for the pipe installation shall not exceed 8m</p> <p>(3) The proposal will impede fish passage in Watercourse 1 and Watercourse 2. As set out in section 3.4 of Volume 3 of the Substantive Application.</p> <p>(4) The proposed pipes, outlet and riprap will ensure any bed erosion, scouring or undercutting is less than minor.</p> <p>(5) As set out in the Engineering Design Report prepared by Aurecon (Appendix 3G of the substantive application) all construction material and ancillary structures will be removed from the bed following completion of the activity.</p> <p>(6) The proposal will not result in the increase in height or storage capacity of Pond 1 or 2.</p> <p>(7) As set out in the Engineering Design Report prepared by Aurecon, the Watercourse 1 pipe has been designed to accommodate a 100 year ARI event and the Watercourse 2 pipe has been designed to accommodate a 10-year ARI event, with provision for overland flow to the 100-year event.</p> <p>Resource consent is required as a discretionary activity pursuant to E3.4.1(A44)</p>
(A44) Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific	Discretionary		The proposal does not comply with E3.6.1.14(2)(a) as the proposed piping exceeds 30m in length at both Watercourse 1 (124m) and Watercourse 2 (114m).

Activity	Activity Status	Relevant Standards	Comment
activity standards in E3.6.1.14 to E3.6.1.23			The proposal does not comply with E3.6.1.14(2)(b) as the riprap outlet at Watercourse 1 is proposed to be 8m in length, which exceeds the permitted 5m erosion and scour management length enabled. The proposal does not comply with E3.6.1.14(3) as fish passage will be impeded in Watercourses 1 and 2. Resource consent is required as a discretionary activity .
Reclamation and drainage and associated structures, bed disturbance or depositing any substance, diversion of water, incidental temporary damming of water, and discharges arising from the piping of a reclaimed waterbody associated with the following			
(A49) New reclamation or drainage, including filling over a piped stream	Non-complying		The proposal involves the extension of the existing pipe networks, and involves the filling over of streams with pipe extensions. Resource consent is required as a non-complying activity .
Chapter E7 Taking using damming and diversion of water and drilling			
Diverting surface water and associated discharge of water			
(A13) Diverting surface water not meeting the permitted activity standards or not otherwise listed	Discretionary		The temporary diversion of surface water is proposed at both Watercourses 1 and 2 during construction works through the construction of a flow diversion channel. The flow diversion channel will be filled in / removed following completion of earthworks. Temporary diversion during construction is not a listed activity. Resource consent is required as a discretionary activity .
Take and use of groundwater			
(A14) Up to 5m ³ /day when averaged over any consecutive 20-day period	Discretionary	E7.6.1.3. Take and use of groundwater up to 5m³ /day when averaged over any consecutive 20-day period (1) The groundwater take must not be geothermal water, unless it is for a purpose specified in section 14(3)(c) of the Resource Management Act 1991. (2) The groundwater take must not be from the Omaha Waitematā High-Use Aquifer Management Area (refer to Table D1.3.1 High-use aquifer management areas). (3) The groundwater take must not be for the purpose of dewatering or groundwater level control. (4) Notice on the prescribed form must be received by the Council 15 working days before undertaking this permitted activity.	Watercourse 1: <ul style="list-style-type: none"> Take is for dewatering Proposed daily abstraction rate: 8m³ (8000litres), while works will occur over a 25 day period, this is non-consecutive as no construction or dewatering will occur on Sundays or public holidays. Watercourse 2: <ul style="list-style-type: none"> Take is for dewatering Proposed daily abstraction rate: 4m³ (4000litres) within a 20 day period (non-consecutive) no construction or dewatering will occur on Sundays or public holidays. Resource consent is required as a discretionary activity pursuant to E7.4.1(A26).
(A17) Dewatering or groundwater level control associated with a groundwater diversion permitted under the Unitary Plan	Permitted	E7.6.1.6. Dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10, all of the following must be met: (1) The water take must not be geothermal water; (2) The water take must not be for a period of more than 10 days where it occurs in peat soils, or 30 days in other types of soil or rock; and (3) The water take must only occur during construction.	E7.6.1.6. The proposal does not relate to geothermal water. The groundwater water at Watercourse 1 is proposed to be for a maximum of a 25 day period, and 20 days is proposed at Watercourse 2. As identified in Aurecon's Engineering Design Report (Appendix 3G), ground investigations indicate sands and silt soils. The groundwater take is only proposed to occur during construction. The proposal complies with E7.6.1.10 as set out below.

Activity	Activity Status	Relevant Standards	Comment
		<p>E7.6.1.10. Diversion of groundwater caused by any excavation, (including trench) or tunnel</p> <p>(1) All of the following activities are exempt from the Standards E7.6.1.10(2) – (6):</p> <ul style="list-style-type: none"> (a) pipes cables or tunnels including associated structures which are drilled or thrust and are up to 1.2m in external diameter; (b) pipes including associated structures up to 1.5m in external diameter where a closed faced or earth pressure balanced machine is used; (c) piles up to 1.5m in external diameter are exempt from these standards; (d) diversions for no longer than 10 days; or (e) diversions for network utilities and road network linear trenching activities that are progressively opened, closed and stabilised where the part of the trench that is open at any given time is no longer than 10 days. <p>(2) Any excavation that extends below natural groundwater level, must not exceed:</p> <ul style="list-style-type: none"> (a) 1ha in total area; and (b) 6m depth below the natural ground level. <p>(3) The natural groundwater level must not be reduced by more than 2m on the boundary of any adjoining site.</p> <p>(4) Any structure, excluding sheet piling that remains in place for no more than 30 days, that physically impedes the flow of groundwater through the site must not:</p>	<p><u>E7.6.1.10.</u></p> <p>Watercourse 1:</p> <ul style="list-style-type: none"> • Proposed pipe has an external diameter of 1.74m • Excavation depth of 1.5m • Due to the localised nature of dewatering, the natural groundwater level on adjoining sites will not be reduced • To minimise impacts on groundwater flow, excavation shall be limited to a maximum length of 8m at any one time. No structures required for excavation will extend more than 1.5m below natural groundwater level. • Nearest structure is approximately 40m away • The excavation is not located near any wetland management area overlay, historic heritage overlay or near any existing water take. <p>Watercourse 2:</p> <ul style="list-style-type: none"> • Proposed pipe has an external diameter of 872mm • Maximum depth of excavation is 1.5m • Due to the localised nature of dewatering, the natural groundwater level on adjoining sites will not be reduced • To minimise impacts on groundwater flow, excavation shall be limited to a maximum length of 8m at any one time. No structures required for excavation will extend more than 1.5m below natural groundwater level. • Nearest structure is 25m away <p>The proposal is a Permitted activity.</p>
(A26) Take and use of groundwater not meeting the permitted activity or restricted discretionary activity standards or not otherwise listed	Discretionary	<ul style="list-style-type: none"> (a) impede the flow of groundwater over a length of more than 20m; and (b) extend more than 2m below the natural groundwater level. <p>(5) The distance to any existing building or structure (excluding timber fences and small structures on the boundary) on an adjoining site from the edge of any:</p> <ul style="list-style-type: none"> (a) trench or open excavation that extends below natural groundwater level must be at least equal to the depth of the excavation; (b) tunnel or pipe with an external diameter of 0.2 - 1.5m that extends below natural groundwater level must be 2m or greater; or (c) a tunnel or pipe with an external diameter of up to 0.2m that extends below natural groundwater level has no separation requirement. 	<p>Groundwater takes at both Watercourse 1 and 2 are for dewatering, therefore the proposal does not meet the permitted activity standard E7.6.1.6(6).</p> <p>The proposed groundwater take for Watercourse 1 are expected to involve 8m³/ day over a non-consecutive 25 day period. Accordingly, the proposed groundwater take does not comply with E7.4.1(A14).</p> <p>Resource consent is required as a Discretionary activity.</p>

Activity	Activity Status	Relevant Standards	Comment
		<p>(6) The distance from the edge of any excavation that extends below natural groundwater level, must not be less than:</p> <ul style="list-style-type: none"> (a) 50m from the Wetland Management Areas Overlay; (b) 10m from a scheduled Historic Heritage Overlay; or (c) 10m from a lawful groundwater take. 	
(A27) Diversion of groundwater caused by any excavation (including trench) or tunnel	Permitted	<p>E7.6.1.10. Diversion of groundwater caused by any excavation, (including trench) or tunnel</p> <p>See above</p>	<p>The proposal meets the relevant standards in E7.6.1.10. See above.</p> <p>The proposal is a Permitted activity</p>
(A32) Temporary dams	Permitted	<p>E7.6.1.11. Damming water – all dams</p> <ul style="list-style-type: none"> (1) The dam embankment, outlets, spillways and associated structures must be designed, constructed, operated and maintained to ensure they are structurally sound, pose no undue risk to life, property or the natural environment, and are able to perform satisfactorily under all foreseeable circumstances. (2) The damming of water must not result in the loss, degradation or permanent flooding of any natural wetland in a range of flood events except for wetland enhancement, maintenance or restoration. (3) The dam must not result in significant adverse effects on flows or ecology within permanent or intermittent rivers or streams. (4) The dam structure must be no greater than 4m high when measured vertically from the downstream toe of the dam embankment to the highest point of the dam crest. (5) The dammed water must not adversely raise sub-surface or surface water levels or adversely impede drainage on adjacent properties. (6) The dam must be designed, constructed, operated and maintained with a flood spillway to pass a 100-year ARI flood event without overtopping the dam crest (see note 1 and 2 below) except for as provided for in Standard E7.6.1.11(7) below. (7) Dams for the purposes of stormwater management or flood control that are: <ul style="list-style-type: none"> (a) designed by a suitably qualified and experienced person; and (b) constructed, operated and maintained to pass the design flow; and (c) designed to allow for resilient failure during over-design events. (8) All spillways and bypass arrangements must be constructed, terminated and maintained to minimise erosion, and the 	<p>The proposal involves the use of temporary coffer dams during construction.</p> <p>E7.6.1.11</p> <p>The proposed coffer dams will be designed, constructed, operated and maintained in accordance with best practice and GD05 Guidelines. Accordingly, they will be structurally sound, pose no risk and will be able to perform satisfactorily under all foreseeable circumstances.</p> <p>There are no natural wetlands in the proximity of the proposed works and given the scale and localised nature of the dams, there will be no impacts on any natural wetlands.</p> <p>The temporary coffer dams are proposed to divert the base flow to a diversion channel. Localised pumping is proposed to dewater the localised excavation. Due to the localised staging of works and diversion, it is considered that the dams will not result in significant adverse effects on flows or ecology.</p> <p>The proposed coffer dams will be a maximum of 2m in height.</p> <p>Given the localised staging of works, the dammed water will not adversely raise sub-surface or surface water levels or adversely impede drainage of adjacent properties.</p> <p>As set out in the Engineering Design Report, it is proposed that the temporary diversions are sized to convey the 5% AEP (1 in 20 year) peak flows, in accordance with Section G4.2.3 of GD05, with provision for overflows for events up to the 100 year event.</p> <p>The proposed coffer dams will be designed by a suitable qualified and experienced person; and will be constructed, operated and maintained to pass design flow and to allow for resilient failure during over-design events.</p> <p>The proposed coffer dams are not related to stormwater management or flood control.</p> <p>The proposed coffer dams will be constructed in accordance with best practice and as such spillways and bypass arrangements will be constructed, terminated and maintained to minimise erosion, and the spillway(s) entry will be designed to remain free of debris at all times.</p>

Activity	Activity Status	Relevant Standards	Comment
		<p>spillway(s) entry must be designed to remain free of debris at all times</p> <p>(9) Trees or vegetation which could weaken the dam stability or prevent inspection of the dam embankment must not be allowed to grow on or near the embankment.</p> <p>(10) Stock must not be allowed to damage the crest and faces of the dam.</p> <p>(11) The dam structure and spillway must be inspected at least once every 12 months and following any operation of the flood spillway. Any damage recorded at times of inspecting, or noticed at any other time, must be remedied as soon as practicable.</p> <p>E7.6.1.14. Damming water - Temporary dams</p> <p>(1) All applications must meet the standards in E7.6.1.11 above.</p> <p>(2) The temporary dam must be for diverting flow around works in the bed of the river or stream.</p> <p>(3) Provision must be made for flows up to and including the 20-year average rain index (ARI) event to bypass the temporary dam with the bypass flow being returned to the bed of the river downstream of the dam.</p> <p>(4) The temporary dam must be constructed in accordance with best practice methods.</p> <p>(5) The temporary dam must be removed as soon as is practicable and no later than two weeks following completion of the works.</p>	<p>The proposal involves the removal of riparian vegetation, however it is noted that there are no trees immediately along the streambanks of Watercourse 1 or 2.</p> <p>No stock are kept on those parts of the site subject to the proposed works.</p> <p>The proposed works are anticipated to be completed within a 2-3 month period and the coffer dams will be removed once construction works are complete.</p> <p>E7.6.1.14</p> <p>The proposal complies with E7.6.1.11.</p> <p>The proposed coffer dams are for diverting flow around works in the watercourses.</p> <p>It is proposed that the temporary diversions are sized to convey the 5% AEP (1 in 20 year) peak flows, in accordance with Section G4.2.3 of GD05.</p> <p>The proposed coffer dams will be designed, constructed, operated and maintained in accordance with best practice.</p> <p>The proposed coffer dams are proposed to be removed as soon as works are completed.</p> <p>The proposal meets the permitted activity standards.</p>
Diversion and discharge of stormwater runoff from impervious areas onto or into land or into water or to the coastal marine area pursuant to sections 14 and 15 of the Resource Management Act 1991 [rcp/rp]			
<p>(A3) Diversion and discharge of stormwater runoff from lawfully established impervious areas as of 30 September 2013 not directed to a stormwater network or a combined sewer network that complies with Standard E8.6.1 and Standard E8.6.2.2</p>	<p>Permitted for compliance with other standards</p> <p>(Notwithstanding Discretionary activity status pursuant to E8.4.1(A10)) because the proposal will result in the relocation of the existing discharge points for both Watercourses 1 and 2 and therefore does not comply with E8.2.2(4) (a technical infringement).</p>	<p>E8.6.1. General standards</p> <p>All permitted activities, controlled activities and restricted discretionary activities listed in Table E8.4.1 Activity table must meet the following standards, except for activity E8.4.1(A1) Stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network.</p> <p>(1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater matters.</p> <p>(2) The diversion and discharge must not cause or increase scouring or erosion at the point of discharge or downstream.</p> <p>(3) The diversion and discharge must not result in or increase the following:</p>	<p>(1) There is no precinct plan relevant to the subject site.</p> <p>(2) The proposed pipes, outfall structures and rip rap have been designed to minimise the risk of scouring or erosion.</p> <p>(3) The pipe at Watercourse 1 is proposed to be 1,500mm in diameter and at Watercourse 2 is proposed to be 750mm in diameter. The Watercourse 1 pipe has been designed to convey the 100-year ARI event. The pipe at Watercourse 2 is designed to accommodate the 10-year ARI due to the smaller catchment and likely increase in future development which will require additional upgrades. As set out in the Engineering Design Report, there is a negligible increase in flooding downstream as a result of the piping of Watercourse 1 and no impact on flooding as a result of piping of Watercourse 2. Due to the sufficient capacity of both pipes, there will be no inundation of buildings on other properties as a result of the proposal.</p> <p>(4) As above, the pipes have been designed to accommodate sufficient capacity for stormwater run-off and will not result in any nuisance or damage to other properties.</p>

Activity	Activity Status	Relevant Standards	Comment
		<ul style="list-style-type: none"> (a) flooding of other properties in rainfall events up to the 10 per cent annual exceedance probability (AEP); or (b) inundation of buildings on other properties in events up to the 1 per cent annual exceedance probability (AEP). (4) The diversion and discharge must not cause or increase nuisance or damage to other properties. (5) The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water: <ul style="list-style-type: none"> (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of fresh water unsuitable for consumption by farm animals; or (e) any significant adverse effects on aquatic life. (6) Where the diversion and discharge is to ground soakage, groundwater recharge or peat soil areas any existing requirements for ground soakage, including devices to manage discharges or soakage, must be complied with. 	<ul style="list-style-type: none"> (5) The proposed conditions recommend an operation and management plan for the on-going maintenance and operation of the pipe network and discharge points. This will ensure there are no adverse water quality effects or adverse environmental effects as a result of the proposed diversion and discharge of stormwater runoff. (6) Diversion and discharge is primarily to the existing and proposed pipe network. <p>E8.6.2.2.</p> <ul style="list-style-type: none"> (1) and (2) There is no change to land use or impervious area as a result of the proposed works. Future increases in impervious area will be managed through the resource consent process. (3) The proposed construction will not be undertaken in any road ancillary area. (4) The proposed works will result in a change to existing discharge points at Watercourses 1 and 2. <p>Resource consent is required as a discretionary activity pursuant to E8.4.1(A10).</p>
(A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Discretionary	<p>E8.6.2.2. Diversion and discharge of stormwater runoff from lawfully established impervious areas as at 30 September 2013 not directed to a stormwater network or a combined sewer network</p> <ul style="list-style-type: none"> (1) As a result of a new land use activity, a change in land use or the removal of existing stormwater management measures, stormwater flows and volumes from the existing impervious areas must not be increased above those that would result from lawfully established impervious areas existing as of 30 September 2013. (2) As a result of a new land use activity, a change in land use or the removal of existing stormwater treatment measures the concentration and load of contaminants in stormwater flows from existing impervious areas must not be increased above those that would result from lawfully established impervious areas existing as of 30 September 2013. (3) Any road ancillary area must not be used for: <ul style="list-style-type: none"> (a) storage of roading and building materials that are not inert for more than 30 days continuously; or (b) works / building yards. 	<p>The proposal will result in the relocation of the existing discharge points for both Watercourses 1 and 2.</p> <p>Resource consent is required as a Discretionary activity.</p>

Activity	Activity Status	Relevant Standards	Comment
		(4) Any existing stormwater management devices must not be reduced, and the location of the discharge must not change.	
E11 Land disturbance – Regional			
Table E11.4.1 Activity table – all zones and roads			
(A9) Greater than 2,500m ² within the Sediment Control Protection Area	Restricted Discretionary	<p>E11.6.1. Accidental discovery rule</p> <p>(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.</p> <p>E11.6.2. General standards</p> <p>(1) All activities (except ancillary farming earthworks, ancillary forestry earthworks and network utilities) listed as a permitted activity, controlled activity or restricted discretionary activity in Table E11.4.1, E11.4.2 or E11.4.3 must comply with the following permitted activity standards.</p> <p>(a) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters:</p> <p>(b) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p> <p>(c) (b) any conspicuous change in the colour or visual clarity;</p> <p>(d) any emission of objectionable odour;</p> <p>(e) the rendering of fresh water unsuitable for consumption by farm animals; or</p> <p>(f) any significant adverse effects on aquatic life.</p> <p>(2) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.</p> <p>(3) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.</p> <p>(4) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time.</p> <p>(5) Only cleanfill material may be imported and utilised as part of the land disturbance.</p> <p>(6) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within</p>	<p>An Archaeological Authority is being sought which will apply to the proposed earthworks (and the Designation works). Accordingly, the proposal will meet E11.6.1.</p> <p>E11.6.2</p> <p>(1) The proposed erosion and sediment control plan has been designed in accordance with GD05. Accordingly, subject to the implementation of erosion and sediment control measures in accordance with that plan, there will be no adverse effects on water quality and no discharge of sediment laden water.</p> <p>(2) The proposed erosion and sediment control plan has been designed in accordance with GD05</p> <p>(3) The proposed excavations will be done in accordance with the proposed erosion and sediment control plan, which is based on GD05. All sediment laden water will be treated through a dewatering treatment tank and silt sock turkey's nest in accordance with best practice.</p> <p>(4) As set out in by Aurecon in the Engineering Design Report, works associated with laying of the pipe will be undertaken in 8m sections and excavations will be filled in and stabilised at the end of each week.</p> <p>(5) Only cleanfill material is proposed to be imported and used in the filling in of excavations.</p> <p>(6) There are no Kauri trees in the immediate vicinity of the proposed area of works.</p> <p>Resource consent is required as a restricted discretionary activity.</p>
(A14) The temporary diversion and damming of surface water and the discharge of treated sediment laden water from any land disturbance allowed by a land use consent in the above tables	Permitted, subject to meeting the standards.		<p>The proposal involves temporary diversion and damming of surface water through the use of coffer dams and a diversion channel. Sediment laden water will be treated via a dewatering settlement tank and a silt sock 'turkeys nest'. The proposed erosion and sediment control plan has been designed in accordance with GD05 and the proposal meets the standards of E11.6.1 and E.11.6.2. The works will be allowed via a land use consent under E11.4.1(A9).</p> <p>The proposal meets the permitted activity standards.</p>

Activity	Activity Status	Relevant Standards	Comment
		<p>3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.</p> <p>(7) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Significant Ecological Areas Overlay shall be limited to the area of earth previously disturbed or modified.</p> <p>(8) Earthworks associated with a temporary activity within the Significant Ecological Areas Overlay shall be limited to the area of earthwork previously disturbed or modified.</p>	
Chapter E15			
Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules			
All zones outside the RUB			
(A10) Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250m ² of indigenous vegetation that: (a) is contiguous vegetation on a site or sites existing on 30 September 2013; and (b) is outside the rural urban boundary	Restricted discretionary	<p>E15.6.A1. General standards</p> <p>The following standards apply to all permitted, controlled or restricted discretionary activities.</p> <p>(1) All kauri material (including sawdust and woodchips) must be retained within 3 times the radius of the canopy drip line of the tree or disposed of to an approved landfill facility.</p> <p>E15.6.8 Vegetation alteration or removal undertaken within the 100-year ARI floodplain</p> <p>(1) Vegetation alteration or removal must ensure that erosion control measures associated with vegetation removal and replanting, such as mulch or bark, are not able to be swept off-site in a flood event.</p>	<p>The proposal involves the removal of approximately 2179m² of vegetation surrounding Watercourse 2, which is understood to have existed prior to 2013. The subject site is located outside the rural urban boundary.</p> <p>The proposal also involves the removal of 3,945m² of riparian vegetation surrounding Watercourse 1, however this vegetation was established in 2017 as part of upgrades to the stormwater management network, including the construction of Pond 1.</p> <p>There are no kauri trees identified on the subject site and no kauri trees are proposed to be removed as part of this application.</p> <p>It is proposed land shall be reinstated using hydroseed. Erosion and sediment control measures will remain in place until the hydroseed is established.</p>
Riparian areas			
(A16) Vegetation alteration or removal within 20m of rural streams, other than those in Rural – Rural Production Zone and Rural – Mixed Rural Zone	Restricted discretionary	<p>E15.6.A1. General standards</p> <p>The following standards apply to all permitted, controlled or restricted discretionary activities.</p> <p>(1) All kauri material (including sawdust and woodchips) must be retained within 3 times the radius of the canopy drip line of the tree or disposed of to an approved landfill facility.</p> <p>E15.6.8 Vegetation alteration or removal undertaken within the 100-year ARI floodplain</p> <p>(1) Vegetation alteration or removal must ensure that erosion control measures associated with vegetation removal and replanting, such as mulch or bark, are not able to be swept off-site in a flood event.</p>	<p>The proposal involves the removal of riparian vegetation within 20m of Watercourse 1 and Watercourse 2 which are considered 'rural streams'.</p> <p>There are no kauri trees identified on the subject site and no kauri trees are proposed to be removed as part of this application.</p> <p>It is proposed land shall be reinstated using hydroseed or for the northern portion of watercourse 2, planted in accordance with the LMEEP. Erosion and sediment control measures will remain in place until the hydroseed is established.</p>

Activity	Activity Status	Relevant Standards	Comment
Chapter E30 Contaminated Land			
Table E30.4.1 Activity table			
(A2) Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants	Permitted, if it meets the standards	<p>E30.6.1.2. Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants</p> <p>(1) The volume of soil disturbed must not exceed:</p> <ul style="list-style-type: none"> (a) 200m³ per site; or (b) 200m³ per project for sites or roads with multiple concurrent land disturbance projects, where the cumulative total volume of soil disturbance associated with each given project will be used when determining activity status; or (c) an average depth and width of 1m for linear trenching by network utilities in the road or rail corridor. For the purpose of this rule the railway corridor does not include land more than 10m from the rail tracks. <p>(2) Prior to the activity commencing:</p> <ul style="list-style-type: none"> (a) the Council must be advised of the activity in writing if the volume of soil disturbed on land containing elevated levels of contaminants exceeds 25m³, including details of the measures and controls to be implemented to minimise discharges of contaminants to the environment, and such controls are to be effective for duration of the activity and until the soil is reinstated to an erosion-resistant state; and (b) controls on linear trenching must be implemented to manage discharges to the environment from trenches acting as migration pathways for contaminants. <p>(3) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons.</p> <p>(4) The duration of soil disturbance on a site must not exceed two months.</p> <p>(5) Any contaminated material removed from the site must be disposed of at a facility or site authorised to accept such materials.</p>	<p>The DSI (Appendix 3M) identifies that the land subject to earthworks surrounding Watercourse 1 contains elevated levels of contaminants but that contamination at Watercourse 2 is within acceptable levels. Accordingly, E30.4.1(A2) and E30.6.1.2 only apply to Watercourse 1.</p> <p>The proposed earthworks at Watercourse 1 are approximately 2,500m³ which exceeds the permitted soil disturbance volume of 200m³.</p>
(A4) Discharges of contaminants into air, or into water, or onto or into land from land not used for rural production activities	Permitted, if it meets the standards	<p>E30.6.1.4. Discharges of contaminants into air, or into water, or onto or into land from land not used for rural production activities</p> <p>(1) For in-situ soil and fill material, the concentrations of contaminants (relevant to the site's history) in soil or fill material, or the 95 per cent upper confidence limit of the mean, determined in accordance with the Ministry for the Environment Contaminated Land Management Guidelines No.5 – Site Investigation and Analysis of Soils (Revised 2011), must not exceed:</p>	<p>Does not comply for Watercourse 1 and complies for Watercourse 2 as follows:</p> <p>Table 7, Section 4.1 of the DSI (Appendix 3M) sets out the screening criteria and relevant guideline values that were used for assessing laboratory results. The guideline values include a range of documents including Table E30.6.1.4.1 Permitted activity soil acceptance criteria, Table E30.6.1.4.2 (background ranges of trace elements in non-volcanic Auckland soils) and the MfE Guidelines for assessing and managing petroleum hydrocarbon contaminated sites in New Zealand.</p> <p>Section 4.2 of the DSI identifies the following:</p> <p>Watercourse 1</p>

Activity	Activity Status	Relevant Standards	Comment
		<p>(a) the criteria specified in Table E30.6.1.4.1 Permitted activity soil acceptance criteria; or</p> <p>(b) for contaminants not included in Table E30.6.1.4.1:</p> <p>(i) the tier 1 soil acceptance criteria for the protection of groundwater quality in sensitive aquifers specified in Table 4.20 Soil acceptance criteria for protection of groundwater quality in the Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand, Ministry for the Environment (Revised 2011); or</p> <p>(ii) for contaminants not included in Table 4.20 Soil acceptance criteria for protection of groundwater quality in the Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand by the Ministry for the Environment (Revised 2011):</p> <p>a. the soil quality guidelines for the current land use; or</p> <p>b. in the case of a proposed change in land use, the proposed land use in the Canadian Environmental Quality Guidelines, Canadian Council of Ministers of the Environment (2013); or</p> <p>c. for dieldrin and lindane only, the soil guideline values in Table A.5 Summary of soil guideline values (mg/kg) for individual pathways in Identifying, Investigating and Managing Risks Associated with Former Sheep Dip Sites: A Guide for Local Authorities, by the Ministry for the Environment November 2006; or</p> <p>(c) the natural background levels for that soil or fill material or the relevant background levels specified in Table E30.6.1.4.2 Background ranges of trace elements in Auckland soils sources from Table 3 of TP153: 2001 Background Concentrations of Inorganic Elements in Soils from the Auckland Region.</p> <p>(2) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons.</p>	<ul style="list-style-type: none"> Exceedance of heavy metal (lead analyte above the levels identified in Table E30.6.1.4.1 was established at one location along the western embankment (HA14_0.5m). All other heavy metal concentrations, including boron were below the level identified in Table E30.6.1.4.1 and E30.6.1.4.2. Trace levels of poly aromatic hydrocarbons (PAH) were found, which are only slightly above the analytical limit of detection (LOD) and below the levels specified in Table 4.20 Soil acceptance criteria for protection of groundwater quality in the MfE Guidelines. pH concentrations ranged from 4.7 to 6.5 which aligns with appropriate levels identified in Table 4.20 Soil acceptance criteria for protection of groundwater quality in the MfE Guidelines. <p>Watercourse 2</p> <ul style="list-style-type: none"> Heavy metals (arsenic, cadmium, chromium, copper, lead, nickel and zinc) are below those levels identified in Table E30.6.1.4.1 and heavy metal boron is below the identified level in E30.6.1.4.2. PAH were below the levels specified in Table 4.20 Soil acceptance criteria for protection of groundwater quality in the MfE Guidelines. pH concentrations ranged from 4.7 to 6.5 which aligns with appropriate levels identified in Table 4.20 Soil acceptance criteria for protection of groundwater quality in the MfE Guidelines. <p>The DSI confirmed no separate phase liquid contaminants, including separate phase hydrocarbons were noted during soil or water sampling.</p> <p>Accordingly, the proposed works for Watercourse 2 meets the permitted activity standards E30.6.1.4 and is considered a permitted activity pursuant to E30.4.1(A4).</p> <p>Resource consent is required for the proposed works at Watercourse 1 as a controlled activity pursuant to E30.4.1(A6).</p>

Activity	Activity Status	Relevant Standards	Comment
<p>(A6) Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standard E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5</p>	<p>Controlled activity</p>	<p>E30.6.2.1. Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity standards E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5</p> <ol style="list-style-type: none"> (1) A detailed site investigation (contaminated land) must be prepared and submitted to Council for consideration. (2) A site management plan (contaminated land) must be prepared and submitted to Council for consideration. (3) A remedial action plan (contaminated land), relevant to the site and the proposed disturbance or remediation must be prepared and submitted to Council for consideration. (4) The report on the detailed site investigation (contaminated land) must state either that: <ol style="list-style-type: none"> (a) the concentrations of soluble contaminants in any of the following: <ol style="list-style-type: none"> i. overland stormwater at the site boundary, ii. surface water within the site, or iii. groundwater at the site boundary must not exceed the guideline values specified in Table 3.4.1 Trigger values for toxicants at alternative levels of protection in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000 Guidelines) for marine or freshwater, where relevant, at the level of protection for 80 per cent of species, except for benzene where 95 per cent of species shall apply; or (b) discharges from the land are highly unlikely to cause significant adverse effects on the environment; or (c) the contamination associated with the land must be contained beneath a continuous impervious layer and must be located above the highest seasonal groundwater level beneath the site. 	<p>The DSI is in Appendix 3M.</p> <p>An ECMP has been prepared for watercourse works which details the soil material and disposal requirements (refer to Appendix 3H).</p> <p>No remediation action plan is required as the ECMP covers the soil material handling and disposal requirement, specific to the watercourse works (Refer to Appendix H).</p> <p>As noted in Section 4.3 of the DSI (refer to Appendix 3M) surface water samples analysed were below the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000 Guidelines).</p> <p>Accordingly, the proposed works for Watercourse 1 requires resource consent as a controlled activity.</p>