

August 29, 2025

Auckland Council
Attn. Mr Mark Ross
(by Email)

Dear Mark

Re: BUN60453420 – S92 Response

I write on behalf of our client, Pohuehue Community Housing Limited. This is the response to the s92 request dated 13 August 2025. As part of this s92 response is a letter from Haigh Workman which also includes the updated plans, along with an Arboricultural Memo by Craig Webb.

Owing to the wastewater testing requirements under question 17, we expect that the response to that question is about 2 weeks away. Hopefully you can forward this response to the respective Council specialists now rather than waiting for the answer to question 17.

Resource consent is now also being sought for the removal of three trees within the road reserve as they are just over 4 m in height. This is a restricted discretionary activity under Rule E17.4.1(A10). Tree owner approval will be sought after the granting of consent for this tree removal. These trees are addressed in the attached Arboricultural Assessment.

It is noted that the earthworks have been re-calculated and are now summarised on the earthworks drawing as:

<u>TOTAL EARTH WORKS SUMMARY (APPROXIMATE AND DEPENDANT ON PILE DESIGN FOR DWELLINGS)</u>	
AREA	= 3500m ²
CUT VOLUME	= 750m ³
FILL VOLUME	= 450m ³
NET VOLUME	= 300m ³ (CUT)

<u>EARTH WORKS SUMMARY IN 20m RIPARIAN YARD SETBACK</u>	
AREA	= 250m ²
CUT VOLUME	= 15m ³
FILL VOLUME	= 10m ³
NET VOLUME	= 5m ³ (CUT)

<u>EARTH WORKS SUMMARY IN 50m SETBACK</u>	
AREA	= 3100m ²
CUT VOLUME	= 550m ³
FILL VOLUME	= 450m ³
NET VOLUME	= 100m ³ (CUT)

Q1 Council has identified that an earthworks consent may also be required under Rules E11.4.1(A8) and (A9) of the AUPOP as a restricted discretionary activity. If the ornamental pond is to be defined as a “lake” then this is correct. Such a pond would fall within the scope of a “lake” as defined in the RMA. Consent is therefore being sought under these rules (for 1100 m³ over 3100 m² of earthworks).

E11.7.2 Assessment Criteria (for Regional Earthworks Consent)

(a) *whether applicable standards are complied with;*

The relevant standards under E11.6.2 are and/or will be complied with.

- (b) *the proximity of the earthworks to any water body and the extent to which erosion and sediment controls and the proposed construction methodology will adequately avoid or minimise adverse effects on:*
- (i) *water quality including of the coastal marine area; and*
- (ii) *ecological health including of the coastal marine area.*

A sediment and erosion control plan is proposed to be implemented to avoid discharges beyond the site boundary. At its closest the earthworks will be about x m away from the ornamental pond

- (c) *the extent to which the earthworks minimises soil compaction, other than where it benefits geotechnical or structural performance;*

Compaction will be limited to the route of the accessway.

- (d) *the proximity of the earthworks to areas of significant ecological value and the extent the design, location and execution of the works provide for the maintenance and protection of these areas;*

The site is not in close locality to any areas of significant ecological values.

- (e) *whether monitoring the volume and concentration of sediment that may be discharged by the activity is appropriate within the scale of the proposed land disturbance; and*

On site monitoring will be undertaken during earthworks by the Project Engineer and regular Council inspections are expected. No additional monitoring is considered necessary.

- (f) *whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works.*

Earthworks will be limited to the earthworks season (unless a winter works permit is obtained). No further staging is considered necessary in order to mitigate potential effects.

- Q2 The sediment and erosion control plan is included in the revised set of engineering drawings attached to the Haigh Workman letter.
- Q3 Please refer to the Engineering Response.
- Q4 A total of 12 houses are to be shifted onto the site. However, in terms of the statutory assessment, one is to be considered the main dwelling and 1 a minor dwelling. This is outlined in Section 4 of the AEE.
- Q5 Please refer to the Engineering Response.
- Q6 Please refer to the Engineering Response.
- Q7 Please refer to the Engineering Response.
- Q8 Please refer to the Engineering Response.
- Q9 The watercourse is a permanent watercourse (which has been modified). The reference to being an ephemeral stream on one of the original drawings is incorrect.
- Q10 The wastewater line is to be installed underneath the stream. This is a permitted activity as it can be installed within disturbing the stream bed
- Q11 Please refer to the Engineering Response.

- Q12 As discussed with you, there is an error in Q12 and the setback is 20m and not 10m. Consent has been applied for for the vegetation removal within 20m. This is further addressed in the Arboricultural Assessment.
- Q13 Please refer to the arboricultural assessment. The shortest separation between the stream bank and the pine canopy is about 7m and between the stream bank and the Pine the area is grassed. The seven pine trees within 20 m of the watercourse to be removed provide very little shading of the very narrow watercourse. Any contribution these seven trees (*which form part of a much larger pine planation) to the stream habitat etc would be negligible.
- Q14 As outlined in the application, the site is zoned Future Urban. At the time of the re-zoning of this land and its development it is highly likely that riparian planting will be required along this watercourse (potentially with a walkway etc). This would reflect the requirements of PC93 and other recent plan changes. This proposal is a temporary development until the site is re-zoned and developed. The applicant is therefore very hesitant in undertaking riparian planting now as it may not be consistent with what is required in the future, particularly if the modified watercourse is more naturalised at that time. If Council is adamant that there must be some form or riparian planting then the applicant would accept a condition requiring that a plan is submitted to Council for certification showing 300 m² of riparian planting and that this is undertaken in the first planting season after the housing has been established and then maintained for a 5-year period.
- Q15 Please refer to the Arboricultural Memo.
- Q16 Please refer to the Engineering Response.
- Q17 Please refer to the Engineering Response.
- Q18 Please refer to the Engineering Response.
- Q19 Please refer to the Engineering Response.
- Q20 Please refer to the Engineering Response.
- Q21 The occupancy of houses is monitored through monthly inspections undertaken by the Manager of the tenancies.

We look forward to receiving the draft conditions shortly.

Sincerely,

David Hay

David Hay
Planning Consultant
Mobile: 027 425-0234

Copy to: Pohuehue Community Housing Ltd (Attn. Mr Bill Endean) (by Email)

Attachments: Haigh Workman Letter (+ updated drawings); Arboricultural Memo (CWCA).