

From: Sean Phung <Sean.Phung@terragroup.co.nz>
Sent: Tuesday, October 3, 2023 2:36 PM
To: Mark Ross <mark@sentinelplanning.co.nz>
Cc: Corne Roelofse <corne.roelofse@terragroup.co.nz>; Gary Clarke <gary.clarke@terragroup.co.nz>; michael.savage@parkchambers.co.nz
Subject: RE: LUC60419114 - 287 Tuhirangi Road Kakanui - s92 response

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Kia ora Mark,

Thanks for sending through your feedback. Please see our response below to matter raised under your email dated 25/9/2023.

Additional documents including Appendix C – Infrastructure Plans (Rev C) and Appendix S – NES-FW Assessment table can be downloaded [HERE](#) to support the proposal.

*#1 – **Not addressed.** It is acknowledged that this application's proposed activities and proposed effects are within a portion of the site, however, under standards for new structures in E3.6.1.14 – all culverts within a site/reach of a stream must be accounted for to understand the totality of the progressive encasement. As requested, please provide a map which shows the location of all existing and proposed culverts within the site which are located within stream beds (it appears from drawing RC-101, Revision B, some of the existing culverts may not be located within intermittent/permanent streams and are therefore not subject to the rules in E3/NES-F). (Note: plans provided only show one of the two new culverts proposed).*

- *Response: As mentioned in the s92 response dated 7th September to Council, the proposed activity under LUC60419114 is restricted within the area of activity boundary as demonstrated in drawings RC-050 and RC-051. Effects are contained within this boundary and assessed under the AEE, S92 Response and supplementary lodgement documents.*
- *All existing and proposed culverts within the proposed activity boundary are demonstrated in drawings RC-100, RC101-103 of Appendix C – Infrastructure Plans in the download link. Drawing RC-100 shows the location of culverts located within the stream bed.*

*#2 – **Not addressed.** Again, please include the total measurements of all culverts located within the subject site which have been placed in intermittent or permanent stream beds. The s92 response states that measurements can be found in the infrastructure plans, revision B, however these appear to have been omitted from the plans.*

- *Measurements of culverts located within the proposed activity area, either existing or proposed are indicated in drawing RC-100 Revision C, in the download link.*

*#3 – **Partially addressed.** It is noted these culverts do not form part of the proposed activity, however, are located within the site and need to be accounted for in total progressive encasement measurements. Given remediation of this area is not proposed as part of this consent, this will be passed over to Auckland Council's Compliance Investigations team for further review and remediation.*

- *The total length of existing culverts located in the stream bed and within proposed activity area is 29.5m in length (culvert 1, 4 and 5) which is under 30m required under E3.6.1.14. Consent is considered not triggered.*
- *The total length of proposed culverts is 46.1m in length, located outside of stream bed area.*

- Culvert 1 and 4 will be replaced with a new culvert designed for fish passage and complying with Section 70 of the NES:FW. Please refer to drawings RC-500 and RC-501 for the design of the culverts.
- A compliance assessment to Section 70 of the NES:FW has been provided by Terra in Appendix S – NES&FW Assessment Table.

#7 – Not addressed. There is some conflicting information in the Objectives and Policies Assessment (Appendix H) for Chapter E3. Section E3.2.2 states “consents are required for the construction of 48.5m existing culvert and proposed 7.1m culvert” followed by section E3.2.4 which states “48.5m existing culvert and newly proposed 46.1m culvert”. Please confirm correct proposed culvert length(s) and plans. The assessment doesn’t include design drawings and/or assessment against NES-F regulation 70(2). Please provide further information.

- Please excuse the typo. Please refer to Appendix C – Revised Engineering Drawings (Revision C) for summary of culverts within proposed activity area, including:
 - Total culvert length (existing and proposed),
 - Total existing culvert length,
 - Total proposed culvert length,
 - Total culvert length within the streambed.
- The applicant proposes to replace culvert no 1 and 4 with a new culvert designed for fish passage and complying with Section 70 of the NES:FW. Whilst culvert no 5 will be removed entirely, remediated and replanted to create Terrestrial buffer and Wetland infill planting area under the Ecological Enhancement and Protection Area Zone B (Refer to Figure 32 of Appendix F – Ecology Report). Details of the location of culverts are demonstrated in sheet RC103.
- An assessment against NES-F regulation 70(2) and design of the culverts (RC-500, 501) have been included into this email, please refer to Appendix S – NSFW for more details.

Additional queries

- Page 29 of Appendix H is missing earthworks m3 and m2 figures.
- “...associated to 2.6m³ of earthwork within an area of 6.6m²...”. Details, please refer to drawing RC-200 of Appendix C.
- Please provide an assessment against Regulation 70(2) for all culverts proposed and existing since 2020 to ensure they meet the permitted activity standards and have appropriate provision for fish passage.
- An assessment against NES-F regulation 70(2) and design of the culverts (RC-500, 501) have been included into this email, please refer to Appendix S – NSFW for more details.
- The infrastructure plans (RC101 – RC103) should clearly annotate the length of the existing/proposed culverts which are located within stream beds only and subject to the rules.
- Please refer to updated drawings RC101-103 of Appendix C – Infrastructure Plans.
- Should a streamwork consent be required under E3/NES-F, please provide an appropriate stream ecological value (SEV) assessment as this was not included in the ecology report.
- Consent is not triggered under E3. Additional assessment has been provided to support the new culvert design an incorporated in Appendix C and Appendix S.
- Please also provide a streamwork methodology (including appropriate erosion and sediment control + native fish capture relocation etc) for the proposed culverts if these are to be located within intermittent or permanent streams.

- *The proposed culverts are not to be located within any intermittent or permanent streams, streamwork methodology therefore is considered not required.*

I hope all of the above is justified and Council has enough information to implement the public notification process as required from the lodgement date by the applicant.

Looking forward to hearing from you,

Kind regards,



Sean Phung

(Assoc.NZPI – Msc.UD – Ph.D)

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Planning & Urban Design Division **Extension:** 713

From: Mark Ross <mark@sentinelplanning.co.nz>

Sent: Monday, September 25, 2023 9:51 AM

To: Sean Phung <Sean.Phung@terragroup.co.nz>

Cc: Corne Roelofse <corne.roelofse@terragroup.co.nz>; Gary Clarke <gary.clarke@terragroup.co.nz>

Subject: RE: LUC60419114 - 287 Tuhirangi Road Kakanui - s92 response

Hi Sean

In respect of earthworks and streamworks matters, please see the following comments below:

#1 – Not addressed. *It is acknowledged that this application's proposed activities and proposed effects are within a portion of the site, however, under standards for new structures in E3.6.1.14 – all culverts within a site/reach of a stream must be accounted for to understand the totality of the progressive encasement. As requested, please provide a map which shows the location of all existing and proposed culverts within the site which are located **within** stream beds (it appears from drawing RC-101, Revision B, some of the existing culverts may not be located within intermittent/permanent streams and are therefore not subject to the rules in E3/NES-F). (Note: plans provided only show one of the two new culverts proposed).*

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existing culvert and newly proposed 46.1m culvert". Please confirm correct proposed culvert length(s) and plans. The assessment doesn't include design drawings and/or assessment against NES-F regulation 70(2). Please provide further information.

Additional queries/notes –

- Page 29 of Appendix H is missing earthworks m3 and m2 figures.
- Please provide an assessment against Regulation 70(2) for all culverts proposed and existing since 2020 to ensure they meet the permitted activity standards and have appropriate provision for fish passage.
- The infrastructure plans (RC101 – RC103) should clearly annotate the length of the existing/proposed culverts which are located within stream beds only and subject to the rules.
- Should a streamworks consent be required under E3/NES-F, please provide an appropriate stream ecological value (SEV) assessment as this was not included in the ecology report.
- Please also provide a streamworks methodology (including appropriate erosion and sediment control + native fish capture relocation etc) for the proposed culverts if these are to be located within intermittent or permanent streams.

Noting that queries 1, 2, 3, and 7 have implications in respect of potential consenting matters, they need to be addressed before we can proceed with notification to make sure that the correct consents are applied for and notified accordingly.

In terms of queries 13 to 18, I am still awaiting feedback from the ecologist. However, I note that these responses do not have any implications with respect to consenting matters, so closing these responses out is not necessary prior to notification. The same applies with responses 19 to 22.

I am still awaiting the noise review but accept that any further s92 queries can be addressed during / post notification.

If you could forward this email onto Mike Savage that would be appreciated. He called me last week and asked to be cc'd into any emails but I don't actually have his email address.

Any queries, please let me know.

Regards

Mark Ross

Consultant Planner



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