

From: Chanel Hargrave
To: Michele Schitto-Sabooschi
Subject: RE: BUN60444618 - 1799A Great South Road, Drury
Date: Friday, 11 April 2025 2:51:34 pm
Attachments: [mshc@11.png](#)
[mshc002.png](#)

Hi Michele

Please confirm the timeframes are not yet on hold given that we are still awaiting any s92 information from three Council departments, Health Waters, Auckland Transport and a Traffic Engineer.

I am seeking clarification on the following part of the s92 RFI:

5. Mana Whenua

I requested that Council's Mana Whenua facilitation service was used in the AEE (Section 6.9). If this has not been done, please facilitate this.

10. Signage

Please confirm the signs don't need resource consent. I think the signage referred to will be controlled by the by-law rather than the AUP. It will not fall under the comprehensive signage rule as there is no new building work associated with the activity.

11. Soil

My assessment is based on the LUC reporting prepared by Dr Hill who defines the 3s3 soils as other productive land. The definition does not say all class two and three soils are prime land as you have stated. I have discussed your opinion with Dr Hill who has confirmed that the assessment of prime soil requires consideration of contributing factors listed in the definition. Two of which are "good drainage" and "versatile soils easily adapted to a wide range of agricultural uses". In this case the 3s3 soils are shallow and have imperfect drainage and therefore do not fall within the definition of prime land. AUP land containing elite or prime soil, and other productive land was classified using the definition interpretation used by soil scientists in the Auckland region for previous private plan changes by Dr Douglas Hick and by Dr Peter Singleton.

Here are the links:

www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-45-appendix-9-2-soil-assessment-report.pdf;
www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-73-appendix-n-land-use-capability-and-soil-assessment.pdf

13. Landscape and Visual Assessment

d. Please confirm a LVA of Aaron's contracting is not required. A LVA specific to Aaron's was included in that application which covered the effects of that activity and earthworks on the Tuff Ring. Under this consent no activities are proposed within the ONF.

h. Please confirm that this request does not relate to this application. The application for Aaron's is not part of this consent.

24. Natural Inland Wetland

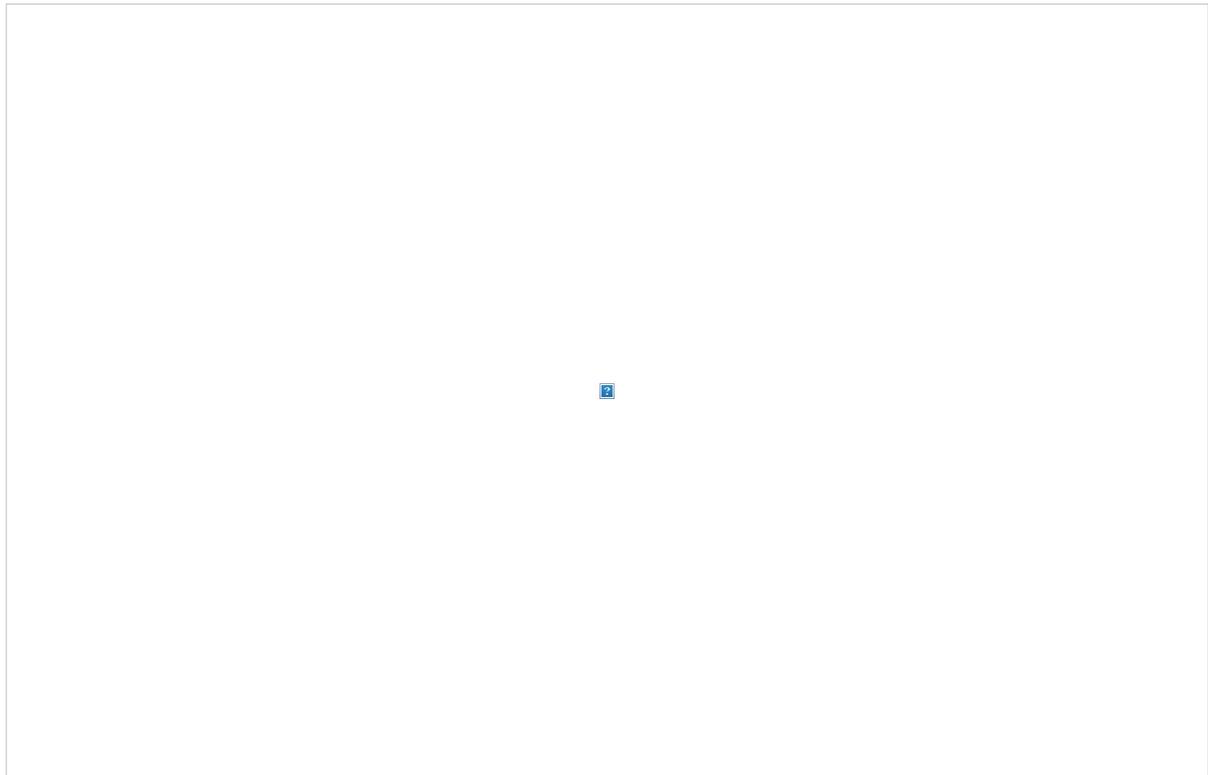
We engaged an ecologist to look at this area and provide a classification of the waterbody. The advice we received was that the swale is entirely artificial. A review of historic aerial show that a natural watercourse, in a different location, existed on the site prior to the construction of the motorway (as seen in 1971 imagery). However, this watercourse appears to have been completely re-aligned and piped between 1971 and 1979 most likely during the motorway construction (as indicated in 1979 imagery). The swale has been constructed after the construction of the motorway and is not natural in origin. The advice was that the waterbody meets exclusion criterion (c) of the natural inland wetland – a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body. Please confirm this information satisfies this request.

44. Stormwater and ITA

Can you please elaborate on examples of 'contaminants of concern'. Is the concern sediment? The majority of work undertaken by the client include work in rural paddocks or involve virgin excavated earth. The activity does not deal with any contaminant generating activities directly.

46. Stormwater and ITA

Any way we can just add this Controlled Activity consent in? I can't really lodge it through the portal as we will be required to pay an additional deposit, and the client has already paid the maximum deposit for a bundled consent as we already have a DIS # allocated to this job.



Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Wednesday, 2 April 2025 4:29 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: BUN60444618 - 1799A Great South Road, Drury

Good afternoon Chanel,

Thank you for your patience. Please refer to the attached further information request.

Please let me know if you require clarification on anything.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

SOILS AT 278 CLEVEDON – KAWAKAWA ROAD, CLEVEDON

By Dr. Douglas L. Hicks, consulting soil scientist, PO Box 170, Orewa 0946

Version 4: 7 October 2019 (final)

Supplied to Tim Grace (Lands & Survey Ltd) and Stuart Ford (Agribusiness Group)

At request of Mr Doug Scherning (Stratford Properties Limited)

Purpose and scope

Stratford Properties Limited has requested an independent assessment of soils on part of a farm at 272 - 278 Clevedon - Kawakawa Bay Road near Clevedon. The owner wishes to develop rural housing on the property at 278 Clevedon – Kawakawa Road (Lot 1 DP 146882, 52.0 hectares) by subdividing 11 countryside living lots plus a common lot (cumulatively 7.68 hectares) close to the road frontage, amalgamating 1.13 hectares with the adjoining property at 272 Clevedon – Kawakawa Road, while retaining the balance of the land (43.19 hectares) as part of the working farm.

The land is presently zoned Rural – Rural Coastal by the Auckland Unitary Plan - Operative in Part (AUPOiP). The statutory approval process that is being adopted for this project involves a private plan change request to rezone the land at 274 Clevedon – Kawakawa Road and parts of the land at 272 and 278 Clevedon – Kawakawa Road from Rural – Rural Coastal Zone to Rural – Countryside Living Zone and extend the Clevedon Sub Precinct C over this land and a subsequent resource consent application for the subdivision of 278 Clevedon-Kawakawa Road to create the 11 countryside living lots, balance farm lot and balance lot to be amalgamated with 272 Clevedon - Kawakawa Road. The resource consent application is being prepared on the basis that the land at 272, 274 and 278 Clevedon- Kawakawa Road will be zoned Rural Countryside Living and the Clevedon Sub Precinct C will apply to this land.

Specific matters on which Stratford Properties Limited seek independent advice about soil are:

- What soils are present on the property at 278 Clevedon – Kawakawa Road.
- What are the land use capability classes of the soils, using the latest definitions of land use capability class.
- Whether soils would be classified as elite, prime and other under the definitions used in the Auckland Unitary Plan - Operative in Part.

The assessment has been prepared by Dr. Douglas Hicks, a semi-retired soil scientist who has some 42 years' career experience, which includes 25 years mapping soils and land use capability (1994 – 2018).

Method

On 16 November 2018 I entered all paddocks on the property. Soil identifications were made at 64 dug holes, augered holes or other inspection points e.g. cuttings and drain banks, close to landform boundaries where changes were likely, and also at intermediate positions. Soil properties (topsoil depth; topsoil and subsoil colour; texture, structure, consistence and moisture retention in topsoil and upper subsoil) were visually observed and recorded at each hole i.e. standard procedure as described in the Soil Description Handbook (Milne et al 1995). To assist land use capability classification of the soils, landform boundaries were mapped. Underlying geology, surface soil, and other relevant physical features - slope, site wetness, and erosion or deposition (if any) - were noted for each landform i.e. standard procedure as described in the Land Use Capability Handbook (Lynn et al 2009). Figure 1 is the resulting 1:5,000 map. Table 1 summarises the match between soil, other physical features, and land use capability.

What soils are present at the property (Figure 1)

Definition of soil names

Soil names for the Clevedon area appear on the 1:20,000 Manukau S-map, a digital version of DSIR Soil Bureau's maps. This was prepared in 2012 by Landcare Research re-labelling the Manukau City Soil Map before entering it into digital storage on LRIS (its public-access geographic information portal). New labels on the digital version are soil family names and sibling numbers (from other parts of the country in some instances) which were assigned by a semi-automated computer matching process. The confidences attached to revised S-map labels are statistical confidences derived from field-checking soil at randomly selected points throughout the former Manukau City area (much of which remains rural). While in many instances they indicate that reliability is high to medium, my field investigations on several properties suggest S-map's reliability remains low on a proportion of the map polygons.

The Manukau City Soil Map is a 1:20,000 map compiled by DSIR Soil Bureau (Purdie et al 1981). Sheet B7 covers the area east of Clevedon. It is based on earlier field investigations of soil by DSIR Soil Bureau staff through the 1960s - 1970s. During these investigations, existing soil names from old small-scale DSIR maps were adapted, and several new soil names were defined. The names remain in ongoing use amongst local soil scientists when identifying, sampling, or mapping soils on Auckland's rural outskirts. Additional descriptions e.g. sandy loam, silt loam (shallow), clay loam (mottled), may be appended to a soil name, to describe any variations observable on-site. Planners and consultants generally use the same names, when supplying published (and unpublished) information about soil properties to local landowners. Accordingly I retain the DSIR's nomenclature for my map of 278 Clevedon – Kawakawa Road.

Assignment of soil names

Figure 1 shows that the soils on the property are:

Ka = Karaka loam

Ka' = Karaka loam (shallow topsoil)

Kam = Karaka loam (mottled)

Wps = Whatapaka sandy loam

Wpg = Whatapaka sandy loam (gleyed) with clay subsoil

Cl = Clevedon silt loam with clay subsoil (incl. weathered gravel)

Cl' = Clevedon silt loam (shallow topsoil)

Clm = Clevedon silty clay loam (mottled)

Ha = Hauraki clay loam

Ham = Hauraki clay loam (mottled)

Hag = Hauraki clay (gleyed)

Hay = Hauraki peaty clay (raw)

Wm = Whangamaire silt loam

Wmm = Whangamaire silty clay loam (mottled)

Wmg = Whangamaire silty clay (gleyed)

Wmr = Whangamaire silt & silty clay (raw)

Areas in yards or along farm tracks, stock races and drains where soil has been re-contoured, are included with surrounding soil because they retain enough of their soil properties for a name to apply.

What are the land use capability classes of the soils (Table 1 and Figure 1)

Definition of land use capability class

Current definitions are given in the Land Use Capability Handbook (Lynn et al 2009):

Class 1 : the most versatile multiple-use land with minimal physical limitations for arable use.

Class 2 : very good land with slight physical limitations to arable use, readily overcome by management and soil conservation practices.

Class 3 : land (which) has moderate physical limitations to arable use. These limitations restrict the choice of crops and the intensity of cultivation, and/or make special soil conservation practices necessary.

Class 4 : land (which) has severe physical limitations to arable use. These limitations substantially reduce the range of crops which can be grown, and/or make intensive soil conservation (and management) necessary.

Class 5 : high producing land with physical limitations that make it unsuitable for arable cropping, but only negligible to slight limitations or hazards to pastoral, vineyard, tree crop or production forestry use (except where flood-prone).

Class 6 : land (which) is not suitable for arable use, and has slight to moderate limitations and hazards under a perennial vegetation cover ... erosion is commonly the dominant limitation, but it is readily controlled by appropriate soil conservation ...

Deciding land use capability sub-classes

Table 1 summarises the decision-making process for land use capability classification of each area on the map (Figure 1). Two land use capability classifications are given : LUC classes, sub-classes and units as defined for South Auckland (Walsh 1977, Jessen et al 1984). These appear on the 1:50,000 New Zealand Land Resource Inventory (NZLRI) maps which are used for indicative regional-scale planning. Each NZLRI polygon (map area) indicates LUC class for the majority of land within its boundary. To support planning applications for individual properties, NZLRI LUC usually needs to be re-mapped in greater detail and at larger scale, to ascertain where better (or worse) LUC classes are present on parts of the polygons. As an independent check, Table 1 also contains FARM LUC. These are equivalent land use capability classes and sub-classes, introduced for farm-scale (1:5,000 - 1:10,000) soil maps of Auckland in recent years (Hicks and Vujcich 2017). FARM LUC sub-classes assigned to the property are:

c Denotes that natural limitations for horticulture and cropping are minimal except for any climate constraints to crop growth.

p Denotes that topsoil or subsoil structure limits cultivation.

t Where there is a slight risk of topsoil erosion (undulating land), a t sub-class is added to c or p. On a few areas where there is moderate risk of topsoil erosion (rolling land) or the risk is severe (strongly rolling), just a t sub-class is retained, denoting that topsoil erosion risk becomes a primary limitation if land is cultivated or if pasture is depleted by over-grazing.

w Where wetness limitation is slight (slow to imperfectly-draining subsoil) a w sub-class is added to c or p. On areas where wetness limitation becomes moderate (imperfectly draining subsoil) or severe (impeded drainage), just a w sub-class is retained denoting that subsoil wetness becomes a primary limitation to cultivation and crop growth; and seasonally to pasture growth.

e Where sediment is deposited by infrequent (less than annual) floods, an e sub-class is added to w, denoting that sediment deposits are an additional limitation.

f Where proximity to low-gradient streams or drains creates flood risk (occasional, frequent or regular), a f sub-class is substituted for w+e, to denote that floods preclude horticulture and cropping, and (from time to time) will limit grazing.

b Denotes risk of stream bank scour or collapse (also applies to steep drain banks).

a Denotes saline incursion risk, either through subsoil or across the surface of land close to tidewater.

Table 1: Land use capability classification of soils at Stratford Properties Limited proposed rural subdivision

Karaka soil on undulating high terraces and terrace edges (airfall ash over weathered stream sediment)

Soil texture	Drainage class	Slope	Erosion/depositi on risk	NZLRI (re-mapped at 1:5000)	LUC FARM LUC at
loam	free to slow	flat to undulating	negligible	2s4	1 c
with clay subsoil (mottled)	slow to imperfect	flat to undulating	negligible	2s4	2 c+w
loam	free to slow	undulating	slight sheetwash	2e4	2 c+t
with shallow topsoil	free to slow	rolling	moderate sheetwash	3e5	3 t
with shallow topsoil	free to slow	strongly rolling	severe sheetwash	-	4 t

Whatapaka soil in basins (water-sorted ash over weathered stream sediment)

Soil texture	Drainage class	Slope	Erosion/depositi on risk	NZLRI (re-mapped at 1:5000)	LUC FARM LUC at
sandy loam with pale subsoil	free to slow	undulating to flat	slight sheetwash	incl in 2s4 or 2e4	2 c+w
with clay subsoil (mottled)	imperfect	undulating to flat	slight sheetwash	incl in 2s4 or 2e4	3 w
with clay subsoil (gleyed)	impeded	undulating to flat	slight sheetwash	incl in 2s4 or 2e4	4 w

Clevedon soil on terrace edges and footslopes (weathered stream sediment)

Soil texture	Drainage class	Slope	Erosion/deposition on risk	NZLRI (re-mapped at 1:5000)	LUC FARM LUC
silt loam	slow to imperfect	rolling	moderate sheetwash	3e7	3 p+t
with shallow topsoil	slow to imperfect	strongly rolling	severe sheetwash	-	4 p+t
silt loam	slow	flat to undulating	negligible	2s5	2 p+w
silty clay loam (mottled)	imperfect	flat to undulating	negligible	3s5	3 p+w
silty clay (gleyed)	impeded	flat to undulating	negligible	-	4 p+w

Hauraki soil on low flats (from estuary sediment)

Soil texture	Drainage class	Slope	Erosion/deposition on risk	NZLRI (re-mapped at 1:5000)	LUC FARM LUC
clay loam	slow	flat	slight deposition	2w3	2 w+a
clay loam (mottled)	imperfect	flat	slight deposition	3w2	3 w+a
clay (gleyed)	impeded	flat	slight deposition	-	4 w+a
gleyed or peaty clay (raw)	saline incursion, drained	undulating	moderate deposition	5w1	5 a, 5 f+a
gleyed or peaty clay (raw)	saline incursion, semi-drained	undulating	severe deposition	6w1	6 a, 6 f+a

Whangamaire soil on low flats (from stream sediment)

Soil texture	Drainage class	Slope	Erosion/deposition on risk	NZLRI (re-mapped at 1:5000)	LUC FARM LUC
silt loam	slow	flat	slight deposition	2w4	2 w
silty clay loam (mottled)	imperfect	flat	slight deposition	3w3	3 w
silty clay (gleyed)	impeded	flat	slight deposition	4w3	4 w
mottled, Clevedon or Hauraki soil	imperfect	flat	moderate deposition	incl in 3w3	3 p+w, 3 w+e
gleyed, Clevedon or Hauraki soil	impeded	flat	moderate deposition	incl in 4w3	4 p+w, 4 w+e

Whangamaire soil in floodways (from stream sediment), as complex with Clevedon or Hauraki soil on stream & drain banks

Soil texture	Drainage class	Slope	Erosion/deposition on risk	NZLRI (re-mapped at 1:5000)	LUC FARM LUC
silt or silty clay (raw)	occasional flooding	undulating	severe deposition	5w1	5 f
other soil on banks		rolling to strongly rolling	slight bank-collapse		5 b
silt or silty clay (raw)	regular to frequent flooding	undulating	severe deposition	6w1	6 f
other soil on banks		steep	moderate bank-collapse		6 b

Assessment of matters relevant to determining whether soils would be classified as elite, prime and other

Land containing elite soil

If the soil and land use capability map (Figure 1) is considered in terms of the matters referred to in the AUPOiP's definition of land containing elite soil, there is no soil labelled in Figure 1 as LUC class 1 sub-class c:

- well-drained, friable and well-structured soil (if “well-drained” is intended to denote naturally free-draining soils, and “well-structured” is intended to denote soils with crumb or granular structure suited to cultivation);
- flat or gently undulating; and
- capable of continuous cultivation.

The areas of elite soil total 0 hectares, 0 % of the land on the property.

Land containing prime soil

If the soil and land use capability map (Figure 1) is considered in terms of the matters referred to in the AUPOiP's definition of land containing prime soil, the sites where Karaka and Whatapaka soils are labelled in Figure 1 as LUC class 2 subclass c+w, or as LUC class 2 subclass c+t, are:

- versatile soils adapted to a wide range of agricultural uses;
- have good drainage (if “good drainage” is intended to denote naturally slow-draining soils);
- have readily available water (in the technical sense that given rain or irrigation, soils retain enough water for plant root uptake and crop growth);
- have favourable topography (if “favourable topography” is intended to mean easily cultivable slope); and
- have favourable climate (if “favourable climate” is intended to mean local climate enables a wide range of horticultural crops to be grown).

The areas of prime soil total 6.03 hectares, 11.6 % of the land on the property.

Land containing other soil (i)

Sites where Karaka soil has more slope (labelled in Figure 1 as LUC class 3 subclass t); where Clevedon, Hauraki, Whatapaka or Whangamaire soils have poorer drainage (labelled as LUC class 3 subclasses w, w+e, w+a, p+w); and where Clevedon soil has rolling slope (LUC class 3 subclass p+t) meet some but not all the criteria in AUPOiP's definition of land containing prime soil. Here the soils require greater care when cultivating to avoid sheetwash (when Karaka soil is exposed on rolling slopes), compaction or pugging (when Clevedon, Hauraki, Whatapaka or Whangamaire soil is exposed on footslopes or basins or elevated flats), and both (when Clevedon soil is seasonally wet on rolling slopes).

The soils at such sites:

- are less versatile than prime soil (horticultural crops would struggle, but grain or forage crops could be grown if rotated with pasture);
- have either a slope angle which is difficult to cultivate;
- or imperfect drainage which restricts cultivation windows;
- or protracted waterlogging which reduces crop growth;
- despite having the same local climate (favourable for horticulture) as adjacent soils.

On other sites where the same soils meet all criteria in AUPOiP's definition, they can be - and are - designated prime. Here they cannot, because they just meet some but not all the prime soil criteria, so must be designated other. These areas of other soil (i) total 35.10 hectares, 67.5 % of the land on the property.

Land containing other soil (ii)

Small areas of Karaka soil with strongly rolling slope (labelled in Figure 1 as LUC class 4 subclass t); Whatapaka or Whangamaire soil with impeded drainage (labelled as LUC class 4 subclass w+e); and Clevedon soil with strongly rolling slope (LUC class 4 subclass p+t) do not meet the AUPOiP definitions of elite or prime soil. Nor is Whangamaire soil in watercourse bottoms together with associated Clevedon or Hauraki soils exposed in watercourse or drain banks (labelled as LUC classes 5 or 6, sub-classes f, f+b, f+a). The soils at these sites:

- are not versatile (horticultural crops would not grow on the Whatapaka or Whangamaire soils at wet sites);
- have natural soil drainage which is impeded (restricts cultivation window);
- have seepages or standing water in surface depressions (reduces crop growth);
- or have bottoms which are too flood-prone and banks which are too steep to cultivate;
- despite having the same local climate (favourable for horticulture) as adjacent soils.

Here soils must be designated other because they meet none of the prime soil criteria in AUPOiP's definition. Such areas of other soil (ii) total 10.87 hectares, 20.9 % of the land on the property.

Elite, prime and other soils within the proposed countryside living lots

The proposed subdivision plan for 278 Clevedon – Kawakawa Road shows eleven countryside living lots collectively 5.46 hectares, a twelfth 2.22 hectare lot to be held in common, a thirteenth 1.1 hectare lot to be amalgamated with adjoining rural property and a fourteenth 43.19 hectare balance lot to be retained for rural production. As the balance (Lots 13 and 14) will continue to be used for productive purposes the areas of soil on Lots 1 to 12 which would cease to be used for rural production are:

- elite 0.00 hectares;
- prime 4.80 hectares (Whatapaka sandy loam over Clevedon silty clay loam 2 c+w, Karaka loam 2 c+t);
- other (i) 2.37 hectares (Karaka loam 3t, Whangamaire silty clay loam plus patches Whangamaire silt loam 3w, Whangamaire silty clay loam over Clevedon silty clay loam 3 p+w, Clevedon silt loam 3 p+t); and
- other (ii) 0.52 hectares (Clevedon silt loam 4 p+t, Whangamaire silt and silty clay 5f).

Summary

Figure 1 is a map which extends across all land at 278 Clevedon – Kawakawa Road. It identifies the soils throughout, based on a wide distribution and great density of inspection holes. The map also indicates that each soil's land use capability varies from site to site across the property.

Table 1 assesses the soils' land use capability by reference to other site characteristics which enter into the classification process (landform, underlying geology, slope, site wetness, risk of erosion or deposition, flooding, saline incursion), as well as soil properties. It verifies NZLRI LUC classes by cross-checking them with FARM LUC classes which are now used for property-scale maps in the Auckland region.

Section 3 analyses each soil (given its land use capability on different sites) in terms of the definitions of land containing elite or prime soil in the Auckland Unitary Plan - Operative in Part. It demonstrates that:

- 0% of the land on Lot 1 DP 146882 has elite soil, in terms of the AUPOiP definition.
- 11.6% of the land has prime soil which meets all criteria in the AUPOiP definition. 2.4 % would remain available for farming after the subdivision and development enabled by the proposed plan change has taken place. The original percentage equates to 6.03 hectares and the residual percentage would equate to 1.23 hectares. A separate assessment by Mr Stuart Ford confirms that neither area suffices to support a viable horticultural enterprise.
- 67.5% of the land has other soil (i) which meets some but not all the criteria for prime soil in AUPOiP's definition. 62.9% of the other soil (i) would remain available for farming after the subdivision and development enabled by the proposed plan change has taken place. This other soil (i) has moderate to severe limitations for any type of

horticulture, though is capable of occasional grain or fodder cropping. It has slight to moderate limitations for growing pasture and grazing livestock. The original percentage equates to 35.10 hectares and the residual percentage would equate to 32.73 hectares.

- 20.9% of the land has other soil (ii) which does not meet the AUPOiP definitions. 19.9% of the other soil (ii) would remain available for farming after the subdivision and development enabled by the proposed plan change has taken place. The other soil (ii) has moderate to severe limitations for growing pasture and grazing livestock. Its original percentage equates to 10.87 hectares and the residual percentage would equate to 10.35 hectares.

If the subdivision and development enabled by the proposed plan change takes place - creating 5.46 hectares of Countryside Living lots plus a 2.22 hectare common lot - the net residual area of prime, other soil (i) and other soil (ii) available for farming will be 44.32 hectares.

References

Hicks D L & Vujcich V 2016. Farm-scale land use capability classification for Auckland. Technical Report 2017/16, Auckland Council

Jessen M R 1984. Additions to NZLRI South Auckland - Waikato region land use capability extended legend (2nd edition). Unpublished document, Water & Soil Division, MWD

Lynn I et al 2009. Land use capability survey handbook, 3rd edition. Published for New Zealand Association of Resource Management by Landcare Research, AgResearch, and Institute of Geological & Nuclear Sciences

Orbell G E 1973. Soils of Part Franklin County. Survey Report 33, Soil Bureau, DSIR

McLeod, M et al 2012. Manukau S-map. Available on <https://smap.landcare.research.co.nz>

Milne, D E et al 1995. Soil Description Handbook. Landcare Research

Purdie, B R et al 1981. Manukau City Soil Survey Progress Report. District Office Report HV5, Soil Bureau, DSIR

Walsh S D 1977. NZLRI Waikato region land use capability extended legend (1st edition). Published for the National Water and Soil Conservation Authority by Water and Soil Division, MWD

Michele Schitko - Saboonchi

Auckland Council

Our Ref: J2224

Via Email: michele.schitko-saboonchi@aucklandcouncil.govt.nz

Date: 5/08/2025



Section 92 Further Information Response: Vernon Developments – 1799A Great South Road– BUN60444618 (DIS60444619 and LUC60444660)

Thank you for your letters dated 2nd April and 15th April 2025 requesting further information on the above application.

A response to these matters is provided in the table below (**Attachment A**).

Additional planning assessment relating to further consents required under E31 - hazardous substances and E33 - industrial trade activities is included in this letter.

Hazardous Substances

In response to #37 of the RFI an additional consent is sought for the following reason:

- **Discretionary Activity** - Under E31.4.3(A7) as the volume of hazardous substances classified as Sub-class 6.1C and 6.3 – 6.9 exceed the RD volumes specified in Table E31.4.2 (A73).

Volume of sub-class 6.1C and 6.3 – 6.9 stored onsite is exceeded due to the storage of 10,000 L of diesel. The storage of diesel is required for refuelling undertaken as part of the rural industry for which consent is sought. Diesel is stored in double skinned tanks supplied and certified by Allied Petroleum Limited. This is a WorkSafe approved design which has been constructed by a WorkSafe approved fabricator. The tank design includes both an overfill alarm and bund alarm. Refilling of the tank is undertaken by Allied who have strict management practices to avoid accidental spillage during filling. The site will implement structural and operational controls to manage the risks from the storage of hazardous substances. These controls are outlined in table 5 of the EMP (**Appendix C**). These controls are designed to manage hazardous substance risks to avoid adverse effects on the natural, human and physical environment in the first instance. Risks to the natural environment are considered to be limited to accidental spillages which are to be controlled by emergency management procedures. Details of these are included within the EMP and follow accepted best practice including the use of spill response procedures.

No sensitive activities are occurring within the site and the facility is well setback from neighbouring dwellings. In this regard the risk to sensitive activities and people on adjacent sites is low. The site is used for a rural industry, and all staff will have training on hazardous substance use. The business implements health and safety standards to ensure that risks to staff are managed appropriately.

In regard to the natural environment the facility is located away from natural features and watercourses. All runoff from the fuel pad and wash bay are directed to primary treatment devices that have been designed by Flow Consulting before being discharged to the onsite stormwater system. The facility is setback from natural waterbodies with appropriate stormwater management controls in place to avoid effects on downstream waterbodies.

The site is not considered to be subject to natural hazards. While the GIS shows a floodplain over the site, analysis concludes that this flood hazard does not affect the building or refueling area and that the 1% AEP flood hazard is managed within the proposed stormwater pond.

The potential cumulative risks are considered to be low given that the risks are managed within the site. We have not identified any other hazardous facilities close by that would result in any cumulative risk offsite.

Overall, the risk to people, property and the environment are minimised to acceptable levels.

The proposal gives effect to objective E31.2(1) as well as policy E31.3.(1) and (2) through the design and operation of the site, ensuring that potential discharges of hazardous substances are avoided in the first instance (through facility design and operation, e.g. DG store, stormwater diversion during the use of the wash bay, oil and grit separation systems, and onsite wastewater collection systems) and that should any accidental leaks and spills occur, the appropriate actions are taken to prevent discharges to the environment (through physical controls, such as stormwater system isolation, or management controls, such as emergency and spill response plans).

Industrial Trade Activities:

In response to #46 of the RFI an additional consent is sought for the following reason:

- Controlled Activity – E33.4.2(A18): discharge of contaminants from a new industrial or trade activity listed as moderate risk in Table E33.4.3 (fleet maintenance activities) and not complying with E33.6.1.2.

The following standards in E33.6.2.2 are relevant to Controlled activities:

- (1) The activity must comply with the relevant 'Use of land for an industrial or trade activity' in Standard E33.6.1.1.

The activity is compliant with the standards in E33.6.1.1. An assessment of this is provided in the EMP.

- (2) Treatment devices to treat the discharge of contaminants from the industrial or trade activity area are installed and operated to avoid, remedy or mitigate adverse environmental effects.

All treatment devices related to the ITA area are designed, installed and operated to avoid, remedy or mitigate adverse environmental effects as follows:

- All mechanical work will be undertaken within the building to ensure that hazardous substances do not discharge into the stormwater network or water, land or air.
- Wastewater from the office building is discharged to a holding tank removed under contract.
- Stormwater collected from the roof of the existing sheds including the workshop building is discharged to ground soakage via retention within a 25,000 L tank.
- Water from the concrete wash pad is collected by catch-pit which is piped to a new 3000l Hynds oil and grit interceptor. This is piped to a 5000l stormlite tank before being discharged to an existing rock swale soakage pit. Please refer to the Plans prepared by Flow Consulting attached in **Appendix L**.
- A concrete pad is located around the refuelling area which will be drained to a new API separator with shut off valve. This is piped to a 5000l stormlite tank before being discharged to an existing rock swale soakage pit. Please refer to the Plans prepared by Flow Consulting attached in **Appendix L**.
- Stormwater from the remainder of the yard is discharged to a treatment swale and then to a stormwater pond.

Proposed Conditions:

As referred to in the s92 response table below the following conditions of consent are proposed:

Hours of Operation:

The activity must operate within the following set hours:

- a. Monday to Saturday – 5:30am to 6:00pm

Trucks can return to the site outside of these hours up to as late as 10:30pm, provided that no activities within the site take place outside of the normal hours of operation.

Wastewater Disposal:

Within 6 months of the issue of this consent the office ablution block must be serviced by way of a new 6000L wastewater tank. This shall overflow to the existing 2000L wastewater tank. The

wastewater is to be collected on a regular basis via a service contract. The 2000L waste tank is to be fitted with a high level alarm at 1200L, in accordance with the wastewater report referred to in Condition 1. A copy of the service contract must be provided to Council upon request.

Lighting:

Within 3 months of the issue of this consent a lighting plan for the carparking area must be submitted to Council to confirm the lighting is compliant with permitted lighting standards in E24.

Stormwater:

Operation and Maintenance Plan

An Operation and Maintenance Plan must be provided to and certified the Council **within 5 working days** prior to the post-construction meeting required by this consent.

The Plan must include:

- a. details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process;
- b. a programme for regular maintenance and inspection of the stormwater management system;
- c. a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
- d. a programme for post storm inspection and maintenance;
- e. general inspection checklists for all aspects of the stormwater management system.

The stormwater management and treatment system must be managed in accordance with the approved Operation and Maintenance Plan.

Amendments to the Operation and Maintenance Plan

Any amendments or alteration to the Operation and Maintenance Plan must be submitted to the Council for confirmation, in writing prior to implementation.

The Operation and Maintenance Plan must be updated and submitted upon request to the Council for confirmation.

I trust the information provided satisfies all section 92 further information requests. If you have any queries or concerns or require any further information, please do not hesitate to contact me.

Yours sincerely

TSC



CHANEL HARGRAVE

Planning Manager

Attachments:

Attachment A: S92 Response Table.

Appendices:

Report / Plans / Correspondence	Author	Date	Appendix / Attachment
Updated Engineering Plan set – C-502-02	TSC		Appendix A
Updated Land Use Consent Plan 1B - J2224	TSC	April 2025	Appendix B
Environmental Management Plan	TSC	June 2025	Appendix C
Te Aakitai Waiohua Formal Response	Jeff Lee - Te Aakitai Waiohua	24 th June 2025	Appendix D
Mana Whenua engagement response	Lucie Rutherford - Ngati Tamaoho	Various	Appendix E
Legal Opinion	Jeremy Brabant	4 August 2025	Appendix F
Landscape and Visual Assessment	Peake Design	14.07.2025	Appendix G
Retrospective Earthworks Plan set – C-502-03	TSC	January 2025	Appendix H
Ecological Memo	Madara Vilde - Rural Design	April 25 th 2025	Appendix I
Effluent Disposal Report – GB27009	Tilsley Engineering Limited	6/05/2025	Appendix J

Supplementary Geotechnical Report – GB27261	Tilsley Engineering Limited	27/05/2025	Appendix K
Tradewaste Treatment System Hydraulic Design Services - FC-1580.B-06.2025	Flow Consulting Limited	24.06.2025	Appendix L
Approval to construct Vehicle Crossing - VXG21640098	Auckland Transport	12 October 2022	Appendix M
Entrance Plans - C-701-03	TSC	05/25	Appendix N
Current Site Plan – C-502-03	TSC	02/25	Appendix O
J2224 – ITA & HCGC Plan	TSC	June 2025	Appendix P
Correspondence	NZTA	1 st August 2025	Appendix Q

ATTACHMENT A: SECTION 92 RESPONSE TABLE

Section 92 Response Table - Vernon Developments Land Use / Discharge Consent		
RFI #1 7/04/2025		
Number	Council Request	Response – 5/08/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		
1	<p>For clarity, please provide a site plan that shows all existing metalled areas on the site and quantity the total impervious area for which stormwater discharge consent is being sought. Please also identify any existing metalled areas that are proposed to be uplifted, to avoid ambiguity going forward.</p> <p>As part of the above, please revise the Overall Stormwater Plan J2224-6 to show all existing and proposed impervious areas on the site, including the area earmarked for Aaron’s contracting in the north-western part of the site.</p>	<p>Please refer to the updated engineering plans in Appendix O, referenced C-502-03 - Current Site. The 'Current Site Plan' shows all existing and proposed metal areas as well as the total impervious area covered by the stormwater discharge consent. The overall stormwater plan (sheet 8 of C-502-02, Appendix A) shows the catchment covered by the stormwater devices. The land covered by Aaron's Contracting is not shown on this plan as it drains to the northwest.</p>
2	<p>Please show the location and extent of the proposed acoustic wall on the property at 1810 Great South on the application plans.</p>	<p>The Land Use Consent Plan (Appendix B) has been updated to show the location of the acoustic wall currently being constructed on the property at 1810 Great South Road.</p>
3	<p>For clarity, please provide a plan that identifies (through hatching or similar) the high contaminant generating car parking area on the site and the ITA area.</p>	<p>Please refer to the plan attached as Appendix P that shows the ITA and HCG parking areas on the site.</p>
Mana Whenua Engagement		
4	<p>Please provide detail of your engagement with representatives of Te Aakitai Waiohua (who have expressed interest in the application) in the form of email correspondence and any required CVA's.</p>	<p>A site visit was held with Jeff Lee the representative from Te Aakitai Waiohua on the 12/05/2025. The conclusion from this meeting was that a CVA was not required. Written correspondence from this consultation is attached in Appendix D.</p>

5	<p>With the proposal including stormwater discharge and diversion, Mana Whenua values may be adversely affected and engagement with all Mana Whenua groups that have an interest in the area (as identified on the Council website) is required. As you are aware, Council offers a Mana Whenua engagement facilitation service which you can utilise, if you wish. Alternatively, you can initiate contact with the relevant Mana Whenua groups yourself. Please provide detail of your engagement in the form of email correspondence or any required CVA's.</p>	<p>The use of Council's Mana Whenua engagement facilitation service has been used.</p> <p>Correspondence with Ngati Tamaoho is attached in Appendix E. A CVA has not been requested by Ngati Tamaoho.</p> <p>We have begun engagement with Ngati Te Ata and undertaken a site visit. I will forward through written correspondence when it becomes available.</p>
<p>Proposed Land Use Activities</p>		

<p>6</p>	<p>For clarity on the proposed activities on the site and better understanding of potential effects, please comment on:</p> <p>a) Whether there is an intention to sub-let parts of the site for use by other parties, as occurred in the past, or whether the use will be restricted to the rural contracting services operated by Vernon Developments Limited.</p> <p>b) Please confirm if the machinery stored on site is hired out for use by others. If yes, please provide detail of how this part of the business operates in terms of drop off and pick ups in particular.</p> <p>c) It is understood that none of the machinery stored on site is for sale. Please confirm.</p> <p>d) Please provide a breakdown on what percentage of the current customer base and turnover of the business operation at 1799A Great South Road is associated with residential and commercial or industrial customers that do not have a direct connection to rural production activities.</p> <p>e) Please provide detail on what activities and vehicle movements are anticipated outside the stated hours of operation during peak season? Please assess the associated effects on the receiving environment and itemise any conditions offered to avoid and mitigate potential adverse effects.</p> <p>f)) It has been observed by Council staff that a large number of trucks are being parked on the property at night time and during weekends. In this regard, please confirm:</p> <ul style="list-style-type: none"> - the maximum number of trucks that are proposed to be parked on the site at any time; whether the use of the trucks is solely for the proposed rural commercial activity and rural industries; or - whether tucks parked are also related to other (non-rural) segments of the business operated under Vernon Developments (or third parties), with the site at 1799A Great South Road being used as an off-site truck parking area. If yes, please provide detail. 	<p>a) Sub-letting in the future is unknown but does not form part of this consent. Only activities in accordance with this consent will be undertaken.</p> <p>b) Machinery is not for hire. The business is not a hire business.</p> <p>c) Machinery is not on site for the purpose of sale. The business is not a sale yard.</p> <p>d) VDL has advised that approximately 75% - 80% of their customer base is the rural sector. In my opinion the activity meets the definition of both “rural commercial service” and “rural industry” as the activity has both a clear connection to and provides services to rural production activities as set out on page 15 of the AEE. This is the principal function of the business. While the activity provides service to non-rural sectors it remains within the definitions as services to those sectors are not the principal function of the business. Please refer to the legal opinion provided by Jeremy Brabant (Appendix F) that discusses this request in detail.</p> <p>e) Very few movements will occur outside of the typical hours of operation. This is limited to tractors and trucks returning to base from hay and silage activities. This is very infrequent and is usually only required where work needs to be completed before forecast rain or where there are delays in returning to the site. The effects of this will be less than minor. A condition is proposed setting hours of operation while allowing for return movements outside these times. Please refer to the s92 letter which sets out the proposed condition.</p> <p>f) All trucks parked on the site are part of the activity for which consent is sought. The maximum number of trucks parked on the site is 25.</p>
----------	--	---

7	<p>The AEE states that Vernon Developments is also involved with aggregate recycling and cartage activity for use in industrial, rural and commercial construction and that this activity is currently operating from 1121 Great South Road. As you will be aware, this site is in the FUZ zone, and, to date, the requisite consents to operate the business from the site have not been obtained. For clarity on potential overlaps between the different components of the business, please provide the following:</p> <p>a) Explain the difference between the 'rural' and 'industrial/commercial' aggregate supply services carried out by Vernon Developments.</p> <p>b) Detail any conditions offered by the Applicants that would limit the use of the site at 1799A Great South Road to aggregate supply for the rural sector and prohibit the storage of large quantities of aggregate associated with non-rural activities on that site.</p> <p>c) Please comment on the necessity and proposed quantum of aggregate to be stored on the site at 1799A Great South Road, if any.</p>	<p>The aggregate recycle activity is a separate activity that has resource consent to operate from 1121 Great South Road (BUN60438371). This activity does not operate from the site.</p> <p>a) The aggregate recycling activity does not operate from the site and is not part of the activity for which consent is sought. The recycling business takes aggregates such as road milling and recycles these products into quality aggregates that can be used as an alternative to 'new' quarried aggregate. This activity provides a supply of aggregate to Vernon Developments in the same way quarried aggregates would be sourced. In regard to the aggregate used by Vernon Developments approximately 75% of it is supplied to the rural sector.</p> <p>b) No aggregate will be stored on the site. All aggregate will be sourced off-site from the aggregate recycling yard or other quarry sources where required.</p> <p>c) As above no aggregate is proposed to be stored on the site.</p>
8	<p>The AEE states on page 16 that (i)t is acknowledged that there is some cross over of machinery and vehicle use between the different activities undertaken by Vernon Developments. Please elaborate on this statement. Which vehicles and machinery does this relate to, and will there be servicing of vehicles and machinery on the site at 1799A Great South Road that are not related to the proposed rural contracting services?</p>	<p>All machinery and vehicles stored on the site are used as part of the activity for which consent is sought. Servicing activities on the site only relate to those activities for which consent is sought.</p>
9	<p>Please clarify whether the anticipated 30 staff members are only for the rural contracting component of the business, or whether administrative staff on site will be involved in all business components operated under the umbrella of Vernon Developments?</p>	<p>All staff on the site are associated with the activity for which consent is sought.</p>
Signage		
10	<p>Existing signage displaying messaging associated with the business activity is currently being displayed near the motorway boundary ('Dig it, move it, recycle it, AG it). Please confirm what is intended with regard to these signs and whether consent is being sought as part of the current application. Note: The 'bull head' would be considered artwork which is permitted under the AUP(OP).</p>	<p>Consent is not required for the signage referenced. Comprehensive signage only covers situations where there is more than \$100,000 of building work. There is no building work associated with this activity and the sheds do not need retrospective consent as they are lawfully established.</p>

Highly Productive Soils		
11	<p>AEE on Page 30 states that imperfectly drained 3s3 soils on the site are classed as other productive land under the AUP(OP), not prime land. However, as per the AUP(OP) definition of 'Land containing prime soil', all LUC 2 and 3 soils class as prime soils under the AUP(OP). Please update your assessment accordingly and provide a revised AEE, to avoid later confusion.</p>	<p>My initial assessment in the AEE relies on a site specific LUC report prepared by Dr Hill from Landsystems. The LUC assessment identifies some of the LUC 3 soil on the site as 'other productive land'. The conclusion with respect to the LUC 3s3 soils is that they have "moderate physical limitations to arable use, and in this case, moderate structural impediments to cultivation, imperfect drainage, and stony soils" such that they are not proper representation of prime soil as defined by the AUP. Relying on this expert opinion, I retain my opinion that not all LUC 2 and 3 soils are prime soils. My assessment on this matter remains unchanged.</p> <p>Plan making is intended to be clear and concise. Had the definition intended to cover all LUC 2 and 3 soils as suggested in the RFI, the definition simply would have stated this without listing contributing factors.</p> <p>Please to the legal opinion prepared by Jeremy Brabant (Appendix F) which discusses the definition of 'land containing prime soil' in detail.</p>

<p>12</p>	<p>The AEE states on page 15: VD has a broad rural production client base. Their clients include large arable cropping business and members of the Pukekohe Growers Association such as R C Hari Ltd, Balle Bros Ltd and Manga Jivan Ltd. Forestry clients including JT Logging and Pulley Contracting Limited. Intensive and pastoral farming clients include pig, poultry, goat, dairy and drystock businesses. While the primary function of VD is to service the rural production sector, a small amount of work is also undertaken for residential and commercial clients. This is to ensure that the business is diverse enough to handle the seasonal nature of farming and to ensure all staff remain employed throughout the year. It is expected that the activity will grow to employ 30 staff over the next 5 -10 years. The site will provide an administration hub and storage yard for staff, vehicles and machinery (...). This description of the business activities appears to go beyond a supporting activity, as defined in the NPS:HL (see non s92 commentary). If you consider otherwise, please provide additional information to demonstrate that the proposed activities support land based primary production on the site, surrounding HPL and the applicants' landholding.</p>	<p>As discussed in the AEE and supporting report prepared by Ag First the proposed activity will provide services that are necessary to enable the use of highly productive land and are an integral part of rural production. Therefore, the activity is reasonably necessary to support land-based primary production on that land. I retain my opinion that the activity meets the definition of "supporting activities" as defined in the NPS-HPL.</p> <p>Please refer to the legal opinion prepared by Jeremy Brabant (Appendix F) which discusses the definition of supporting activities.</p>
<p>Landscape and Visual Effects</p>		

<p>13</p>	<p>Landscape Effects Assessment (LEA): The proposal needs to consider the changes on the rural character and visual amenity values (H19.4.2 (3)) that have occurred to date and the intended future works. In order to understand the effect the proposal is having on the surrounding character, please provide a LEA report prepared by a suitably qualified Landscape Architect and prepared in line with the Te Tangi a te Manau: Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Piti Ora New Zealand Institute of Landscape Architects, July 2022. The report needs to include but not be limited to the following:</p> <p>d) Assessment of the effect of the proposal on the Raventhorpe Tuff Ring (ONF overlay – ID 177). This should include the effect of the earthworks, bund, tree planting, and intended relocation of Aaron Contracting within the Raventhorpe Tuff Ring overlay, as well as the effect of the proposal over the whole site given its proximity.</p> <p>e) Assessment of the effect of the hardstand creation and associated volumes of earthworks that have occurred to date on the rural landscape character and values.</p> <p>f) Assessment of the effect of the proposed stormwater retention pond with swale (shown on the Overall Stormwater Plan, drawing J2224-6, prepared by TSC The Surveying Company, dated 02/25.</p> <p>g) Assessment of the effect of the intended future earthworks and stormwater management system.</p> <p>h) Assessment of the effects of the existing activity associated with Aaron’s Contracting and the intended relocation (i.e. how the area shall be left and the effect of the process of relocation) on the Significant Ecological Areas overlay (SEA_T_4513, Terrestrial).</p> <p>i) A viewpoint analysis of the effect of the proposal on the rural landscape and visual amenity values of the surrounding landscape including but not limited to the affected residents in proximity along Great South Road and Hillview Road. The Landscape Architect should identify viewing audiences and suitable viewpoint locations to understand the effects that may arise regarding those viewing audiences.</p> <p>j) Details of any recommended mitigation measures (if any).</p>	<p>A Landscape and Visual Assessment has been prepared by Peake Design (Appendix G) which covers the matters raised.</p>
<p>14</p>	<p>Mitigation Strategy: Should mitigation be recommended or required to reduce landscape effects (such as earth bunding or planting as example), please provide plans and cross sections that clearly demonstrate the recommendations to enable assessment.</p>	<p>As above.</p>

15	Planting Plan: Should mitigation tree and/or revegetation planting be recommended, please provide a Planting Plan to determine the degree in which the proposed planting will assist in integrate the proposal within the surrounding landscape character and values. The planting plan is to include a; summary plant schedule for all the proposed shrubs and trees (i.e. PB/L size, mature height and widths and spacing), specifications, and a maintenance and management plan.	As above.
Regional Earthworks		
16	Please overlay 'Erosion & Sediment Control Plan' Drawing No. J2224-5 with aerial imagery to assist in assessing the suitability of the proposed erosion and sediment controls.	Aerial added to sheet 5 of the updated engineering plans (Appendix A).
17	Please provide further information on the proposed erosion and sediment controls, noting that a silt fence has been proposed to manage an area of 7936m ² . Please clarify why a silt fence has been chosen over a treatment device such as decanting earth bunds (DEBs) or sediment retention ponds (SRPs).	<p>The silt fence is proposed to manage dirty water runoff from the construction of the pond. The pond has an area of 3,051m². Once the pond is built, the pond will act as an oversized SRP that manages the earthworks proposed in Area 2. It is noted that the SW pond is sized to cater for the 1% AEP, therefore is well oversized for the earthworks catchment.</p> <p>A silt fence is chosen rather than a DEB for the initial stages of construction because of the topography. Given how flat the drain is, in Area 1, a DEB would struggle to discharge.</p> <p>Once the SW pond/ SRP is built, earthworks in area 3 can be managed with said device.</p>
18	Following the above, please clarify how the silt fence will be implemented to manage this area in accordance with GD05 standard.	Please refer to the comments in #17. The silt fence is to manage a small area during the initial construction of the pond. Once the pond is formed, it will start acting like a SRP.

19	<p>For clarity, please show the following on the plans:</p> <ul style="list-style-type: none"> o Please amend 'Erosion & Sediment Control Plan' Drawing No. J2224-5 to demonstrate how the earthworks area will be accessed. o Please amend 'Erosion & Sediment Control Plan' Drawing No. J2224-5 to demonstrate indicative stockpile locations. o Please amend 'Erosion & Sediment Control Plan' Drawing No. J2224-5 to clarify how clean water will be managed to isolate the earthworks area from uphill catchments. o Please amend 'Erosion & Sediment Control Plan' Drawing No. J2224-5 to include heavy rainfall contingencies and monitoring and maintenance programmes. 	<ol style="list-style-type: none"> 1) Site access is off Great South Road. The proposed earthworks area is located in the northern portion of the site and is accessed via the existing internal metal driveway. 2) Proposed stockpile area added to engineering plans. 3) Clean water diversion bund added to engineering plans. 4) It is likely that a construction management plan will be required as part of the consent. Contingencies, monitoring and maintenance will be addressed in the Construction Management Plan. We request that this be made a condition of consent.
20	<p>Erosion & Sediment Control Plan' Drawing No. J2224-5 notes that the construction of the pond will then manage Area 3 earthworks. Please clarify whether this will be in the format of a treatment device such as a DEB or a SRP.</p>	<p>The SW pond will act like a SRP until the areas are stabilised. Following the earthworks, the outlet structure will be built and the pond converted into the final SW pond.</p>
21	<p>If a DEB or a SRP is proposed as a result of the above queries, please provide further information, such as; singular inlet channel, stabilised outlet, emergency spillway and location of chemical treatment in accordance with GD05 best practice.</p>	<p>SRP details added to engineering plans. Stabilised outlet, emergency spillway and inlet channel all to be constructed as part of pond construction (treatment swale will act as singular inlet channel).</p>
22	<p>Please provide standard design details for all proposed erosion and sediment controls.</p>	<p>Details added to engineering plans (Appendix A).</p>
23	<p>Please clearly outline the works proposed under this consent, retrospective works and works currently occurring on site.</p>	<p>Sheet 4 of the engineering plans (Appendix A) shows the extent of the proposed earthworks for the site. There is no earthwork currently occurring on site. Please refer to plan set "C-502-03 - Current Site" (Appendix O) which shows the works that has already occurred on site (retrospective) as well as the "Retrospective Earthworks Plans" in Appendix H.</p>

24	<p>Please assess the below areas to identify whether the area meets the definition of a natural inland wetland.</p> 	<p>The watercourse has been assessed by senior ecologist Madara Vilde from Rural Design (Appendix I). Her assessment concludes that the only watercourse within the site boundaries is an artificial watercourse (swale), which appears to have been constructed between 1971 and 1979, likely in association with the motorway development. No natural watercourses or overland flow paths or wetland area, as mapped by Auckland Council's hydrology dataset, were observed within the site during the field visit.</p>
25	<p>Please clarify what was the purpose of planting reeds in the above area, as mentioned by the Applicant during the site visit.</p>	<p>These were planted as the swale cannot be mowed or cut for silage.</p>
26	<p>Please provide an expected duration of earthworks.</p>	<p>The duration of the works is expected to take 6-8 weeks to complete, subject to weather conditions.</p>
NZTA Notice of Requirement		
27	<p>With the proposed earthworks for the stormwater pond encroaching into the current and potentially revised extent of NoR affecting the site, please provide the approval of the New Zealand Transport Agency under s178 of the RMA, or updated correspondence from NZTA confirming that they are not opposed to the proposed works in the vicinity of the NoR.</p>	<p>I note that a decision on the NOR was publicly notified on 15 July 2025 confirming a realignment of the NOR on the Site. Cam has advised that the decision version aligns with the negotiated outcome with NZTA. The only work required within the NoR is minor works within the existing swale. We have met with Evan Keating (NZTA) and Quinton Botha (Consultant) to discuss the proposal. Discussions have been positive. Please refer to the email correspondence in Appendix</p>

		Q which confirms that NZTA have no issues with consent being granted for the proposed activity.
Engineering		
28	<p>The AEE states that there are currently 2-5 staff on site, however, that this number is expected to grow to up to 30 staff in the next 5-10 years. For assessment of the proposed on-site waste water management, please confirm the following:</p> <ul style="list-style-type: none"> • The size of the existing waste water holding tank and frequency of the tank being emptied by a contractor; • Please demonstrate compliance with TP58 chapter 7.8.7 for the maximum site occupancy. TP58 states that the holding tank must provide a minimum of 7 days storage and that the flashing light alarm must be set at a level that provides 2 full days of extra reserve storage, to prevent accidental overflows. • Alternatively, please provide detail and apply for waste water discharge consent, if necessary, for a future on-site disposal system. 	An Effluent Disposal Report has been provided by Tilsley Engineering Limited (Appendix J) which confirms a design for 30 future staff members.
29	Your application has been forwarded to Council's Healthy Waters department for review and their comments are still pending. Any queries raised by HW's will be forwarded to you on request and would form part of this s92 request.	Noted. Comments now received.
30	Your application has been forwarded to Auckland Transport and the Council traffic specialist for review and their comments are still pending. Any queries raised will be forwarded to you on request and would form part of this s92 request.	Noted. Comments now received.
31	On the plans, the stormwater runoff of the proposed 2 x new buildings is discharging to a stormwater disposal trench. Please clarify if both of the stormwater trenches are leading towards the pond	Yes, both disposal trenches will sheet flow towards the proposed SW pond. The SW pond has been conservatively sized to cater for the 2 sheds, assuming the tanks do not exist.
32	Please provide a stormwater catchment plan to confirm if the stormwater runoff of the site can be catered for by the proposed stormwater device(s).	Added to engineering plans. Please see sheet 7 of the updated engineering plan set (Appendix A).

33	<p>The proposed and retrospective works on site have significantly altered the layout and characteristic of the site. A comprehensive flood assessment report is required to understand the changes to existing flood extent and any potential risk to the proposed works on site as well as the implications/adverse effects to the neighbouring sites/properties.</p>	<p>The existing flood plain and flood prone area relates to the contours prior to any works on site. The discharge from the site is via a 525Ø culvert under the State Highway. This pipe is undersized, therefore causing the stormwater to pond onsite.</p> <p>The proposal is to install a pond that attenuate flows to less than pre-development, to ensure that the existing 525Ø pipe can cater for the flows for storms up to and including the 1% AEP storm. Therefore, the flood extent will now be contained within the proposed pond. It is noted that NZTA are looking to upgrade the 525Ø culvert as part of the Papakura to Bombay works. When this upgrade occurs, the pond SW pond will be oversized.</p>
34	<p>Please request for an addendum to the Geotechnical Report to ensure all proposed developments/land modification, buildings/structures and operations are captured and assessed.</p>	<p>Please refer to the Geotechnical Assessment Report (Appendix K) prepared by Tilsley Engineering Limited.</p>
35	<p>It is noted that the north-western corner of the site (Aarons Contracting) is annotated with subject to LUC60427692. Please clarify if this area has been considered as a part of this applications, from the engineering perspective (e.g. Earthwork levelling to enable stormwater disposal).</p>	<p>The earthworks relating to the area occupied by Aaron's Contracting has been assessed under LUC60427692. This consent covers the earthworks undertaken for that activity noting that the majority of this land is within the Raventhorpe Tuff Ring ONF. Impervious area associated with an old cowshed, farm buildings and access tracks were already present in this area. This portion of the site (within the ONF boundary) slopes towards the western corner of the site. The remainder of the site falls gently to the north. This was the pre-development situation, is the current situation and proposed post-development situation. The retrospective earthworks undertaken across the site involved the scrapping of topsoil and placement of metal. No works were undertaken that materially altered the pre-development levels of the land that affected the way on which stormwater drained from the site. This supported by the "Retrospective Earthworks Plans" (Appendix H) which show the pre-development contour, "C-502-02- sheet 1" (created using GIS contours available which represent the site before any development)</p>

		and post-development plan "C-502-02 - sheet 3". There is no proposal to change the levels of the land within the Tuff Ring and therefore the stormwater catchments remain unchanged. 3900m ² of impervious area from Aaron's Contracting drains to the north-west and does not drain to the proposed stormwater pond. No specific controls are proposed for this as it is a very small catchment. Notwithstanding this all land within the proposed Aarons Contracting is included in the site wide stormwater discharge consent covered by this application.
36	There is very limited information on wastewater disposal and water supply. Please elaborate on the proposed means of wastewater disposal and demand of water supply.	There is an existing bore on the site that is used for water supply. The water use will not exceed 5m ³ /day and is within the Permitted Standards under E7.4.1(A14). An Effluent disposal report is included as Appendix J .
Hazardous Substances		
37	The EMP and AEE have not taken into account the quantities of hazardous substances stored/used in the yard for refuelling activities. The volume of diesel storage alone would trigger a discretionary activity consent under rule E31.4.3 (A73-exceeding RD threshold of 12t) based on diesel's hazardous classifications: 3.1D, 6.1E, 6.3B, 6.7B, 9.1B. Please provide a hazardous register including the names, volumes, hazardous classifications of all hazardous substances covered by E31, the aggregate quantities relevant to each classification specified in Table E31.4.3 to determine the consent status.	Please refer to the hazard register in the updated EMP (Appendix C). An additional consent is required under E31.4.3(A7) as a Discretionary Activity. Please refer to the s92 letter for assessment of this activity.
38	Please provide details of the refuelling facility and their containment measures, identify their locations on map, and confirm whether the locations are subject to natural flooding hazard.	The refuelling area is not subject to flooding. Please refer to the comments in response #33 above. Please refer to the plans prepared by Flow Consulting (Appendix L) which provides a design for the refuelling pad.
39	Please confirm whether the oil-water device on the site also serves the refuelling facility area. If not, please justify it or otherwise.	Separate devices are required for the refuelling area as well as the wash bay. Please refer to the assessment by Flow Consulting

		(Appendix L) which provides an assessment for the wash bay and refuelling management devices.
40	Please include a risk register in the EMP identifying all the hazards associated with storage/use of hazardous substances relating to the refuelling facility and workshops, the risk levels, proposed/ existing structural and operational controls, and the residual risks.	A hazard risk register is included in the EMP (Appendix C).
41	<p>There are no specific assessment criteria for a discretionary activity under rule E31. The applicant is required to demonstrate that the proposal meets the objectives, policies and the Standards of rule E31 in terms of site design, drainage systems, spill containment systems, waste management through a risk assessment and management process. The factors for consideration should include but not limited to:</p> <ul style="list-style-type: none"> - sensitivity of surrounding natural, human and physical environment - identification of hazards including natural hazards - potential cumulative risks presented both onsite and offsite - feasible structural and operational controls measures - emergency management 	Please refer to the assessment in the s92 letter and updated EMP (Appendix C).
Stormwater and ITA		
42	It is understood that all storage of diesel (and any other hazardous substances) as well as the maintenance and repair of machinery used for Aaron's contracting business will be carried out in the sheds and wash down area in the central portion of the site, rather than in the north-western portion of the site that is earmarked for Aaron't contracting. Please confirm.	<p>This is incorrect. Aaron's Contracting is a separate activity and is not associated with Vernon Developments.</p> <p>It does not use the refuelling area, washdown bay or the mechanical repair workshop. Aaron's Contracting does not store any hazardous substances on the site. Aaron's Contracting is not part of this application and is assessed under the Aaron's Contracting consent application LUC60427692.</p>
43	It is noted that this site has been stated not to be a 'goods' site, please confirm that vehicles stored on this site will not temporarily be holding goods on site, such as stock feed, fertiliser, aggregates or other raw materials.	No 'goods' will be held on site. Trucks will occasionally be loaded with aggregate over night to avoid the need to obtain material in the morning. This aggregate is required to complete a project undertaken by Vernon Developments and is not a dispatch point associated with the sale or transport of goods specifically.

44	Due to the range of activities supported by the vehicles brought to site, it is considered that contaminants of concern may be tracked to site and accumulate on the hardstand/parking area over time. Please identify any known contaminants of concern from these activities, and how these will be managed by the proposed stormwater management provided.	We are not aware of any contaminants of concern that would be tracked into the site.
45	It appears that stormwater from 'Aaron's Contracting' will also be draining via the proposed stormwater management system. This application for ITA does not include assessment of the activities carried out by Aaron's Contracting. How will liability be managed between sites, if non-compliance with discharge conditions is found?	Aaron's Contracting does not contain an ITA activity and is not part of this application. This activity is assessed under LUC60427692. In addition, the land occupied by Aaron's Contracting drain to the northwest and not over Vernon's yard area. It is highly unlikely that any liability issues will occur. I note all consents are in the name of Vernon Developments and Cam Vernon is the owner of the land.
46	<p>The Council specialist agrees with the applicant that the ITA for this site is a moderate risk and considered a permitted activity for land use. However, standard E33.6.1.2 is not considered to be met. As such the discharge would be considered as a controlled activity under E33.4.2(A18). Please apply for the required s15 discharge permit through the Council portal.</p> <p>The concrete wash pad is considered an ITA area, and the refuelling area may also be considered a contaminant generating area. Please provide these areas on a plan.</p>	<p>As confirmed, there is no requirement to lodge the consent through the Portal as the applicant has already paid the maximum deposit. An assessment of the Controlled Activity standards is included in the s92 letter.</p> <p>Please referred to the updated ITA plan in the EMP (Appendix C) which includes the fuel pad and wash bay.</p>
47	The EMP appears to state the refuelling will be treated by the oil and grit separator, however it is unclear from the stormwater drainage plan how this functions. Can you please provide a drainage plan that details both the refuelling area and concrete wash pad. One plan seems to show a 'fuel pad' and how these areas are managed per the ITA permitted activity standards. Please provide the design/schematic and sizing of the oil/grit separator device. Please confirm how the refuelling area is compliant with standard E33.6.1.12.	Please refer to the wash pad and fuel pad design prepared by Flow Consulting (Appendix L). The refuelling pad is compliant with E33.6.1.12.

<p>48</p>	<p>It is stated the hardstand will be treated by the proposed swale located in the pond. Please provide a catchment plan that shows all contributing areas to the swale/pond (including redirected flows that originate outside of the site). The AEE states that entrance and exits of existing overland flow paths will not change. However it is implied from the design that OLFP that enter the site and would have previously exited to the north via an OLFP will instead be entering the site and directed to the new pond. If this is the case there will be altered catchments to existing OLFPs. Please confirm that the pond is sized to attenuate all contributing catchments.</p> 	<p>Stormwater Catchment plan has been added to engineering plans. It is correct that the stormwater will sheet flow or be directed into the pond. As shown on the catchment plan, the proposed pond is sized to cater for the flows entering the pond. The exit point for the stormwater remains the same, being the 525Ø culvert that runs under the State Highway.</p>
<p>49</p>	<p>Please confirm how stormwater from the site earmarked for Aaron's contracting is proposed to be diverted to the proposed stormwater pond, as this part of the site appears to be draining to the west currently.</p>	<p>The Aaron's Contracting yard drains to the western corner. There is no proposal to divert this water to the proposed stormwater pond. The impervious area within western catchment is approximately 3900m² and the discharge can comply with the standard in E38.6.1. While this area is not captured by the stormwater pond it is a small area of impervious area that will have less than minor effects on the</p>

		wider environment noting that the area is within the permitted standards and the baseline can be applied.
Noise		
50	The Transport Assessment states: 'The two companies will generate a total of 72 car trips per day plus 57 heavy vehicle movements per day. The majority of the trips will be made between 5.30 am and 7.00 am, and 5.00 pm and 6.30 pm.' To assess noise received within 1819 Great South Road from truck movements on the access road, please estimate the average and maximum number of trucks expected to depart the site between 5.30am and 7am (i.e. within the prescribed nighttime period).	The applicant has confirmed that a maximum of 15 trucks leave the site between the hours of 5.30am and 7am. The trucks are leaving the site and will be travelling at low speeds (20km/h or less) which reduces traffic noise. An acoustic concrete wall is currently being constructed along the neighbouring boundary which will further mitigate any noise effects.
Comments/other matters – not pursuant to section 92 of the RMA		
1	Please consider providing the written approvals of the surrounding owners and occupiers, in particular at 1789, 1789A, 1810 and 1819 Great South Rd, in which case the adverse effects on the owners and occupiers can be disregarded.	The applicant is attempting to gain written approvals from the identified neighbours. I will provide an update on this matter as it progresses.
2	Mitigation measures are encouraged to address the level of adverse effects on the landscape character of the area that have resulted from the volume of work that has been carried out without consent. Consideration of mitigation measures that make a positive contribution to the landscape character are highly recommended to offset the extended works.	Mitigation measures are included in the landscape assessment please refer to Appendix G.

3	<p>As noted in the application documents, the NPS:HL defines ‘supporting activities’ as those activities reasonably necessary to support land-based primary production on that land (such as on-site processing and packing, equipment storage, and animal housing) (emphasis added). The National Policy Statement for Highly Productive Land: Guide to implementation, which is a non-statutory document aimed at assisting with the implementation of the NPS:HL, explains that: The intention of this clause is that activities that support land-based primary production on surrounding HPL or as part of a landholding where the production is occurring have a pathway to occur on HPL. Whilst it is understood that the applicant operates a wider farming operation over multiple sites in the area, the AEE states that the proposed activities provide services to a broad client base in the wider area. It appears that the intended activities go beyond a supporting activity for landbased primary production on the site, surrounding HPL land and the applicant’s landholding. The interpretation that the proposal classes as a supporting activity under the NPS:HL is therefore not agreed with, based on the information provided.</p>	<p>Please refer to the legal opinion prepared by Jeremy Brabant which discusses the definition of “supporting activities” (Appendix F).</p>
4	<p>Vernon Developments is described as a general cartage, earthmoving and aggregate recycling company on their website (https://www.vernondevelopments.co.nz) and it is acknowledged in the AEE that there would be some cross-over between the different business components and machinery and vehicles stored at 1799A Great south Road. In this context and with the proposal also involving services to residential and commercial customers, I am unclear how the different components of Vernon Developments business operations could be fully separated from one another and how it could be monitored that only the rural contracting component of Vernon Developments is operated from the application site. In light of the above, I am not convinced that the intended activities would actually meet the definition of rural commercial services and rural industries as outlined in the AEE.</p>	<p>Noted.</p>
5	<p>Please be aware that, due to the above concerns and subject to the clarifications sought and further assessment, the application may not be able to be supported by Council staff.</p>	<p>Noted.</p>
RFI #2 15/04/2025		
RFI #	Council Request	Response 5/08/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		

1	<p>The traffic report has not provided any assessments of the adverse effects of right-turning vehicles entering the site. The Great South Road carriageway has one traffic lane for the northbound traffic. Any vehicle turning right from Great South Road to the subject site will block the carriageway. Please demonstrate that the right turning movements into to the subject do not adversely affect the transport network. <i>Advice notes: The Transit Planning Policy Manual-Appendix 5B mandates that the shoulder enlargement be implemented for northbound vehicles entering the subject site. This measure is to prevent any negative impacts on the vehicles that currently traveling within the road carriageway and to avoid potential conflicts/queuing for northbound vehicles and the right-turning vehicles</i></p>	<p>Transit Planning Policy Manual-Appendix 5B has suggested access rules for district plans and does not mandate shoulder enlargement as suggested in the advice note. The AUP does not include the requirement to widen the shoulder. The rational for not providing road widening is the fact that most of the trips to and from the site occur outside of the busy commuter periods and therefore unlikely to block the carriage way in a manner that would adversely affect the road network. This was assessed in the Transport Report appended to the original application.</p>
2	<p>Section 3.3 of the Traffic report prepared by Teams states that the existing vehicle crossing has been upgraded. Please provide a copy of the approved vehicle crossing compliance certificate for the vehicle crossing upgrade works. This information is required to determine whether the existing vehicle crossing is suitable for the additional traffic movements including heavy truck movements.</p>	<p>Crossing approval is attached in Appendix M. However, a compliance certificate has not yet been applied for.</p>
3	<p>Please confirm of any new gates proposed within the existing driveway. This information is necessary to determine whether the gate(s) will cause any potential adverse effects on the other road users including the operation of the road network.</p>	<p>Please refer to the Entrance Plan (Appendix N, referenced C-701-03) which shows the existing gates. The gates are setback 35m from the edge of the road and will not create adverse effects on road users.</p>
4	<p>The section 4.4 of the AEE prepared by TSC states that the majority of the vehicles will enter and exit the site via right turn in and left turns out. Please provide revised tracking curves for the largest size of the vehicles accessing/exiting the site. This information is required to determine the width of the vehicle crossing and the driveway, ensuring safe two-way vehicle movements can be achieved.</p>	<p>Tracking showing a van and truck is included on the plans (Appendix N) as this is likely to be largest sized vehicles entering and exiting the site. As trucks leave in the morning and return in the afternoon it is unlikely two truck and trailer units would be entering and exiting the site at the same time.</p>
5	<p>Section 3.3.2 of the Traffic report prepared by Teams states that existing vehicle crossing has a safe intersection sight distance (SISD) of 210m. Please provide a plan showing the SISD distances on both directions of the existing vehicle crossing. This information is required to determine whether the existing vehicle crossing has adequate sight lines ensuring safe vehicle movements can be achieved and to avoid potential adverse effects on the other road users.</p>	<p>The SISD has been added to the Plan (Appendix N).</p>

6	Please provide a copy of the approved vehicle crossing permit for the vehicle crossing upgrade works. This is to ensure that the applicant has obtained the necessary approvals from AT prior to carrying out the vehicle crossing upgrade works.	Crossing approval is attached in Appendix M .
7	Please confirm and annotate on the plans that the existing vehicle crossing will be sealed as per Auckland Transport rural standards (to commercial standards) including sealing first 23m of the internal accessway to avoid any loose metal transporting onto Great South Road.	The first 23m of the internal accessway will be sealed. This has been annotated on the Entrance Plan (Appendix N).
8	Under section E27.6.3.7, where 10 or more car parking spaces are provided, a lighting plan must be provided. The parking and manoeuvring areas must be adequately lit during use in a manner that complies with the rules in Section E24 Lighting. To enable assessment, please provide a lighting plan.	This relates to a permitted activity. We request that this is a condition of consent as drafted in the s92 letter.
9	Please provide cross section and long section for the internal metal track every 20m to assess for the width and gradients aspects.	Please refer to the updated plans (Appendix N) which show a long section and typical cross section of the accessway.
10	Please provide signage and markings plan annotating staff informal parking, trucks parking, trucks manoeuvring area etc.	No marking or signage is proposed. This is a rural site which is only used by staff who know where to park. Sufficient space is available for staff parking. Marking is not possible on a metal surface. No customers come to the site.
11	Please confirm, if the defects along Great South Road, as evident on google street view, are as a result of the turning movements of heavy commercial vehicles of the 1799a Great South Road, Drury traffic? Please provide adequate supporting evidence and mitigation measures, if necessary.	Streetview images from 2020 and 2012 (before the entrance was put in) and 2023 (after the entrance was put in) show that the area of road circled looks the same in both instances, meaning that there are no defects as a result of turning movements from heavy vehicles associated with this activity. The defects are historical and existed prior to the construction of the access.



Figure 1: 2023 Google Streetview image provided in s92 request.



Figure 2: 2020 Streetview photo showing road defects.



Figure 3: 2012 Streetview image showing road defects.

Healthy Waters

12	The development can be categorised as a large brownfield development, and the AEE refers to the approval of a Stormwater Management Plan. Please request the applicant to submit a Stormwater Management Plan in the standard format. Guidance can be found here: Stormwater Management Plan Template.	<p>The site is not a brownfield development as it is a rural site that was, up until recently, in pasture. The application does not meet the definition of 'brownfield' or 'greenfield' development as defined in the AUP. The SMP template referred to in the RFI request, is a document required to be prepared as a condition of Auckland Council's network discharge consent which covers urban areas. The purpose of this document is to give effect to the network discharge consent and confirm compliance with the requirements of that consent. Noting that in those circumstances SW assets are usually vested to Council. The SMP is not required for rural developments.</p> <p>As this is private infrastructure, we propose that an Operation and Maintenance Plan is prepared and adhered to as a condition of the consent. Standard wording for a consent condition is included in the s92 letter.</p>
13	The retrospective earthwork boundaries fall within the floodplain, so a flood hazard assessment will be required to support the assessment of cumulative effects. Please provide this.	See response to # 33. The existing flood plain and flood prone area relates to the contours prior to any works on site. The discharge from the site is via a 525Ø culvert under the State Highway. This pipe is undersized, therefore causing the stormwater to pond onsite. The proposal is to install a pond that attenuate flows to less than pre-development, to ensure that the existing 525Ø pipe can cater for the flows for storms up to and including the 1% AEP storm. Therefore, the flood extent will now be contained within the proposed pond and there will be no additional flood risk as a result. It is noted that NZTA are looking to upgrade the 525Ø culvert as part of the Papakura to Bombay works. When this upgrade occurs, the SW pond will be oversized.
14	In addition to the unconsented earthworks, the proposed swale design includes further filling. Please identify the earthwork boundaries in relation to the floodplain and describe the associated effects	Earthworks boundaries are shown on sheet 4 of the engineering plans C-502-02 (Appendix A). As per comment #13 above, any flooding will be contained inside the SW pond.

15	<p>Could you also clarify whether any part of the swale or new pipe/structure is proposed to be vested as public? Note: If the swale is to remain a private asset, detailed design will be considered at the building consent stage. Stormwater quality, treatment requirements, and treatment volumes will need to be addressed in the Stormwater Management Plan. Further comments relevant to swale/ detention pond can be provided once the SMP is received</p>	<p>All stormwater infrastructure will be private. Information of the treatment of SW is provided in the application and Infrastructure report. There is no requirement to prepare a SMP for the purposes of assessing the effects of SW.</p>
16	<p>The proposal does not clearly indicate the final discharge point (i.e. the 525 culvert). Please investigate and assess this further, and include findings to understand the effects.</p>	<p>Discharge from the pond is to the existing 525Ø culvert where it connects to the existing stormwater network under the State Highway. The ultimate discharge point is assumed to be to a watercourse to the east or north of the subject site. The stormwater system has been designed based on this discharge point. NZTA believe it goes across the State Highway to the Northeast and into a roadside drain.</p>

24th June 2025

Vernon Developments Limited
ATTENTION: Cameron Vernon
EMAIL :Cam@vernondevelopments.co.nz

Dear Cameron ,

RESOURCE CONSENT APPLICATION – TE AAKITAI WAIOHUA FORMAL RESPONSE

APPLICATION NUMBERS: BUN60444618 (DIS60444619 & LUC60444660) ADDRESS: 1799A Great South Road, Drury
--

PROPOSAL : The application is to operate a rural contracting activity (rural commercial service / rural industry) from the site. Associated consents are required for stormwater discharge, stormwater quality, district land disturbance. Retrospective consent is sought for regional and district land disturbance to create a level hardstand area for the parking / storage of machinery and vehicles associated with the activity.

It is noted that the Raventhorpe tuff ring (ONF) crosses the western corner of the property. The proposed activity is located outside the ONF and the proposal activity will not modify this feature. The proposed activity and associated earthworks (both retrospective and proposed) do not affect the integrity of this ONF or result in any change to the land that would affect this feature.

Stormwater Design

- Proposed treatment devices for the refuelling area and washdown bay to treat oils / hydrocarbons and grit.
- The refuelling area will be on a concrete pad which will collect and runoff and direct it to the oil and grit separator system. This water is then discharged to the swale and then to the pond.
- It is indicated that the proposed swale provides adequate level of treatment for the yard area given that the areas that pose the most risk (fuel pad and wash bay) have additional proprietary devices to manage specific contaminants.

This application triggers the need to find out whether there are/may be adverse effects on Mana Whenua values as it requires the following consents:

- E8.4.1 (A10) diversion and discharge of stormwater runoff from impervious area
- E11.4.2(A4) general earthworks
- E9.4.1(A6) development of a high contaminant generating car park

The overall status of the activity for which consent is sought is Discretionary.

TE AAKITAI WAI OHUA CULTURAL VALUES - The subject site is located in Drury where the interests of Te Ākitai Waiohū are particularly strong.

DRURY - Drury is a region of significance to Te Ākitai Waiohū mainly due to its location, providing access to the Manukau harbour and the wealth of natural resources attached to the waterway. Drury (Opahake) and the surrounding areas incorporating Karaka and Hingaia feature seasonal settlements, fishing and kaimoana (seafood) gathering sites and waka (canoe) landing areas at key points around Drury Creek, leading out to the wider Pahurehure inlet. This includes the pa and settlement around the mouth of Slippery Creek and Waipapa at the head of the Pahurehure inlet. Drury was an important transport corridor to the Manukau harbour from kainga in Ramarama, Tuhimata and Kirikiri, with a network of tracks and waterways in the area that were used extensively to facilitate travel by waka. The Oira, Ngakoroa, Hingaia and Waihoihoi streams are all found within the region.

As part of its Treaty of Waitangi settlement, Te Ākitai Waiohū has been offered two statutory acknowledgements as cultural redress at Drury Conservation Area and Drury Creek Islands Recreation Reserve. These offers have been made to Te Ākitai Waiohū as settlement redress in recognition of its interests in the land.

As part of its Treaty of Waitangi settlement, Te Ākitai Waiohū has been offered cultural redress by the Crown including a land vesting at Te Ngahere o Papakura (Kirk's Bush) Scenic Reserve and two statutory acknowledgements at Kirikiri (Children's Forest Settlement Road) Reserve and Red Hill (Red Hill Road) Scenic Reserve. Sites further south including Ravenhorpe Conservation Area, Ravenhorpe Scenic Reserve and Te Maketu Historic Reserve. These offers have been made to Te Ākitai Waiohū as settlement redress in recognition of its interests in the land.

WAI TAI / WAI MĀORI - The protection of freshwater and mauri of freshwater is a key priority for kaitiaki. For Te Ākitai Waiohū the wai (water) is an inseparable part of our whakapapa and our identity, and is a fundamental part of what drives our very existence. The future health and wellbeing of our waters are a matter of utmost importance to Te Ākitai Waiohū and action is required to protect, restore and maintain the health and mauri of our waterways, stop further degradation and loss and reverse past damage. Genuine partnership in water governance and planning is sought to give effect to Te Ākitai Waiohū customary dominion (ownership) of freshwater within their rohe. Te Ākitai Waiohū have an intergenerational responsibility to future proof this natural resource for future generations. Te Ākitai Waiohū assert that the mauri of wai must be maintained as a resource management priority throughout their rohe, and that the traditional and contemporary relationship between Te Ākitai Waiohū and fresh water resources be maintained.

MANAGING EFFECTS - ADDITIONAL MITIGATION MEASURES SOUGHT

- The grassed overland treatment swale with rock lined edged is made into a bioretention swale with dense native plantings thus achieving a treatment train approach.
- Extensive Native plantings around the pond / rock lined edged

ACCIDENTAL DISCOVERY PROTOCOL

- If, at any time during construction works, sensitive materials (kōiwi/human remains, an archaeology site, a Māori cultural artefact, a protected New Zealand object,

contamination, or a lava cave greater than 1m in diameter) are discovered, then either the protocol set out in standards E11.6.1 and E12.6.1 of the AUP must be followed

MANAWHENUA CONSULTATION - Te Ākitai Waiohua acknowledges the applicant has provided engagement.

ASSESSMENT CONCLUSION: Te Ākitai Waiohua confirms overall the effects on Mana Whenua values are avoided, remedied or mitigated to an acceptable level providing the above additional mitigation measures sought are conditioned into the consent.

Ngaa Mihi Nui
Jeff Lee
Te Ākitai Waiohua - Kaitiaki
Email : teteconsultancy@gmail.com

Cc
chanel@subdivision.co.nz
michele.schitko-saboonchi@aucklandcouncil.govt.nz



Natural Knowledge Ltd
environmental consulting

PO Box4025
Hamilton East
Hamilton 3247
ph 021 273 8373
knowledge@xtra.co.nz

LAND USE CAPABILITY AND SOIL ASSESSMENT – CONSTABLE RD, WAIUKU

Dr Peter Singleton

10/03/2022



CONTENTS

Summary.....	1
Introduction.....	1
Methods.....	3
Land Use Capability assessment.....	3
LUC Mapping units at the site.....	4
LUC class 2.....	4
Other LUC classes.....	4
Soils at the site.....	7
Elite and Prime Land.....	10
Proportions of Prime & Other land.....	12
Conclusions.....	13
References.....	13
Appendix 1: Regional distribution of Elite & Prime land.....	14

Disclaimer

Natural Knowledge Limited requests that if excerpts or inferences are drawn from this document for further use by individuals or organisations, due care should be taken to ensure that the appropriate context has been preserved, and is accurately reflected and referenced in any subsequent spoken or written communication. While Natural Knowledge Limited has exercised all reasonable skill and care in controlling the contents of this report, Natural Knowledge Limited accepts no liability in contract, tort or otherwise, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you or any other party.

SUMMARY

A 29 ha site on Constable Road near the township of Waiuku, was assessed for its Land Use Capability (LUC) and soil characteristics. The site was mainly flat to undulating with rolling sides which dipped down toward Constable Road in the south and toward a creek in the northwest. The site had been used as a drystock farm for many years.

The LUC assessment showed the land was predominantly LUC class 2 land. The remainder was mainly LUC class 3 or steeper LUC class 4 or 6 land. The land was a mixture of well and poorly drained soils and flat to rolling slopes.

The soils were Allophanic (Karaka silt loam), Organic (Ake Aka peat), Gley (Whatapaka clay loam) and Brown soils (Te Hihi clay loam).

There was no Elite land at the site. Well drained and moderately well drained Allophanic soils were Prime land as defined by the Auckland Council Unitary Plan. Prime land covered 46.3 % of the site. Soils that were imperfectly or poorly drained (Mottled Orthic Allophanic soils, Organic & Gley soils), or on strongly rolling to steep slopes (some Allophanic soils, Brown soils) were not Prime land. These areas were 47.9 % of the site. The remaining area was non-productive land such as tracks and building. Non-productive land was 5.8 % of the area.

INTRODUCTION

An onsite soil and land assessment of was undertaken to assess the area of Elite and Prime land within an approximately 29 hectare site along Constable Road near the western boundary of Waiuku township (Figures 1 & 2).

The site was in two lots (92 & 130 Constable Road, Figure 2) and mainly flat to undulating land. The land has a section of rolling slopes in the south and northwest. These slopes extend down to Constable Road, and those in the northwest slope toward a creek. The site was a drystock farm and has been used for that purpose for many years.

The site had formed from ancient pumiceous alluvium covered in ash and loess. Peat occurred in some low parts that were former swamps.

To help guide land use decisions, Auckland Council requires a detailed Land Use Capability (LUC) report. LUC Class 1 land is the most versatile, multiple use land on flat to undulating slopes. Classes 2 and 3 are also very good agricultural and horticultural land with slight (Class 2) or moderate (Class 3) physical limitations to arable use. For the purposes of this investigation, LUC Class 1 land would be defined as 'elite'. LUC Class 2 and 3 land that was well or moderately well drained was defined as 'prime' land. These criteria were in accordance with the Auckland Unitary Plan definitions for elite and prime land (October 2019).

Natural Knowledge Ltd was commissioned to provide a LUC and soil assessment of the site. The site was inspected and assessed by Dr Peter Singleton in early September 2020. Dr Singleton has over 35 years experience mapping land for LUC and soil assessments.



Figure 1. Location of the site (in yellow) on Constable Road, Waiuku.

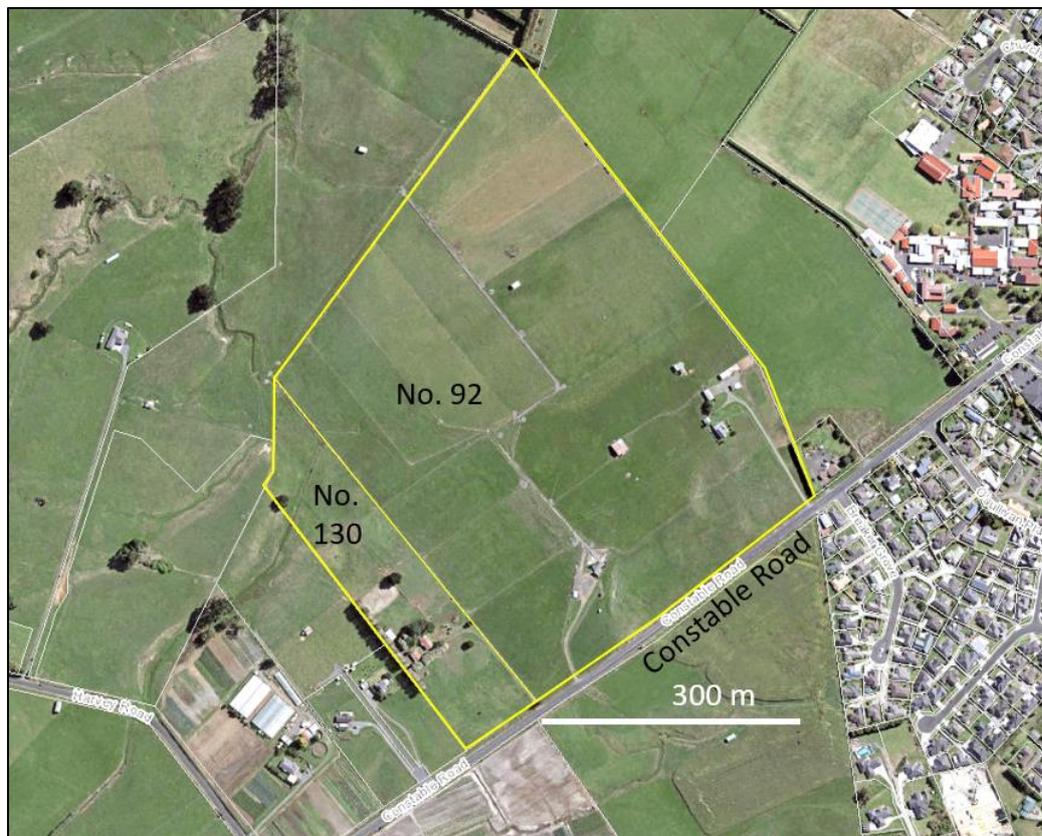


Figure 2. The site and its position on the western boundary of Waiuku.

METHODS

Land Use Capability Assessment was carried out using methods based on the national land classification system used by soil conservators for farm planning since the 1950s. To assist land use capability classification of the soils, landform boundaries were mapped. Underlying geology, surface soil, and other relevant physical features - slope, site wetness, and erosion or deposition (if any) - were noted for each landform i.e. standard procedure as described in the Land Use Capability Survey Handbook. A detailed description of the system can be obtained from the Land Use Capability Survey Handbook, 3rd edition (Lynn *et al.*, 2009).

LUC Class 1 land is the most versatile, multiple use land on flat to undulating slopes. Classes 2 and 3 are also very good agricultural and horticultural land with slight (Class 2) or moderate (Class 3) physical limitations to arable use. For the purposes of this investigation, LUC classes are defined as 'elite' or 'prime' in accordance with the Auckland Council Regional Policy Statement definitions (October 2019).

The LUC classes were correlated with Auckland Councils farm-scale land use capability classification for Auckland (Hicks & Vujcich, 2017).

The soil survey and assessment was based on standard soil survey methods and the Soil Description Handbook (Milne *et al.*, revised edition 1995). General observations and twenty-five detailed soil borings were made and described using standard soil description methods. Photographs of the soils and landscape were taken, and locations of detailed soil observations were recorded by GPS. Soil were classified according to the New Zealand Soil Classification (Hewett, 2010)

Other resource information used included 1:250,000 geological map of Auckland (Schofield 1973), Soils of part Franklin County, South Auckland (Orbell 1977) and Landcare Research's online S-Map.

LAND USE CAPABILITY ASSESSMENT

Land Use Capability (LUC) assesses an area's capacity for sustained productive use, considering physical limitations, soil type, management requirements and soil conservation needs.

A Land Use Capability assessment is a systematic arrangement of the different types of land according to those properties that affect its capacity for long term and sustained production. It is a system that primarily assesses the land for arable (cropping) use.

The LUC assessment identifies areas with similar rock type, soil, slope, erosion types and degree and vegetation cover. Where any one of these factors changes significantly a boundary is drawn and a new map unit created. Based on this physical inventory, together with an understanding of climate an assessment is made of each unit's capacity for long term sustained use. Thus, the property is completely covered by mapped units which identify areas having similar physical attributes.

The LUC class is the broadest grouping in the classification, identifying the general degree of limitation to arable use. It comprises eight classes. Formerly represented as classes I to VIII and now superseded by a recent change in nomenclature to numerals 1 to 8. Classes 1 to 4 are classified on their suitability for cultivation, with Class 1 being the most versatile with few

limitations to use, through to LUC class 4 which has limitations so severe it is marginal for cultivation for cropping. Classes 5 to 7 are not suitable for cropping but are suitable for non-cropping uses such as pastoral farming, tree crops or forestry. Physical limitations increase from LUC class 5 to 7. LUC class 8 has such severe physical limitations it is not suited for any commercial farming system and is considered suitable only for retirement and protection use.

LUC MAPPING UNITS AT THE SITE

The LUC mapping for the site followed the methods of the Land Use Capability Survey Handbook (Lynn et al, 2009). The Land Use Capability (LUC) mapped units were correlated with those in the New Zealand Land Resource Inventory (NZLRI), Waikato Region Land Use Capability Classification (Ministry of Works and Development- Jessen et al 1984). This national survey was undertaken to provide standards for LUC mapping. It was carried out at the 1:63360 scale with 10 regional classifications covering the North Island and one for the South Island. The Waikato Region NZLRI extends from Papakura to the southern boundary of the Mokau River and from the west coast eastwards to the Coromandel Peninsula and Kaimai Ranges. Descriptive bulletins were prepared for most regions, but not for the Waikato. The definitions for the regional LUC units can be found in the 'Waikato Region: Land Use Capability Extended Legend'.

For this property, the relevant LUC units in the locality have been identified (from the NZLRI) and where possible have been used for the map of the site. The site was located on mainly flat to undulating land. This composed the bulk of the site (79 %). This flat to undulating land (0-7 degree slopes) was in pasture and included several soil types and a range of drainage classes. The remainder of the area was mainly rolling and strongly rolling land and also in pasture. Rolling slopes (8 to 15 degrees slopes) occurred along the western part of Constable Road and in the north west where they sloped down toward flatland and a creek. The eastern part of Constable Road was steeper and strongly rolling (16 to 20 degree slopes) with a small area of steep slope (21 degrees or steeper).

The site contained LUC class 2 to 6 land.

LUC CLASS 2

LUC Class 2 (43 %) land occurred on the tops and edges of the higher ground, or on lower flat land. The separate units within the class were based on drainage and slope.

LUC unit 2s4 land was well drained and occurred on flat to gently undulating (0 to 3 degrees, Figure 3) higher ground which had Karaka soils from ash and loess on ancient alluvium. Undulating slopes (4 to 7 degrees) with Karaka soils were LUC class 2e4 and a mixture of well or moderately well drainage classes. Both these LUC units were friable soils with nil to negligible erosion hazard when cultivated.

LUC class 2w3 land was imperfectly drained Karaka mottled soils or Te Hihi soils, or poorly drained Whatapaka soils. These were all on lower flat to undulating slopes (0 to 7 degrees). Class 2w3 occurred in wet locations and had a continuing slight wetness limitation even after drainage.

OTHER LUC CLASSES

Class 3 land (28.9 %) occurred mainly on the rolling hill sides and there were also some wetter areas that were also class 3. Steeper sections of slopes were class 4 and some were class 6 (3.2 %). Land in buildings, farm tracks and creek were all unsuitable for agricultural production (5.8 %).

LUC class 3e5 land (Figure 4) was Karaka soil on rolling slopes and has a slight to moderate sheet and rill erosion hazard when cultivated. LUC class 3w2 land (Figure 5) was Aka Aka peat and occurred in wet low areas with a moderately high water table and poor internal drainage. Any crops are limited by soil wetness and this can delay planting and harvesting.

LUC class 4e5 land was Karaka soils that occurred on strongly rolling slopes (16 to 20 degrees). This land has a moderate to severe erosion hazard when cultivated. Class 6e land was on steep slopes and was unsuitable for cultivation.

Table 1 correlates LUC classes with Auckland Council Farm LUC units. Figure 6 shows the LUC classes for the site.

Table 1. Correlation with Waikato (South Auckland) LUC units and Farm LUC units.

Soil type	Waikato LUC	Farm LUC	Features
Karaka	2s4	1c	Flat to gently undulating slopes
Karaka	2e4	2c	Undulating slopes
Whatapaka	2w3	2w	Poorly drained flat to gently undulating slopes
Karaka mottled	2w3	2w	Imperfectly drained flat to gently undulating slopes
Te Hihi	2w3	2w	slopes
Karaka	3e5	3 c+t	Rolling slopes
Aka Aka	3w2	3a	Poorly drained flat to gently undulating slopes
Karaka	4e5	4 c+t	Strongly rolling slopes
Te Hihi	6e	6t	Steep slopes



Figure 3. LUC Class 2s4 land looking north.



Figure 4. A mixture of LUC classes at the base of rolling slopes in the northeast corner of the site.



Figure 5. LUC Class 2 and 3 land looking south toward Constable Road.

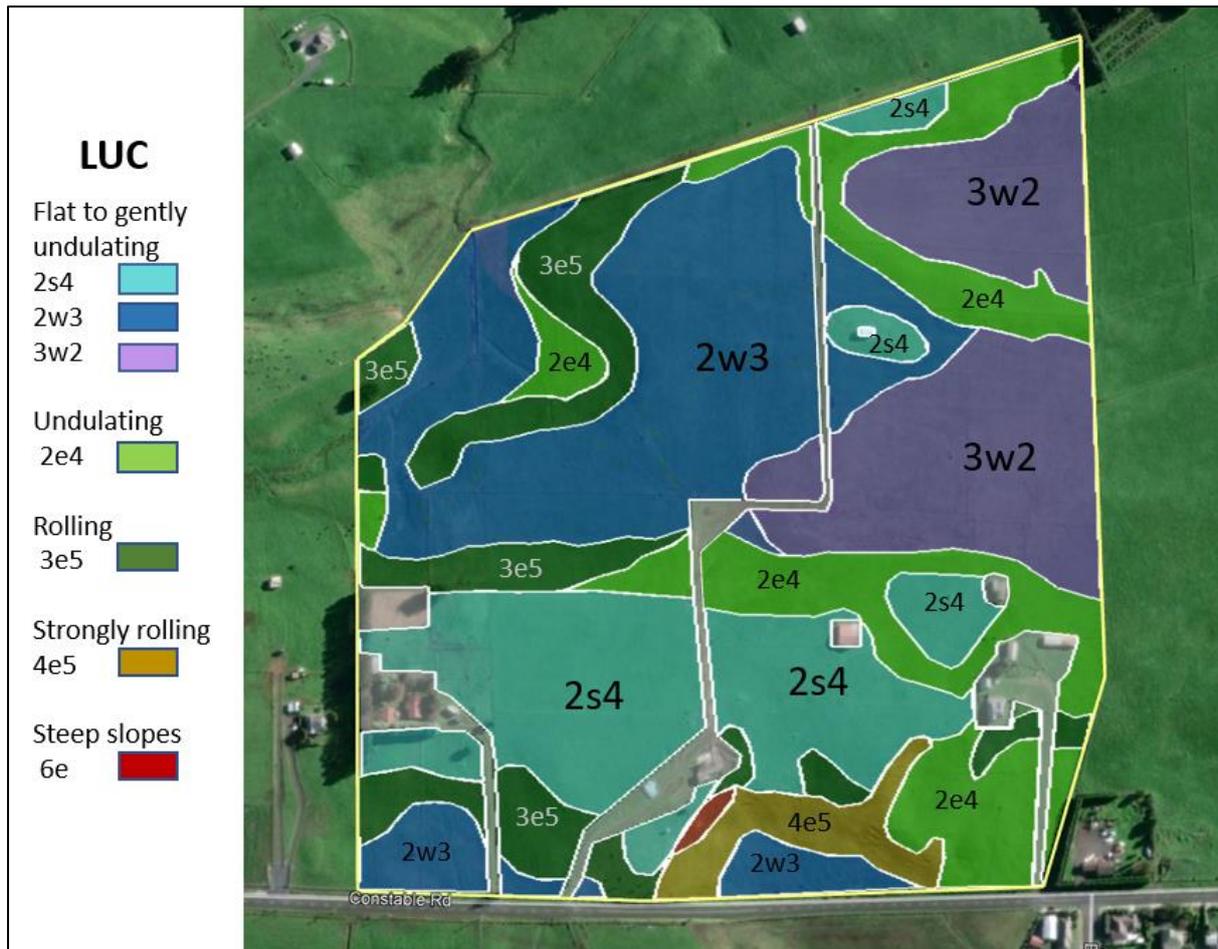


Figure 6. LUC classes for the site.

SOILS AT THE SITE

A soil survey of the site was carried out using standard methods. Field investigations showed the soil in the southern half of the site was mainly well drained Karaka silt loam. In the northern half the soils were mainly poorly drained Ake Ake loamy peats, Whatapaka clay loams and peaty loams and imperfectly drained Karaka mottled silt loams. Te Hihi clay loams were uncommon and occurred on parts of slopes that dropped down to the creek in the northwest of the site (Figure 7).

Karaka silt loam and mottled silt loam formed from younger volcanic ash and loess which covers older clayey Hamilton ash material or weathered ancient pumiceous alluvium. Karaka soils typically occur on flatter or stable slopes which have preserved the younger ash cover from erosion.

The Karaka silt loams are well or moderately well drained. Those on the flat higher tops tended to be well drained, and those on the sloping edges were well to moderately well drained. It was difficult to map out the drainage classes separately, so both are included in the same map unit. Karaka soils have very dark greyish brown silt loam or silty clay loam topsoil which is friable and moderately weak. This is on a yellowish brown, friable silt loam subsoil. Moderately weak to firm clay from the older Hamilton ash may be encountered from 60 to 80 cm depth.

Well drained Karakas were predominantly silt loams to at least 90 cm depth, or silt loams with silty clay lower subsoils which are strong brown in colour. These friable soils have good drainage and good root penetration to at least 90 cm depth. These features make them ideal for a wide range of uses including horticulture, vegetable growing, cropping and pasture.

Karaka silt loams with moderate drainage have firmer lower subsoils or are in lower landscape locations more likely to receive drainage water. They are similar in appearance to well drained soils but below 60 cm depth have light yellowish brown lower subsoil with dark yellowish brown mottles. These soils have similar characteristics for agriculture as well drained versions but have the disadvantage of a saturation for brief periods between 60 and 90 cm depth.

The Karaka mottled silt loams are imperfectly drained with light yellowish brown upper subsoil on light grey lower subsoil with yellow mottles. Karaka mottled silt loams are limited by having a seasonal water table in the lower subsoil and so are less versatile than the Karaka silt loam. Karaka mottled silt loams occur between Karaka silt loams and poorly drained soils, or on slightly higher areas within poorly drained soils.

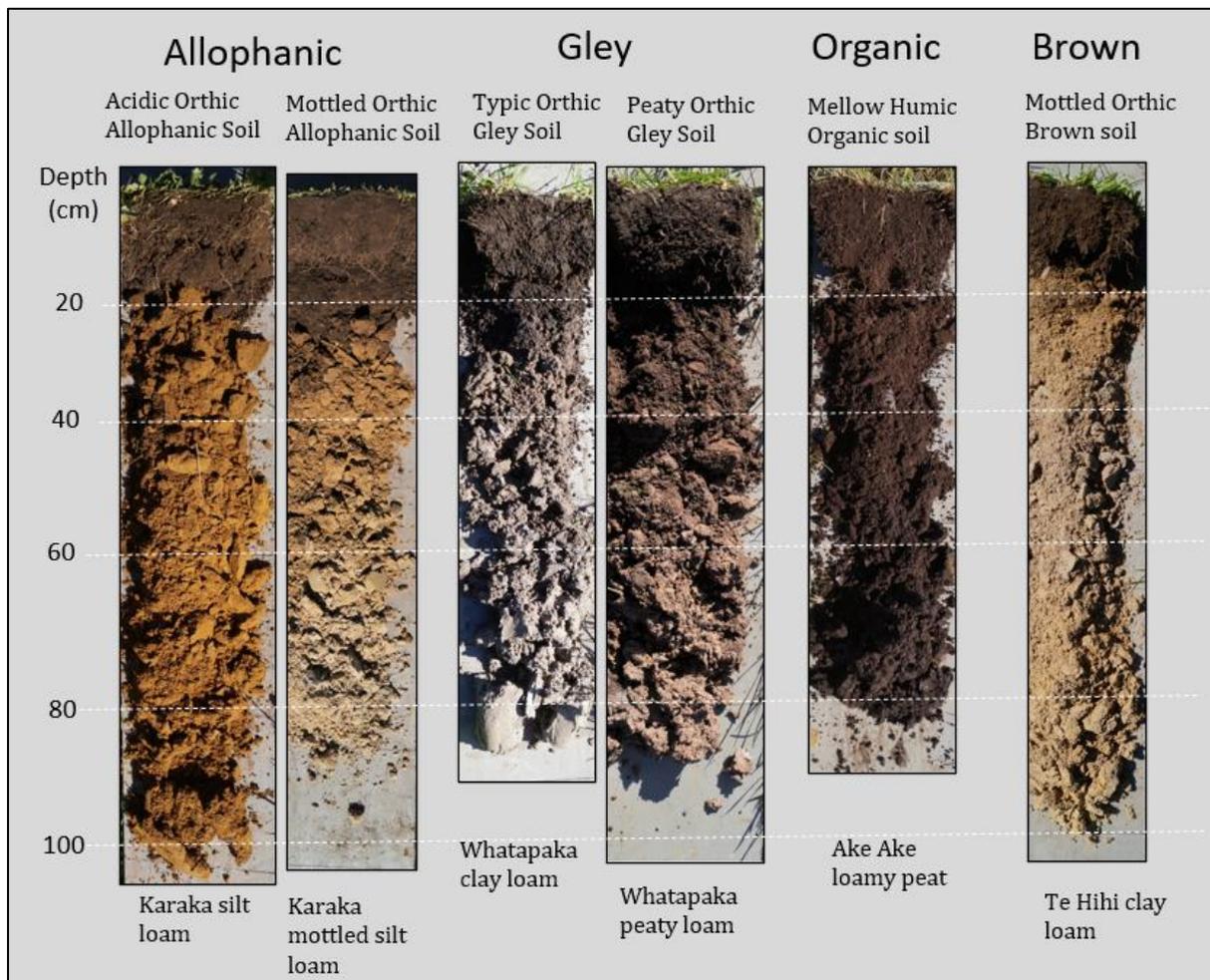


Figure 7. Soils at the site.

Whatapaka soils occurred in low areas that receive runoff from surrounding land and have restricted subsoil drainage. They have a high water table in winter and early spring. These are poorly drained soils and ponding can be an issue. They are formed from alluvium and colluvium from the surrounding slopes. The soils have clay loam topsoils and clay subsoils. When they are

wet, they are easily damaged by stock, vehicles and cultivation. Even with drainage they remain difficult soils to manage.

The Whatapaka clay loam at the site had 20 cm of dark grey clay loam topsoil on firm light grey or grayish brown clay or silty clay subsoil with yellowish brown mottles. These are poorly drained soils and can be sticky and plastic when wet. Prolonged wetness and clay textures make these soils difficult to drain and cultivate. These soils are prone to pugging damage and have low natural fertility. They are best suited to pasture and some areas can be suitable for fodder crops.

The Whatapaka peaty loam occurs on the edge of the Organic soils where the peat cover is thin (less than 30 cm). The soil has a peaty loam or humic silt loam topsoil. This is on brown humic stained silt loam to silty clay upper subsoil on light greyish brown silty clay.

Ake Ake loamy peats are formed from decomposed peat which can have thin layers of alluvium. Topsoils are black loamy peat or humic silt loam on soft very dark brown silty peat. This can be on peat stained humic clay. Water table are high, and the soil is wet for prolonged periods. These poorly drained soils have poor natural fertility, are difficult to drain and prone to pugging damage.

Te Hihi soils are on the flat to gently undulating land on slopes that receive drainage or seepage from upslope. On this land deposits of volcanic ash have mostly been eroded away and the soils are formed from weathered ancient sandy pumiceous deposits. Often, they have a greyish brown clay loam topsoil on yellowish brown clay or sandy clay upper subsoil, on pale brown mottled clay. The soil at the site was imperfectly drained. In general, the soils are moderately leached and with phosphate topdressing will support good pasture, and cropping if the slope is suitable.

Table 2 shows land and soil characteristics and Figure 8 shows the distribution of soil types at the site.

Table 2. Table showing some of the main soil characteristics.

Soil type	Soil Order	Soil subgroup	Drainage class	Soil material
Karaka silt loam	Allophanic	Acidic Orthic Allophanic Soil	Well and moderately well	Silt loam on silty clay from volcanic ash and loess
Karaka mottled silt loam	Allophanic	Mottled Orthic Allophanic soil	Imperfectly drained	Silt loam on silty clay from volcanic ash and loess
Whatapaka clay loam	Gley	Typic Orthic Gley Soil	Poorly drained	Clay loam on clay from alluvium and colluvium
Whatapaka peaty loam	Gley	Peaty Orthic Gley soil	Poorly drained	Thin decomposed peat or humic silt loam on alluvium
Ake Ake loamy peat	Organic	Mellow Humic Organic soil	Poorly drained	Decomposed peat and alluvium
Te Hihi clay loam	Brown	Mottled Orthic Brown soil	Imperfectly drained	Clay loam on clay from ancient pumiceous alluvium

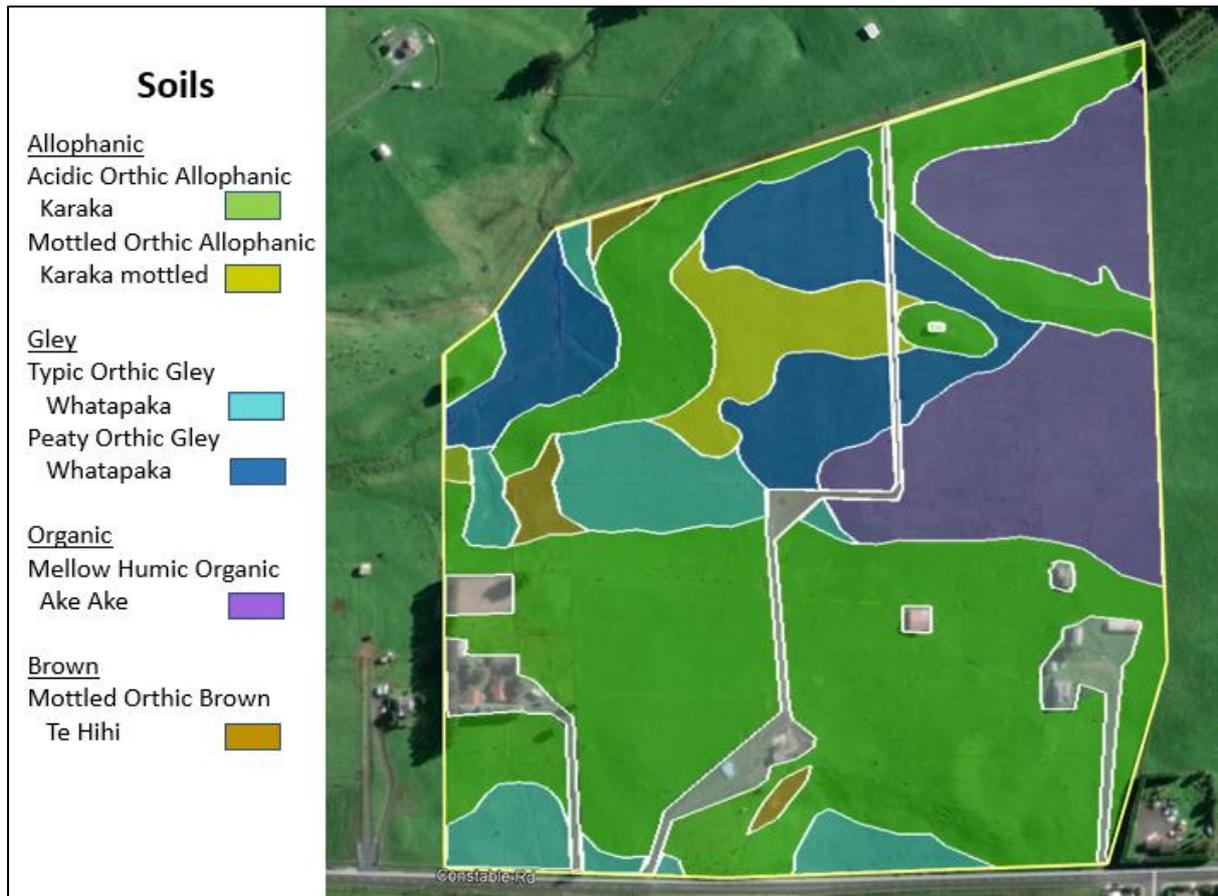


Figure 8. Soil map of the site.

ELITE AND PRIME LAND

The Auckland Unitary Plan (Updated 24 October, 2019) defines elite and prime land as:-

Elite land:

Land classified as Land Use Capability Class 1 (LUC1). This land is the most highly versatile and productive land in Auckland. It is:

- *well-drained, friable, and has well-structured soils;*
- *flat or gently undulating; and*
- *capable of continuous cultivation.*

Includes:

- *LUC1 land as mapped by the New Zealand Land Resource Inventory (NZLRI);*
- *other lands identified as LUC1 by more detailed site mapping;*
- *land with other unique location or climatic features, such as the frost-free slopes of Bombay Hill;*
- *Bombay clay loam;*
- *Patumahoe clay loam;*
- *Patumahoe sandy clay loam; and*
- *Whatitiri soils.*

Land containing prime soil:

Land identified as Land Use Capability classes two and three (LUC2, LUC3) with slight to moderate physical limitations for arable use. Factors contributing to this classification are:

- readily available water;
- favourable climate;
- favourable topography;
- good drainage; and
- versatile soils easily adapted to a wide range of agricultural uses.

It is our assessment that the site contained 'prime soil' as per the Unitary Plan definition. There were no Elite soils on the site.

The area investigated had well drained Karaka soils on flat to gently undulating slopes (LUC class 2s4) which corresponds to Auckland Council's Farm LUC 1c unit. These soils are suited to a wide range of uses and have many features in common with LUC class 1. They are also well suited to horticultural crops such as kiwifruit and avocados. However, they do have slight limitations for arable farming such as very loose soil structure when cultivated, slight susceptibility to wind erosion, and low natural fertility.

Karaka soils on undulating slopes (LUC class 2e4) are good arable land and assessed as 'Prime land'. Karaka soils on rolling slopes (LUC class 3e5) that were well drained or moderately well drained were assessed as 'Prime land'.

Soils on strongly rolling or steeper slopes, or imperfectly or poorly drained soils, were assessed as 'Other productive land'. 'Non-productive land' were areas of farm track and buildings not suitable for agricultural production.

Tables 3 and 4 show characteristics of the LUC classes and how they relate to Prime and other land types. The map of Prime, Other productive land and Non-productive land is shown in Figure 9.

Table 3. Table showing soil, slope, erosion risk and drainage for LUC and land classes.

LUC class	Soil	Slope	Erosion risk	Drainage	Elite/prime
2s4	Karaka	Flat to gently undulating	negligible	Well	Prime land
2e4	Karaka	Undulating	negligible	Well & moderately well	Prime land
3e5	Karaka	Rolling	Slight to moderate	Well & moderately well	Prime land
2w3	Karaka mottled	Undulating	negligible	Imperfectly	Other
2w3	Te Hihi	Flat to gently undulating	negligible	Imperfectly	Other
2w3	Whatapaka	Flat to gently undulating	negligible	Poor	Other
3w2	Ake Ake	Flat to gently undulating	negligible	Poor	Other
4e & 6e	various	Strongly rolling to steep	Moderate to severe	Well to moderately well	Other
Tracks & buildings					Non-productive

Table 4. Table areas for the LUC and land classes.

LUC class	Soil	Slope	Hectares	Per cent	Elite/prime
2s4	Karaka	Flat to gently undulating	5.5	19.0	Prime land
2e4	Karaka	Undulating	4.6	16.0	Prime land
3e5	Karaka	Rolling	3.3	11.3	Prime land
2w3	Karaka mottled	Undulating	1.4	4.9	Other
2w3	Te Hihi	Flat to gently undulating	0.3	1.5	Other
2w3	Whatapaka	Flat to gently undulating	6.1	20.9	Other
3w2	Ake Ake	Flat to gently undulating	5.0	17.3	Other
4e & 6e	various	Strongly rolling to steep	0.9	3.3	Other
Tracks & buildings			1.7	5.8	Non-productive
Total			28.9	100.0	

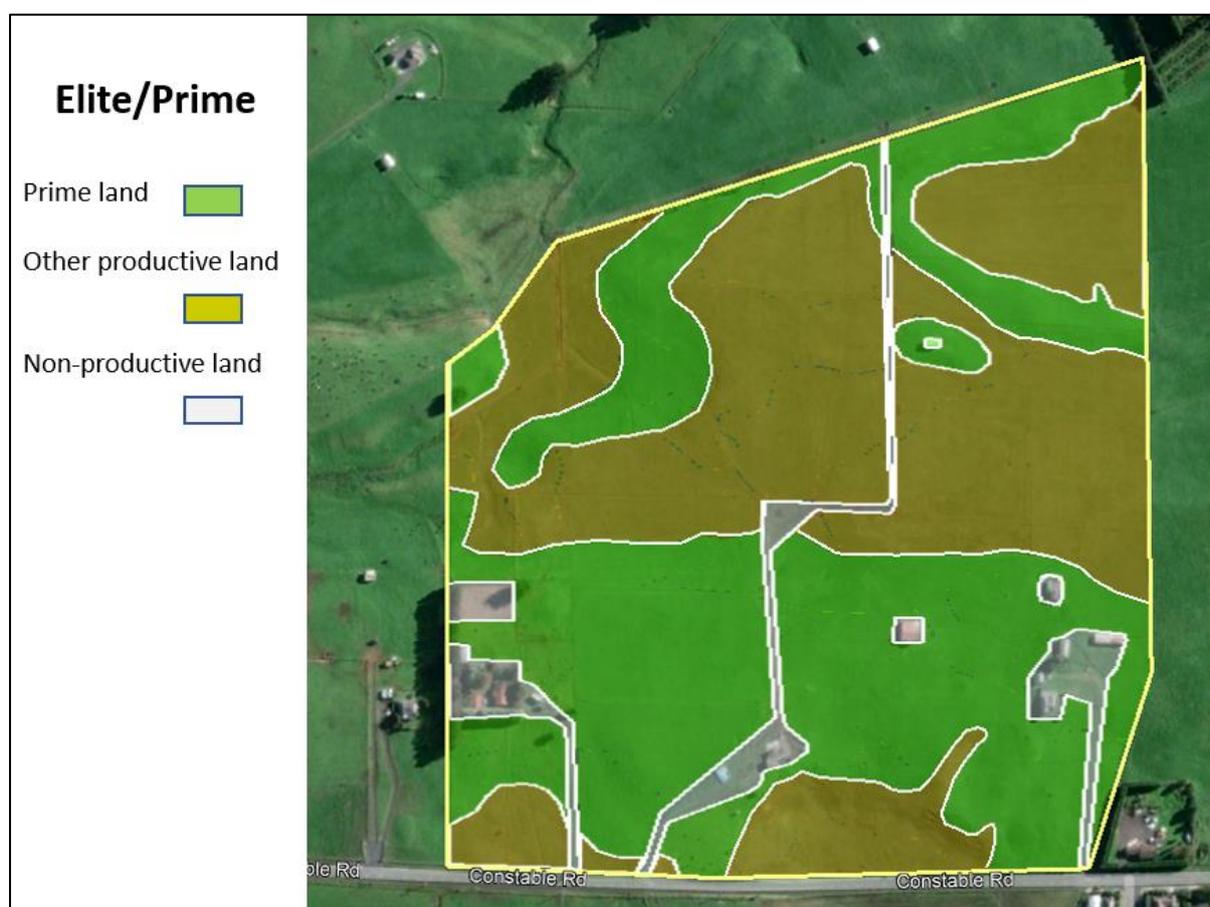


Figure 9. Prime and other land within the site. Elite land was not present.

PROPORTIONS OF PRIME & OTHER LAND

The area and proportions of Prime and Other land was calculated from the mapped areas using Google Earth. The summary of the areas and proportions of land at the site are shown in Table 5.

Prime land was Karaka soils and covered 46.3 % of the site. Other productive land was 47.9 % and non-productive land was 5.8 %.

Table 5. Summary of the area and proportions of land types.

Land type	hectares	%
Prime land	13.4	46.3
Other productive land	13.9	47.9
Non-productive	1.7	5.8
Total	29	100

Table 6 shows the amounts of each LUC class in the Auckland region and a map showing the regional extent of elite and prime soils is in Appendix 1. Both are from Curran-Cournane *et al*, (2013)

Table 6. Breakdown and proportion of Land Use Capability (LUC) Classes 1-8 in Auckland.

LUC Class	Hectares	% of region
1	4397	1
2	55356	12
3	65090	15
4	79641	18
5	0	0
6	174067	39
7	52420	12
8	12886	3

CONCLUSIONS

The site was predominantly other productive land (47.9 %). These were areas of poorly drained and imperfectly drained soils, or steep slopes. Prime land made up the majority of the remaining land (46.3 %) and was largely well and moderately well drained Karaka soils on flat to rolling slopes. Non-productive land was 5.8 % of the area.

REFERENCES

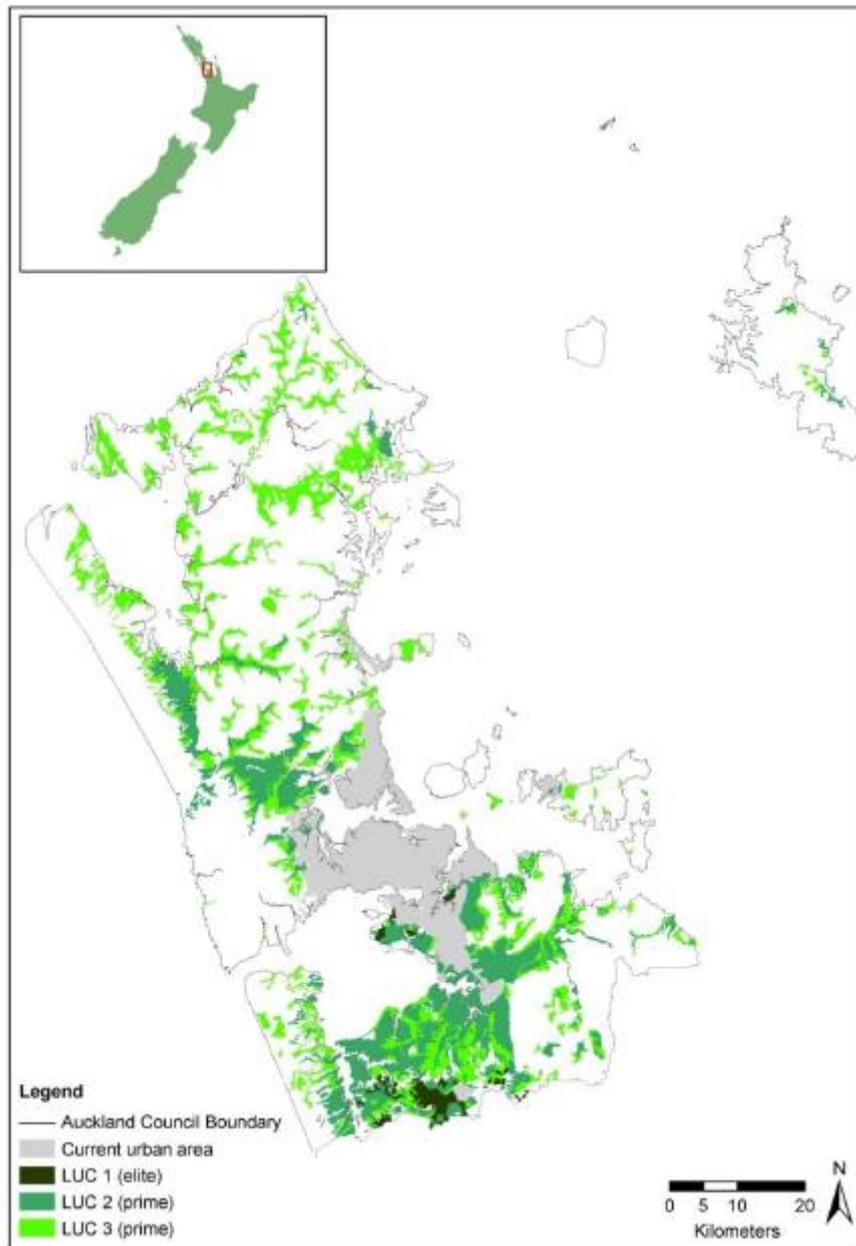
- Curran-Cournane, F., Vaughan, M., Memon, A., & Fredrickson, C. 2013. Auckland's elite and prime land: similar messages and continued trade-offs 54 years later. Auckland Council technical report, TR2013/050
- Hewitt, A.E. 2010. New Zealand Soil Classification 3rd edition. Landcare Research Science series No 1. Manake Whenua Press.
- Hicks, D & Vujcich, V. 2017. Farm-scale land use capability classification for Auckland. Auckland Council technical report, TR2017/016
- Lynn, I., Manderson, A., Page, M., Harmsworth, G., Eyles, G., Douglas, G., Mackay, A. & Newsome, P. 2009. Land Use Capability Survey Handbook. A New Zealand handbook for the classification of land- 3rd edition, 163p; AgResearch Ltd, Hamilton; Landcare Research New Zealand Ltd, Lincoln; Institute of Geological and Nuclear Sciences Ltd, Lower Hutt.

Milne J D G., Clayden B., Singleton PL., & Wilson AD. 1995. Soil Description Handbook - Revised Edition. 157 p; Manaki Whenua Press, Lincoln, Canterbury, NZ.

Orbell, G. E. 1977. Soils of part Franklin County, South Auckland, New Zealand. NZ Soil Survey report 33. NZ Soil Bureau, Wellington, NZ.

Schofield, J.C. 1973. Geological Map of New Zealand, sheet 3 – Auckland. 1:250,000

APPENDIX 1: REGIONAL DISTRIBUTION OF ELITE & PRIME LAND



5 August 2025

Vernon Developments Limited
C/ The Surveying Company Limited

by email

Attention: Chanel Hargrave

Dear Chanel

Vernon Developments Limited – 1799A Great South Road – s 92 Response

1. Further to our correspondence, you have asked me to provide a legal opinion addressing matters arising from Auckland Council's (**Council**) request for further information¹ (**RFI**) with respect to Vernon Developments Limited's (**VDL**) application for resource consent (**Proposal**).²
2. I understand that this opinion will be provided to Council as part of VDL's RFI response.

Context

3. VDL seeks to operate a rural contracting activity involving rural commercial services and rural industry activities at 1799A Great South Road (**Site**).
4. By way of relevant context:

¹ Dated 2 April 2025.

² BUN60444618.

- a. The AEE describes the activity for which consent is sought as “a rural contracting activity (rural commercial service / rural industry).”
 - b. Section 2.0 of the AEE sets out the consents required under the Auckland Unitary Plan Operative in Part (**AUP**). Relevantly, Table H19.4.1 Rural Industries (A21) and Rural Commercial Services (A16) are restricted discretionary activities by reference to the AUP’s Rural Zones.
 - c. The overall activity status is discretionary.
 - d. The application for resource consent was lodged in February 2025.
5. The RFI seeks further information with respect to a variety of matters. Those matters are addressed in the RFI response you have prepared and the supporting attachments (**Response**). Specialist input has been sought from Ms Peake to address landscape and visual effects.
6. The RFI seeks clarity regarding the activities proposed to be undertaken on the Site. Council appears to be concerned that the activity for which consent is sought is not properly classified as a rural activity.

Matters to Address

7. The RFI matters requiring legal input are limited to:
- a. Comments on the customer base of the existing activity and a breakdown of percentage of non-rural customers;³
 - b. The AUP definition of “land containing prime soil” and its application to the Site;⁴
 - c. The National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**) definition of a “supporting activity”;⁵ and
 - d. Whether the proposed use of land will be a “goods site” by reference to the AUP.⁶
8. I will deal with each matter in turn.

³ RFI 6(d).

⁴ RFI 11.

⁵ RFI 12; non-RFI comment paragraph 3.

⁶ RFI 43.

Executive Summary

9. In summary:
 - a. It is not necessary to provide a breakdown of financial records and customer breakdown for VDL's existing operation in the context of a s 92 request.
 - b. Notwithstanding the above, VDL anticipates the Proposal will comprise approximately 75% - 80% rural customer base.
 - c. Rural commercial services and rural industry are not constrained solely to a rural customer base, so long as they are principally servicing rural productive activities.
 - d. With respect to productive soils, the Proposal:
 - i. On a property level analysis contains limited "land containing prime soils"; and
 - ii. Fits within the NPS-HPL definition of a "supporting activity".
 - e. The Proposal does not involve a "goods site" by reference to the AUP.

Proposed Land Use Activities - RFI 6(d)

10. RFI 6 seeks further clarity on the proposed activities to be undertaken on the Site. All requests, except for 6(d), have been addressed in Attachment A to the Response.

RFI Request 6(d)

11. RFI 6(d) requests comment as follows:

Please provide a breakdown on what percentage of the current customer base and turnover of the business operation at 1799A Great South Road is associated with residential and commercial or industrial customers that do not have a direct connection to rural production activities.

Response

12. The request is directed at the current customer base and turnover of the business operation currently undertaken on the Site.
13. In response:
 - a. It is understood that the purpose of the request is theoretically to identify the degree to which the existing activities may service any non-rural productive uses.

- b. I say that strictly the make-up of the current customer base is not relevant to the assessment of effects of the Proposal. The proper assessment to be undertaken is on the effects of the activity for which resource consent is sought as described in the application, which VDL states is a rural contracting activity.
- c. VDL has no obligation to provide financial turnover records for the activity currently operating on the Site. VDL's turnover records (and associated client base) are confidential, commercially sensitive and not relevant to the assessment of effects of the proposed activity. Such request goes beyond the ambit of an appropriate s 92 request.
- d. A consent authority must assume that a consent holder will not act unlawfully (i.e. they must assume the consent holder will act in accordance with the conditions of a resource consent granted). Historic activity is not relevant to that assessment.
- e. Notwithstanding the above, Mr Vernon⁷ has advised that approximately 75% - 80% of the current activity's customer base is the rural sector. The Proposal is anticipated to comprise a similar percentage of rural customer base.

Additional Response regarding definitions

- 14. It appears that Council's processing officers are of the initial view that some of VDL's proposed activity may not fall within the definition "rural commercial services" or "rural industry" as some of the equipment, machinery, services and business components might be provided to some residential and commercial customers. It also appears, if that were the case, they have a concern that as a result the proposal does not come within the definitions at all. I address the issue further below.
- 15. I preface that discussion, by recording in summary my view (for reasons I set out) that the activity for which consent is sought comes within the relevant definitions. In addition, I am also of the opinion that the activities proposed can service non- rural activities and remain within the definitions so long as that is not its principal function (and other relevant aspects of the definitions are met).

Relevant AUP Definitions

- 16. For convenience, I set out the relevant AUP definitions in full below:

⁷ Director, VDL.

a. Rural commercial services:

Commercial services that:

(a) have, as their principal function, a clear connection to, or provide services to:

- (i) rural production activities; or
- (ii) aquaculture activities; and

(b) involve the sale of:

- (i) rural produce and other products produced by a handcraft industry or home occupation on the same site; or
- (ii) rural services that support rural production activities or aquaculture; and

(c) may have some form of accessory depot, office, base, or storage area, from which the activity is normally operated or commenced.

Includes:

- farm visits;
- laboratories and research facilities associated with rural production activities;
- rural topdressing, pest control and spraying services;
- servicing, assembling or repair of agricultural or aquaculture machinery or equipment;
- the services of a trenchers, post rammers, or fencing contractors; or
- aquaculture equipment storage or maintenance.

Excludes:

- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site;
- stock yards that are accessory to farming carried out on the same site;
- shops for sale or hire of goods;
- freight or transportation services;

- storage of vehicles or equipment for hire;
- sale yards;
- sawmills and portable sawmills;
- grain silos or feed mills;
- aquaculture equipment storage or maintenance;
- meat or poultry processing;
- dairy factories;
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- packing sheds.

This definition is nested within the Rural nesting table.

- b. **Commercial services:** Businesses that sell services rather than goods. For example: banks, real estate agents, travel agents, dry cleaners and hair dressers.

c. Rural industries:

Industries that:

(a) have, as their principal function, a clear connection to, or provide services to:

- (i) rural production activities; or
- (ii) aquaculture activities; or

(b) use raw materials derived from:

- (i) rural production activities;
- (ii) aquaculture activities, or
- (iii) the natural resources on the site other than topsoil or aggregate; and

(c) may have some form of:

- (i) processing facility;
- (ii) accessory depot; or
- (iii) base or storage area, from which the activity is normally operated or started.

Includes:

- freight or transportation services;
- storage of vehicles or equipment for hire;
- sale yards;
- sawmills other than portable sawmills;

- grain silos or feed mills;
- meat or poultry processing;
- dairy factories; and
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site.

Excludes:

- home occupations;
- shops (sale or hire of goods);
- rural topdressing, pest control and spraying services;
- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- stock yards that are accessory to farming carried out on the same site.

This definition is nested within the Rural nesting table.

- d. Rural production activities:** Activities that involve the production of primary products such as those from farming, intensive farming, horticultural, or forestry activities, and which have a functional need for a rural location.

17. In my opinion the proposed rural contracting activity the subject of the consent is properly defined as a “rural commercial service” and “rural industry” activity (some parts of the activities come within either definition, while others come within one or the other).
18. When considering the definitions, principles of statutory interpretation are engaged. Those principles are well-established and are not repeated here.⁸
19. To come within the definitions, the proposed activity (relevantly):
 - a. Rural commercial service – must be a commercial service that has as its principal function a clear connection to or provide services to rural production activities and involve the sale of rural services that support rural production activities and may have some form of accessory depot, base or storage area from which the activity is normally operated or commenced.
 - b. Rural industry – must have as its principal function a clear connection to or provide services to rural production activities and may have some form of accessory depot, office, base or storage area from which the activity is normally operated or started.
20. Assessing the definitions:
 - a. A commercial service is defined as a business that sells services instead of goods.
 - b. For both Rural commercial services and Rural industries the concept of a principal function is relevant.
 - c. The AUP does not define the term “principal function”. I have not found relevant case law where the term was expressly judicially considered or defined in the context of the AUP.
 - d. The ordinary meaning of “principal” is “first in rank or importance; chief; main, leading.”⁹
 - e. In my submission the chief, main or leading function of the service in question would be a function or service which would exceed more than 50% of the activity. It does not need to be the only function or service. I return to this below in the context of relevant case law.

⁸ In short, consider the plain ordinary meaning of the terms as well as the immediate context of the Rule.

⁹ Oxford Dictionary

- f. The definitions require either “a clear connection to or provide services to” rural production activities. Thus, there is some flexibility as to how a service relates to rural production activities – in my opinion a “clear connection to” could perhaps be interpreted to give more flexibility than “provide services to”, although nothing turns on that distinction for the purposes of my opinion. Either a connection or actual provision of services to a “rural production activity” is required. My view is that the proposed activity does both.
- g. The commercial service must also “involve the sale of rural services that support rural production activities.” The only additional obligation imposed by this wording is that the services must “support” rural production. That terminology can encompass a wide range of potential activities.
- h. “Rural production activity” is defined. It refers to activities that involve the production of primary products such as those from farming,¹⁰ intensive farming,¹¹ horticultural,¹² or forestry¹³ activities and have a functional need for a rural location.
- i. The AEE sets out a list of current activities and services provided by VDL to farming and forestry clients.¹⁴ My view is that those activities have a clear connection to and provide services to rural production activities. For example, undertaking rural contracting activities such as constructing, maintaining and repairing farm access tracks, feed pads, farm drains, tractor services and earthworks would fall within the definition.
- j. The definition of “rural commercial services” also expressly includes “servicing, assembling or repair of agricultural machinery or equipment” and therefore would cover those activities proposed to be undertaken on the Site.
- k. The “Rural industry” definition expressly includes “freight or transportation services” and would cover for example, collection, cartage and distribution of stock feed for farming use (i.e. animal feed).

¹⁰ Land used for horticulture, beekeeping, or raising, caring, breeding and grazing of livestock.

¹¹ Intensive growing of fungi, livestock, or poultry within a building or structure or on animal feed lots with: limited or no dependence on natural soil quality on the site; and food required to be brought to the site.

¹² Production of flowers, fruit, vegetables, and grains. Includes greenhouses, plant nurseries and orchards.

¹³ Growing trees to produce timber, or where the land cover is principally timber tree species. Includes: clearing understorey; harvesting trees; portable sawmills; planting trees; tree alteration; replanting trees; thinning trees; and accessory vegetation removal.

¹⁴ Page 15.

21. In my opinion there the ability for an activity to provide services to non-rural production activities (i.e. residential or commercial) so long as that does not disrupt or overtake its principal function. That reflects case law referred to below.
22. Returning to “principal function” and real world application of the definitions, and related to the question from Council officers about the makeup of the current VDL business, is there the ability for an activity to provide services to non-rural production activities so long as that does not disrupt or overtake its principal function and thereby remain within the definition? In my opinion the answer is yes.
23. I have already identified that principal function essentially requires simply that the activities in question represent the majority or the main function.
24. I am aware of a council-level decision granting consent for the operation of a rural contractor’s yard in Sutton Road, Drury.¹⁵ When determining whether the activity was properly “rural industry” as defined by the AUP, the independent commissioners considered evidence from the applicant as to what type of services were provided. The applicant’s evidence was that 69.18% of the business had a direct link to rural production activities and a further 8.07% had an indirect link to rural production activities. A further 22.7% of the business related to urban activities.¹⁶
25. The commissioners stated:¹⁷
- We see no need to undertake any further detailed analysis of the conclusions of either Mr Askew or Ms Bartley on this matter. The Rural Industry definition requires that the principal function of the industry, being more than 50% of business activities, relate to rural production. Both witnesses agree this definition is met.
26. Thus, at a consent authority level there is precedent for the position that at least 50% of rural industry activities must have a clear connection to, or supply services to rural productive use but there is no need for precision beyond that. I agree with that approach.
27. I understand that the proposed operation will service and support rural production activities to a degree well in excess of 50% of the business – likely something in the order of 70% -80%. In my view, that squarely falls within a principal function.

¹⁵ Decision dated 1 July 2020.

¹⁶ I note the Council’s planner reached slightly different percentages, but nothing turns on that.

¹⁷ Decision at [46].

28. It is not surprising that the definitions allow some room for manoeuvre. A real-world approach acknowledges that the same type of rural services and materials can also service residential and commercial customers.¹⁸ Such diversification does not materially change the level of effects arising from the proposal, rather it increases efficiency and is an effective use of resources and services.
29. The question of servicing non-rural customers is also raised in the context of RFI requests 7 and 8 and additional comment 4. My comments above are equally applicable to the extent they are raised in those RFIs.

Highly Productive Soils – RFI 11 & 12

30. The RFI seeks further information regarding the Proposal's location on highly productive soils, both in the context of the AUP(OP) and the NPS-HPL.

RFI Request 11

31. Commencing with the AUP(OP), RFI 11 provides:

The AEE on Page 30 states that imperfectly drained 3s3 soils on the site are classed as other productive land under the AUP(OP), not prime land. However, as per the AUP(OP) definition of 'Land containing prime soil', all LUC 2 and 3 soils class as prime soils under the AUP(OP). Please update your assessment accordingly and provide a revised AEE, to avoid later confusion.

Response

32. The AEE contains an assessment of elite and prime soils in section 6.5.1. The AEE's assessment and conclusion is informed by, and relies upon, the expert technical reports prepared by AgFirst¹⁹ and Landsystems.²⁰
33. The Planning Response relies on Dr Hill's assessment and concludes not all LUC 2 and 3 soils are prime soils and that the Site contains LUC 3 soils which are more accurately classified as

¹⁸ One obvious example is back hauling loads by trucks.

¹⁹ Development of a Rural Contractors Yard Assessment Against NPS-HPL for Vernon Developments Limited dated December 2024 prepared by Jeremy Hunt and Sean Alexander.

²⁰ Land Use Capability Classification Assessment dated 29 November 2024 prepared by Reece Hill.

“other productive land”. Consequent on expert opinion, VDL retains its description and identification of the Site’s LUC 3 soils as “other productive land”.

34. I note at commencement that interpreting the AUP definition is a different task to assessing the NPS-HPL 2022. Therefore in the context of the AUP definition, the New Zealand Land Resource Inventory (NZLRI) mapping of the site is not determinative.
35. Turning to the definition, the AUP defines “land containing prime soil” as:²¹

Land containing prime soil

Land identified as land use capability classes two and three (LUC2, LUC3) with slight to moderate physical limitations for arable use.

Factors contributing to this classification are:

- readily available water;
- favourable climate;
- favourable topography;
- good drainage; and
- versatile soils easily adapted to a wide range of agricultural uses.

36. The definition requires land to be identified as LUC 2 and 3 with slight to moderate physical limitations for arable use. Land containing *prime soil* can be contrasted with land containing *elite soil* which is the most highly versatile and productive land in Auckland.²²
37. The definition anticipates that land containing prime soils will have a relatively low level of physical limitations for arable use. The subsequent listed factors identify attributes which are anticipated to be present.
38. The Landsystems report undertook a land use capability assessment at a property scale. The assessment included both desktop and on-site assessment components.
39. The Landsystems report expressly engages with the definition at pages 5 – 6. The report notes that with respect to the AUP’s definition:²³

Land containing prime soil is arable, versatile, has favourable topography and good drainage. There are no serious climate or soil water storage issues. Unfortunately, these characteristics for land containing prime soil are not

²¹ Chapter J – Definitions.

²² Chapter J – Definition of “land containing elite soil”.

²³ Page 6.

defined. AUP land containing elite or prime soil, and other productive land was classified using the definition interpretation used by soil scientists in the Auckland region for previous private plan changes.

40. At the NZLRI scale, the entirety of the Site is identified as containing LUC 2e2 (erosion) soils, namely well-drained Hamilton clay loam on undulating slopes.
41. When mapped at a property level scale, the Site's soil composition is more varied.²⁴ Notably, the Site contains a 2.2 ha area of LUC 3s3 soil which Dr Hill records as "other productive land". Table 5 to Dr Hill's report identifies about 70% of the Site when properly assessed, is not prime land.
42. Dr Hill's assessment concludes that the Site's LUC 3s3 soils (approx. 2.2ha) is not prime soil, rather it should be classified as "other productive land" due to its imperfect drainage characteristics.²⁵ Dr Hill's conclusion is supported by a site-specific analysis of soil samples. The conclusion with respect to the LUC 3s3 soils is that they have "moderate physical limitations to arable use, and in this case, moderate structural impediments to cultivation, imperfect drainage, and stony soils"²⁶ such that they are not proper representation of prime soil as defined by the AUP.
43. Thus, the expert opinion is:²⁷
- Based on the on-site mapping and applying the AUP definition for land containing elite and prime soil, elite soil was not mapped on the site. LUC 2e2 and 2s3 land is prime soil. Due to the imperfect drainage characteristics of the 3s3 land on site, and very shallow, stoney nature of the LUC 4s land, the remaining available productive land is classed as other productive land.
44. The AEE contains a detailed assessment of the above and concludes that applying a real-world assessment, "the location of the activity on the Site responds to the detailed characteristics of the soil present. The activity largely occurs on land not identified as Prime with only a small portion (approximately 5000m²) of the activity occurring on Prime land."²⁸
45. I do not agree with Council's approach that all LUC 2 and LUC 3 land is by default, prime land. The definition of prime land goes further than simply specifying LUC 2 and 3 without more (as it could have) and adds the requirement that the soil in question have "slight to moderate

²⁴ Refer Table 5, Landsystems report.

²⁵ AEE Attachment 9, pg. 21.

²⁶ AEE Attachment 9, pg. 17 - 18.

²⁷ Refer Table 5, Landsystems report.

²⁸ AEE, pg. 31.

physical limitations for arable use” (notably in the context of this site including as a relevant factor “good drainage”). The soil may upon expert site specific assessment be found to have physical limitations that take it outside the definition. That is the case here, with identified physical limitations and structural impediments, including of particular note, imperfect drainage.

46. The proper interpretation of the AUP prime soil definition has already been addressed before Commissioners (as identified in the planning response). Consideration of prime vs. other productive soils was considered in the context of Private Plan Change 73 (PC73). To summarise that proposal:

- a. PC73 proposed to rezone approximately 32.5ha of land in Waiuku from Rural – Mixed Rural Zone to Residential – Mixed Housing Urban Zone.
- b. Both the applicant’s soil expert and Council’s peer reviewer agreed that some areas of the site’s LUC 2 and 3 soil did fall within the definition of “prime”, while others did not and were therefore “other productive land”.
- c. On that point, the Hearing Panel concluded:

[220] We accept the expert evidence that the classification of prime land under the Unitary Plan is more than simply identifying whether the land is Class 2 or 3 and involves a somewhat nuanced assessment based on the factors outlined in the Unitary Plan definition of “Land containing prime soil”. On that basis we find that the plan change land contains 13.4ha (46.3%) of prime soils and 13.7ha (47.9%) of other productive land within this classification.

- d. While ultimately the Hearing Panel declined PC73, the applicant was successful on appeal to the Environment Court.²⁹ I note the *Gardon* appeal did not challenge the Hearing Panel’s decision regarding its findings on the identification of the site’s prime soils.

47. Although the PC73 decision is not binding on Council, it does provide authority for a more nuanced approach to the interpretation of prime soils. In my view, the site-specific assessment of Dr Hill should be preferred.

²⁹ *Gardon Trust v Auckland Council* [2025] NZEnvC 058.

48. In any event, I do not consider the presence of “land containing prime soils” to be a barrier to consent.

RFI Request 12

49. RFI 12 provides:

The AEE states on page 15:

VD has a broad rural production client base. Their clients include large arable cropping business and members of the Pukekohe Growers Association such as R C Hari Ltd, Balle Bros Ltd and Manga Jivan Ltd. Forestry clients including JT Logging and Pulley Contracting Limited. Intensive and pastoral farming clients include pig, poultry, goat, dairy and drystock businesses. While the primary function of VD is to service the rural production sector, a small amount of work is also undertaken for residential and commercial clients. This is to ensure that the business is diverse enough to handle the seasonal nature of farming and to ensure all staff remain employed throughout the year. It is expected that the activity will grow to employ 30 staff over the next 5 -10 years. The site will provide an administration hub and storage yard for staff, vehicles and machinery (...).

This description of the business activities appears to go beyond a supporting activity, as defined in the NPS-HPL (see non s 92 commentary). If you consider otherwise, please provide additional information to demonstrate that the proposed activities support land based primary production on the site, surrounding HPL and the applicants’ landholding.

Response

50. I disagree with Council’s interpretation.
51. As a broad observation I note the extract on page 15 of the AEE forms part of the “Proposal Overview”. It is intended to provide context to the activity the subject of consent by demonstrating VDL’s broad rural client base. It is not, of itself, an assessment of the NPS-HPL.
52. The relevant provisions of the NPS-HPL are considered in detail in section 7.2.2 of the AEE, commencing at page 37. That assessment includes specific consideration of the term “supporting activities”. The RFI does not refer to this assessment, rather it centres solely on the overview of the proposal and a description of the activities currently undertaken on the

Site. For the purposes of assessment, the Council must consider the application as it pertains to the activity sought to be undertaken, not the activities currently undertaken on the Site.

53. In any event, I assume from the additional comment that the Reporting Planner does not accept the assessment in section 7.2.2 of the AEE. Taking RFI 12 and the additional comment together, the Council's reasoning appears to be based on:

- a. The proposed activity "going beyond" a supporting activity for "land-based primary production on the site, surrounding HPL land and the applicant's landholding"; and
- b. The Ministry for the Environment's National Policy Statement for Highly Productive Land Guide to Implementation (**Guidance Document**).

54. As with any interpretative exercise, the starting point is with the text of the provision in question.

55. I assume the provision Council refers to is cl 3.9(2)(a) of the NPS-HPL which provides (relevantly):

A use or development of highly productive land is inappropriate except where it provides for supporting activities on the land.

56. The term "supporting activities" is defined in the NPS-HPL as:³⁰

Supporting activities, in relation to highly productive land, means those activities reasonably necessary to support land-based primary production on that land (such as on-site processing and packing, equipment storage, and animal housing).

57. As noted above, the AEE addresses this definition in section 7.2.2 of the AEE. That assessment is supported by the technical report prepared by AgFirst. I do not propose to repeat those assessments other than to note they provide a sound basis for the conclusion that the proposed activity does fall within the definition of a "supporting activity".

58. I make the following observations:

- a. Supporting activities is defined as "in relation to highly productive land, means those activities reasonably necessary to support land-based primary production on that land". Therefore, the activities must:

³⁰ Clause 1.3, NPS-HPL.

- i. Relate to highly productive land (not a particular site) which is a defined term;³¹
and
 - ii. Be “reasonably necessary”³² to support land-based primary production on that land.
- b. The words “on that land” refer to “highly productive land” generally and do not limit activities to primary production on a particular site. Had the intention to be to limit supporting activities to a particular site, the NPS-HPL could have used that term. It did not.
- c. Whether a supporting activity is “reasonably necessary” is a question of fact. The AEE and AgFirst report demonstrate why the proposed operation is reasonably necessary to support rural production including land-based primary production. As noted in the AEE, the proposed activity will provide services that are necessary to enable the use of highly productive land and are an integral part of rural production.³³
- d. Council’s approach undermines the crucial role rural contracting services provide to land-based primary production. The activities the subject of consent will provide invaluable rural commercial and rural industry services to highly productive land. I say that falls squarely within the ambit of “reasonably necessary”. There are many reasons why land-based primary producers do not have their own machinery, maintenance equipment and cartage options. Without access to specialised rural services and cartage, many land-based primary producers could not operate effectively and efficiently. In that respect, VDL provides an integral supporting service to land-based primary production.
- e. The Council has misapplied cl 3.9(2)(a) by relying on examples contained in the Guidance Document. In addition to not being a comprehensive list, in my view, the examples given in the Guidance Document if considered as a comprehensive list inappropriately narrow the application of the exception in cl 3.9(2)(a).
- f. While it is appropriate in some circumstances to consult external interpretive aides, it is inappropriate to interpret cl 3.9(2)(a) narrowly by reference to the Guidance Document.

³¹ Highly productive land means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

³² Reasonably necessary is not defined.

³³ AEE, pg.39.

g. The courts have consistently cautioned against the inappropriate use of non-statutory guidance documents as interpretative aides. In that respect, I note:

- i. The Guidance Document is a non-statutory document and is therefore not binding on a decision-maker required to have regard to the NPS-HPL.
- ii. The Guidance Document's disclaimer provides, inter alia, that "the information provided has no official status and so does not alter the laws of New Zealand, other official guidelines or requirements."
- iii. In considering the Guidance Document, the Environment Court has strongly cautioned against reliance upon it. In *Gray v Dunedin City Council*,³⁴ the Court noted that the council's arguments made extensive reference to the Guidance Note's examples of inappropriate activities under cl 3.9 and urged the Court to find in alignment with the Guidance Note.
- iv. The Court disagreed, stating:

[206] However, we are not prepared to give any weight to the discussion of the NPS-HPL in the MfE guidelines. We refer to the High Court's observation on the relevance of the Guidance Notes published by MfE for the NZCPS 2010 which we respectfully agree with and are in any event bound by:³⁹

The first question is what status should be given to the Department of Conservation's Guidance Notes. It is clear that they have no statutory basis, and that whilst helpful, they are not legally binding on the Court as necessarily properly interpreting the provisions of either the Act or the NZCPS. Whilst the Supreme Court may have referred to the Guidance Notes, not surprisingly it did not determine that the Guidance Notes are determinative, and indeed the Guidance Notes themselves include a disclaimer that they are not a substitute for legal advice, neither are they official government policy.

³⁹ *Opoitere Ratepayers and Residents Association v Waikato Regional Council* [2015] NZEnvC 105, at [97].

- v. The Court went on to find that subsequent decisions of the Environment Court, including that of *Federated Farmers of New Zealand v Northland Regional Council*,³⁵ had taken the same approach.

³⁴ [2023] NZEnvC 45.

³⁵ [2022] NZEnvC 016.

- h. It is clear from the above that while guidance documents potentially can be used as an interpretative aide, they are not infallible, and they cannot derogate from the terms of the statutory requirements they are being used to interpret.
59. It is also important to note that the NPS-HPL is but one of the matters to which Council must have regard to under s 104 RMA and is not necessarily determinative. The Environment Court in *Hopkins v Waikato District Council*,³⁶ was asked to consider an appeal against a decision regarding a resource consent for a rural contractors' depot. Relevantly:
- a. The proposed activity included cartage and general civil contracting services for rural clients, as well as roading infrastructure. Notably, the Court held that the NPS-HPL was but one of the matters to which it must have regard to under s 104 of the RMA.³⁷ Due to the very limited loss of productive potential and the alignment of the proposal to rural production, the Court did not consider the NPS-HPL issue to be determinative.³⁸
 - b. The fact that the Court found the grant of consent appropriate demonstrates that:
 - i. An inconsistency with the NPS-HPL is not necessarily determinative or fatal to an application where an activity otherwise aligns with a rural productive use; and
 - ii. Each case must be determined on its own merits, considering the actual activities that are proposed to occur.
60. To round out the above analysis, it is immaterial whether VDL's proposed activity also provides some level of services to commercial or residential customers. The principal use of the Site is for rural purposes which support land-based primary production for highly productive land. The fact that some non-rural uses may also be supported does not derogate from the fact that the activity is principally for a rural purpose.

Use of the Site for "Goods" - RFI 43

RFI Request 43

61. RFI 43 provides:

³⁶ [2025] NZEnvC 034.

³⁷ At [72].

³⁸ At [84].

It is noted that this site has been stated not to be a 'goods' site, please confirm that vehicles stored on this site will not temporarily be holding goods on site, such as stock feed, fertiliser, aggregates or other raw materials.

Response

62. The Planning Response confirms that.³⁹

No 'goods' will be held on site. Trucks will occasionally be loaded with aggregate over night to avoid the need to obtain material in the morning. This aggregate is required to complete a project undertaken by Vernon Developments and is not a dispatch point associated with the sale or transport of goods specifically.

63. Legal commentary may usefully be added.

64. It is not immediately clear from the RFI whether a specific AUP rule is regarded as relevant to this request. If the assertion or assumption is that the storage of "goods" would bring the activity within the ambit of a "freight depot" or sit outside the ambit of Rural commercial services and rural industry that assertion is misplaced.⁴⁰ The activity for which consent is sought is for Rural commercial services and rural industry.

65. As addressed in the AEE, 41 the definition of "rural industries" expressly includes freight and transportation services and the storage of vehicles or equipment for hire. The proposed cartage operation provides services to rural production activities and uses raw materials derived from rural production services and thus falls squarely within the definition of "rural industries".

66. Whether the trucks stored on the Site are laden or unladen is irrelevant as the activity being undertaken is one of "rural industry". The freight and transportation of raw materials or goods is part of the proposed cartage activity which is a type of rural industry – therefore the use and storage of laden trucks on the Site is anticipated by that activity.

67. Further, I note:

- a. The Rural Zone provisions do not control or prohibit the storage of goods on a site.

³⁹ Attachment A, pg. 14.

⁴⁰ AEE, pg. 17.

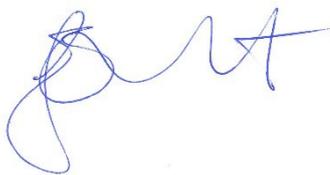
⁴¹ AEE, pp. 17 – 17.

- b. The AUP does not define the term “goods”.
 - c. For completeness, the proposed activity does not process or manufacture goods, nor does it involve shops for the sale or hire of goods.⁴²
68. The primary function of the proposed activity is to provide rural commercial services and rural industry services for rural productive uses. The fact that some aggregate or other organic material may temporarily be stored overnight in trucks on the Site does not change the activity being undertaken, namely the cartage and/or provision of rural commercial services.

Conclusion

69. It is clear from the above analysis that VDL’s proposed activity falls within both the definition of “rural commercial services” and “rural industry”. So long as the principal function undertaken on the Site is to service rural production activities, there is some leeway for non-rural sectors to form part of VDL’s client base.
70. Council is not entitled to speculate that a consent holder will not comply with the consent (and its conditions) for the activity sought.
71. I am happy to discuss the above further.

Yours faithfully,



Jeremy Brabant

⁴² These activities are expressly excluded from the definitions of “rural industries” and “rural commercial services”.



12 October 2022

Jacob Jarvis
The Surveying Company
17 Hall Street
Pukekohe 2120

Approval to Construct Your Vehicle Crossing

Kia Ora,

VXG21640098 - 1799A Great South Road Drury LOT 6 | DP 156089

We are pleased to tell you your application to construct a vehicle crossing has been approved. Congratulations!

What you need to do before you start

Your vehicle crossing will need to have two inspections (one before and one after the concrete is poured) before we can send you your Certificate of Completion (CCL). We need two working days' notice for a vehicle crossing inspection to be arranged.

Please complete the following actions to be ready for the two inspections.

1. Read the following sections on the next page(s) carefully:
 - [Special Conditions](#)
 - [Important Information](#)
2. Make sure you have everything you need before construction starts.
3. Print out a copy of this letter and hand it to your Contractor to have it available for reference on site.
4. Have available any written approval onsite as requested under special conditions

Inspection One: Before concrete is poured

- A **pre-pour inspection** must take place after excavation and boxing of the area. This happens before the concrete is poured.
- Note: The concrete for your vehicle crossings must be poured within **7 days** of this inspection being completed.

Inspection Two: After concrete is poured

- A **final inspection** of the vehicle crossing must take place within **28 days** of the concrete being poured.
- Additional work such as saw cuts, topsoil compacting, and grass seed applications may be required. Please complete the necessary work and remember to remove all boxing and debris from the site before the final inspection.

Please note:

If your vehicle crossing is not built to Auckland Transport standards, your vehicle crossing will be considered non-compliant and will need to be fixed before we are able to approve it. You can arrange this fix with your own Contractor or alternatively Auckland Transport will do this by arranging our contractor to carry out the work. We will then send you an invoice for payment.

Special Conditions

The following special conditions apply to the construction of your vehicle crossing.

Dimensions

Width at Boundary 6.0m Width at Road 14.5m Depth of Concrete 150mm

AT Standards

Approved to construct as per layout in specification VX0303-C Rural vehicle crossing (Zone Speed > 60km/hr)

Temporary Traffic Management

The vehicle crossing is located on a bend L1 road and will require an approved site specific traffic and pedestrian management plan.

Surface Finish

To be constructed as follows:

The vehicle crossing must be finished in Broom Finish. The concrete must be 20mpa with no oxide

Extra Condition(s)

A minimum of a 300mm culvert must be installed

Important Information

Onsite documentation

- A copy of this letter and conditions must always be available for reference at the construction site.

Technical details

- Your vehicle crossings must be built to the plan submitted with the application unless otherwise specified by Auckland Transport.
- All vehicle crossings must comply with controls in the Auckland Unity Plan Section E27 or hold an applicable resource consent.

Construction

- You must ensure your Contractor is familiar with the latest Auckland Transport vehicle crossing construction standards. These can be found <https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/vehicle-crossing-standards/>
- If any Auckland Transport or Auckland Council assets are disturbed, damaged or need replacement, this will be carried out to the applicant's cost.

- Under Activities in the Road Corridor Bylaw 2022, Part 4: Vehicle Crossings, Clause 29, Subclause (6). Once a vehicle crossing has been approved by Auckland Transport i.e. Certificate of Completion issued. Any later amendments to the vehicle crossing must be re-approved or restated at the cost of the owner of land to which a vehicle crossing provides access.

Safety

- Your Contractor must maintain a safe worksite and manage the site in accordance with the Code of Practice for Temporary Traffic Management (CoPTTM). You can find more information about this on the Auckland Transport website via the following link for details <https://at.govt.nz/about-us/working-on-the-road/corridor-access-requests/>
- If a Site-Specific Temporary Traffic and Pedestrian Management Plan is specified in your conditions, you will need to employ a traffic management company and a qualified Site Traffic Management Supervisor to manage the site during the entire construction of the vehicle crossing.
- You need to make sure any unattended excavations are safe by laying compacted metal ramps or similar items on each side of your crossing to allow pedestrians through the site safely.

Further information and help with inspection bookings

- Please allow two working days' notice for vehicle crossing inspection to be arranged.
- Your permit is valid until 12 October 2024 . A new vehicle crossing application may be needed which may result in an additional fee, if you do not have it completed within the timeframe.

If you would like to book a reinspection or talk to someone about your application, please contact our Customer Service Centre at any time. Please have your permit number **VXG21640098** ready so we can find your details quickly and transfer you to the right person.



Phone: 09 355 3553



Email: info@at.govt.nz

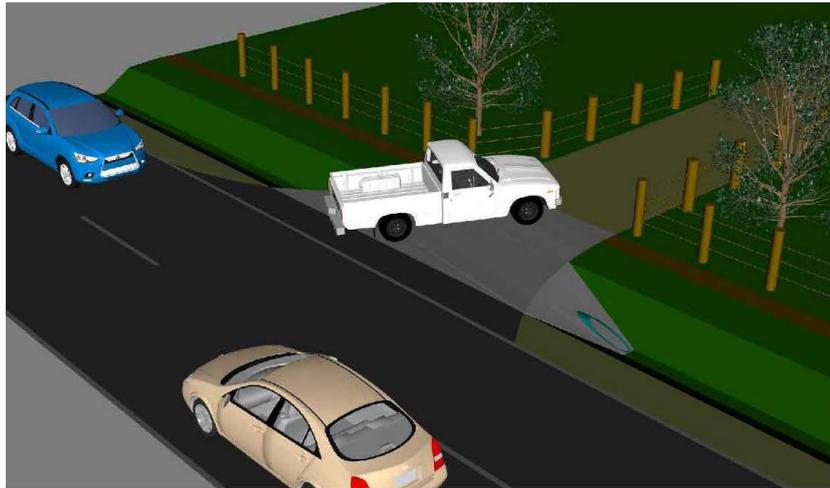
Thank you for your cooperation and patience during the application process.

Ngā mihi,

PP

Brian Guptill | Compliance Auditor | South
Service & Delivery
Auckland Transport

VX0303



3D VIEW
N.T.S

NOTES:

1. All dimensions are in millimeters unless noted otherwise
2. The radius of 7.0m minimum is needed for a van with 20km/hr speed on entering the access.
3. For larger vehicles, the proposed turning speed and tracking need to be supplied. And sealed surface extended to match path.
4. The 13.0m minimum distance to the gate allows for a van turning at 20km/hr to stop. The distance may need to be increased for use by larger vehicles.
5. Drainage culvert \geq 300mm diameter concrete pipe is required.
6. Pavement design to be approved by AT for use other than single residential life style lot.
7. Table drain may need to be deepened and diverted away from the road to install culvert.
8. Whole driveway in the private property to be solid, either concrete or hotmix, to avoid tracking of materials, detritus, metal etc on to the public road.
9. Larger Slabs to have expansion cuts 4m center to center.
10. Any vehicle clear of road shoulder.
11. Where a footpath is provided or planned, the gate recess must be measured from the back of the footpath.
12. Concrete section – residential standard (150mm thick 20MPa concrete on 100 mm thick GAP 40– subgrade minimum CBR of 3) or commercial standard (200mm thick 20MPa concrete on 100 mm thick GAP 40 with the 661 mesh – subgrade minimum CBR of 3)

EXPANSION CUTS TO BE 4m CENTER TO CENTER FOR LARGER SLABS

VEHICLE CROSSING AREA TO BE HOT MIX (REFER TO DRAWING VX0304) OR CONCRETE (REFER TO NOTE 12)

SHOULDER AREA TO BE HOTMIX (REFER TO DRAWING VX0304)

CONCRETE BOUND RIPRAP 100 TO 150mm ROCK EMBEDDED IN CONCRETE 100mm BELOW PIPE

SLOPE 1V:3H MAX

DRAINAGE CULVERT

7000

R7000

EDGE OF ROADWAY

7000

3500

1528

3% SLOPE

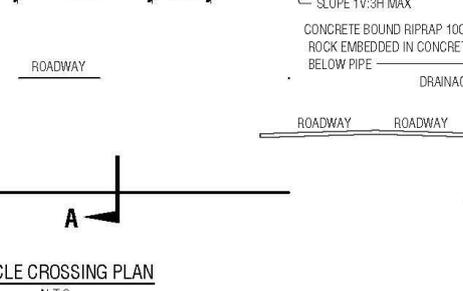
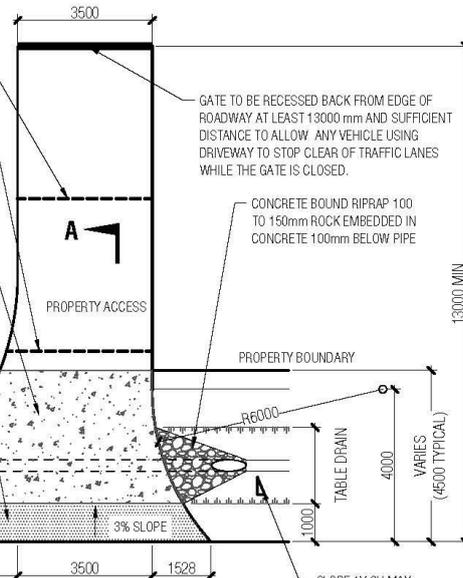
ROADWAY

EDGE OF ROADWAY

A

VEHICLE CROSSING PLAN

N.T.S



SECTION A-A
N.T.S

Transport Design Manual | Standard Engineering Details



TDM TECHNICAL STANDARDS
Rural Vehicle Crossing (Zone Speed > 60km/hr)

Date: 11/04/2022

SED No. **VX0303** Version **C**

09 Vehicle crossings

- DEFINITION** Vehicle crossings provide a way for motor vehicles to enter and exit land next to the road boundary. They are located between the edge of the roadway and the road corridor boundary, across footpaths or barms. Vehicle crossings must not compromise the design criteria for existing or future bus facilities, footpaths or cycleways.
- UNITARY PLAN** Any vehicle crossing must comply with controls in The Auckland Unitary Plan or hold a Resource Consent.
- CROSSING TYPES** Residential crossings for one to four dwellings shall be constructed to Plan GD017 (reinforced). Residential crossings for five to ten dwellings shall be constructed to Plan GD019 (Residential dimensions). Residential crossings for more than ten dwellings shall be constructed to Plan GD019 (Commercial dimensions). Commercial crossings shall be constructed to Plan GD019 (Commercial dimensions). Rural crossings shall be constructed to Plan GD020.
- WIDTHS** A driveway crossing must be no wider at the boundary than it needs to be, e.g.
- A two-way driveway in a residential zone that is 5.5m wide will require the crossing to be 5.5m at the boundary or may be narrowed to 2.75m if there are passing places with clear sight lines.
 - One way access in a centres/mixed use zone may only need to be 3m wide.
 - Access to a car park or petrol station that also provides truck delivery access should restrict the width available for car access by means such as over-run paving, to manage turning speed, vehicle path and safety of footpath users.
- GEOMETRY** Crossing flare should be optimized to produce the minimum turning speeds and swept paths for the road environment.
- PRIORITIES** The pedestrian path through route should be continuous in grade, cross-fall, colour and texture across the driveway, with no tactile warning indicators; the vehicle crossing and driveway must be considered sub-sevent to the pedestrian through route. Only at exceptional high-use vehicle accesses approved by the AT Traffic Operations Manager and holding Resource Consent may vehicle priority be allowed. Tactile warning indicators must be provided across the footpath, and kerbs with pram ramps may be approved.
- PATH THROUGH-ROUTE** The levels and width of the pedestrian through route should not be altered, except that the width may be reduced to not less than 0.9 m where necessary to provide the vehicle ramp down to the channel line.

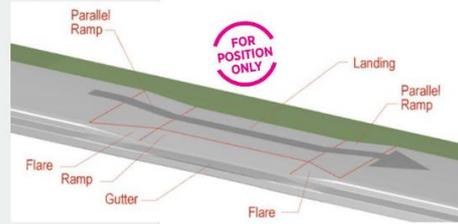


Figure 1 Dropped footpath for steep driveway

- Path crossfall should be 1-2% where possible, or within \pm 3% where constrained.
- For steep driveways requiring a change in the level of the footpath through the crossing, footpath ramps either side of the crossing should not exceed a grade of 8%. If this is not possible, the grade should not exceed 12% and the level difference at this grade should not exceed 75 mm. Check surface water flow depth to avoid flood nuisance.
- LOCATION** Vehicle crossings should be located so that drivers entering and leaving have adequate sight distances along the adjacent footpath, cycleway and road.
- ROAD CHANNEL** Where adjoining kerblines have a drainage channel, the channel profile shall be continued across the vehicle crossing.
- If existing precast concrete kerbing can be removed without disturbing the existing channel, the channel may be retained for residential crossings to Plan GD017.
- In all other cases, existing channel must be removed and the adjoining road edge reinstated as shown on Plan GD 014.
- EXISTING INFRASTRUCTURE** Avoid affecting infrastructure if possible.
- RETAINING STRUCTURES** Any infrastructure that cannot be avoided will require mitigation measures.
- GRADE** Driveway designs should take all reasonable measures to reduce the need for retaining structures or level adjustments. However, should this be considered too onerous, any proposed structure will be subject to an encroachment notice. In this case, all future maintenance, renewal, removal costs, etc. must be borne by the property owner and placed as an encumbrance on the property file.
- Consideration shall also be given to the grade of the driveway to help prevent vehicles scraping and storm water entering the driveway.

- SEE PLANS** If existing road crossfall exceeds 3%, the grade of the 900 mm ramp from the channel shall be reduced from 15% so that the grade change at the channel does not exceed 18%.
- Plan GD021 gives a template that might be used to ensure most, but not necessarily all, vehicles will be able to use a crossing safely.



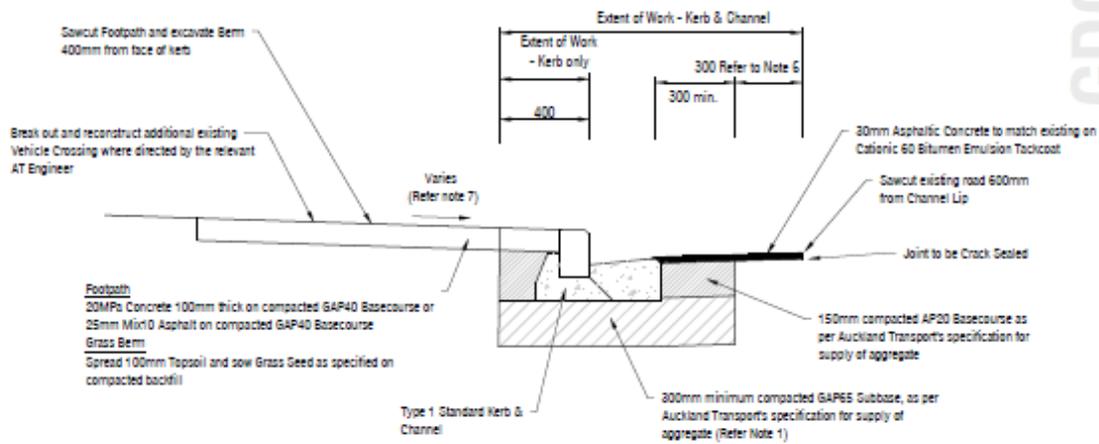
- STORM WATER CONTROL** Vehicle crossings over roadside drains must be designed and constructed in accordance with Road Drainage chapter.
- SURFACE WATER FLOW** The driveway should ramp down from the footpath across the kerb line to the channel invert with a freeboard of 200mm (i.e. height above the channel) to contain storm water within the road. Development or redevelopment of a vehicle crossing must not result in changing the flow of surface water in the roadway, unless alternative drainage is provided. Care should be taken to avoid flow from the roadway discharging onto property if it does not currently do so, or from adjoining land into the roadway. Where surface water discharges from the roadway onto adjoining land as overland flow, this must not be reduced or redirected to another property without Resource Consent.
- CATCHPITS** Catchpits should not be located within the width of a vehicle crossing. Where a proposed crossing affects an existing catchpit, the catchpit shall be relocated to the side of the crossing. In any event the catchpit must be installed in a bus and cycle friendly manner.
- SCOUR AND EROSION** Where the vehicle crossing is in a rural environment, no silt, gravel or debris of any kind may run from the property onto the roadway or into drains.

- PRIVATE DRIVEWAYS** Any private driveways must be designed following the appropriate grades for private driveways in The Auckland Unitary Plan.
- REDUNDANT CROSSINGS** If a vehicle crossing is made redundant by the alteration to land next to the road boundary, the property owner must be required to give up the licence or permit associated with that crossover. The crossing should then be replaced to match the existing footpaths and kerbs.

10 Intersection design & types

10.1 General principles

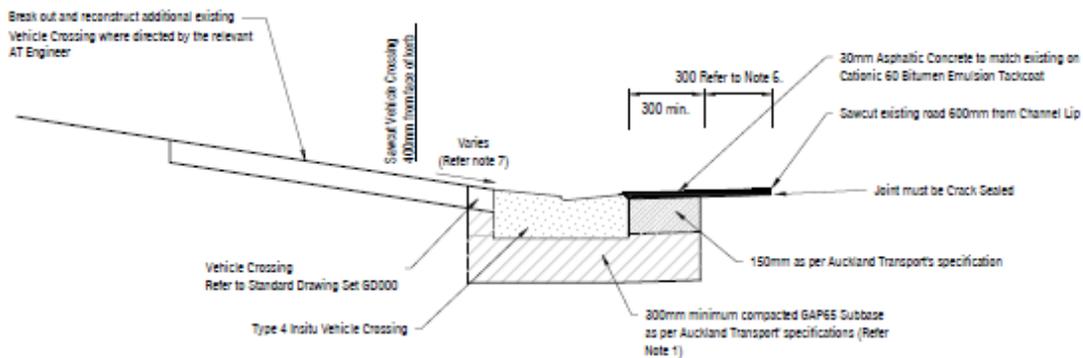
- USRDG INTERSECTION PRINCIPLES** Good intersection design is based on sound geometric design and user criteria where safety is a primary consideration.
- Intersections principles are:
- As compact as possible
 - Part of a multi-modal network
 - Integrate time and space
 - Intersections are shared spaces
 - Design for context
- See the USRDG for more detail on these.
- The designer must provide evidence that the design will meet capacity, safety and turning movements of intended vehicles and all other road users.
- TRAFFIC MODELLING** Traffic modelling must show that the design can mitigate the effects of existing traffic and that generated by new development. Where applicable, consideration should be given for future network traffic change, with an appropriate design year to be approved by Auckland Transport. The assessment could include intersection modelling, using appropriate software.
- INTERSECTION CAPACITY** Where AT set target capacities for a route, or intersections on a route, new intersection design should provide capacity appropriate for the network locally. Generally, capacity should be consistent with that of adjoining intersections except where improvements to these are planned through a network plan, structure plan or project.
- CORNER KERBLINES** While catering for appropriate design and check vehicles, urban corner kerblines should be kept compact to minimise vehicle speeds and pedestrian crossing distances.
- Kerblines should be designed to suit the effective swept path of design and check vehicles, tracking in accord with the Design Control section above.
- Standard Drawings DCO01 and DCO02 show compound corner kerblines suited to most design cases for urban local streets, and collector and commercial streets. Urban Arterial streets may require specific design using the same principles.



TYPICAL SECTION FOR KERB & CHANNEL AND KERB ONLY REPLACEMENT

NOTES:

1. Increase depth to match adjacent Pavement depth where required.
2. Break out and reconstruct existing Kerb and Channel. Salvage Basalt Kerb Blocks.
3. For Type 1 Kerb and Channel refer Auckland Transport Standard Plan No. GD007.
4. For Kerb only replacement some trimming of channel edge may be required and channel / kerb joint grouted to provide a water tight connection.
5. Footpaths to be constructed in accordance with Auckland Transport Standard Drawing Set FP000.
6. Increase width where required to achieve positive fall to the channel. (+2% to +3% preferred)
7. Positive fall to the kerb and channel must be achieved unless otherwise approved by the relevant AT Engineer.



TYPICAL SECTION FOR VEHICLE CROSSING REPLACEMENT

NOTE

1. For Type 4 Vehicle Crossing Channel details refer to Auckland Transport Standard Plan No. GD008



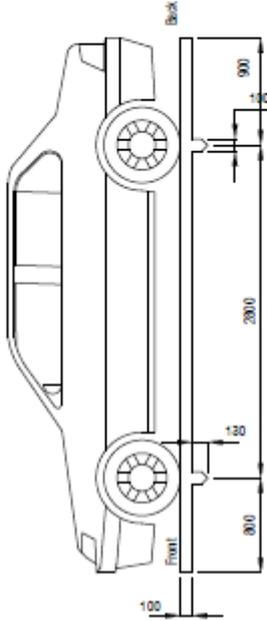
Drawn	Yan Peng / Arvind Lal
Checked	Richard Batty
Approved	Chris Beasley
Authorized	Chief Engineer

Project: **TDM TECHNICAL STANDARDS**
Kerb & channel replacement detail

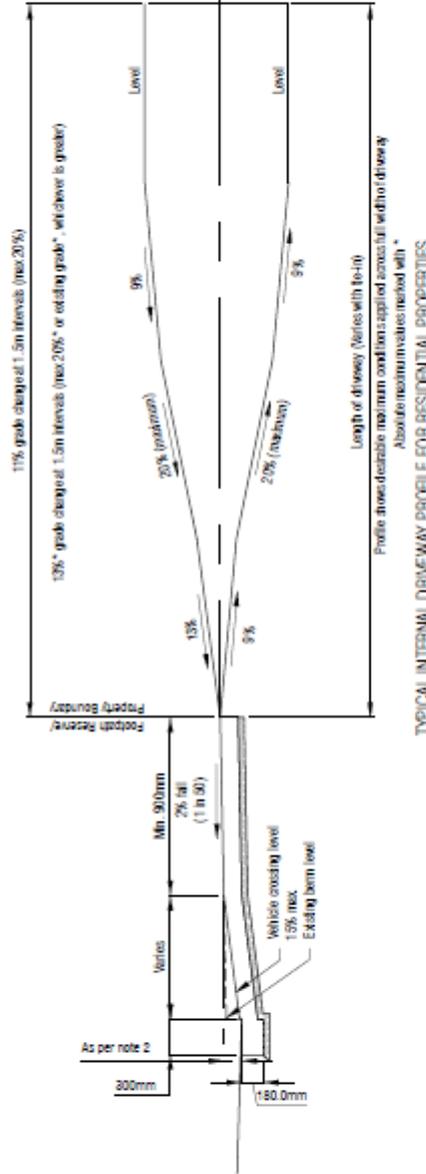
Date:	-
Scale:	N.T.S.
Drawing No.:	GD014A

NOTES ON USE OF TEMPLATE

1. Heavily laden cars or cars with less clearance may still ground on a crossing designed in accordance with this template.
2. The designer should check that dormer will remain in the clearance and not run down the driveway. A footpad of 200mm (ie. height above channel) is required to contain dormer with the road unless it can be shown to the satisfaction of the Transport Asset Manager that such a condition is impractical and dormer will not enter driveway as a result.



STANDARD TEMPLATE FOR DESIGN OF VEHICLE CROSSING



TYPICAL INTERNAL DRIVEWAY PROFILE FOR RESIDENTIAL PROPERTIES

GD021A



Drawn	Yan Peng / Arvind Lal
Checked	Richard Botby
Approved	Chris Beasley
Authorized	Chief Engineer

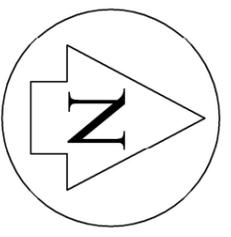
Project

TDM TECHNICAL STANDARDS
Vehicle crossing design details

Date:	-
Scale:	N.T.S.
Drawing No.:	GD021A

GENERAL NOTES

- LEVELS ARE IN TERMS OF NZ VERTICAL DATUM 2016.
- COORDINATES ARE IN TERMS OF MOUNT EDEN CIRCUIT 2000.



LEGEND

- (1.0m INTERVALS)
- EXISTING CONTOURS
 - OUTSTANDING NATURAL FEATURE (TUFF RING)
 - EX. DRAIN
 - PROPOSED NZTA DESIGNATION
 - EX. METAL TO REMAIN
 - EX. BUILDINGS
 - EX. METAL TO BE REMOVED
 - IMPERVIOUS AREA - VERNON = 2.44 ha
 - IMPERVIOUS AREA - AARON = 0.39 ha

Amendments	Name	Date
A	IMPERVIOUS AREAS ADDED	JL 06/25

Name	Date
Surveyed Lewis Jones	07/24
Designed Sam Furniss	02/25
Drawn Sam Furniss	02/25
Checked Avneet Kumar	02/25
Approved Craig Forrester	02/25

TSC
THE SURVEYING COMPANY
 Planners, Surveyors & Engineers

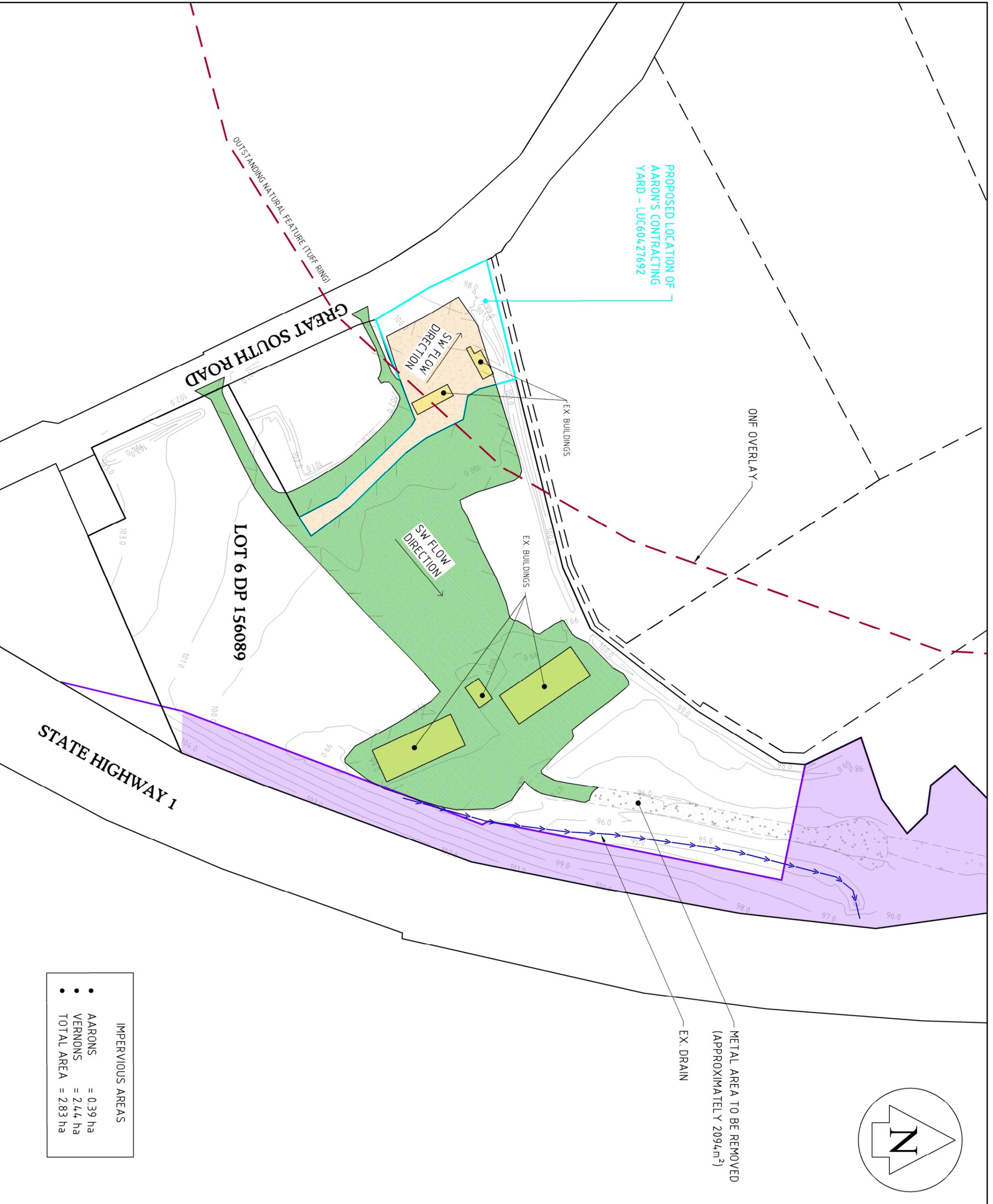
0800 TO SURVEY (0800 86 78 78)
 e-mail: info@tsccol.co.nz
 LEVEL 1, 17 HALL STREET, PUKERONGHE, NEW ZEALAND
 PH: 09 238 9991, FAX: 09 238 9307

Job Title
RETROSPECTIVE WORKS AT 1799A GREAT SOUTH ROAD, BOMBAY

Client
VERNON DEVELOPMENTS LTD

Sheet Title
CURRENT SITE PLAN

Project	J2224	Drawing	J2224-08
CAD File	C-502-03 - CURRENT SITE	General Rvt	BUN60444618
Scale (As Original)	1:2000	Amendment	A



- IMPERVIOUS AREAS
- AARONS = 0.39 ha
 - VERNONS = 2.44 ha
 - TOTAL AREA = 2.83 ha

Chanel Hargrave

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Wednesday, 2 July 2025 11:42 AM
To: Chanel Hargrave
Subject: Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Okay, thank you Chanel


NGĀTI TAMAHO TRUST
Lucille Rutherford
RMA Technical Officer
Ph:09 930 7823 Mob:0211708543
E: rmaofficer@tamaoho.maori.nz
128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244
www.tamaoho.maori.nz
Subscribe to our [e-panui](#)

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 1 July 2025 2:59 pm
To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Subject: RE: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

The engineer has said that typically a forebay is proposed for maintenance purposes where there are issues with access them main pond to clean out any sediment. In this case the pond can easily be accessed and sediment removed so there is no need for a forebay in this instance.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Tuesday, 1 July 2025 2:52 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Kia Ora Chanel

Thank you, this is an improvement
Why is there no forebay?

Nga mihi
Lucie


NGĀTI TAMAOHO TRUST
Lucille Rutherford
RMA Technical Officer
Ph:09 930 7823 Mob:0211708543
E: rmaofficer@tamaoho.maori.nz
128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244
www.tamaoho.maori.nz
Subscribe to our [e-panui](#)

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 1 July 2025 2:43 pm
To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Subject: RE: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Hi Lucie

I've spoken with the engineer, and he has said that we are able to plant 20m of the swale up to the discharge point within the pond with wetland species. This is annotated on the plan attached.

The engineer has confirmed that there is no forebay and that we are not using gabion baskets.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Tuesday, 1 July 2025 11:48 AM

To: Chanel Hargrave <chanel@subdivision.co.nz>

Subject: Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Kia Ora Chanel

Thank you for your explanation re the need for a pond and not a wetland

However, ponds are never really an effective way to treat stormwater

If you can please request of the engineer if the area between the forebay and the main pond can be planted using rock rip rap and not gabion baskets as the medium to create the bund and also if the area prior to the discharge point can also be planted in wetland species this would go a long way to improve water quality prior to discharge

Nga mihi

Lucie



Lucille Rutherford

RMA Technical Officer

Ph:09 930 7823 Mob:0211708543

E: rmaofficer@tamaoho.maori.nz

128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244

www.tamaoho.maori.nz

Subscribe to our [e-panui](#)

From: Chanel Hargrave <chanel@subdivision.co.nz>

Sent: Thursday, 26 June 2025 2:07 pm

To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>

Subject: RE: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Thanks Lucie. The treatment swale and pond are proposed so will both be new controls. The pond was chosen as there is limited space to create a wetland due to the NZTA designation covering the eastern boundary and northern corner of the property which takes up about 1.5ha of land. The designation is over the lowest lying land on the site as NZTA propose to create a treatment wetland in the northern corner of the property. Initially we proposed to construct a smaller wetland in the designated area which could then be incorporated into the larger wetland when NZTA complete the works. Unfortunately, NZTA were not open to this idea, so we had to go with the pond option due to space and hydrology constraints. I've also had a chat to our engineer who has said we need to attenuate for storm events up to and including a 1 in 100 year event which can be hard to achieve in an engineered wetland.

Kind Regards,

Chanel

Chanel Hargrave

Planning Manager

BPlan(Hons) / MURBDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Thursday, 26 June 2025 8:59 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Kia Ora Chanel

Thank you for your response
Is the pond already existing or is a new stormwater pond being designed?
Ponds are not really acceptable anymore as they tend to stir up the sediments that have dropped out during heavy rain fall and are then released into the stream/waterway/estuary
Ngati Tamaoho preference is for an engineered wetland

Nga mihi
Lucie



NGATI TAMAHO TRUST
Lucille Rutherford
RMA Technical Officer
Ph:09 930 7823 Mob:0211708543
E: rmaofficer@tamaoho.maori.nz
128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244
www.tamaoho.maori.nz
Subscribe to our [e-panui](#)

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 24 June 2025 3:45 pm
To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Subject: RE: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Hi Lucie

Thanks for your email.

In regard to stormwater some additional methods for managing stormwater runoff from the site have been proposed:

Stormwater collected from the roof of the existing sheds including the workshop building is discharged to ground soakage via retention within a 25,000 L tank.
Water from the concrete wash pad is collected by catch-pit which is piped to a new 3000l Hynds oil and grit interceptor. This is piped to a 5000l stormlite tank before being discharged to an existing rock swale soakage pit. A concrete pad is located around the refuelling area which will be drained to a new API separator with shut off valve. This is piped to a 5000l stormlite tank before being discharged to an existing rock swale soakage pit.

Stormwater from the remainder of the yard is discharged to a treatment swale and then to a stormwater pond before discharging to an existing culvert that runs under the motorway. All devices are sized to accommodate the entire area of hardstand on the site.

If you have no further comments, I will send your response below through to Council with my s92 response.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Monday, 9 June 2025 3:03 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Kia Ora Chanel

Thank you for the reminder
Unfortunately I do not have any free days coming up
While not overly happy with the application, I also realise that the works have already been undertaken, and a retrospective consent is being sought
Usually retrospective consents are sought when works would not have been accepted by council

The stormwater proposed provisions are also not overly adequate for the amount of hard stand and the proposed traffic movement

We do not support this application, but are also unable to attend an onsite

Nga mihi
Lucie

Lucille Rutherford
RMA Technical Officer
Ph:09 930 7823 Mob:0211708543
E: rmaofficer@tamaoho.maori.nz
128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Friday, 6 June 2025 1:57 pm
To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Subject: RE: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Hi Lucie

Just following up on the application below. I would like to organise a time for an onsite if you are still interested in this application.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Chanel Hargrave
Sent: Monday, 12 May 2025 6:35 PM
To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Subject: RE: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Hi Lucie

The client would like to proceed with the onsite for this application. Can you please advise of the costs and a date and time that would suit you to meet at the site.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Thursday, 17 April 2025 9:57 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Cc: Dennis Kirkwood <dennis@tamaoho.maori.nz>
Subject: Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Kia Ora Chanel

No, I have no objections to a collective onsite meeting

Nga mihi
Lucie



NGĀTI TAMAHOHO TRUST
Lucille Rutherford
RMA Technical Officer
Ph:09 930 7823 Mob:0211708543
E: rmaofficer@tamaoho.maori.nz
128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244
www.tamaoho.maori.nz
Subscribe to our [e-panui](#)

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 17 April 2025 9:53 am
To: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Subject: FW: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Hi Lucie

Ngati Te Ata and Te Aakitai Waiohua have also expressed an interest in this application. Do you have any objection to a combined site visit with myself, the applicant and the representatives of these groups as well?

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



TSC
THE SURVEYING COMPANY
Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Terri McNair <terri.mcnair@aucklandcouncil.govt.nz> **On Behalf Of** Application Request
Sent: Wednesday, 16 April 2025 10:00 AM
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>; Chanel Hargrave <chanel@subdivision.co.nz>
Subject: FW: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Kia ora,

Please see below response and request for a site visit to be arranged from Ngati Tamaoho for your information and attention.

Please can Ngati Tamaoho be contacted directly to make suitable arrangements for further engagement and the site visit – email rmaofficer@tamaoho.maori.nz. Thank you.

Ngā mihi,
Terri McNair | Application Request/CVA Facilitation Team
Planning & Resource Consents - Te Kaunihera o Tāmaki Makaurau Auckland Council
Email: application_request@aucklandcouncil.govt.nz

From: Lucie Rutherford <rmaofficer@tamaoho.maori.nz>
Sent: Tuesday, 15 April 2025 1:15 pm
To: Application Request <Application_Request@aucklandcouncil.govt.nz>
Cc: Dennis Kirkwood <dennis@tamaoho.maori.nz>; Edith Tuhimata <Edith@tamaoho.maori.nz>
Subject: [EXTERNAL] Re: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Caution: This is an external email. Please check email address is from a trusted sender before taking action or clicking on links.

Kia Ora Crisalda

Ngati Tamaoho require an onsite to ascertain whether a CVA is required
Can the applicant please be advised
There is a cost associated

Nga mihi
Lucie



NGĀTI TAMAOHO TRUST
Lucille Rutherford
RMA Technical Officer
Ph:09 930 7823 Mob:0211708543
E: rmaofficer@tamaoho.maori.nz
128 Hingaia Road, Karaka,
PO Box 2721652, Papakura
Auckland 2244
www.tamaoho.maori.nz
Subscribe to our [e-panui](#)

From: Crisalda Govender <crisalda.govender@aucklandcouncil.govt.nz> on behalf of Application Request <Application_Request@aucklandcouncil.govt.nz>

Sent: Tuesday, 15 April 2025 10:12 am

To: kaitiaki@ngaitaitamaki.iwi.nz <kaitiaki@ngaitaitamaki.iwi.nz>; revell@ngaitaitamaki.iwi.nz <revell@ngaitaitamaki.iwi.nz>; eu@ngatimaru.iwi.nz <eu@ngatimaru.iwi.nz>; Lucie Rutherford <rmaofficer@tamaoho.maori.nz>; Edith Tuhimata <Edith@tamaoho.maori.nz>; Karl Flavell (MW/ Ngati Te Ata Waiohua) <karl_flavell@hotmail.com>; kaitiaki@teakitai.com <kaitiaki@teakitai.com>; Jeff Lee (MW/ Te Akitai) <teteconsultancy@gmail.com>; Lorraine Dixon <lorraine.dixon@tainui.co.nz>

Cc: chanel@subdivision.co.nz <chanel@subdivision.co.nz>; Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Subject: CVA Facilitation Request for BUN60444618 at 1799A Great South Road, Drury

Cultural Values Assessment Facilitation

Tēnā koutou

Auckland Council is seeking your consideration of the following resource consent application by **9 May 2025** in order to determine whether a cultural values assessment (CVA) is required.

The application is to operate a rural contracting activity (rural commercial service / rural industry) from the site.	
Application number:	BUN60444618 (DIS60444619 & LUC60444660)
Address:	1799A Great South Road, Drury
Applicant:	Vernon Developments Limited
The overall status of the activity for which consent is sought is:	Discretionary
You can access the documents for this application via the following link: *** documentation attached to this email ***	

This application triggers the need to find out whether there are/may be adverse effects on Mana Whenua values as it requires consent under the following rules:

Rule	<ul style="list-style-type: none">• E8.4.1 (A10) diversion and discharge of stormwater runoff from impervious areas• E11.4.2(A4) general earthworks• E9.4.1(A6) development of a high contaminant generating car park The overall status of the activity for which consent is sought is Discretionary .
-------------	--

Please let us know by **9 May 2025** if you:

- require any further information;
- require a site visit to determine if a CVA is required;
- request that conditions be included in the application (if so, please specify these conditions);
- require a CVA.

Details for council's processing planner, and details for the applicant, are as follows:

Planner

The processing planner is Michele Schitko-Saboonchi: michele.schitko-saboonchi@aucklandcouncil.govt.nz;
(+64) 21 347979

The applicants are Chanel Hargrave of the Surveying Company: chanel@subdivision.co.nz; (09) 2389991

Your response will be sent to the applicant and the planner.

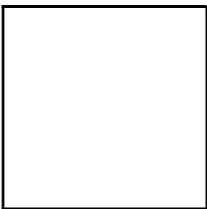
Ngā mihi mō ō whakaaro e pā ana ki tēnei pukapuka tono. Thank you for your time in considering this application.

Ngā mihi | Kind regards

Crisalda Govender | Application Request/CVA Facilitation Team

Planning Resource Consents / Te Kaunihera o Tāmaki Makaurau Auckland Council

Email: application_request@aucklandcouncil.govt.nz



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Chanel Hargrave](#)
To: [Michele Schitko-Saboonchi](#)
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response
Date: Wednesday, 6 August 2025 2:35:29 pm
Attachments: [image001.png](#)
[image002.png](#)
[Appendix R Ngaati Te Ata Field report.pdf](#)

Thanks Michele

Yes quite a lot of additional information there, hence why it took so long to co-ordinate a fully response.

I have just received Ngaati Te Ata's written comments on the application which are attached.

I will also get Cam to provide an update of where he has got to with the neighbour consultation.

Kind Regards,
Chanel

Chanel Hargrave

Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Wednesday, 6 August 2025 9:26 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received and circulated to the specialists.

There is quite a lot of information to go through. I will be in touch next week with an update on how the specialists are tracking with their review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979

Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>

Sent: Tuesday, 5 August 2025 3:59 pm

To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Cc: Cameron Vernon <cam@vernondevelopments.co.nz>; Jeremy@brabant.co.nz; Craig Forrester <craig@subdivision.co.nz>; Shannon Darroch <shannon@brabant.co.nz>; Craig Forrester <craig@subdivision.co.nz>

Subject: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please find attached my response to the s92 matters dated 2nd April and 15th April 2025.

All attachments are included in the following link: [1799A Great South Road RFI Response](#)

Please let me know if you have any questions.

Kind Regards,

Chanel

Chanel Hargrave

Planning Manager

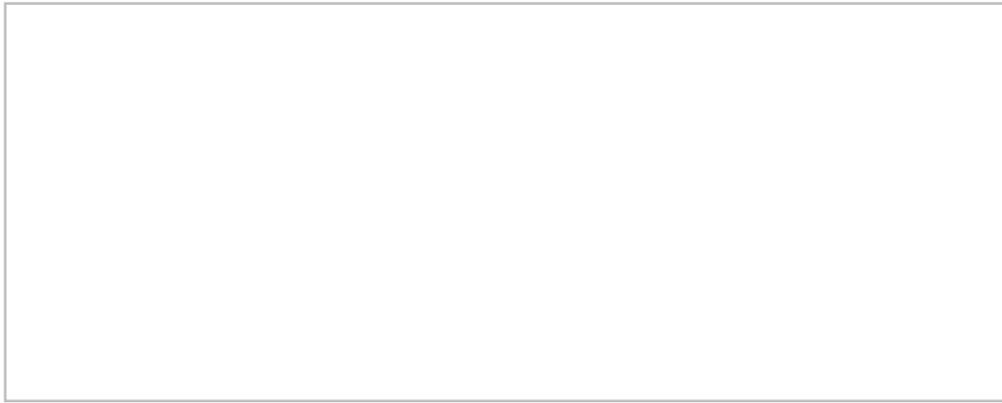
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340

P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.



NGAATI TE ATA WAIOHUA

*“Ka whiti te raa ki tua o rehua ka ara a
Kaiwhare i te rua”*

FIELD - ONSITE REPORT **1799A Great South Road, Bombay**

HUI DATE:

10am, 23/07/25

PEOPLE PRESENT:

Karen Thomas (Planner, The Surveying Company)

Te Aakitai had already done an onsite. Ngaati Tamaoho has also responded.
The applicant is Vernon Developments Limited 1799A Great South Road Bombay.

KAUPAPA:

The application is for a retrospective consent for their rural contracting and earthmoving business that operates at the subject site. There is also another application alongside it that pertains to gaining the correct consent for a green waste business that currently takes place onsite. The site is in a Mixed Rural zone.

The second application is to move Aarons Contracting Limited (green waste business) which is currently operating in the northeastern corner of the site into the northwestern corner. This application is also under Vernon Developments Limited. The northeastern corner is subject to a NOR for future motorway use.

Vernon Developments Limited at the subject site engage in a variety of activities that give industrial level assistance to farmers for activities through rural contracting and earthmoving. In June 2023 they received an abatement notice for earthworks greater than 2,500 that had taken place as well as the Aarons Contracting Limited activities. In August 2023 a second abatement notice was given for unconsented hardstand works within a portion of the site subject to the Ravensthorpe Tuff Ring ONF (near the location it is proposed to move Aarons contracting to).

In the proposal there are remediation works planned in this damaged ONF area. This includes removal of a bund that was established at the boundary after establishment this new unconsented part of the yard, and for the planting that was established on the boundary at that time to be removed also, and shifted back. An ONF expert had visited to the site and

determined that these new works on the boundary would impact the visual readability of the crater.

For stormwater it is proposed to upgrade an existing swale into a drypond/swale, before it runs through a culvert underneath the motorway. It is proposed to plant this dry pond as well as the last 20m of the swale. There are currently water tanks filled from shed roof water. There is also vehicle wash pad and refuelling activities on site. The existing wash pad catchpit directs to an oil and grit separator. The fuel tanks must be under cover and have spill kits beside them, with appropriate stormwater treatment - compliance is proposed.

An acoustic fence is proposed between the site and some neighbours.

There are no new earthworks proposed to create hardstand areas but the retrospective consent for previous works is estimated to be for around 1542m³ of cut and 4491m³ of fill over 3ha. Additional earthworks are proposed for the stormwater aspects of the site, which is calculated to be around 508m³ of cut 8323m³ of fill. This would have a maximum cut depth of 1m and maximum fill height of 3m.

They wish to begin works as soon as they can.

TRADITIONAL TIES TO THE AREA:

The traditional name for the Bombay area is Pukekura meaning “red hill”, in reference to the fertile volcanic red soils in the area. The area is sometimes incorrectly referred to as Pukewhau or Pukekawa.

The Raventhorpe Tuff Ring has particular importance to Ngaati Te Ata Waiohua as prominent creation of Mataoho (Volcanic god deity), which as more significance to the Ngaakooroa tributary that drains it also.

HERITAGE AND OVERLAYS:

There are no Mana Whenua overlays on the site. There is a small amount of SEA overlay that crosses onto the northeastern corner of the site, related to a stand of native bush, that is very close to the current location of Aarons Contracting. Comparing Geomaps aerials, they appear to have taken out a couple of trees within the SEA when establishing their yard. As mentioned there is an ONF overlay in an adjacent property that extends over onto the northwestern corner of the property.

There are no recorded archaeological sites either on the subject site or adjacent to it.

ENVIRONMENTAL OBSERVATIONS (GENERAL):

The Raventhorpe Tuff Ring large well-preserved geological feature in the South Auckland volcanic field. To add context of just how significant it is - while there are 84+ features of the South Auckland Volcanic shared between Auckland and Waikato, only 4 on the Auckland side currently have ONF status. When looking from the ONF part of the site (around their bund which is to be removed) the crater is very obvious.

It is upsetting to see how there is so much grassed area on the southern half of the site yet developments have infringed on both the SEA and ONF overlays which take up very little space. On the positive side the hardstand establishments amounted to a topsoil scrape, with the tuff ring beneath left largely undamaged.

The swale that goes under the motorway appears to drain into the Hingaia Stream.

CONCLUSION:

In the plan there is no proposal to establish permanent structures on the ONF, which is positive.

The South Auckland Volcanic Field is older than the Auckland one, and the consequent erosion often makes its features harder to read. Raventhorpe Tuff Ring is one of the best preserved of all of them and this is reflected in its rare ONF status, as well as in its importance to Ngaati Te Ata Waiohuria as prominent creation of Mataoho, the volcanic god deity.

RECOMMENDATIONS:

- That as a condition of both consents no permanent structures are established on the ONF and once hardstand operations cease on them they are re-grassed.
- That appropriate native species are planted at the SEA where they were removed.
- That if any further related applications are sought and applied for then Ngaati Te Ata Waiohuria request engagement.

PHOTO GALLERY:

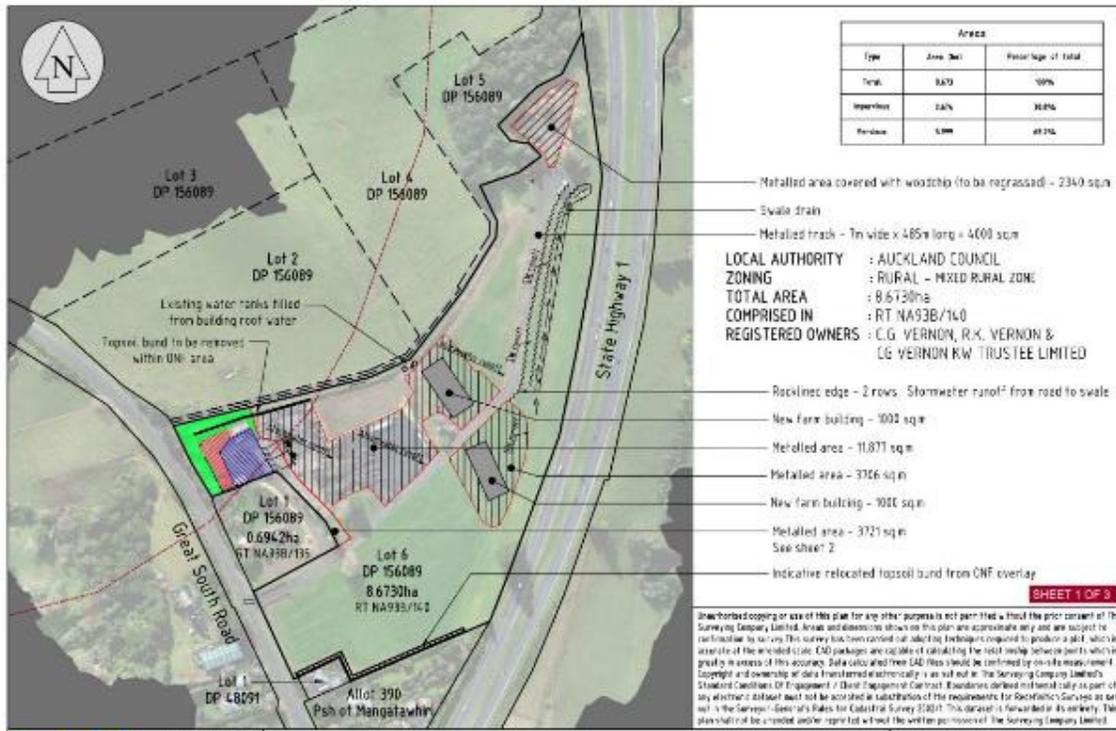


Image 1 – A map of the site.

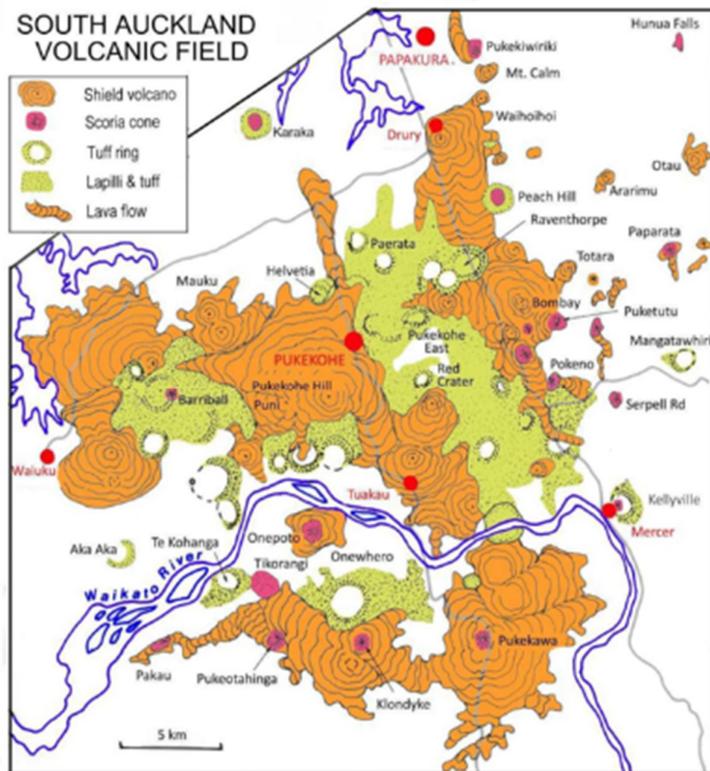




Image 2 – Looking over the site.



Image 3 – A refuelling area at the site.



Image 4 – The wash pad area at the site.



Image 5 – The existing swale by the motorway on the right, with the Aarons Contracting yard and the SEA native bush at the end of the road.



Image 6 – The bund that will be removed from the ONF.



Images 7 & 8 – Looking over the Raventhorpe Tuff Ring.



Image 8

KAIMAHI OFFICER:
David Fraser

Chanel Hargrave

From: Evan Keating <Evan.Keating@nzta.govt.nz>
Sent: Friday, 1 August 2025 9:58 AM
To: Sam Furniss
Cc: South Papakura to Bombay
Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sam,

Thanks for this, have sent to Aurecon to check and hopefully should have a response soon.

To be honest I'm too busy with trying to lodge another project today to write up a sec 178 approval but I'm happy for your planner to report to council that we've almost reached agreement and don't oppose them granting a consent for the works.

Regards

Evan

From: Sam Furniss <sam@subdivision.co.nz>
Sent: Wednesday, 30 July 2025 1:42 pm
To: Evan Keating <Evan.Keating@nzta.govt.nz>
Cc: South Papakura to Bombay <P2B@nzta.govt.nz>
Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Evan,

We looked at the Auckland Council GIS information which had a CN of 39 for the pre development grassed state. I've snipped an image to show the CN value.

The specs for the fill material have been specified by the geotechnical engineer in a new report for the site – sorry I may not have sent this through to you? Section 4.1.1 goes over the specifications of the borrow site. Will this be what is needed to be reviewed?

Our planner is hoping to send back a response to the section 92 this week. Do you think we will be able to get some correspondence confirming that NZTA is not opposed to the proposed works in the vicinity of the NoR? Or do you think a bit more time is required before this comes through to us?

Kind regards,

Sam Furniss

Civil Engineer BE(Hons)



P: (09) 238-9991 | M 021 293 9353

From: Evan Keating <Evan.Keating@nzta.govt.nz>
Sent: Wednesday, 30 July 2025 11:55 AM
To: Sam Furniss <sam@subdivision.co.nz>
Cc: South Papakura to Bombay <P2B@nzta.govt.nz>
Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Sam,

Just one and it's to confirm where the soil type co-efficient comes from – was this from geo-tech testing?

Also need to confirm that NZTA will have the opportunity to review the fill material specs prior to construction to ensure it is suitable – can you confirm?

Thanks

Evan

From: Sam Furniss <sam@subdivision.co.nz>
Sent: Tuesday, 22 July 2025 10:59 am
To: Evan Keating <Evan.Keating@nzta.govt.nz>
Cc: South Papakura to Bombay <P2B@nzta.govt.nz>
Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Evan,

Were there any more queries/clarifications required as a part of this job?

Kind regards,

Sam Furniss

Civil Engineer BE(Hons)



THE SURVEYING COMPANY
Planners, Surveyors & Engineers

P: (09) 238-9991 | M 021 293 9353

From: Sam Furniss
Sent: Friday, 27 June 2025 9:55 AM
To: Evan Keating <Evan.Keating@nzta.govt.nz>
Cc: South Papakura to Bombay <P2B@nzta.govt.nz>
Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Evan,

No worries, I understand that it can get pretty busy. Thanks for coming back to me with these questions. Please find my responses to the questions below:

1. There are some houses inside the catchment that we have included. We haven't put a specific plan in our engineering plan set but I have attached one showing the areas that were included for the impervious areas for before the site was developed. We can add a plan to our engineering plan set if that helps?
2. Sorry for the confusion, it is supposed to be 39. I have amended the report to reflect this.
3. I have amended the report to remove any details regarding a second pond. Please find attached the amended report.

Hopefully this clears things up, but if not, please let me know if you need any further clarification.

 [NZTA 2025.06.27](#)

Kind regards,

Sam Furniss

Civil Engineer BE(Hons)



THE SURVEYING COMPANY
Planners, Surveyors & Engineers

P: (09) 238-9991 | M 021 293 9353

From: Evan Keating <Evan.Keating@nzta.govt.nz>

Sent: Thursday, 26 June 2025 10:46 AM

To: Sam Furniss <sam@subdivision.co.nz>

Cc: South Papakura to Bombay <P2B@nzta.govt.nz>

Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Sam,

Thanks for your patience with this. We've got a few queries on the detail of the modelling to clarify before we can approve this as per the points below, can you respond to them please?

- The existing impervious area seems high compared to the aerial imagery provided of only two buildings, are there catchment plans showing areas?
- Soil type value for pervious areas in HEC-HMS outputs show CN pervious value of 39, in table 3.4 within report it is 74 – confirm which is the correct value and ensure this has been used
- The report should be amended to reflect the changes made in HEC-HMS to the existing scenario i.e pond removed in figure 3.1 and wording within section 3.5.

Thanks

Evan

From: Sam Furniss <sam@subdivision.co.nz>

Sent: Friday, 23 May 2025 4:03 pm

To: Evan Keating <Evan.Keating@nzta.govt.nz>

Cc: South Papakura to Bombay <P2B@nzta.govt.nz>

Subject: RE: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Evan,

Please see my responses to the comments provided in green below:

Points discussed

- QB went through the points he raised in email to Sam (via EK) last week
- QB has tried to re-create model but comes out with different results, possibly because of using different input (rainfall / hyetograph data) from Auckland Council. We use the SCS Unit Hydrograph with a normalised 24 hour design storm in HEC-HMS based on inputs from Auckland Council Stormwater Guidelines. I've attached our modelling to this email. If it's possible, could Quinton have a look at the model and advise us on what needs changing? From our meeting I understand it could be the precipitation gages.
- SF shared model online and he and QB compared parameters
- QB to send SM spreadsheet of data
- QB queried presence of existing pond in the assessment. Sam clarified that it's not a pond as such, more the water backs up due to the current small culvert under the motorway. This was included so that the future scenario could be modelled based on existing environment.
- QB clarified that NZTA won't make flooding worse in future due to designation condition. Healthy Waters may not want the culvert upsized in future to prevent downstream flooding but flooding will increase upstream if everyone in catchment assumes that they can use the small culvert as a detention measure. Alternatively, NZTA may replace the culvert and make it bigger and then the site couldn't rely on it for detention. SF needs to demonstrate what it would look like without small culvert and based on no development on this site
- SF doesn't think that this would make a difference as they're not increasing flows but can re-run the model with no 'pond' (referenced as 'C Pond 2' in model). I have rerun the model without the 'C Pond 2'. Post development flow rates match pre-development flow rates. I have also taken out the NoR boundary from the catchment as well. This is the model that is attached to the email.
- SF showed that the catchment is largely confined to this site as there is a watershed very close
- SF to elaborate on the pre-development scenario (i.e. what impervious areas on site pre-development that were lawfully established). NoR to be removed from assumptions. I've attached an aerial image of the site of what it was like under pre-development conditions. The only impervious surfaces inside the catchment were the farm buildings and houses (only 3857m²).
- Pond modelled in 12D. SF to send EK a 3D view of pond. 3D views of the model are attached
- Pond would have an access track around it (to be retained in private ownership)
- SF to either send a cross section through or else the 3D/CAD model and QB can check it. Issue is how close pond is to designation and future NZTA works. It appears that the filling works proposed for the pond may align with NZTA plans as some filling would be required for the shared path. SF to confirm what Geotech assessment and standards are involved as NZTA will want to know how the land will be filled and to what standard. I have attached the design model and design strings as 12d files. We have engaged Tilsley to carry out the Geotech for the site. They will produce a report to outline the requirements for the site, including testing during construction.
- SF queried where the culvert drains to. No survey information available but QB shared an image of where he believes it to be
- Need for additional channel between pond and culvert? SF – tidy up and shaping work
- Issue of intersection of stormwater from pond to culvert and the NZTA stormwater which is heading north to the future wetland (one will need to be piped). Solution could be to add additional manhole in embankment of pond to enable NZTA to redirect flows via a new pipe. I can add another manhole to the next design iteration as discussed during the meeting.

Here is the link to the one drive with the documents mentioned:

 [NZTA](#)

Hopefully this clarifies a few things but please let me know if you need further information.

Kind regards,

Sam Furniss

Civil Engineer BE(Hons)



P: (09) 238-9991 | M 021 293 9353

From: Evan Keating <Evan.Keating@nzta.govt.nz>
Sent: Wednesday, 21 May 2025 4:26 PM
To: Sam Furniss <sam@subdivision.co.nz>
Cc: South Papakura to Bombay <P2B@nzta.govt.nz>
Subject: 1799A Great South Road, Auckland - Application-2025-0663 CRM:0206000040

Hi Sam,

have copied the meeting notes I took below.

thanks

Evan

Hi Evan,

Thanks for the meeting a few weeks ago to go over this job, I got a lot out of it. Sorry it's taken a while to touch base again, I've been away for most of the last 2 weeks.

Did you happen to take down any meeting minutes that you'd be able to share with us? I have a few notes regarding the stormwater modelling, Geotech and stormwater network but just wanted to make sure I had everything before getting too far into any redesign.

Meeting online at 10:30 29 April 2025

Attendees

Quinton Botha – Aurecon

Sam Furniss – The Surveying Company (TSC) on behalf of (Vernon developments) 1799A Great South Road

Evan Keating – NZTA

Points discussed

- QB went through the points he raised in email to Sam (via EK) last week
- QB has tried to re-create model but comes out with different results, possibly because of using different input (rainfall / hyetograph data) from Auckland Council
- SF shared model online and he and QB compared parameters
- QB to send SM spreadsheet of data
- QB queried presence of existing pond in the assessment. Sam clarified that it's not a pond as such, more the water backs up due to the current small culvert under the motorway. This was included so that the future scenario could be modelled based on existing environment

- QB clarified that NZTA won't make flooding worse in future due to designation condition. Healthy Waters may not want the culvert upsized in future to prevent downstream flooding but flooding will increase upstream if everyone in catchment assumes that they can use the small culvert as a detention measure. Alternatively, NZTA may replace the culvert and make it bigger and then the site couldn't rely on it for detention. SF needs to demonstrate what it would look like without small culvert and based on no development on this site
- SF doesn't think that this would make a difference as they're not increasing flows but can re-run the model with no 'pond' (referenced as 'C Pond 2' in model)
- SF showed that the catchment is largely confined to this site as there is a watershed very close
- SF to elaborate on the pre-development scenario (i.e. what impervious areas on site pre-development that were lawfully established). NoR to be removed from assumptions
- Pond modelled in 12D. SF to send EK a 3D view of pond
- Pond would have an access track around it (to be retained in private ownership)
- SF to either send a cross section through or else the 3D/CAD model and QB can check it. Issue is how close pond is to designation and future NZTA works. It appears that the filling works proposed for the pond may align with NZTA plans as some filling would be required for the shared path. SF to confirm what Geotech assessment and standards are involved as NZTA will want to know how the land will be filled and to what standard
- SF queried where the culvert drains to. No survey information available but QB shared an image of where he believes it to be
- Need for additional channel between pond and culvert? SF – tidy up and shaping work
- Issue of intersection of stormwater from pond to culvert and the NZTA stormwater which is heading north to the future wetland (one will need to be piped). Solution could be to add additional manhole in embankment of pond to enable NZTA to redirect flows via a new pipe

Evan Keating / Principal Planner – Environmental Planning (Auckland/Northland)

Poutiaki Taiao – System Design
P/ 9 953 5544 / M 64 21 343 172

E evan.keating@nzta.govt.nz / W nzta.govt.nz
Auckland Office, Level 5, AON Centre
29 Customs Street West, Auckland, New Zealand



This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by NZ Transport Agency Waka Kotahi for information assurance purposes.

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by NZ Transport Agency Waka Kotahi for information assurance purposes.

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by NZ Transport Agency Waka Kotahi for information assurance purposes.

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you

have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by NZ Transport Agency Waka Kotahi for information assurance purposes.

From: [Chanel Hargrave](#)
To: [Michele Schitko-Saboonchi](#)
Subject: BUN60444618 - 1799A Great South Road, Drury NZTA s178
Date: Monday, 18 August 2025 10:38:35 am
Attachments: [image001.png](#)
[Appendix S s178 Approval Letter NZTA.pdf](#)

Hi Michele

Attached is the official s178 letter that came through from NZTA last week.

Kind Regards,
Chanel

Chanel Hargrave

Planning Manager

BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340

P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: [Chanel Hargrave](#)
To: [Michele Schitko-Saboonchi](#)
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response
Date: Friday, 19 September 2025 2:18:59 pm
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)
[Appendix AA Additional Traffic Response.pdf](#)

Good Afternoon Michele

Attached are comments from the traffic engineering regarding the outstanding traffic matters.

A response to all additional matters has now been provided.

Kind Regards,
Chanel

Chanel Hargrave

Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 19 September 2025 11:48 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received, and circulated to the specialists for review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 18 September 2025 1:24 pm

To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

The link below contains the additional RFI information that was requested. The only thing outstanding is the additional comments from the traffic engineer which I am hoping will come through later today or tomorrow. I am about to head out of the office but will send through the traffic comments as soon as I get them.

I'm hoping this response will get us very close to satisfying all the outstanding matters. However, we will continue to work as quickly as possible to resolve any outstanding issues if they arise.

 [1799A Great South Road Additional RFI response](#)

Thanks for your patience and work on this job so far.

Kind Regards,

Chanel

Chanel Hargrave

Planning Manager

BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340

P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Sent: Friday, 29 August 2025 1:06 PM

To: Chanel Hargrave <chanel@subdivision.co.nz>

Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

We have now reviewed the further information provided. There are some outstanding matters and follow on queries which I have itemised in the attached letter. Please do not hesitate to contact me if you require clarification on anything.

th

Please provide the outstanding information within 15 working days, by 19 of September 2025.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi
Sent: Wednesday, 6 August 2025 9:26 am
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received and circulated to the specialists.

There is quite a lot of information to go through. I will be in touch next week with an update on how the specialists are tracking with their review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 5 August 2025 3:59 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Cc: Cameron Vernon <cam@vernondevelopments.co.nz>; Jeremy@brabant.co.nz; Craig Forrester <craig@subdivision.co.nz>; Shannon Darroch <shannon@brabant.co.nz>; Craig Forrester <craig@subdivision.co.nz>
Subject: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please find attached my response to the s92 matters dated 2nd April and 15th April 2025.

All attachments are included in the following link: [☐ 1799A Great South Road RFI Response](#)

Please let me know if you have any questions.

Kind Regards,
Chanel

Chanel Hargrave

Planning Manager

BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340

P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

44 Bowen Street
Pipitea, Wellington 6011
Private Bag 6995
Wellington 6141
New Zealand
T 0800 699 000
www.nzta.govt.nz

NZ Transport Agency Waka Kotahi Reference: Application-2025-0663

14 August 2025

Vernon Developments Limited
C/- Sam Furniss at The Survey Company

Sent via: sam@subdivision.co.nz

Dear Sam,

Proposed stormwater management works – 1799A Great South Road, Auckland – Vernon Developments Limited

Thank you for your request date 6 December 2024 for the written consent of the NZ Transport Agency Waka Kotahi (NZTA) pursuant to s178(2) of the Resource Management Act 1991 (RMA) to undertake work within the following NZTA Notices or Requirement (NoRs).

District plan:	Auckland Unitary Plan (Operative in Part)
NoR references:	NoRs 2 (alteration to designation 6700) and 4 of the Papakura to Bombay stage 2 project
Proposed designation purpose:	Motorway (NoR2) Construction, operation and maintenance of a new Shared User Path and associated infrastructure (NoR4)

Your proposal has been considered as follows:

Proposal:

The proposed activity involves the construction of a stormwater pond and discharge channel, parts of which would be located within the NZTA NoRs 2 and 4.

These activities are described in detail in:

- Plans titled 'Retrospective Works at 1799A Great South Road, Bombay' drawn by Sam Furniss of The Surveying Company, and numbered J2224-1 to J224-13 (inclusive);
- The 'Infrastructure Report' version 1.0 by The Surveying Company for 1799A Great South Road, dated February 2025, job reference J2224; and
- The 'Supplementary Geotechnical Assessment' by Tilsley Engineering Ltd, dated 27/05/2025, job number GB27261.

Assessment

In assessing the proposed activity, NZTA notes the following:

- The stormwater pond itself would not be located within the NoRs; only part of the embankment supporting it would be;
- The geotechnical assessment submitted with the application confirms that the proposed fill is appropriate for its intended use and would not require replacement by NZTA during construction of the P2B project;
- The stormwater assessment confirms that the proposed pond would not introduce any new flooding risk to State Highway 1 (SH1); and
- NZTA is likely to need to separate the discharge from the proposed pond from NZTA's own future discharge by piping one of the flows. The applicant has included a manhole in the design to facilitate future piping of their stormwater discharge, if required.

Conditions

NZTA considers that Vernon Developments Limited can undertake the stormwater management works within NoRs 2 and 4 without preventing or hindering the work to which the NORs relate, subject to the following condition:

1. Vernon Developments Limited must implement the approved development in accordance with the plans and documents referenced above. This includes the installation of a manhole on the discharge pipe and adherence to the fill methodology prescribed in the geotechnical assessment.

Determination

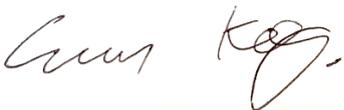
Based on the above assessment and subject to compliance with the stated condition, NZTA grants Vernon Developments Limited written approval under section 178(2) of the RMA for the proposed stormwater management works.

Please note that this approval does not authorise any works on the state highway.

Please notify NZTA if changes to the application occur.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact the Environmental Planning team at environmentalplanning@nzta.govt.nz.

Yours sincerely,



Evan Keating

Principal Planner

Poutiaki Taiao / Environmental Planning, System Design, on behalf of NZ Transport Agency Waka Kotahi.



LANDSCAPE ARCHITECTURE □ URBAN DESIGN □ PROJECT MANAGEMENT

The Surveying Company
Attn: Chanel Hargrave

3rd September 2025

Dear Chanel,

Re 1799A Great South Road, Bomat

As requested I am providing a revised planting plan to address Council's concerns around visual amenity and landscape character effects.

While I disagree with Council's landscape specialist for the reasons given in my assessment report, additional tree planting is shown on the plan and a plant schedule and specification notes provided below.

SPECIES	PLANTING SIZE	PLANTING CRS	NO.	HEIGHT
Trees: Specimen trees shall be planted in groups in the locations shown on the plan. Beilschmeidia taraire Corynocarpus laevigatus Knightia excelsa Prumnopitys taxifolia Vitex lucens	All Pb95	As shown	5 8 9 9 15	18m 12m 25m 25m 10m
Low planting: Plants shall be mixed randomly and planted in the locations shown on the plan Apodasmia similis 10% Carex virgata 30% Coprosma propinqua 20% Dianella nigra 10% Phormium cookianum 10% Phormium Emerald Gem 20%	All Pb3	All 1.0m	50 150 90 50 50 90	

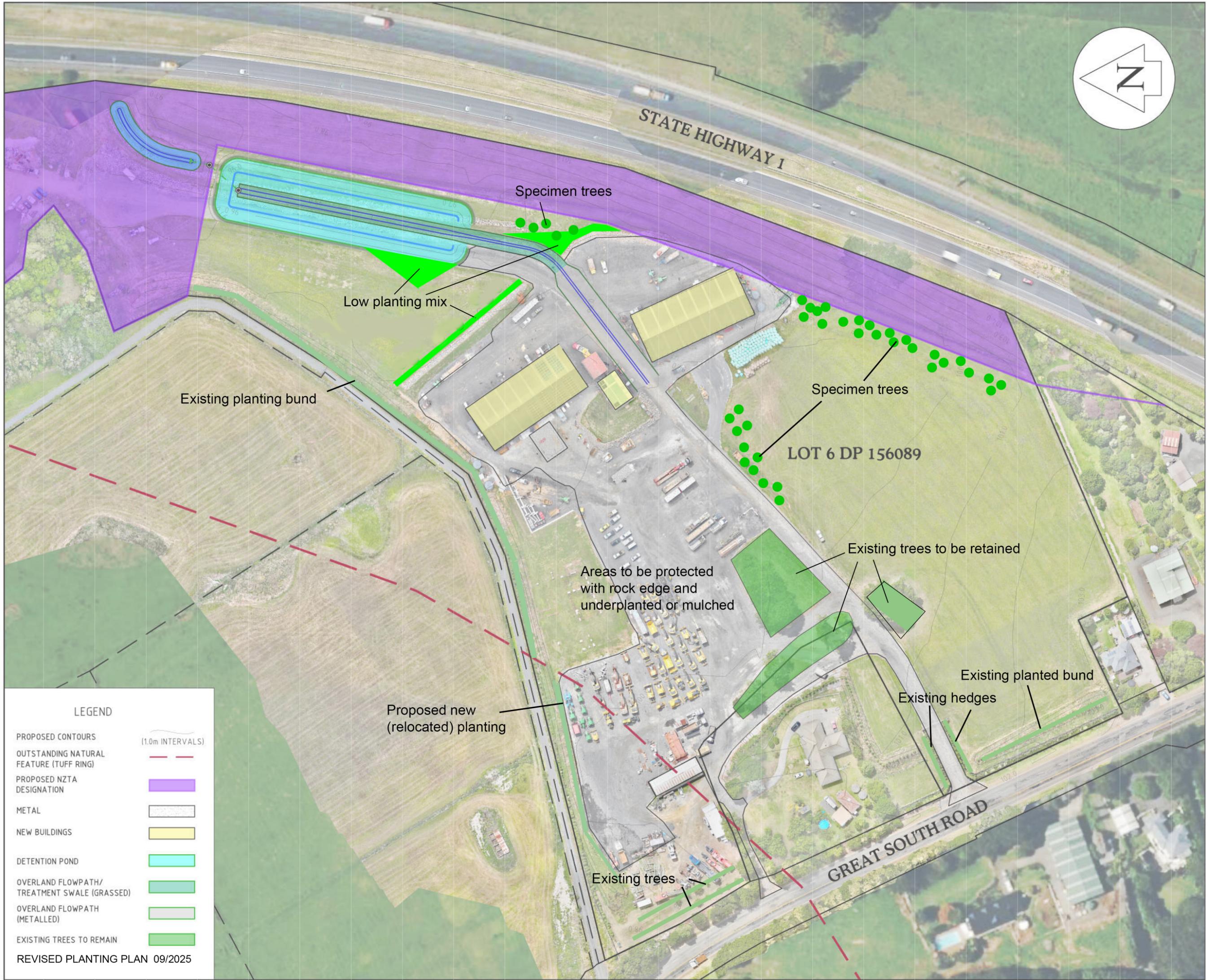
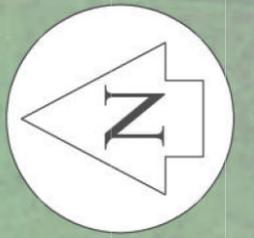
PLANTING SPECIFICATION

- All plants shall be true to name and no substitution of species or sizes shall be permitted without prior approval from the landscape architect/Council
- Plant material shall be consistent in size, healthy and vigorous, and free of pests and diseases. Root bound plants or those with badly spiralling root systems shall not be acceptable.
- All plant material shall be well hardened off to cope with the climatic conditions of the site and native tree species shall be eco-sourced.
- Planting areas shall be cleared of weeds and cultivated to ensure subsoil is free draining
- Spread topsoil over low planting areas to minimum depth of 300mm with additional topsoil/growing medium reserved for holes for trees
- Plant holes shall be excavated to twice as wide and one and a half times the depth of the root ball (min. 500mm depth for trees)
- Add a controlled release fertiliser such as "Nutricote", or "Osmocote Plus" (to manufacturer's specification / recommendations for tree size) to planting pits mixing thoroughly with the backfilling material.
- Stake specimen trees to withstand wind.
- All plants shall be thoroughly watered after planting.

Sally Peake



Principal, Peake Design Ltd
Registered FNZILA Landscape Architect



LEGEND

- PROPOSED CONTOURS (1.0m INTERVALS)
- OUTSTANDING NATURAL FEATURE (TUFF RING)
- PROPOSED NZTA DESIGNATION
- METAL
- NEW BUILDINGS
- DETENTION POND
- OVERLAND FLOWPATH/TREATMENT SWALE (GRASSED)
- OVERLAND FLOWPATH (METALLED)
- EXISTING TREES TO REMAIN
- REVISED PLANTING PLAN 09/2025

NZ Transport Agency Waka Kotahi Reference: 2025-0663

18 September 2025

Vernon Developments Limited
C/- The Surveying Company

Sent via Email: chanel@subdivision.co.nz

Dear Chanel,

Proposed Signage – 1799A Great South Road, Auckland – Vernon Developments Limited

Thank you for your request for written approval from NZ Transport Agency Waka Kotahi (NZTA) under section 95E of the Resource Management Act 1991. Your proposal has been considered as follows:

Proposal

Retrospective resource consent is sought for the following activities:

- Comprehensive development signage consisting of four laser cut steel signs with the words:
 - 'Dig It' measuring 1.1m x 2.6m
 - 'Move It' measuring 1.1m x 2.6m
 - 'Recycle it' measuring 1.1m x 3.8m
 - 'AG It' measuring 1.1m x 2.0m

Assessment

In assessing the proposed activity, NZTA notes the following:

- The signage is existing and located approx. 60m from the existing state highway carriageway.
- The site is subject to two NZTA Notice of Requirements being NoR 2 (Alteration to Designation 6700) and NoR 4 of the Papakura to Bombay Stage 2.
- Following the completion of the works, the signage will be located closer to the state highway carriageway and adjacent the future shared path.
- As the signs do not provide for third party advertising, are site related and not designed to attract attention away from any vehicle movement, the effects of the signs are considered to be less than minor on the operation of the state highway network.

Determination

On the basis of the above assessment of the proposed activity, the New Zealand Transport Agency provides written approval under section 95E of the Resource Management Act 1991.

Expiry of this approval

Unless resource consent has been obtained this approval will expire two years from the date of this approval letter. This approval will lapse at that date unless prior agreement has been obtained from The New Zealand Transport Agency.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact the Environmental Planning team at environmentalplanning@nzta.govt.nz.

Yours sincerely,

A handwritten signature in black ink that reads "T Robins". The signature is written in a cursive, slightly slanted style.

Tessa Robins

Senior Planner

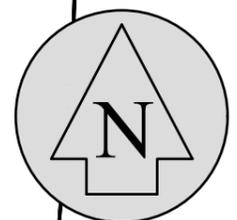
Poutiaki Taiao / Environmental Planning, System Design, on behalf of NZ Transport Agency Waka Kotahi.

Enclosed:

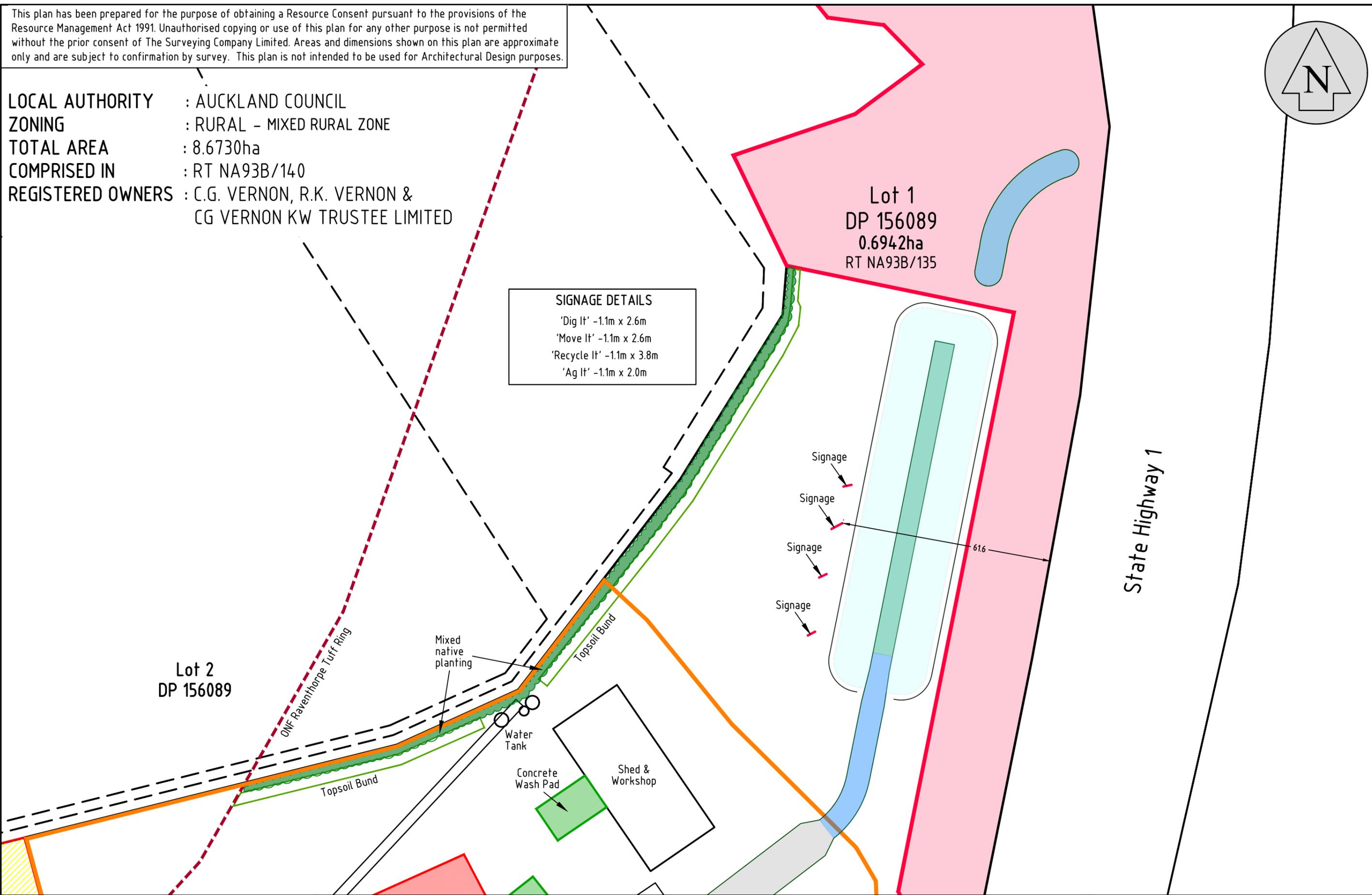
- Attachment 1: Signage Plan

This plan has been prepared for the purpose of obtaining a Resource Consent pursuant to the provisions of the Resource Management Act 1991. Unauthorised copying or use of this plan for any other purpose is not permitted without the prior consent of The Surveying Company Limited. Areas and dimensions shown on this plan are approximate only and are subject to confirmation by survey. This plan is not intended to be used for Architectural Design purposes.

LOCAL AUTHORITY : AUCKLAND COUNCIL
 ZONING : RURAL - MIXED RURAL ZONE
 TOTAL AREA : 8.6730ha
 COMPRISED IN : RT NA93B/140
 REGISTERED OWNERS : C.G. VERNON, R.K. VERNON & CG VERNON KW TRUSTEE LIMITED



SIGNAGE DETAILS
 'Dig It' -1.1m x 2.6m
 'Move It' -1.1m x 2.6m
 'Recycle It' -1.1m x 3.8m
 'Ag It' -1.1m x 2.0m



TSC
 THE SURVEYING COMPANY
 Planners, Surveyors & Engineers
 Level One, 17 Hall Street
 PO Box 466 Pukekohe 2340
 Phone 09 238 9991
 Fax 09 238 9307
 email : info@subdivision.co.nz
 web: www.subdivision.co.nz

VERNON DEVELOPMENTS LIMITED
 PLAN OF SIGNAGE LOCATIONS -
 # 1799A GREAT SOUTH ROAD, BOMBAY.

SIGNAGE PLAN
 Drawn By R P
 Scale @A3 1 : 1000
 J2224 - SIGNAGE PLAN 1-A
 SEPT 2025 J2224

Chanel Hargrave

From: Madara Vilde <maddy@ruraldesign.co.nz>
Sent: Friday, 5 September 2025 12:19 PM
To: Chanel Hargrave
Subject: [J1612] Vernon 1799A Great South Road

Hi Chanel,

In response to Auckland Council query under Item 26b - During my site visit on 16 January 2025, hydrophytic (wet-adapted) vegetation was observed within the bed of the lowermost section of the artificial watercourse/swale at the site. This vegetation appears to have established solely because the channel had not yet been cleared as part of what I understand to be routine maintenance at the time of my visit.

Under Section 2 of the Resource Management Act 1991 (RMA), a wetland is defined as:

“...permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.”

Critically, for an area to be classified as a wetland, the presence of **both wetland-adapted plants and wetland-adapted animals** is required. No wetland fauna or other animals were recorded during the visit. While recent guidance (MfE, Expert Statement on Wetland Delineation and Animals Adapted to Wet Conditions, 2024) and the Court of Appeal decision (Page v GWRC [2024] NZCA 51) indicate that wet-adapted fauna can sometimes be assumed present even if not directly observed, the artificial and actively managed nature of this watercourse/swale means it does not support a natural wetland ecosystem.

Artificial watercourses and swales, such as the feature in question, are deliberately constructed and routinely maintained to ensure their primary drainage function. The presence of hydrophytic vegetation in this instance is a result of temporary lack of maintenance rather than a natural wetland ecosystem. It is therefore likely that the vegetation has since been cleared to maintain free flow of water within the channel.

Furthermore, there are no provisions in the Auckland Unitary Plan (Operative in Part) that regulate routine maintenance of artificial watercourses or swales, whose primary purpose is drainage rather than ecological function. Any hydrophytic vegetation that may temporarily establish within the channel is typically removed as part of standard operational practice, and the channel does not function as a wetland in an ecological sense.

On this basis, I do not believe that the vegetation observed within the artificial watercourse/swale should be considered a wetland as defined within the RMA.

Cheers,

Maddy
Senior Ecologist
BSc Hons (Environmental Protection)
Rural Design 1984 Ltd
M - 027 5790624

L - 09 4312481

www.ruraldesign.co.nz



Vernon Developments Ltd
1799a Great South Rd
Bombay
Auckland

Ref: 241271
19 September 2025

Attention Cam Vernon

Dear Cam,

RE: RESPONSE TO S92 REQUEST FOR ADDITIONAL INFORMATION FOR THE PROPOSED RURAL COMMERCIAL DEVELOPMENT AT 1799A GREAT SOUTH ROAD IN BOMBAY

This letter is in response to a section S92 request for additional information dated August 2025 from Auckland Council and Auckland Transport as shown below

- 1. The traffic report has not provided any assessments of the adverse effects of right turning vehicles entering the site. The Great South Road carriageway has one traffic lane for the northbound traffic. Any vehicle turning right from Great South Road to the subject site will block the carriageway. Please demonstrate that the right turning movements into to the subject do not adversely affect the transport network.**

Advice notes: The Transit Planning Policy Manual-Appendix 5B mandates that the shoulder enlargement be implemented for northbound vehicles entering the subject site. This measure is to prevent any negative impacts on the vehicles that currently traveling within the road carriageway and to avoid potential conflicts/queuing for northbound vehicles and the right-turning vehicles

The requirement for road widening is normally only applied when the property is fronting an arterial road. The property is located within the rural area near Bombay and the carriageway is classified as a collector road.

A recent tube count was carried out on Great South Road in May 2021 and showed that there was an ADT of 1,468 vehicles per day at a location about a kilometre north of the site. The survey also showed that there was a peak hourly flow of 181 vehicles per hour. This equates to three vehicles per min in both directions. If a vehicle is turning right into the site it would be opposed by an average of 1.5 vehicles per minute. This is an extremely low number of opposing vehicles and there is a very low possibility of conflict at the entrance.

Another tube survey was carried out on Great South Road immediately north of Quarry Road in May 2022. This survey showed that there were 4,772 vehicles per day using the road and there were 541 vehicles per hour during the peak hour. This portion of Great South Road is still classified as a collector Road but does have a lot of the traffic from the new development at Runcimen using the road.

The property at 1799a Great South Road lies within a rural environment in a low volume section of the road. There is more than adequate visibility in both direction and the low number of vehicular movements to and from the development reduces the potential for conflicts. There are unlikely to be any delays to following vehicles if a vehicle is turning right into the site.

My conclusion is that road widening is not justified or warranted.

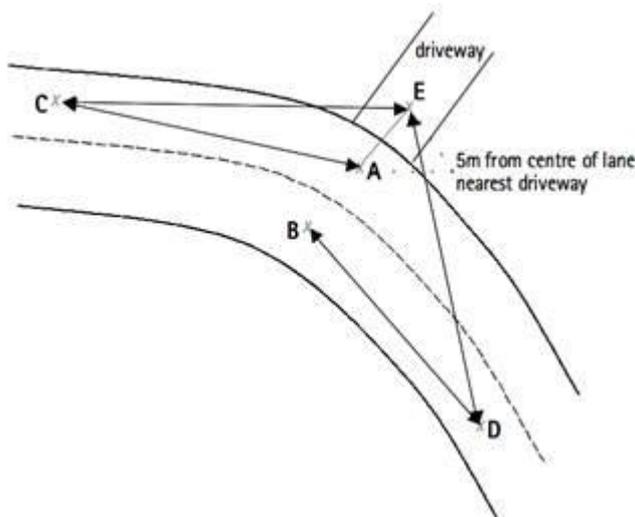
- 4. The section 4.4 of the AEE prepared by TSC states that the majority of the vehicles will enter and exit the site via right turn in and left turns out. Please provide revised tracking curves for the largest size of the vehicles accessing/exiting the site. This information is required to determine the width of the vehicle crossing and the driveway, ensuring safe two-way vehicle movements can be achieved.**

The tracking plans prepared by TSC show an articulated truck plus a 6.3m van entering and exiting at the same time. The majority of the vehicles entering and leaving the site will do so within limited time frames and will typically be entering or leaving at similar times. The potential for two heavy vehicles passing each other at the entrance is very small.

The standard for tracking in these circumstances is a heavy vehicle plus a van and the plans clearly demonstrate that this scenario is comfortably accommodated. TSC will provide copies of the plans.

- 5. Section 3.3.2 of the Traffic report prepared by Teams states that existing vehicle crossing has a safe intersection sight distance (SISD) of 210m. Please provide a plan showing the SISD distances on both directions of the existing vehicle crossing. This information is required to determine whether the existing vehicle crossing has adequate sight lines ensuring safe vehicle movements can be achieved and to avoid potential adverse effects on the other road users.**

The SISD measurement is made following the RTS 6 guidelines and is shown in the diagram below.



The screen shot below is taken from the GIS map and shows the visibility lines and the distances.



The diagram demonstrates that the available visibility exceeds the SISD requirement.

We trust this is sufficiently detailed for your immediate needs. Should you wish to discuss any matter in greater detail, please do not hesitate contacting us.

Yours faithfully

TRAFFIC ENGINEERING & MANAGEMENT LTD

Andrew Hunter
Senior Associate

Michele Schitko - Saboonchi

Auckland Council

Our Ref: J2224

Via Email: michele.schitko-saboonchi@aucklandcouncil.govt.nz

Date: 7/10/2025



Section 92 Further Information Additional Response: Vernon Developments –1799A Great South Road– BUN60444618 (DIS60444619 and LUC60444660)

Thank you for your letter dated 30th September 2025 requesting further clarification / additional information on the additional s92 response provided on the 5/08/2025.

A response to the outstanding matters is provided below.

Additional planning assessment relating to Chapter E3 is included in this letter.

Lakes, rivers, streams and wetlands:

In response to #26b of the RFI, Rural Design Limited have concluded that the presence of exotic hydrophytic plants in the artificial channel do meet the definition of wetland in the RMA. The area of wetland is calculated at 150m². The wetland is within the area required for the creation of the stormwater pond and swale. Essentially the works will replace one stormwater device (swale) with another (pond and swale). The works are necessary for the management of stormwater within the site and in this case, there is no other practical alternative.

An additional consent is sought for the following reason:

- Under Table E3.4.1(A1) Any activity in, on, under or over the bed of lakes, rivers, streams and wetlands not otherwise provided for is a **discretionary activity**.

The assessment by Rural Design concludes that:

Hydrophytic vegetation was observed only within a small section of the swale channel, covering approximately 150 m². The vegetation community was dominated by common colonising species such as mercer grass (*Paspalum distichum*), with scattered patches of soft rush (*Juncus effusus*). No indigenous wetland flora was recorded. This community has most likely established due to deferred swale maintenance rather than natural wetland processes.

Accordingly, while this section of the swale supports plant species adapted to wet conditions and therefore technically meets the statutory definition of a wetland under the RMA (1991),

its artificial origin, limited extent, and low ecological value when considering the planning and management significance of this feature. In my view, a wetland located within an artificial watercourse—and subject to ongoing management as part of its intended function—does not constitute a functional wetland environment.

The wetland does not meet the definition of Natural Inland Wetland with in the NPS:F and is located within an artificial channel used for the conveyance of overland flow and stormwater. Given the low value and very minimal extent of the wetland the effects of upgrading the stormwater infrastructure from a swale drain to a pond and swale are considered to be less than minor.

An assessment against the relevant objectives and policies is provided below:

#	Objective / Policy	Assessment
E3.2(1)	Auckland's lakes, rivers, streams and wetlands with high natural values are protected from degradation and permanent loss.	The wetland is not considered to have high natural values.
E3.2(4)	Structures in, on, under or over the bed of a lake, river, stream or wetland are provided for where there are functional or operational needs for the structure to be in that location, or traverse that area.	The pond and swale are required to convey and manage the flow and quality of stormwater and therefore have a functional and operational need. While wetland has developed in the base of the exiting swale this forms part of an artificial channel used to convey stormwater and overland flow from the site.
E3.3(2)	Manage the effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands outside the overlays identified in Policy E3.3(1) by: (a) avoiding where practicable or otherwise remedying or mitigating any adverse effects on lakes, rivers, streams or wetlands; and (b) where appropriate, restoring and enhancing the lake, river, stream or wetland.	The wetland is considered to be a low value wetland within an artificial channel (swale) used for stormwater and overland flow management within the site. The effects are considered to be less than minor.

E3.3(5)	<p>Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands on:</p> <p>(a) the mauri of the freshwater environment; and</p> <p>(b) Mana Whenua values in relation to the freshwater environment.</p>	<p>The proposal does not result in any significant effects on the values listed.</p>
E3.3(7)	<p>Provide for the operation, use, maintenance, repair, erection, reconstruction, placement, alteration or extension, of any structure or part of any structure in, on, under, or over the bed of a lake, river, stream or wetland, and any associated diversion of water, where the structure complies with all of the following:</p> <p>(a) there is no practicable alternative method or location for undertaking the activity outside the bed of the lake, river, stream or wetland;</p> <p>(b) the structure is designed to be the minimum size necessary for its purpose to minimise modification to the bed of a lake, river, stream or wetland;</p> <p>(c) the structure is designed to avoid creating or increasing a hazard;</p> <p>(d) the structure is for any of the following:</p> <p>(i) required as part of an activity designed to restore or enhance the natural values of any lakes, rivers, streams or wetlands and their margins, or any adjacent area of indigenous vegetation or habitat of indigenous fauna;</p> <p>(ii) designed to maintain and/or enhance public access to, over and along any lake, river, stream or wetland and their margins;</p> <p>(iii) necessary to provide access across a lake, river, stream or wetland;</p> <p>(iv) associated with infrastructure;</p> <p>(v) necessary for flood protection and the safeguarding of public health and safety; or</p>	<p>The proposal is consistent with this policy for the following reasons:</p> <ul style="list-style-type: none"> • There is no practical alternative as the stormwater infrastructure is required to be located within the existing swale. • The pond / swale is designed to the minimum size required to manage stormwater in accordance with AC requirements. • The pond/ swale will not create any hazard. • The pond/ swale is associated with stormwater infrastructure. • The pond/ swale avoids significant effects.

	<p>(vi) required for the reasonable use of production land.</p> <p>(e) the structure avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.</p>	
--	---	--

Yours sincerely

TSC



CHANEL HARGRAVE

Planning Manager

Attachments:

Attachment A: S92 Response Table.

Appendices:

Report / Plans / Correspondence	Author	Date	Appendix / Attachment
Ecological Memo – Wetland Classification	Rural Design Limited	2 nd October 2025	Appendix BB
Updated Engineering Plan set – C-502-05 Amendment C	TSC	10/25	Appendix CC
J2224 – ITA & HCGC Plan	TSC	October 2025	Appendix DD
Environmental Management Plan	TSC	October 2025	Appendix EE
Entrance Plans - C-701-05 Amendment D	TSC	10/25	Appendix FF
Transport Response Memo	TEAM		

ATTACHMENT A: SECTION 92 RESPONSE TABLE FURTHER RESPONSE – OUTSTANDING MATTERS ONLY

Section 92 Response Table - Vernon Developments Land Use / Discharge Consent		
RFI #3 30/09/2025		
Number	Council Request	Response – 5/08/2025 Additional Response 16/08/2025 Additional Response 7/10/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		
Regional Earthworks		
21	If a DEB or a SRP is proposed as a result of the above queries, please provide further information, such as; singular inlet channel, stabilised outlet, emergency spillway and location of chemical treatment in accordance with GD05 best practice.	SRP details added to engineering plans. Stabilised outlet, emergency spillway and inlet channel all to be constructed as part of pond construction (treatment swale will act as singular inlet channel).
	Partially satisfied. Although noted, design details aren't clearly indicated on the submitted plans and cannot be confirmed to be in accordance with best practice. As the pond is confirmed to be an SRP, please also include indicative forebay.	It is proposed that the stormwater detention pond be utilised as the SRP. Based on the catchment size of 8,807m ² , the required size of a standard SRP would be 176m ³ . The volume of the SW pond is 4,162m ³ below the primary spillway, therefore it is over 20 times larger than required. Given that the pond is well oversized, no forebay is proposed.
	Please clarify the best practice methodology or GD05 reference behind the pond size and lack of the forebay, noting that the forebay provides an initial location of sediment settling prior to reaching main pond area.	Please refer to the updated engineering plans in Appendix CC showing a sediment retention pond with a forebay.
26b	An Ecological Memo was provided in regards to the artificial swale within the earthworks footprint and noted a mixture of hydrophytic vegetation. Please provide an assessment by a suitably qualified and experienced practitioner in ecology confirming whether the feature is considered a wetland under the RMA definition, which includes induced wetlands. <i>Note: If earthworks include a RMA wetland, further consent under Chapter E3 AUP(OP) will be required for the relevant activity.</i>	Please refer to the attached email memo from senior ecologist Madara Vilde of Rural Design (Appendix W). Her assessment concludes that the artificial watercourse does not meet the definition of a Wetland under the RMA.

	<p>a. Unsatisfied. Response notes that hydrophytic plants have established within this location and cites the follow up expert guidance which confirms that wet adapted fauna can be assumed present. However as the area has likely now been disturbed due to 'maintenance' and does not constitute as normal conditions. I have received some guidance from my senior wetland specialist who has advised that the MfE 2022 Wetland Delineation Protocol must be followed, which outlines the process for 'using three protocols (vegetation, hydric soils and hydrology) to delineate wetlands as defined in the Resource Management Act (RMA) 1991, known as 'RMA wetlands'.</p> <p>b. Therefore the applicant must demonstrate that the area in question does not meet the definition of an RMA wetland. If the vegetation has been removed, then the steps prescribed in the MfE wetland delineation protocol and supporting documents will need to be undertaken to complete this assessment.</p>	<p>Please refer to the attached email memo from senior ecologist Madara Vilde of Rural Design (Appendix BB). This confirms the presence of a 150m², low value RMA Wetland and additional consent is sought as set out in the letter above.</p>
<p>Stormwater and ITA</p>		
<p>44</p>	<p>Due to the range of activities supported by the vehicles brought to site, it is considered that contaminants of concern may be tracked to site and accumulate on the hardstand/parking area over time. Please identify any known contaminants of concern from these activities, and how these will be managed by the proposed stormwater management provided.</p>	<p>We are not aware of any contaminants of concern that would be tracked into the site.</p>
	<p>It is understood from the application report that trucks may be involved in activities such as the provision of fertiliser. It is expected that unless trucks are washed prior to entering this site, they may track contaminants from other sites onto this site. Over time with many truck movements a concentration of contaminants may build up on a hardstand that could mobilise during heavy rainfall events. It is expected that the contaminants of concern will involve TSS and Heavy Metals from the truck/machinery parking and from those involved in aggregate movements. The management protocols for the vehicles involved in fertiliser/stock feed activities are less clear, and it is unknown if contaminants from these activities could build up on the hardstand over time. Please provide further clarity on the trucks used in the fertilising/stock feed activities, how often</p>	<p>There is no reference to fertiliser in the AEE. However, I have discussed with the applicant who has advised that they do have one fertiliser spreader and do offer this service. However, as they only have one spreader, this service occurs as a supplementary activity to other work. Fertiliser is never stored on the site and carted directly from Ravensdown or similar to the job site. As this work occurs more infrequently it is unlikely to result in contaminant build up on the site.</p> <p>The cartage of stock feed is typically dry baled hay / Lucerne or wrapped silage. This is baled and wrapped on farms and transported from farms directly to their storage locations. It is unlikely that this activity would be associated with the build-up of any contaminants on the hardstand.</p>

	<p>will these vehicles be washed down. It appears the hardstand and machinery storage area may come under ITA area from the descriptions of activities proposed. Please assess the areas under E9/E33 and provide clarification on the activities occurring within these areas.</p>	<p>There is a truck wash at the applicant's aggregate recycling yard that is used to bulk clean trucks associated with aggregate cartage.</p> <p>In regard to tracking of contaminants, care is taken to ensure that the wheels of vehicles are clean prior to travelling on the road. This is a best practise requirement to avoid contaminants being tracked onto the road and into other sites. Any excess material that has built up is typically removed from the vehicles at the site.</p> <p>Vehicles and machinery stored on the site are in good running order. The servicing workshop located on the site ensures that vehicles and machinery is maintained to avoid unnecessary hydrocarbon contaminant build up within the yard.</p> <p>The hardstand is used for parking of vehicles and there is no storage or use of hazardous substances within these areas. Therefore, the hardstand area is more accurately described as a HCG carpark as opposed to an ITA area.</p> <p>The yard activity is not an ITA as the AUP definition of ITA refers to industrial trade process in the RMA being:</p> <p>industrial or trade process includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.</p> <p>The yard area does not fit into the definition of ITA as there is no receipt, dispatch, use or disposal of any raw material, partly processed matter, or product occurring within the site.</p>
46	<p>The Council specialist agrees with the applicant that the ITA for this site is a moderate risk and considered a permitted activity for land use. However, standard E33.6.1.2 is not considered to be met. As such the discharge would be</p>	<p>As confirmed, there is no requirement to lodge the consent through the Portal as the applicant has already paid the maximum deposit. An assessment of the Controlled Activity standards is included in the s92 letter.</p>

	<p>considered as a controlled activity under E33.4.2(A18). Please apply for the required s15 discharge permit through the Council portal.</p> <p>The concrete wash pad is considered an ITA area, and the refuelling area may also be considered a contaminant generating area. Please provide these areas on a plan.</p>	<p>Please referred to the updated ITA plan in the EMP (Appendix C) which includes the fuel pad and wash bay.</p>
	<p>Thank you for providing the updated plan, noting the ITA area is not correct and will need updating. Please refer to the site operators guide on ITA provided on the council website to help determine ITA area (shed & workshop should not be included). Please confirm the status of the machinery parking area.</p>	<p>The ITA Plan has been updated with the shed and workshop removed. Please refer to Appendix X.</p> <p>The machinery parking area identified outside the HCG carparking area is neither an ITA area or carpark. This area stores other forms of machinery such as trailers and attachments that would not meet either definition under the AUP.</p>
	<p>Thank you for the updated ITA/HCGCP plan and s92 responses, ITA areas may also include areas where the tracking of contaminants may occur. Due to high contaminant generating areas on site, the activities associated with the machinery/vehicles, and the workshop area it may be considered that other areas of the site not currently identified in ITA plan may have/accumulate contaminants over the duration of the consent and should be considered as ITA areas. This includes the machinery storage area given the vehicles that will be required to place and pick up the items stated in this area. Please update the ITA plan to take this into consideration, given the extensive hard stand areas, and potential of contaminant tracking, where areas are to be excluded from ITA clearly identify the management procedures in place to prevent the tracking of contaminants in these areas.</p>	<p>The ITA Plan has been updated to include the machinery areas and area around the workshop / fuel storage area (Appendix DD). The EMP has been updated to include this Plan (Appendix EE).</p>
RFI #2 15/04/2025		
RFI #	Council Request	Response 5/08/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		

1	<p>The traffic report has not provided any assessments of the adverse effects of right-turning vehicles entering the site. The Great South Road carriageway has one traffic lane for the northbound traffic. Any vehicle turning right from Great South Road to the subject site will block the carriageway. Please demonstrate that the right turning movements into to the subject do not adversely affect the transport network. <i>Advice notes: The Transit Planning Policy Manual-Appendix 5B mandates that the shoulder enlargement be implemented for northbound vehicles entering the subject site. This measure is to prevent any negative impacts on the vehicles that currently traveling within the road carriageway and to avoid potential conflicts/queuing for northbound vehicles and the right-turning vehicles.</i></p>	<p>Transit Planning Policy Manual-Appendix 5B has suggested access rules for district plans and does not mandate shoulder enlargement as suggested in the advice note. The AUP does not include the requirement to widen the shoulder. The rational for not providing road widening is the fact that most of the trips to and from the site occur outside of the busy commuter periods and therefore unlikely to block the carriage way in a manner that would adversely affect the road network. This was assessed in the Transport Report appended to the original application.</p>
	<p>Outstanding.</p>	<p>Please refer to the additional assessment provided by TEAM in Appendix AA.</p>
	<p>To accurately assess the potential adverse effects of trip generation from the subject site, the applicant should undertake a new traffic count near the site to determine the current traffic volumes.</p>	<p>Traffic Counts to be provided.</p>
4	<p>The section 4.4 of the AEE prepared by TSC states that the majority of the vehicles will enter and exit the site via right turn in and left turns out. Please provide revised tracking curves for the largest size of the vehicles accessing/exiting the site. This information is required to determine the width of the vehicle crossing and the driveway, ensuring safe two-way vehicle movements can be achieved.</p>	<p>Tracking showing a van and truck is included on the plans (Appendix N) as this is likely to be largest sized vehicles entering and exiting the site. As trucks leave in the morning and return in the afternoon it is unlikely two truck and trailer units would be entering and exiting the site at the same time.</p>
	<p>Outstanding: Please provide revised tracking curves for the largest design vehicle, showing right-turn-in and left-turnout movements. The existing carriageway seal and lane widths must be accurately surveyed. The updated plans should reflect the correct traffic lane dimensions to ensure safe and efficient vehicle movements at the proposed vehicle entrance.</p>	<p>These details have been added to the Plan. Please refer to the updated transport plan in Appendix Y.</p>
	<p>Outstanding as per feedback from AT – please address: <i>Great South Road has a posted speed limit of 80 km/h. The vehicle crossing must be designed to</i></p>	<p>Please refer to the updated Entrance Plans in Appendix FF. This shown tracking for truck and trailer unites entering and exiting the site. It has identified that an additional 7m² of</p>

	<i>accommodate the largest vehicles accessing and exiting the site, especially given that most vehicle movements occur between 5:30 am–7:00 am and 5:00 pm–6:30 pm. This is essential to avoid conflicts and ensure safe vehicle movements.</i>	sealing is required. Will this situation is unlikely to occur the applicant will upgrade the entrance to allow for this movement to occur. We request a condition requiring this to be completed as part of the conditions of consent.
5	Section 3.3.2 of the Traffic report prepared by Teams states that existing vehicle crossing has a safe intersection sight distance (SISD) of 210m. Please provide a plan showing the SISD distances on both directions of the existing vehicle crossing. This information is required to determine whether the existing vehicle crossing has adequate sight lines ensuring safe vehicle movements can be achieved and to avoid potential adverse effects on the other road users.	The SISD has been added to the Plan (Appendix N).
	<i>SISD is measured along the carriageway from the approaching vehicle to the conflict point; the line of sight having to be clear to a point 7.0 m (5.0 m minimum) back along the side road from the conflict point. Please indicate the vehicle position at the vehicle crossing including the offset distance from road edge.</i>	Please refer to the additional assessment provided by TEAM in Appendix AA .
	<i>Please request the applicant to confirm the offset distance from the centreline of the lane.</i>	The SISD has been measured by Traffic Engineer Andrew Hunter. Andrew Hunter has confirmed that the SISD has confirmed that the 5m clearance from the centreline of the lane was accounted for in the measurement.
9	Please provide cross section and long section for the internal metal track every 20m to assess for the width and gradients aspects.	Please refer to the updated plans (Appendix N) which show a long section and typical cross section of the accessway.
	<i>Cross sections every 20m are not provided as per s92 RFI request. Please provide these to enable assessment.</i>	<i>These details have been added to the Plan. Please refer to the updated transport plan in Appendix AA.</i>
	<i>Appendix Y Entrance Plan, Drawing J2224-4, depicts a typical driveway cross-section with a formed width of 7m. However, Drawings J2224-6 and J2224-7 (cross sections every 20m) do not include any commentary or annotations specifying the formed widths of the driveway. Additional detail regarding the “formed widths” on these drawings is required to conclude Traffic Engineering assessment.</i>	Please refer to the updated Entrance Plans in Appendix FF which annotates the cross-sections.



October 2nd, 2025

Auckland Council

Response to Auckland Council Query – Potential “RMA Wetland” within Artificial Swale/Watercourse– 1799A Great South Road, Bombay – Lot 6 DP 156089

Auckland Council has queried whether the hydrophytic vegetation within the on-site artificial swale/watercourse meets the definition of a wetland under the Resource Management Act 1991 (RMA). The RMA defines a wetland as:

“Permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.”

To provide further information to Council, the results of a rapid wetland delineation assessment during a site visit on 16 January 2025, following the Ministry for the Environment’s *Wetland Delineation Protocols* (MfE, 2022) are provided within this addendum memo. The results of this assessment are presented in Figure 1, Table 1, and Table 2 of this report.

Hydrophytic vegetation was observed only within a small section of the swale channel, covering approximately 150 m². The vegetation community was dominated by common colonising species such as mercer grass (*Paspalum distichum*), with scattered patches of soft rush (*Juncus effusus*). No indigenous wetland flora was recorded. This community has most likely established due to deferred swale maintenance rather than natural wetland processes.

Accordingly, while this section of the swale supports plant species adapted to wet conditions and therefore technically meets the statutory definition of a wetland under the RMA (1991), its artificial origin, limited extent, and low ecological value when considering the planning and management significance of this feature. In my view, a wetland located within an artificial watercourse—and subject to ongoing management as part of its intended function—does not constitute a functional wetland environment.

Kind regards,

Madara Vilde

Senior Ecologist

BSc 1st Class Hons (Environmental Protection)

Rural Design 1984 Ltd

02.10.2025

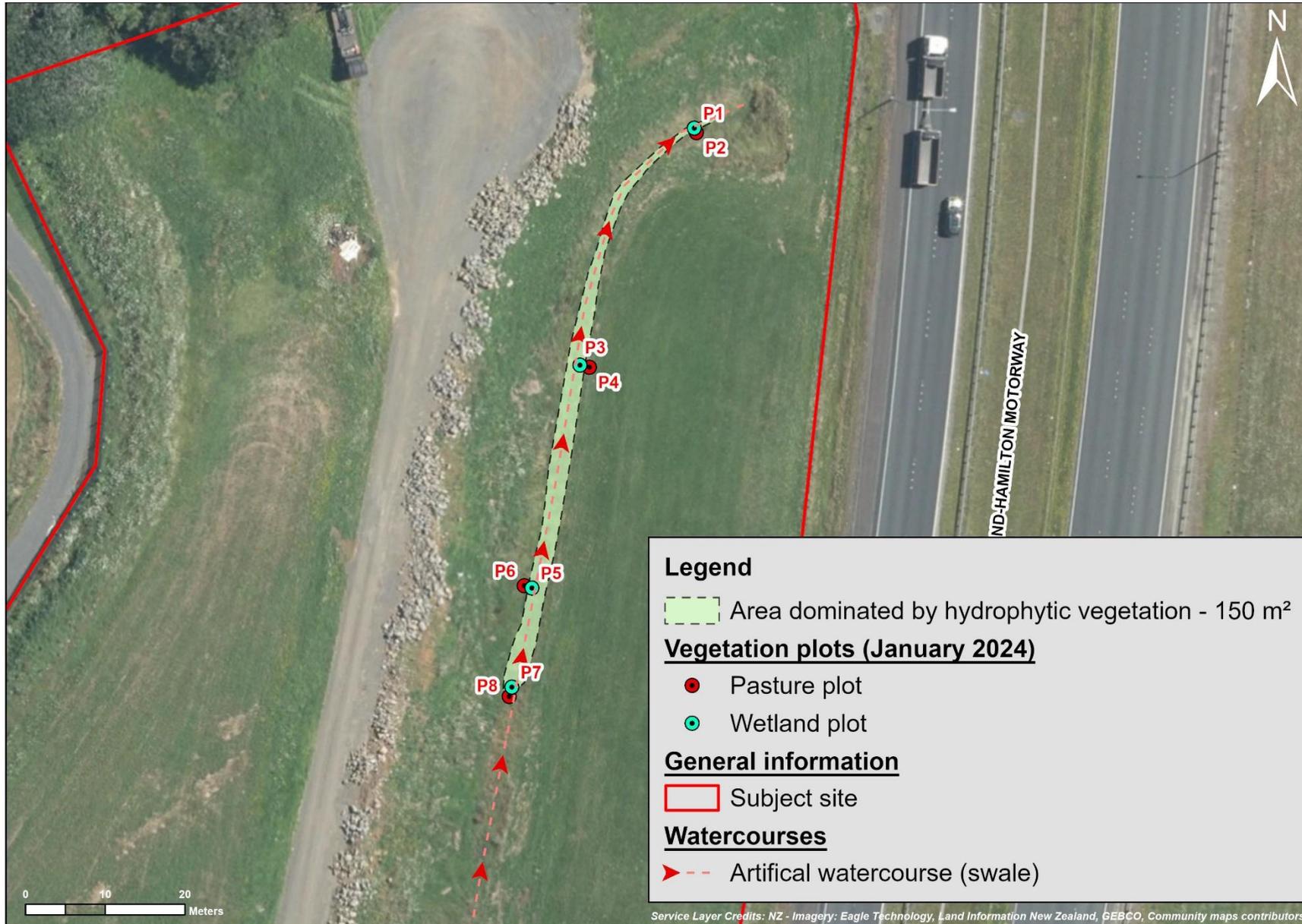


Figure 1: Showing vegetation plot locations and resulting assessment of area dominated by hydrophytic vegetation (assessment carried out 16th January 2025)

Table 1: Vegetation plot results

Site	1799A Great South Road, Bombay									
Date	16th January 2025									
			Vegetation plots							
Species	Common name	Status (Clarkson et. al 2021) or based on ecologist expertise	P1	P2	P3	P4	P5	P6	P7	P8
<i>Agrostis stolonifera</i>	Creeping bent	FACW	5%		5%		5%			2%
<i>Cenchrus clandestinus</i>	Kikuyu	FACU		30%		30%		20%		15%
<i>Daucus carota</i>	Carrotweed	FACU		15%						
<i>Hypochaeris radicata</i>	Catsear	FACU		10%		10%				
<i>Juncus effusus</i>	Soft rush	FACW			15%		5%		40%	
<i>Lotus pedunculatus</i>	Lotus	FAC			5%	5%	3%	5%	10%	10%
<i>Paspalum dilatatum</i>	Paspalum	FACU	3%	20%		15%		20%	5%	23%
<i>Paspalum distichum</i>	Mercer grass	FACW	87%		65%		72%		15%	
<i>Persicaria hydropiper</i>	Water pepper	FACW			5%		10%		15%	
<i>Plantago lanceolata</i>	Narrow-leaved plantain	FACU		15%		40%		15%		20%
<i>Prunella vulgaris</i>	Self-heal	FACU		5%						
<i>Ranunculus repens</i>	Creeping buttercup	FAC					5%	40%	15%	30%
<i>Rumex acetosa</i>	Sorrel	FAC								
<i>Rumex crispus</i>	Curled dock	FAC	5%		5%					
<i>Trifolium repens</i>	White clover	FACU		5%						
Total cover			100%	100%	100%	100%	100%	100%	100%	100%
% pasture species (Cosgrove et al. 2022)			3%	70%	5%	90%	3%	60%	15%	68%
Rapid test			Yes	No	Yes	No	Yes	No	Yes	No
Dominance test			Yes	No	Yes	No	Yes	No	Yes	No
PI			2.11	4.00	2.10	3.95	2.08	3.55	2.35	3.60
RMA wetland			Yes	No	Yes	No	Yes	No	Yes	No

Table 2: Representative plot photos

Identifier	Plot photo
Plot 1	
Plot 2	
Plot 3	
Plot 4	



Vernon Developments Ltd
1799a Great South Rd
Bombay
Auckland

Ref: 241271
29 October 2025

Attention Cam Vernon

Dear Cam,

RE: RESPONSE TO S92 REQUEST FOR ADDITIONAL INFORMATION FOR THE PROPOSED RURAL COMMERCIAL DEVELOPMENT AT 1799A GREAT SOUTH ROAD IN BOMBAY

This letter is in response to a section S92 request for additional information dated October 2025 V2 from Auckland Council and Auckland Transport as shown below; The original response provided in September is shown below followed by an update response based on surveyed data.

- 1. The traffic report has not provided any assessments of the adverse effects of right turning vehicles entering the site. The Great South Road carriageway has one traffic lane for the northbound traffic. Any vehicle turning right from Great South Road to the subject site will block the carriageway. Please demonstrate that the right turning movements into to the subject do not adversely affect the transport network.**

Advice notes: The Transit Planning Policy Manual-Appendix 5B mandates that the shoulder enlargement be implemented for northbound vehicles entering the subject site. This measure is to prevent any negative impacts on the vehicles that currently traveling within the road carriageway and to avoid potential conflicts/queuing for northbound vehicles and the right-turning vehicles

The requirement for road widening is normally only applied when the property is fronting an arterial road. The property is located within the rural area near Bombay and the carriageway is classified as a collector road.

A recent tube count was carried out on Great South Road in May 2021 and showed that there was an ADT of 1,468 vehicles per day at a location about a kilometre north of the site. The survey also showed that there was a peak hourly flow of 181 vehicles per hour. The equates to three vehicles per min in both directions. If a vehicle is turning right into the site it would be opposed by an average of 1.5 vehicles per minute. This is an extremely low number of opposing vehicles and there is a very low possibility of conflict at the entrance.

Another tube survey was carried out on Great South Road immediately north of Quarry Road in May 2022. This survey showed that there were 4,772 vehicles per day using the road and there were 541 vehicles per hour during the peak hour. This portion of Great South Road is still classified as a collector Road but does have a lot of the traffic from the new development at Runcimen using the road.

The property at 1799a Great South Road lies within a rural environment in a low volume section of the road. There is more than adequate visibility in both direction and the low number of vehicular movements to and from the development reduces the potential for conflicts. There are unlikely to be any delays to following vehicles if a vehicle is turning right into the site.

My conclusion is that road widening is not justified or warranted.

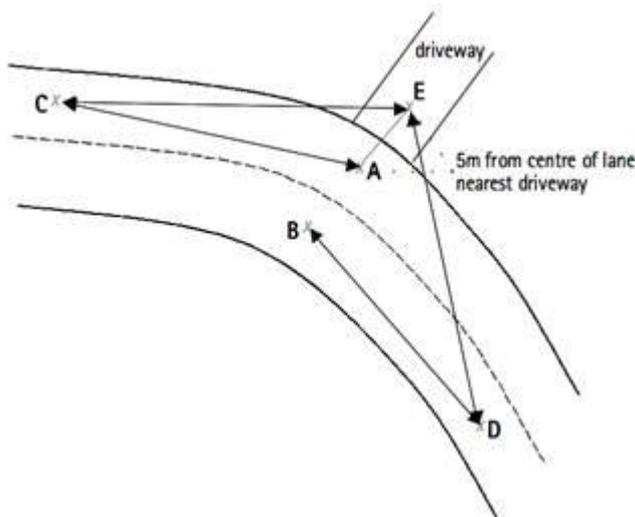
- 4. The section 4.4 of the AEE prepared by TSC states that the majority of the vehicles will enter and exit the site via right turn in and left turns out. Please provide revised tracking curves for the largest size of the vehicles accessing/exiting the site. This information is required to determine the width of the vehicle crossing and the driveway, ensuring safe two-way vehicle movements can be achieved.**

The tracking plans prepared by TSC show an articulated truck plus a 6.3m van entering and exiting at the same time. The majority of the vehicles entering and leaving the site will do so within limited time frames and will typically be entering or leaving at similar times. The potential for two heavy vehicles passing each other at the entrance is very small.

The standard for tracking in these circumstances is a heavy vehicle plus a van and the plans clearly demonstrate that this scenario is comfortably accommodated. TSC will provide copies of the plans.

- 5. Section 3.3.2 of the Traffic report prepared by Teams states that existing vehicle crossing has a safe intersection sight distance (SISD) of 210m. Please provide a plan showing the SISD distances on both directions of the existing vehicle crossing. This information is required to determine whether the existing vehicle crossing has adequate sight lines ensuring safe vehicle movements can be achieved and to avoid potential adverse effects on the other road users.**

The SISD measurement is made following the RTS 6 guidelines and is shown in the diagram below.



The screen shot below is taken from the GIS map and shows the visibility lines and the distances.



The diagram demonstrates that the available visibility exceeds the SISD requirement.

Updated response:

Feedback from AT – please provide the requested information: Based on the traffic count, there is a slight increase in traffic volume compared to what was reported in the traffic assessment. It has been observed that there is a bend and vegetation at the bend, which poses a safety risk, particularly for vehicles turning right from Great South Road into the subject site. This concern is heightened by the high-speed road environment. Please refer to the Street View image below for context.



To ensure there are no safety issues at the proposed vehicle crossing, please provide a visibility assessment between right turning vehicles from Great South Road into the subject site and southbound through traffic. This assessment should consider the bend and vegetation at the bend, as well as the operating speed environment, to confirm that adequate sight distance is available for safe turning movements.

The google clip provided by AT appears to be taken from the entrance to the property at 1799 GSR and the entrance to 1799a GSR is nearly 100m south of the spot the photograph was taken. This means there is 100 m of additional visibility.

The tube survey was carried out between the 14th October and the 20th October 2025 outside of the property. The survey showed that the 7-day ADT was 2,247 vehicles per day. The peak hours were 7.00am to 8.00am and 3.00pm to 4.00pm.

	Northbound	Southbound
7.00am-8.00am	108	48
3.00pm-4.00pm	57	105

The tube survey also collected data on the 85th percentile speeds. The 85th percentile speed in the northbound direction was measured at 80.1 km/h and the 85th percentile speed in the southbound direction was measure at 83.3km/h.

The traffic assessment estimated the 85th percentile speed at 92km/h as there was no information available. The SISD in a 92 km/h speed environment is 210m whilst the 85th percentile speed in an 83km/h zone (the worst case) is 179m. The visibility requirement is significantly less than the estimated value and the available visibility is well over 200m and easily complies with SISD.

During the morning peak vehicles turning right into 1799a GSR are opposed by fewer than one vehicle per minute and during the afternoon peak right turning vehicles are opposed by fewer than two vehicles per minute.

The probability of conflict is extremely low and there are not expected to be any delays to following vehicles.

We trust this is sufficiently detailed for your immediate needs. Should you wish to discuss any matter in greater detail, please do not hesitate contacting us.

Yours faithfully
TRAFFIC ENGINEERING & MANAGEMENT LTD



Andrew Hunter
Senior Associate

Written approval of affected persons for resource consent



PART A (to be completed by the applicant)

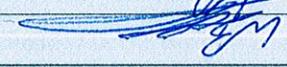
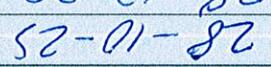
PART A - APPLICATION		
Applicant/s name: (please write all names in full)	Vernons Development Limited	
Address of proposed activity:	1799A Great South Road, Bombay	Application number if known:
		BUN60444618
Description of proposed activity:		
Rural Industry / Rural Commercial Service Activity and associated earthworks and stormwater consents to operate Vernon Developments from the site at 1799A Great South Road.		
List of all documents and plans to be sighted (including title, author and date)		
Title	Author	Date
Assessment of Environmental Effects Report	Chanel Hargrave TSC	February 2025
J2224 - Land Use Consent Plan 1-B - 1799A Great South Road	TSC	April 2025
Resource consent/s being sought for (describe why resource consent is required and details of any non-compliance)		
H19.4.1 Rural Industry (A21) and Rural Commercial Service (A16), E3.4.1(A1) Streamworks, E31.4.3(A7) Hazardous Substance Storage (Diesel), E8.4.1(A10) Stormwater Discharge, E9.4.1(A6) High Contaminant Carparking, E23.4.2(A53) Comprehensive Signage, E12.4.1(A6) & E11.4.2(A4) District and Regional Land Disturbance, E27.4.1(A2) bicycle parking infringement, E33.4.2(A18) ITA		

PART B (to be completed by the person/s and/or organisation/s who are providing written approval)

PART B - AFFECTED PERSON/S			Tick if owner	Tick if occupier
Full name: (in print)	Wiebe Boxem		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Full name: (in print)	Karmon Boxem		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Full name: (in print)			<input type="checkbox"/>	<input type="checkbox"/>
Address of affected property	1819 Great South Road, Bombay	Postcode:		
Email:	Divineinspire@gmail.com	Mobile:	0212494323	

- Request that the applicant (or their representative) explain the proposal clearly and fully to you.
- Study the application and associated plans provided by them in order to understand the effects of the proposed activity. If there are no plans available at this stage, you may wish to wait until they are available.
- Ask the applicant (or their representative) if you have been provided with a copy of the full application, including plans.
- Ask for time to consider the documents if you think you need it.

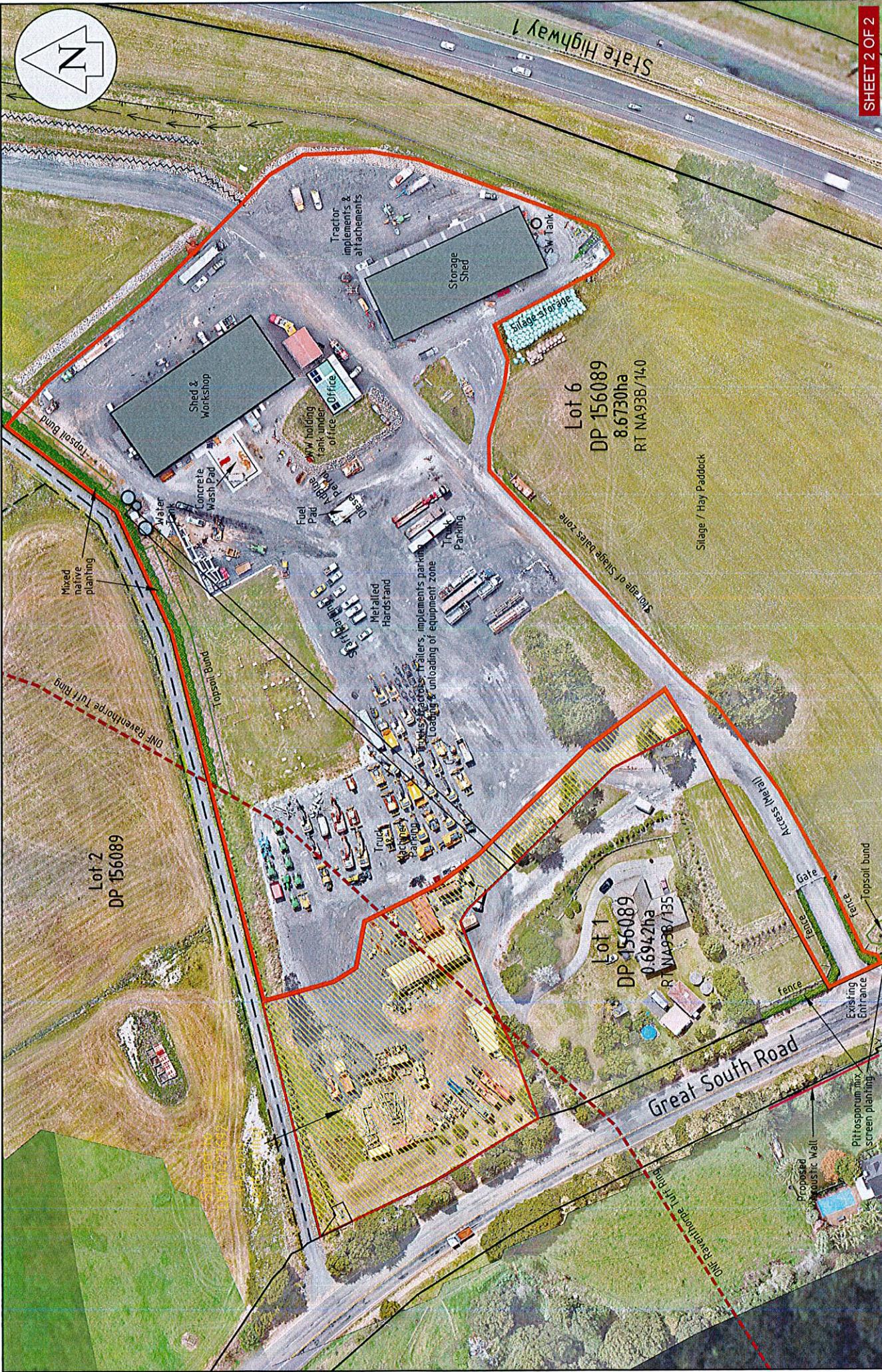
Advice Note: If you are asked to give your written approval to someone's proposed activity as part of their application for a resource consent, you should do the following:

PART C – DECLARATION	
<input checked="" type="checkbox"/>	I/We have been given details of the proposal and plans to which I/we are giving written approval. A list of the documents I/we have sighted is included on page 1.
<input checked="" type="checkbox"/>	I/We have signed each page of the plans in respect of this proposal. These need to accompany this form.
<input checked="" type="checkbox"/>	I/We understand that by giving my/our written approval, the council cannot take account of any actual or potential effects of the activity on my/our property when considering the application.
<input checked="" type="checkbox"/>	Further, I/we understand that at any time before a decision is made about the application, I/we may give notice in writing to the council that this approval is withdrawn.
In signing this form, I/we are satisfied that I/we fully understand the proposal.	
Contact our Customer Service team on 09 301 0101 if you need more information about the resource consent process.	
Signatures/	Date
	28-10-25
Signatures/	Date
	28-10-25
Signatures/	Date
The council requires the information you have provided on this form to process your application under the Resource Management Act 1991 and to collect statistics. The council will hold and store the information on a public register. The details may also be made available to the public on the council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council. Under the Privacy Act 2020, you have the right to see and correct personal information Auckland Council holds about you.	
PRIVACY INFORMATION	

PART B – AFFECTED PERSONS/ (continued)	
I have authority to sign on behalf of all (tick which one/s apply)	
<input checked="" type="checkbox"/>	Property owners
<input type="checkbox"/>	Property occupiers
Please note: The approval of all the legal owners and occupiers of the affected property is required. If you have authority however to sign on behalf of others, please provide documentation providing you have this authority.	
PART C (to be completed by the persons/ and/or organisations/ who are providing written approval)	

- *Decide whether the proposed activity will adversely affect you or your property. You are entitled to ask the applicant for more information, but you should make a decision about whether you will sign the form or not as promptly as is reasonable in the circumstances. You may suggest amendments to the proposed activity that you consider would reduce the effects on you. If the proposal is amended by the applicant, then you should only sign the amended version of the proposal.*
- *If you consider that you will be adversely affected by the proposal and do not wish to sign the approval form, you will need to advise the applicant (or their representative).*
- *If you change your mind after signing this form, you may withdraw your approval at any time before a decision is made on the application by advising the council in writing that your approval is withdrawn.*

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.



SHEET 2 OF 2

LAND USE CONSENT PLAN	
Drawn By SF	J2224 - LANDUSE CONSENT PLAN 1-B
Scale	1 : 1000
GA3	APR 2025
	J2224

VERNON DEVELOPMENTS LIMITED
 LAND USE CONSENT PLAN -
 # 1799A GREAT SOUTH ROAD, BOMBAY.

TSC
 THE SURVEYING COMPANY
 Planners, Surveyors & Engineers

Level One, 17 Hall Street
 PO Box 466 Pukekohe 2340
 Phone 09 238 9991
 Fax 09 238 9307
 email : info@subdivision.co.nz
 web : www.subdivision.co.nz

Michele Schitko - Saboonchi

Auckland Council

Our Ref: J2224

Via Email: michele.schitko-saboonchi@aucklandcouncil.govt.nz

Date: 7/10/2025



Section 92 Further Information Additional Response: Vernon Developments –1799A Great South Road– BUN60444618 (DIS60444619 and LUC60444660)

Thank you for your letter dated 30th September 2025 requesting further clarification / additional information on the additional s92 response provided on the 5/08/2025.

A response to the outstanding matters is provided below.

Additional planning assessment relating to Chapter E3 is included in this letter.

Lakes, rivers, streams and wetlands:

In response to #26b of the RFI, Rural Design Limited have concluded that the presence of exotic hydrophytic plants in the artificial channel do meet the definition of wetland in the RMA. The area of wetland is calculated at 150m². The wetland is within the area required for the creation of the stormwater pond and swale. Essentially the works will replace one stormwater device (swale) with another (pond and swale). The works are necessary for the management of stormwater within the site and in this case, there is no other practical alternative.

An additional consent is sought for the following reason:

- Under Table E3.4.1(A1) Any activity in, on, under or over the bed of lakes, rivers, streams and wetlands not otherwise provided for is a **discretionary activity**.

The assessment by Rural Design concludes that:

Hydrophytic vegetation was observed only within a small section of the swale channel, covering approximately 150 m². The vegetation community was dominated by common colonising species such as mercer grass (*Paspalum distichum*), with scattered patches of soft rush (*Juncus effusus*). No indigenous wetland flora was recorded. This community has most likely established due to deferred swale maintenance rather than natural wetland processes.

Accordingly, while this section of the swale supports plant species adapted to wet conditions and therefore technically meets the statutory definition of a wetland under the RMA (1991),

its artificial origin, limited extent, and low ecological value when considering the planning and management significance of this feature. In my view, a wetland located within an artificial watercourse—and subject to ongoing management as part of its intended function—does not constitute a functional wetland environment.

The wetland does not meet the definition of Natural Inland Wetland with in the NPS:F and is located within an artificial channel used for the conveyance of overland flow and stormwater. Given the low value and very minimal extent of the wetland the effects of upgrading the stormwater infrastructure from a swale drain to a pond and swale are considered to be less than minor.

An assessment against the relevant objectives and policies is provided below:

#	Objective / Policy	Assessment
E3.2(1)	Auckland's lakes, rivers, streams and wetlands with high natural values are protected from degradation and permanent loss.	The wetland is not considered to have high natural values.
E3.2(4)	Structures in, on, under or over the bed of a lake, river, stream or wetland are provided for where there are functional or operational needs for the structure to be in that location, or traverse that area.	The pond and swale are required to convey and manage the flow and quality of stormwater and therefore have a functional and operational need. While wetland has developed in the base of the exiting swale this forms part of an artificial channel used to convey stormwater and overland flow from the site.
E3.3(2)	Manage the effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands outside the overlays identified in Policy E3.3(1) by: (a) avoiding where practicable or otherwise remedying or mitigating any adverse effects on lakes, rivers, streams or wetlands; and (b) where appropriate, restoring and enhancing the lake, river, stream or wetland.	The wetland is considered to be a low value wetland within an artificial channel (swale) used for stormwater and overland flow management within the site. The effects are considered to be less than minor.

E3.3(5)	<p>Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands on:</p> <p>(a) the mauri of the freshwater environment; and</p> <p>(b) Mana Whenua values in relation to the freshwater environment.</p>	<p>The proposal does not result in any significant effects on the values listed.</p>
E3.3(7)	<p>Provide for the operation, use, maintenance, repair, erection, reconstruction, placement, alteration or extension, of any structure or part of any structure in, on, under, or over the bed of a lake, river, stream or wetland, and any associated diversion of water, where the structure complies with all of the following:</p> <p>(a) there is no practicable alternative method or location for undertaking the activity outside the bed of the lake, river, stream or wetland;</p> <p>(b) the structure is designed to be the minimum size necessary for its purpose to minimise modification to the bed of a lake, river, stream or wetland;</p> <p>(c) the structure is designed to avoid creating or increasing a hazard;</p> <p>(d) the structure is for any of the following:</p> <p>(i) required as part of an activity designed to restore or enhance the natural values of any lakes, rivers, streams or wetlands and their margins, or any adjacent area of indigenous vegetation or habitat of indigenous fauna;</p> <p>(ii) designed to maintain and/or enhance public access to, over and along any lake, river, stream or wetland and their margins;</p> <p>(iii) necessary to provide access across a lake, river, stream or wetland;</p> <p>(iv) associated with infrastructure;</p> <p>(v) necessary for flood protection and the safeguarding of public health and safety; or</p>	<p>The proposal is consistent with this policy for the following reasons:</p> <ul style="list-style-type: none"> • There is no practical alternative as the stormwater infrastructure is required to be located within the existing swale. • The pond / swale is designed to the minimum size required to manage stormwater in accordance with AC requirements. • The pond/ swale will not create any hazard. • The pond/ swale is associated with stormwater infrastructure. • The pond/ swale avoids significant effects.

	<p>(vi) required for the reasonable use of production land.</p> <p>(e) the structure avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.</p>	
--	---	--

Yours sincerely

TSC



CHANEL HARGRAVE

Planning Manager

Attachments:

Attachment A: S92 Response Table.

Appendices:

Report / Plans / Correspondence	Author	Date	Appendix / Attachment
Ecological Memo – Wetland Classification	Rural Design Limited	2 nd October 2025	Appendix BB
Updated Engineering Plan set – C-502-05 Amendment C	TSC	10/25	Appendix CC
J2224 – ITA & HCGC Plan	TSC	October 2025	Appendix DD
Environmental Management Plan	TSC	October 2025	Appendix EE
Entrance Plans - C-701-05 Amendment D	TSC	10/25	Appendix FF
Traffic Count Data	TEAM	-	Appendix GG
Transport Response Memo	TEAM	22/10/2025	Appendix HH

ATTACHMENT A: SECTION 92 RESPONSE TABLE FURTHER RESPONSE – OUTSTANDING MATTERS ONLY

Section 92 Response Table - Vernon Developments Land Use / Discharge Consent		
RFI #3 30/09/2025		
Number	Council Request	Response – 5/08/2025 Additional Response 16/08/2025 Additional Response 7/10/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		
Regional Earthworks		
21	If a DEB or a SRP is proposed as a result of the above queries, please provide further information, such as; singular inlet channel, stabilised outlet, emergency spillway and location of chemical treatment in accordance with GD05 best practice.	SRP details added to engineering plans. Stabilised outlet, emergency spillway and inlet channel all to be constructed as part of pond construction (treatment swale will act as singular inlet channel).
	Partially satisfied. Although noted, design details aren't clearly indicated on the submitted plans and cannot be confirmed to be in accordance with best practice. As the pond is confirmed to be an SRP, please also include indicative forebay.	It is proposed that the stormwater detention pond be utilised as the SRP. Based on the catchment size of 8,807m ² , the required size of a standard SRP would be 176m ³ . The volume of the SW pond is 4,162m ³ below the primary spillway, therefore it is over 20 times larger than required. Given that the pond is well oversized, no forebay is proposed.
	Please clarify the best practice methodology or GD05 reference behind the pond size and lack of the forebay, noting that the forebay provides an initial location of sediment settling prior to reaching main pond area.	Please refer to the updated engineering plans in Appendix CC showing a sediment retention pond with a forebay.
26b	An Ecological Memo was provided in regards to the artificial swale within the earthworks footprint and noted a mixture of hydrophytic vegetation. Please provide an assessment by a suitably qualified and experienced practitioner in ecology confirming whether the feature is considered a wetland under the RMA definition, which includes induced wetlands. <i>Note: If earthworks include a RMA wetland, further consent under Chapter E3 AUP(OP) will be required for the relevant activity.</i>	Please refer to the attached email memo from senior ecologist Madara Vilde of Rural Design (Appendix W). Her assessment concludes that the artificial watercourse does not meet the definition of a Wetland under the RMA.

	<p>a. Unsatisfied. Response notes that hydrophytic plants have established within this location and cites the follow up expert guidance which confirms that wet adapted fauna can be assumed present. However as the area has likely now been disturbed due to ‘maintenance’ and does not constitute as normal conditions. I have received some guidance from my senior wetland specialist who has advised that the MfE 2022 Wetland Delineation Protocol must be followed, which outlines the process for ‘using three protocols (vegetation, hydric soils and hydrology) to delineate wetlands as defined in the Resource Management Act (RMA) 1991, known as ‘RMA wetlands’.</p> <p>b. Therefore the applicant must demonstrate that the area in question does not meet the definition of an RMA wetland. If the vegetation has been removed, then the steps prescribed in the MfE wetland delineation protocol and supporting documents will need to be undertaken to complete this assessment.</p>	<p>Please refer to the attached email memo from senior ecologist Madara Vilde of Rural Design (Appendix BB). This confirms the presence of a 150m², low value RMA Wetland and additional consent is sought as set out in the letter above.</p>
<p>Stormwater and ITA</p>		
<p>44</p>	<p>Due to the range of activities supported by the vehicles brought to site, it is considered that contaminants of concern may be tracked to site and accumulate on the hardstand/parking area over time. Please identify any known contaminants of concern from these activities, and how these will be managed by the proposed stormwater management provided.</p>	<p>We are not aware of any contaminants of concern that would be tracked into the site.</p>
	<p>It is understood from the application report that trucks may be involved in activities such as the provision of fertiliser. It is expected that unless trucks are washed prior to entering this site, they may track contaminants from other sites onto this site. Over time with many truck movements a concentration of contaminants may build up on a hardstand that could mobilise during heavy rainfall events. It is expected that the contaminants of concern will involve TSS and Heavy Metals from the truck/machinery parking and from those involved in aggregate movements. The management protocols for the vehicles involved in fertiliser/stock feed activities are less clear, and it is unknown if contaminants from these activities could build up on the hardstand over time. Please provide further clarity on the trucks used in the fertilising/stock feed activities, how often</p>	<p>There is no reference to fertiliser in the AEE. However, I have discussed with the applicant who has advised that they do have one fertiliser spreader and do offer this service. However, as they only have one spreader, this service occurs as a supplementary activity to other work. Fertiliser is never stored on the site and carted directly from Ravensdown or similar to the job site. As this work occurs more infrequently it is unlikely to result in contaminant build up on the site.</p> <p>The cartage of stock feed is typically dry baled hay / Lucerne or wrapped silage. This is baled and wrapped on farms and transported from farms directly to their storage locations. It is unlikely that this activity would be associated with the build-up of any contaminants on the hardstand.</p>

	<p>will these vehicles be washed down. It appears the hardstand and machinery storage area may come under ITA area from the descriptions of activities proposed. Please assess the areas under E9/E33 and provide clarification on the activities occurring within these areas.</p>	<p>There is a truck wash at the applicant's aggregate recycling yard that is used to bulk clean trucks associated with aggregate cartage.</p> <p>In regard to tracking of contaminants, care is taken to ensure that the wheels of vehicles are clean prior to travelling on the road. This is a best practise requirement to avoid contaminants being tracked onto the road and into other sites. Any excess material that has built up is typically removed from the vehicles at the site.</p> <p>Vehicles and machinery stored on the site are in good running order. The servicing workshop located on the site ensures that vehicles and machinery is maintained to avoid unnecessary hydrocarbon contaminant build up within the yard.</p> <p>The hardstand is used for parking of vehicles and there is no storage or use of hazardous substances within these areas. Therefore, the hardstand area is more accurately described as a HCG carpark as opposed to an ITA area.</p> <p>The yard activity is not an ITA as the AUP definition of ITA refers to industrial trade process in the RMA being:</p> <p>industrial or trade process includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.</p> <p>The yard area does not fit into the definition of ITA as there is no receipt, dispatch, use or disposal of any raw material, partly processed matter, or product occurring within the site.</p>
46	<p>The Council specialist agrees with the applicant that the ITA for this site is a moderate risk and considered a permitted activity for land use. However, standard E33.6.1.2 is not considered to be met. As such the discharge would be</p>	<p>As confirmed, there is no requirement to lodge the consent through the Portal as the applicant has already paid the maximum deposit. An assessment of the Controlled Activity standards is included in the s92 letter.</p>

	<p>considered as a controlled activity under E33.4.2(A18). Please apply for the required s15 discharge permit through the Council portal.</p> <p>The concrete wash pad is considered an ITA area, and the refuelling area may also be considered a contaminant generating area. Please provide these areas on a plan.</p>	<p>Please referred to the updated ITA plan in the EMP (Appendix C) which includes the fuel pad and wash bay.</p>
	<p>Thank you for providing the updated plan, noting the ITA area is not correct and will need updating. Please refer to the site operators guide on ITA provided on the council website to help determine ITA area (shed & workshop should not be included). Please confirm the status of the machinery parking area.</p>	<p>The ITA Plan has been updated with the shed and workshop removed. Please refer to Appendix X.</p> <p>The machinery parking area identified outside the HCG carparking area is neither an ITA area or carpark. This area stores other forms of machinery such as trailers and attachments that would not meet either definition under the AUP.</p>
	<p>Thank you for the updated ITA/HCGCP plan and s92 responses, ITA areas may also include areas where the tracking of contaminants may occur. Due to high contaminant generating areas on site, the activities associated with the machinery/vehicles, and the workshop area it may be considered that other areas of the site not currently identified in ITA plan may have/accumulate contaminants over the duration of the consent and should be considered as ITA areas. This includes the machinery storage area given the vehicles that will be required to place and pick up the items stated in this area. Please update the ITA plan to take this into consideration, given the extensive hard stand areas, and potential of contaminant tracking, where areas are to be excluded from ITA clearly identify the management procedures in place to prevent the tracking of contaminants in these areas.</p>	<p>The ITA Plan has been updated to include the machinery areas and area around the workshop / fuel storage area (Appendix DD). The EMP has been updated to include this Plan (Appendix EE).</p>
RFI #2 15/04/2025		
RFI #	Council Request	Response 5/08/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		

1	<p>The traffic report has not provided any assessments of the adverse effects of right-turning vehicles entering the site. The Great South Road carriageway has one traffic lane for the northbound traffic. Any vehicle turning right from Great South Road to the subject site will block the carriageway. Please demonstrate that the right turning movements into to the subject do not adversely affect the transport network. <i>Advice notes: The Transit Planning Policy Manual-Appendix 5B mandates that the shoulder enlargement be implemented for northbound vehicles entering the subject site. This measure is to prevent any negative impacts on the vehicles that currently traveling within the road carriageway and to avoid potential conflicts/queuing for northbound vehicles and the right-turning vehicles.</i></p>	<p>Transit Planning Policy Manual-Appendix 5B has suggested access rules for district plans and does not mandate shoulder enlargement as suggested in the advice note. The AUP does not include the requirement to widen the shoulder. The rational for not providing road widening is the fact that most of the trips to and from the site occur outside of the busy commuter periods and therefore unlikely to block the carriage way in a manner that would adversely affect the road network. This was assessed in the Transport Report appended to the original application.</p>
	<p>Outstanding.</p>	<p>Please refer to the additional assessment provided by TEAM in Appendix AA.</p>
	<p>To accurately assess the potential adverse effects of trip generation from the subject site, the applicant should undertake a new traffic count near the site to determine the current traffic volumes.</p>	<p>Traffic counts were undertaken from 00:00 Tuesday, 14 October 2025 to 24:00 Monday, 20 October 2025. Please refer to the Traffic Count Data in Appendix GG and the traffic engineer's comments in Appendix HH. TEAM have concluded that:</p> <p><i>The volume of traffic has increased a bit. The traffic assessment stated 1,773vpd and we have a 5 day ADT of 2,600 vpd and a 7 day ADT of 2.200vpd.</i></p> <p><i>The 85th percentile speeds in both directs is significantly lower than predicted at just over 80km/h when I used 92Km/h for the visibility.</i></p> <p><i>Basically my assessment still stands. There is no impact on right turning vehicles.</i></p>
4	<p>The section 4.4 of the AEE prepared by TSC states that the majority of the vehicles will enter and exit the site via right turn in and left turns out. Please provide revised tracking curves for the largest size of the vehicles accessing/exiting the site. This information is required to determine the width of the vehicle crossing and the driveway, ensuring safe two-way vehicle movements can be achieved.</p>	<p>Tracking showing a van and truck is included on the plans (Appendix N) as this is likely to be largest sized vehicles entering and exiting the site. As trucks leave in the morning and return in the afternoon it is unlikely two truck and trailer units would be entering and exiting the site at the same time.</p>

	<p>Outstanding: Please provide revised tracking curves for the largest design vehicle, showing right-turn-in and left-turnout movements. The existing carriageway seal and lane widths must be accurately surveyed. The updated plans should reflect the correct traffic lane dimensions to ensure safe and efficient vehicle movements at the proposed vehicle entrance.</p>	<p>These details have been added to the Plan. Please refer to the updated transport plan in Appendix Y.</p>
	<p>Outstanding as per feedback from AT – please address: <i>Great South Road has a posted speed limit of 80 km/h. The vehicle crossing must be designed to accommodate the largest vehicles accessing and exiting the site, especially given that most vehicle movements occur between 5:30 am–7:00 am and 5:00 pm–6:30 pm. This is essential to avoid conflicts and ensure safe vehicle movements.</i></p>	<p>Please refer to the updated Entrance Plans in Appendix FF. This shown tracking for truck and trailer unites entering and exiting the site. It has identified that an additional 7m² of sealing is required. Will this situation is unlikely to occur the applicant will upgrade the entrance to allow for this movement to occur. We request a condition requiring this to be completed as part of the conditions of consent.</p>
5	<p>Section 3.3.2 of the Traffic report prepared by Teams states that existing vehicle crossing has a safe intersection sight distance (SISD) of 210m. Please provide a plan showing the SISD distances on both directions of the existing vehicle crossing. This information is required to determine whether the existing vehicle crossing has adequate sight lines ensuring safe vehicle movements can be achieved and to avoid potential adverse effects on the other road users.</p>	<p>The SISD has been added to the Plan (Appendix N).</p>
	<p>SISD is measured along the carriageway from the approaching vehicle to the conflict point; the line of sight having to be clear to a point 7.0 m (5.0 m minimum) back along the side road from the conflict point. Please indicate the vehicle position at the vehicle crossing including the offset distance from road edge.</p>	<p>Please refer to the additional assessment provided by TEAM in Appendix AA.</p>
	<p>Please request the applicant to confirm the offset distance from the centreline of the lane.</p>	<p>The SISD has been measured by Traffic Engineer Andrew Hunter. Andrew Hunter has confirmed that the SISD has confirmed that the 5m clearance from the centreline of the lane was accounted for in the measurement.</p>
9	<p>Please provide cross section and long section for the internal metal track every 20m to assess for the width and gradients aspects.</p>	<p>Please refer to the updated plans (Appendix N) which show a long section and typical cross section of the accessway.</p>
	<p>Cross sections every 20m are not provided as per s92 RFI request. Please provide these to enable assessment.</p>	<p>These details have been added to the Plan. Please refer to the updated transport plan in Appendix AA.</p>
	<p>Appendix Y Entrance Plan, Drawing J2224-4, depicts a typical driveway cross-section with a formed width of 7m. However, Drawings J2224-6 and J2224-7</p>	<p>Please refer to the updated Entrance Plans in Appendix FF which annotates the cross-sections.</p>

	<p>(cross sections every 20m) do not include any commentary or annotations specifying the formed widths of the driveway. Additional detail regarding the “formed widths” on these drawings is required to conclude Traffic Engineering assessment.</p>	
--	--	--

Chanel Hargrave

From: Chanel Hargrave
Sent: Thursday, 23 October 2025 10:21 AM
To: Avneet Kumar
Subject: FW: 1799A Great South Road - Vernon Traffic Survey
Attachments: NEAR # 1799 GREAT SOUTH RD BETWEEN INGRAM RD TO END PASSING LANE.xlsx

See below.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Andrew Hunter <andrew@teamtraffic.co.nz>
Sent: Wednesday, 22 October 2025 1:21 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Cc: Cameron Vernon <cam@vernondevelopments.co.nz>
Subject: RE: 1799A Great South Road - Vernon Traffic Survey

Hi Chanel

Please see attached a copy of the traffic survey.

The volume of traffic has increase a bit. The traffic assessment stated 1,773vpd and we have a 5 day ADT of 2,600 vpd and a 7 day ADT of 2.200vpd.

The 85th percentile speeds in both directs is significantly lower than predicted at just over 80km/h when I used 92Km/h for the visibility.

Basically my assessment still stands. There is no impact on right turning vehicles.

Kind Regards
Andrew

Andrew Hunter
Senior Associate

DDI (+64) 09 835 1738
Mob (+64) 0274 989757
Office (+64) 09 836 3888
Email andrew@teamtraffic.co.nz



Confidentiality: The information contained in this email message may be legally privileged and confidential. If the reader of this message is not the intended recipient, please notify us immediately and destroy the original. Thank you

Michele Schitko - Saboonchi

Auckland Council

Our Ref: J2224

Via Email: michele.schitko-saboonchi@aucklandcouncil.govt.nz

Date: 31/10/2025



Section 92 Further Information Additional Response: Vernon Developments –1799A Great South Road– BUN60444618 (DIS60444619 and LUC60444660)

Thank you for your email dated 28th October 2025 requesting further clarification / additional information on the additional s92 response provided on the 7/10/2025.

A response to the outstanding matters is provided below.

Yours sincerely

TSC

A handwritten signature in blue ink that reads 'CHanel HARGRAVE'. The signature is written in a cursive style and is enclosed within a light blue oval.

CHANEL HARGRAVE

Planning Manager

Attachments:

Attachment A: S92 Response Table.

Appendices:

Report / Plans / Correspondence	Author	Date	Appendix / Attachment
Transport Response Memo	TEAM	29/10/2025	Appendix II

ATTACHMENT A: SECTION 92 RESPONSE TABLE FURTHER RESPONSE – OUTSTANDING MATTERS ONLY

Section 92 Response Table - Vernon Developments Land Use / Discharge Consent		
RFI #3 30/09/2025		
Number	Council Request	Response – 5/08/2025 Additional Response 16/08/2025 Additional Response 7/10/2025 Additional Response 31/10/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		
Regional Earthworks		
26b	<p>An Ecological Memo was provided in regards to the artificial swale within the earthworks footprint and noted a mixture of hydrophytic vegetation. Please provide an assessment by a suitably qualified and experienced practitioner in ecology confirming whether the feature is considered a wetland under the RMA definition, which includes induced wetlands.</p> <p><i>Note: If earthworks include a RMA wetland, further consent under Chapter E3 AUP(OP) will be required for the relevant activity.</i></p>	<p>Please refer to the attached email memo from senior ecologist Madara Vilde of Rural Design (Appendix W). Her assessment concludes that the artificial watercourse does not meet the definition of a Wetland under the RMA.</p>
	<p>a. Unsatisfied. Response notes that hydrophytic plants have established within this location and cites the follow up expert guidance which confirms that wet adapted fauna can be assumed present. However as the area has likely now been disturbed due to ‘maintenance’ and does not constitute as normal conditions. I have received some guidance from my senior wetland specialist who has advised that the MfE 2022 Wetland Delineation Protocol must be followed, which outlines the process for ‘using three protocols (vegetation, hydric soils and hydrology) to delineate wetlands as defined in the Resource Management Act (RMA) 1991, known as ‘RMA wetlands’.</p> <p>b. Therefore the applicant must demonstrate that the area in question does not meet the definition of an RMA wetland. If the vegetation has been removed, then</p>	<p>Please refer to the attached email memo from senior ecologist Madara Vilde of Rural Design (Appendix BB). The confirms the presence of a 150m2, low value RMA Wetland and additional consent is sought as set out in the letter above.</p>

	<p>the steps prescribed in the MfE wetland delineation protocol and supporting documents will need to be undertaken to complete this assessment.</p>	
	<p>Reclamation of RMA Wetland is E3 applicable and agree the RMA wetland is low ecological value – however consideration to sediment being discharged to downstream environment should be considered. <i>Please provide comment.</i></p>	<p>Sediment during the earthworks / streamworks is managed through appropriate controls as shown on the Plans. The swale and pond will be constructed during dry weather when the artificial channel / wetland is dry. Noting that this existing feature acts as a swale and only carries water during periods of heavy rainfall. During the construction of the pond a silt fence will be used to manage any sediment loss associated with these works. In the event of unforeseen rainfall any exposed areas can be temporarily stabilised with geotextile to further mitigate any sediment loss. The immediate downstream environment is a culvert that extends under SH1 and which discharges to a roadside drain within SH1.</p>
<p>Stormwater and ITA</p>		
<p>44</p>	<p>Due to the range of activities supported by the vehicles brought to site, it is considered that contaminants of concern may be tracked to site and accumulate on the hardstand/parking area over time. Please identify any known contaminants of concern from these activities, and how these will be managed by the proposed stormwater management provided.</p>	<p>We are not aware of any contaminants of concern that would be tracked into the site.</p>
	<p>It is understood from the application report that trucks may be involved in activities such as the provision of fertiliser. It is expected that unless trucks are washed prior to entering this site, they may track contaminants from other sites onto this site. Over time with many truck movements a concentration of contaminants may build up on a hardstand that could mobilise during heavy rainfall events. It is expected that the contaminants of concern will involve TSS and Heavy Metals from the truck/machinery parking and from those involved in aggregate movements. The management protocols for the vehicles involved in fertiliser/stock feed activities are less clear, and it is unknown if contaminants from these activities could build up on the hardstand over time. Please provide further clarity on the trucks used in the fertilising/stock feed activities, how often will these vehicles be washed down. It appears the hardstand and machinery storage area may come under ITA area from the descriptions of activities</p>	<p>There is no reference to fertiliser in the AEE. However, I have discussed with the applicant who has advised that they do have one fertiliser spreader and do offer this service. However, as they only have one spreader, this service occurs as a supplementary activity to other work. Fertiliser is never stored on the site and carted directly from Ravensdown or similar to the job site. As this work occur more infrequently is unlikely to result in contaminant build up on the site.</p> <p>The cartage of stock feed is typically dry baled hay / Lucerne or wrapped silage. This is baled and wrapped on farms and transported from farms directly to their storage locations. It is unlikely that this activity would be associated with the build-up of any contaminants on the hardstand.</p> <p>There is a truck wash at the applicant’s aggregate recycling yard that is used to bulk clean trucks associated with aggregate cartage.</p>

	<p>proposed. Please assess the areas under E9/E33 and provide clarification on the activities occurring within these areas.</p>	<p>In regard to tracking of contaminants, care is taken to ensure that the wheels of vehicles are clean prior to travelling on the road. This is a best practise requirement to avoid contaminants being tracked onto the road and into other sites. Any excess material that has built up is typically removed from the vehicles at the site.</p> <p>Vehicles and machinery stored on the site are in good running order. The servicing workshop located on the site ensures that vehicles and machinery is maintained to avoid unnecessary hydrocarbon contaminant build up within the yard.</p> <p>The hardstand is used for parking of vehicles and there is no storage or use of hazardous substances within these areas. Therefore, the hardstand area is more accurately described as a HCG carpark as opposed to an ITA area.</p> <p>The yard activity is not an ITA as the AUP definition of ITA refers to industrial trade process in the RMA being:</p> <p>Industrial or trade process includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.</p> <p>The yard area does not fit into the definition of ITA as there is no receipt, dispatch, use or disposal of any raw material, partly processed matter, or product occurring within the site.</p>
46	<p>The Council specialist agrees with the applicant that the ITA for this site is a moderate risk and considered a permitted activity for land use. However, standard E33.6.1.2 is not considered to be met. As such the discharge would be considered as a controlled activity under E33.4.2(A18). Please apply for the required s15 discharge permit through the Council portal.</p> <p>The concrete wash pad is considered an ITA area, and the refuelling area may also</p>	<p>As confirmed, there is no requirement to lodge the consent through the Portal as the applicant has already paid the maximum deposit. An assessment of the Controlled Activity standards is included in the s92 letter.</p> <p>Please referred to the updated ITA plan in the EMP (Appendix C) which includes the fuel pad and wash bay.</p>

	<p>be considered a contaminant generating area. Please provide these areas on a plan.</p>	
	<p>Thank you for providing the updated plan, noting the ITA area is not correct and will need updating. Please refer to the site operators guide on ITA provided on the council website to help determine ITA area (shed & workshop should not be included). Please confirm the status of the machinery parking area.</p>	<p>The ITA Plan has been updated with the shed and workshop removed. Please refer to Appendix X.</p> <p>The machinery parking area identified outside the HCG carparking area is neither an ITA area or carpark. This area stores other forms of machinery such as trailers and attachments that would not meet either definition under the AUP.</p>
	<p>Thank you for the updated ITA/HCGCP plan and s92 responses, ITA areas may also include areas where the tracking of contaminants may occur. Due to high contaminant generating areas on site, the activities associated with the machinery/vehicles, and the workshop area it may be considered that other areas of the site not currently identified in ITA plan may have/accumulate contaminants over the duration of the consent and should be considered as ITA areas. This includes the machinery storage area given the vehicles that will be required to place and pick up the items stated in this area. Please update the ITA plan to take this into consideration, given the extensive hard stand areas, and potential of contaminant tracking, where areas are to be excluded from ITA clearly identify the management procedures in place to prevent the tracking of contaminants in these areas.</p>	<p>The ITA Plan has been updated to include the machinery areas and area around the workshop / fuel storage area (Appendix DD). The EMP has been updated to include this Plan (Appendix EE).</p>
	<p>If the activity is reliant on ground water supply and bore water may be used as a backup water supply, please provide detail and assessment against Chapter E7. A water take permit would likely be required in that case. Alternatively, if the bore is not relevant to the ITA, can this please be deleted from the plans to avoid ambiguity.</p>	<p>The primary source of water for the site is rain tank collection and the activity is not reliant on groundwater. There is an existing bore on the site which does provide a backup water supply to the site. E7(A14) enables a maximum 20-day average take of 5m³ / day. The water take will not exceed this volume and complies with the standards in E7.6.1.3.</p> <p>The Flow Plan is not identifying that the activity is reliant on the bore it is simply identifying that a bore exists on the site.</p>
<p>RFI #2 15/04/2025</p>		

RFI #	Council Request	Response 5/08/2025
RESOURCE CONSENT - BUN60444618		
Application Plans		
1	<p>The traffic report has not provided any assessments of the adverse effects of right-turning vehicles entering the site. The Great South Road carriageway has one traffic lane for the northbound traffic. Any vehicle turning right from Great South Road to the subject site will block the carriageway. Please demonstrate that the right turning movements into to the subject do not adversely affect the transport network. <i>Advice notes: The Transit Planning Policy Manual-Appendix 5B mandates that the shoulder enlargement be implemented for northbound vehicles entering the subject site. This measure is to prevent any negative impacts on the vehicles that currently traveling within the road carriageway and to avoid potential conflicts/queuing for northbound vehicles and the right-turning vehicles.</i></p>	<p>Transit Planning Policy Manual-Appendix 5B has suggested access rules for district plans and does not mandate shoulder enlargement as suggested in the advice note. The AUP does not include the requirement to widen the shoulder. The rational for not providing road widening is the fact that most of the trips to and from the site occur outside of the busy commuter periods and therefore unlikely to block the carriage way in a manner that would adversely affect the road network. This was assessed in the Transport Report appended to the original application.</p>
	<p>Outstanding.</p>	<p>Please refer to the additional assessment provided by TEAM in Appendix AA.</p>
	<p>To accurately assess the potential adverse effects of trip generation from the subject site, the applicant should undertake a new traffic count near the site to determine the current traffic volumes.</p>	<p>Traffic counts were undertaken from 00:00 Tuesday, 14 October 2025 to 24:00 Monday, 20 October 2025. Please refer to the Traffic Count Data in Appendix GG and the traffic engineer's comments in Appendix HH. TEAM have concluded that:</p> <p><i>The volume of traffic has increased a bit. The traffic assessment stated 1,773vpd and we have a 5 day ADT of 2,600 vpd and a 7 day ADT of 2.200vpd.</i></p> <p><i>The 85th percentile speeds in both directs is significantly lower than predicted at just over 80km/h when I used 92Km/h for the visibility.</i></p> <p><i>Basically my assessment still stands. There is no impact on right turning vehicles.</i></p>

	<p>To ensure there are no safety issues at the proposed vehicle crossing, please provide a visibility assessment between right turning vehicles from Great South Road into the subject site and southbound through traffic. This assessment should consider the bend and vegetation at the bend, as well as the operating speed environment, to confirm that adequate sight distance is available for safe turning movements.</p>	<p>Firstly, the Google Streetview image referenced by AT is not the site entrance as it is the entrance for the dwelling at #1799 GSR.</p> <p>Please refer to page 4 of the updated transport Memo provided by TEAM attached as Appendix II. This confirms that adequate sight distance is available for safe turning movements.</p>
--	---	--

Written approval of affected persons for resource consent

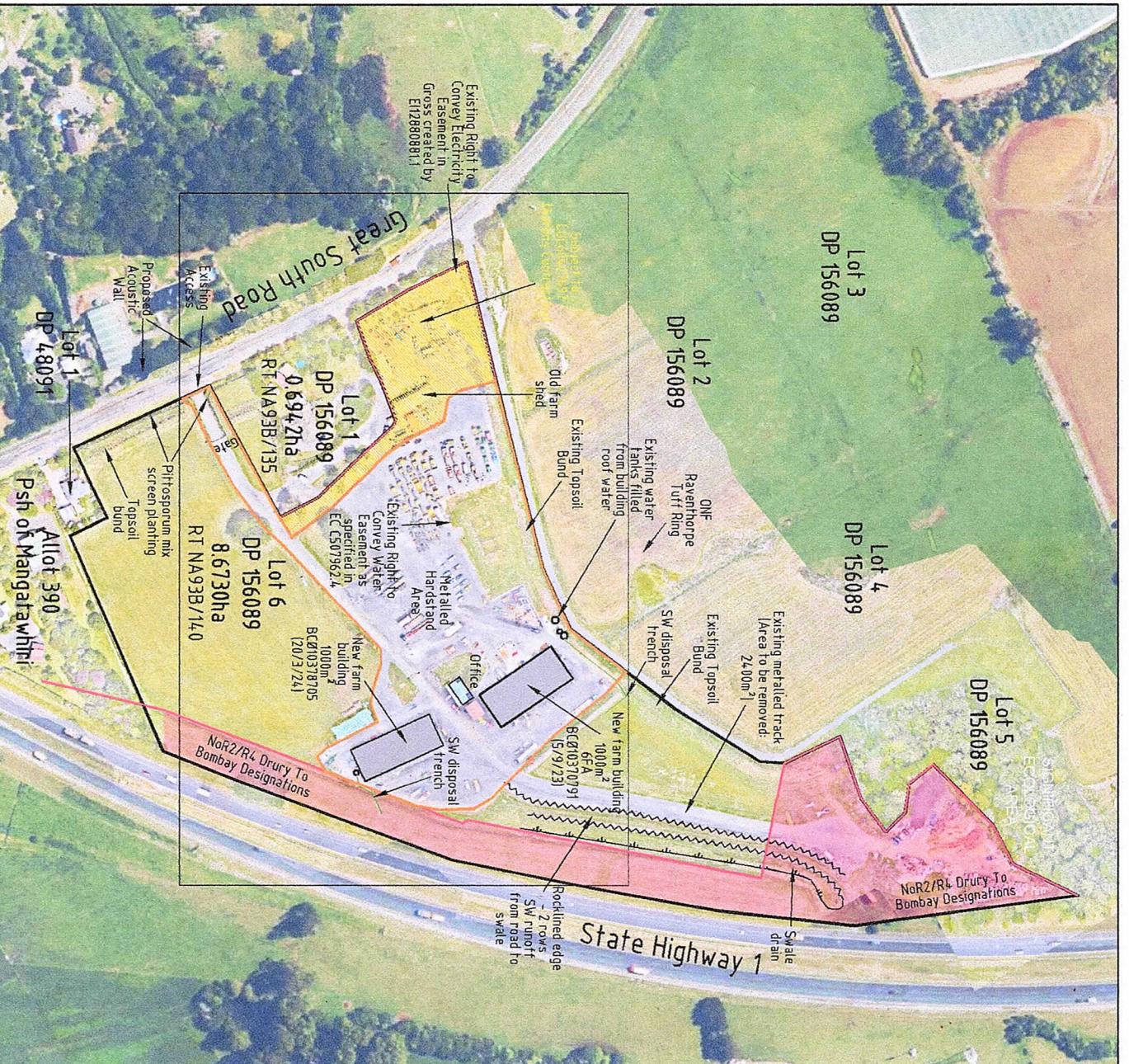


PART A (to be completed by the applicant)

PART A - APPLICATION		
Applicant/s name: (please write all names in full)	Vernons Development Limited	
Address of proposed activity:	1799A Great South Road, Bombay	Application number if known:
		BUN60444618
Description of proposed activity:		
Rural Industry / Rural Commercial Service Activity and associated earthworks and stormwater consents to operate Vernon Developments from the site at 1799A Great South Road.		
List of all documents and plans to be sighted (including title, author and date)		
Title	Author	Date
Assessment of Environmental Effects Report	Chanel Hargrave TSC	February 2025
J2224 - Land Use Consent Plan 1-B - 1799A Great South Road	TSC	April 2025
Resource consent/s being sought for (describe why resource consent is required and details of any non-compliance)		
H19.4.1 Rural Industry (A21) and Rural Commercial Service (A16), E3.4.1(A1)Streamworks, E31.4.3(A7) Hazardous Substance Storage (Diesel), E8.4.1(A10) Stormwater Discharge, E9.4.1(A6) High Contaminant Carparking, E23.4.2(A53) Comprehensive Signage, E12.4.1(A6) & E11.4.2(A4) District and Regional Land Disturbance, E27.4.1(A2) bicycle parking infringement, E33.4.2(A18) ITA		

PART B (to be completed by the person/s and/or organisation/s who are providing written approval)

PART B – AFFECTED PERSON/S			
Full name: (in print)	<i>Peta Tuare Mea</i>	Tick if owner	Tick if occupier
Full name: (in print)	<i>Phae Mery</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Full name: (in print)	<i>Tiana Oradee Toko</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Full name: (in print)		<input type="checkbox"/>	<input type="checkbox"/>
Address of affected property	1819 Great South Road, Bombay	Postcode:	
Email:		Mobile:	



LOCAL AUTHORITY : AUCKLAND COUNCIL
 ZONING : RURAL - MIXED RURAL ZONE
 TOTAL AREA : 8.6730ha
 COMPRISED IN : RT NA93B/14.0
 REGISTERED OWNERS : C.G. VERNON, R.K. VERNON &
 CG VERNON KW TRUSTEE LIMITED

Charles
Devereux

SHEET 1 OF 2

VERNON DEVELOPMENTS LIMITED

LAND USE CONSENT PLAN - # 1799A GREAT SOUTH ROAD, BOMBAY.

Drawn By SF	J2224 - LANDUSE CONSENT PLAN 1-B
Scale 1 : 2500	APR 2025 J2224

Michele Schitko - Saboonchi

Auckland Council

Our Ref: J2224

Via Email: michele.schitko-saboonchi@aucklandcouncil.govt.nz

Date: 7/11/2025



Section 92 Further Information Additional Response: Vernon Developments –1799A Great South Road– BUN60444618 (DIS60444619 and LUC60444660)

Thank you for your email dated 4th November 2025 requesting further clarification / additional information on the additional s92 response provided on the 30/10/2025.

An assessment of consents required under Plan Change 120 is provided below:

E36 NATURAL HAZARDS

Flood Hazard Identification:

As outlined in the application the site contains a floodplain. The floodplain across the majority of the site is considered to be a Low Flood Hazard Area under Chapter J. The area identified on the site as flood prone is a Very High Flood Hazard Area. This area is confined within the existing artificial channel (swale). The only activity on the site occurring in the Very High Flood Hazard Area is the construction of the stormwater pond and swale.

The effects of flooding were addressed in previous responses as follows:

The existing flood plain and flood prone area relates to the contours prior to any works on site. The discharge from the site is via a 525Ø culvert under the State Highway. This pipe is undersized, therefore causing the stormwater to pond onsite. The proposal is to install a pond that attenuate flows to less than pre-development, to ensure that the existing 525Ø pipe can cater for the flows for storms up to and including the 1% AEP storm (including climate change). Therefore, the flood extent will now be contained within the proposed pond and there will be no additional flood risk as a result. It is noted that NZTA are looking to upgrade the 525Ø culvert as part of the Papakura to Bombay works. When this upgrade occurs, the SW pond will be oversized. In addition to this the proposed overland flow path around the activity is designed to cater for flows in the 1% AEP thereby ensuring waterflows during storm events are directed to the pond and not over the activity area. In this regard the flood hazard is appropriately managed and the risk reduced to a tolerable level.

The following consents are required under as a result of Plan Change 120:

(A84) RDA - Storage of hazardous substances in flood hazard areas.

- The relates to the above ground diesel and petrol tanks stored on the site.

(A92) RDA - Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas.

- Relates to the construction of the stormwater pond and swale within the flood prone / floodplain area.

(A78) Non-Complying - Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 and E36.3.1B.2 in flood hazard areas.

Table E36.3.1B.2 Subdivision, use and development outside of existing urbanised areas

	<u>Activities sensitive to natural hazards</u>	<u>Activities potentially sensitive to natural hazards</u>	<u>Activities less sensitive to natural hazards</u>
<u>Very high flood hazard area, high flood hazard area, coastal erosion hazard area 1 and coastal inundation hazard area 1</u>	<u>Significant</u>	<u>Significant</u>	<u>Acceptable</u>
<u>Medium flood hazard area, coastal erosion hazard area 2 and coastal inundation hazard area 2</u>	<u>Significant</u>	<u>Significant</u>	<u>Acceptable</u>
<u>Low flood hazard, coastal erosion hazard area 3 and coastal inundation hazard area 3</u>	<u>Significant</u>	<u>Significant</u>	<u>Acceptable</u>

While Vernon Developments is defined as a Rural Industry / Rural Commercial Service the majority of activities undertaken within the floodplain are permitted, largely being surface parking and the storage of machinery and equipment used by Vernon Developments.

(A81) Permitted - Surface parking and above ground parking areas (including vehicle entry and exit points) in flood hazard areas

(A83) Permitted - Storage of goods and materials in flood hazard area.

From: [Chanel Hargrave](#)
To: [Michele Schitko-Saboonchi](#)
Subject: FW: Vernon - 1799A Great South Road
Date: Thursday, 4 December 2025 3:16:32 pm
Attachments: [image001.png](#)
[Signed Written Approvals.pdf](#)

Hi Michele

Attached is the written approval of Ross and Mavis Jones the owners and occupiers of 1799A Great South Road.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Chanel Hargrave
Sent: Thursday, 4 December 2025 10:54 AM
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: Vernon - 1799A Great South Road

Hi Michele

Just a heads up that I have seen the signed written approval forms from the neighbour at 1810 Great South Road. I have sent Cam back as the Plan wasn't signed. It's likely this will be sorted early next week at which point I will send the forms through to you.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340

P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

Written approval of affected persons for resource consent

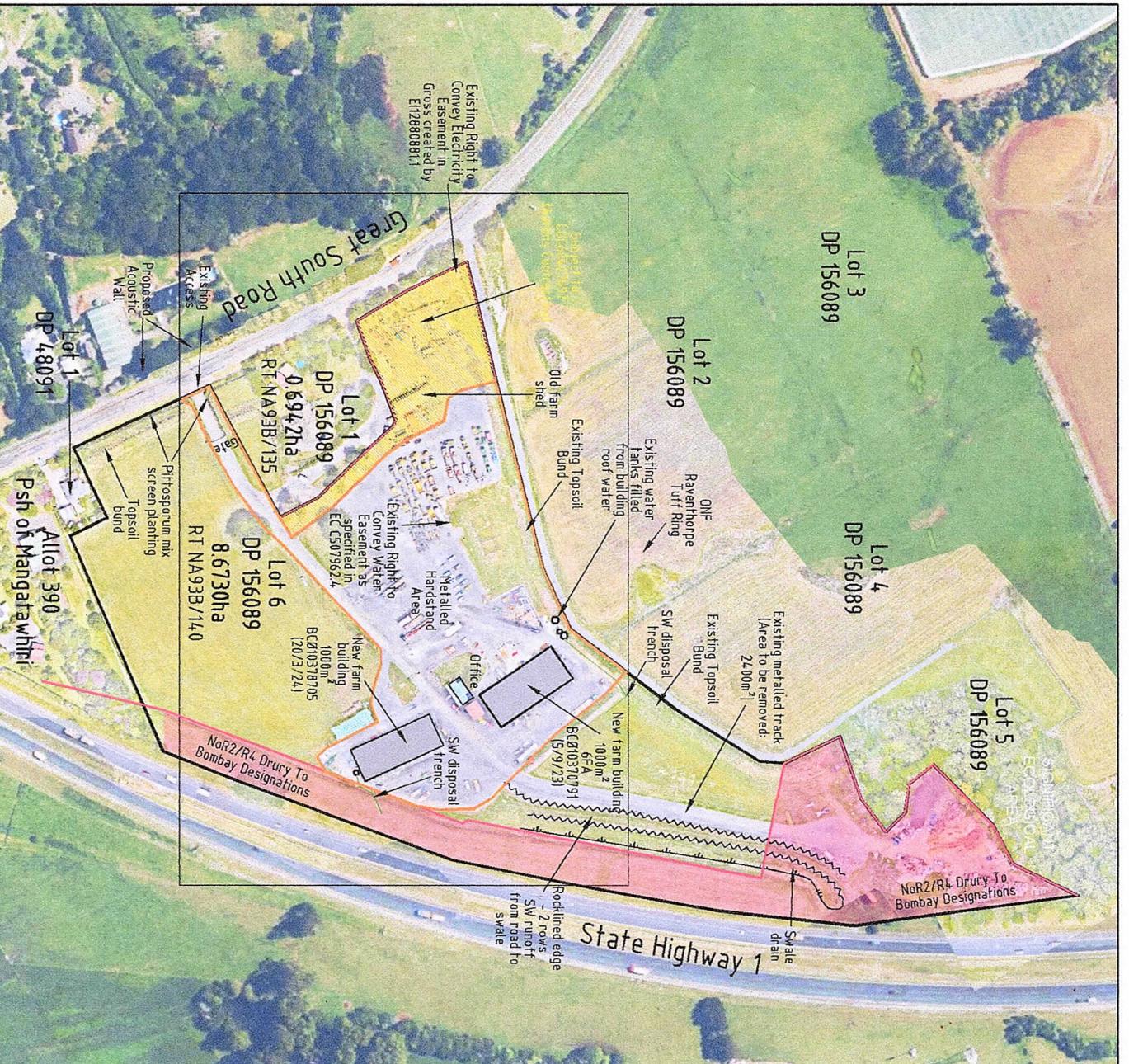


PART A (to be completed by the applicant)

PART A - APPLICATION		
Applicant/s name: (please write all names in full)	Vernons Development Limited	
Address of proposed activity:	1799A Great South Road, Bombay	Application number if known:
		BUN60444618
Description of proposed activity:		
Rural Industry / Rural Commercial Service Activity and associated earthworks and stormwater consents to operate Vernon Developments from the site at 1799A Great South Road.		
List of all documents and plans to be sighted (including title, author and date)		
Title	Author	Date
Assessment of Environmental Effects Report	Chanel Hargrave TSC	February 2025
J2224 - Land Use Consent Plan 1-B - 1799A Great South Road	TSC	April 2025
Resource consent/s being sought for (describe why resource consent is required and details of any non-compliance)		
H19.4.1 Rural Industry (A21) and Rural Commercial Service (A16), E3.4.1(A1)Streamworks, E31.4.3(A7) Hazardous Substance Storage (Diesel), E8.4.1(A10) Stormwater Discharge, E9.4.1(A6) High Contaminant Carparking, E23.4.2(A53) Comprehensive Signage, E12.4.1(A6) & E11.4.2(A4) District and Regional Land Disturbance, E27.4.1(A2) bicycle parking infringement, E33.4.2(A18) ITA		

PART B (to be completed by the person/s and/or organisation/s who are providing written approval)

PART B – AFFECTED PERSON/S				
Full name: (in print)	<i>Peta Tuare Mea</i>	<i>Phae Mery</i>	Tick if owner <input type="checkbox"/>	Tick if occupier <input checked="" type="checkbox"/>
Full name: (in print)	<i>Tiana Oradee Toko</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Full name: (in print)			<input type="checkbox"/>	<input type="checkbox"/>
Address of affected property	1819 Great South Road, Bombay		Postcode:	
Email:		Mobile:		



LOCAL AUTHORITY : AUCKLAND COUNCIL
 ZONING : RURAL - MIXED RURAL ZONE
 TOTAL AREA : 8.6730ha
 COMPRISED IN : RT NA93B/14.0
 REGISTERED OWNERS : C.G. VERNON, R.K. VERNON &
 CG VERNON KW TRUSTEE LIMITED

Charles
Devereux

SHEET 1 OF 2

VERNON DEVELOPMENTS LIMITED

LAND USE CONSENT PLAN - # 1799A GREAT SOUTH ROAD, BOMBAY.

Drawn By SF	J2224 - LAND USE CONSENT PLAN 1-B
Scale 1 : 2500	APR 2025 J2224

From: [Chanel Hargrave](#)
 To: [Michele Schitko-Saboonchi](#)
 Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response
 Date: Friday, 14 November 2025 12:32:54 pm
 Attachments: [msaoe01.png](#)
[msaoe02.png](#)
[msaoe03.png](#)
[msaoe04.png](#)
[Stopping Sight Distance Calculations RTSS & Austroads.xls](#)

Hi Michele

SSD Calculation:

Attached are the SSD spreadsheet calculations as requested by AT. The engineer has stated that the road is almost flat, and the standard reaction time has been used.

Row 83 confirmed the required SSD of 110 and as shown on the Plan this is easily achieved on the site.

The traffic engineer is starting to get very frustrated with the continued questioning and has asked who at AT is looking at this application.

Written Approvals:

I'll double check the names and get back to you.
 Kind Regards,
 Chanel



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
 P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

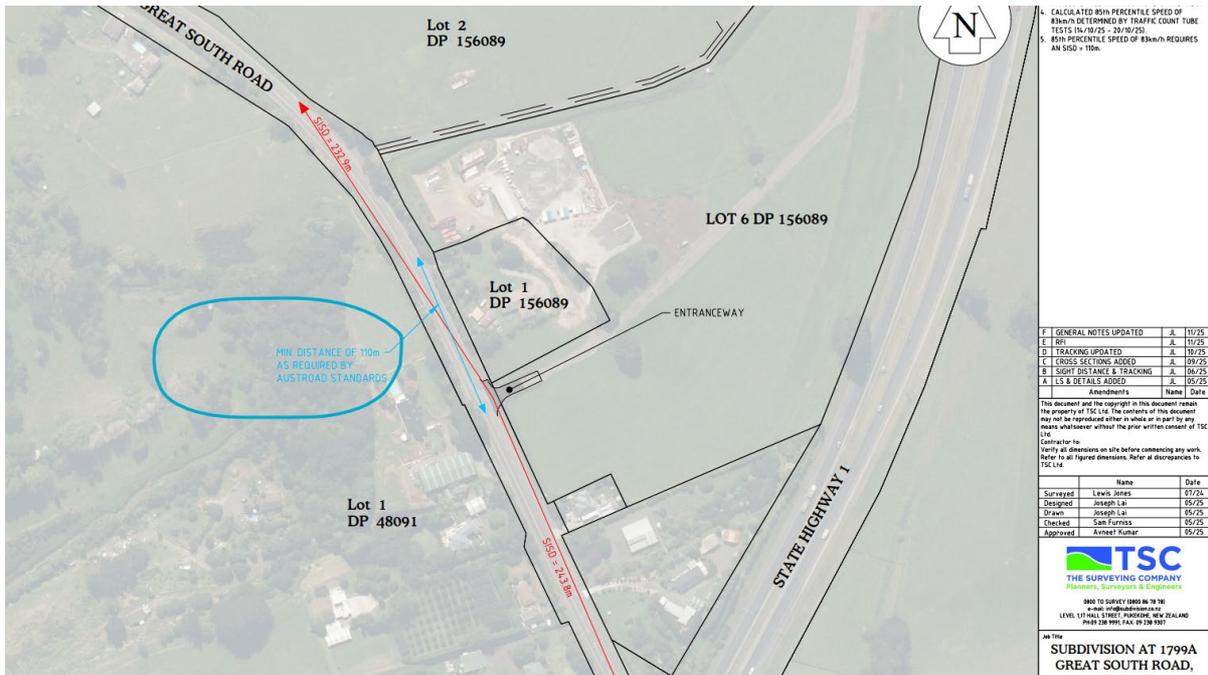
From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
 Sent: Thursday, 13 November 2025 8:25 AM
 To: Chanel Hargrave <chanel@subdivision.co.nz>
 Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, for this further information.

We are yet to review the PC120 assessment, however, I have had a quick response from AT for you to action please:

According to the applicant's response and the attached plan, the SSD requirements comply with Austroads standards. However, the applicant has not provided any detailed calculations to support their plan.

Could you please request the applicant to provide SSD calculations based on the operating speed, reaction time, and road gradients?



For the written approval of the occupiers of 1819 Great South Road, can you please email me the names of the persons that have signed the form – I am having difficulty deciphering this and will need to include this in the reporting.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
 Planning and Resource Consents Department
 Mob: 021 347 979
 Auckland Council, Manukau Civic Building Level 6
 33 Manukau Station Road, Manukau Central
 Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
 Sent: Tuesday, 11 November 2025 1:45 pm
 To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
 Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

A Plan Change 120 assessment is attached. I have only outlined the consents I think maybe required at this point. We have covered flooding in original application / previous responses so I will leave it up to the specialist to come back to me with any additional information they require on this matter.

Regarding the questions below I can confirm:

1. Please find attached a Plan showing the Stopping Sight Distance (SSD) or Approach Sight Distance for both the right-turning and southbound vehicles, in accordance with Austroads standards. The traffic counts determined an 85th percentile speed of 83km/h. Austroads standard require a SSD/approach distance of 110m. This has been shown on the Plan and easily achievable. The intervisibility for both the right-turning and southbound vehicles will exceed the required Austroads standards. No vegetation is required to be removed. Please find Plan attached.
2. Yes, a notice of permitted use has been submitted. A water meter is proposed to be installed. Cam has stated that the water currently being used from the bore is very minimal.
3. Please find attached an assessment of the consents required under Plan Change 120.
4. I can confirm that the Regional Specialists understanding of the earthworks sequencing is correct as follows:
Silt fence installed (to manage pond construction), complete pond construction, then further Area 2 earthworks (managed by pond working as SRP). No additional Area 2 works to continue until Pond is constructed and functional as sediment retention pond.

Occupier Approval #1819 Great South Road

- Please find attached a copy of the written approval of the occupier at 1819 Great South Road.

#1823 Great South Road

In my opinion the effects on 1823 Great South Road are less than minor. The vegetation around the dwelling is and property boundary is very thick and mature and forms part of the existing environment. In addition, there are sheds on the property located between the dwelling and 1799A Great South Road that would provide some screening of the site. A large area of pasture is maintained directly adjoining the site and the closest part of the activity area is 130m away from the neighbouring boundary and ~200m away from the dwelling. Specimen trees are to be planted along the southern edge of the activity area which would soften any view from the neighbouring dwelling should the extensive planting ever be removed in its entirety.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURBDes(Hons)



Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Thursday, 6 November 2025 1:52 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

I have now heard back from the regional earthworks specialist. They are seeking clarification as per the below – please address as part of your response.

It is understood that for Area 2, the earthworks will follow a sequencing pattern of – silt fence (to manage pond construction), complete pond construction, then further Area 2 earthworks (managed by pond working as SRP). No additional Area 2 works to continue until Pond is constructed and functional as sediment retention pond. For avoidance of doubt, please confirm this methodology or provide clarification.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi
Sent: Tuesday, 4 November 2025 12:46 pm
To: 'Chanel Hargrave' <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

Yes, we can schedule a TEAMS catch up for early next week, who would be attending?

With regard to the further information provided, I have an interim update whilst I am still waiting for the regional earthworks specialist to respond (they are on leave until tomorrow):

1. Auckland Transport s92 request (item 1) remains unresolved as per feedback from AT:

The applicant's traffic engineer has not adequately addressed the issue.

AT's safety concern relates to the intervisibility between right-turning vehicles from Great South Road into the subject site and southbound vehicles.

The applicant should provide Stopping Sight Distance (SSD) or Approach Sight Distance for both the right-turning and southbound vehicles, in accordance with Austroads standards. This should include a plan clearly showing the SSD.

If the required SSD cannot be achieved, the applicant should propose appropriate mitigation measures.

Recommendation:

The applicant may consider removing the existing trees located within the road reserve at the bend to improve visibility.

2. Use or bore water: Can you please confirm if the bore is metered (or whether the installation of a meter is proposed)? Also, Council's records indicate that the bore is being used for stock drinking water which is no longer the case. Notice is required to be given to Council under standard E7.6.1.3(4). Has this occurred?
3. With Proposed Plan Change 120 having been notified yesterday and the site being subject to a flood plain (with associated rules having immediate legal effect), please provide assessment against the relevant PC120 provisions and identify whether the proposal triggers any reasons for consent under Chapter E36, as proposed to be amended.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Monday, 3 November 2025 4:28 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Thanks for this. I have initiated consultation with the occupiers through Wiebe Boxem.

If the s92 isn't already resolved, I expect we are very close to resolving all the outstanding issues and can begin to think about the next step in this process.

Are we able to schedule a meeting for early next week to discuss the process forward?

We have a final extension for the abatement notice until the 31st of January. We are looking for some guidance around timeframes as to whether getting a consent by this date would be achievable under any circumstance. If it is unlikely we will need to apply for a stay on the abatement notice.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / M UrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 LW: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Monday, 3 November 2025 10:28 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

Thank you for these clarifications. We would consider the people living in the house at 1819 Great South Road to be occupiers and potentially adversely affected persons, irrespective of whether they are legally boarders or tenants.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Friday, 31 October 2025 10:21 am
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Yes KL Duncan is Karmon Boxem. With Boxem being her married name.

I asked Wiebe about the tenancy situation yesterday when he was in our office yesterday. He stated that the people living in the house are boarders and not tenants. My understanding is that boarders are not usually considered to be affected persons.

1789 and 1789A Great South Road - Cam has also undertaken consultation with Tom Burr the director of Sollas Corporation Limited. Tom has advised that he has no objection to the proposal. However, does not want to sign the written approval forms as the property is for sale. Tom has provided his contact number (0274999982) and is happy for you to contact him to confirm this, if required.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / M UrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 LW: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 31 October 2025 9:09 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel – received.

With regard to the written approval for 1819 Great South Road:

- You previously mentioned that the property is tenanted. Will the occupiers also be providing their written approvals?
- Council's system shows the owner for the site as KL Duncan & W Boxem. Has there been a name change that is perhaps not reflected in the Council system (form is signed by Wiebe and Karmon Boxem), or is KL Duncan a different person? If yes, they would also need to sign the form.

I will be in touch once I have heard back from the specialists.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 30 October 2025 4:10 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please see further response attached.

In addition, I have attached the written approval of 1819 Great South Road.

Cam is obtaining the approval of 1810 Great South Road, and I will send through when it is completed.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 I W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Tuesday, 28 October 2025 8:14 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Morning Chanel,

I trust you enjoyed the long weekend.

I have now heard back from AT and have added their comments to the tracking table. Please address the concern raised.

As previously, please respond within 15 working days, by 18th November 2025.

Many thanks

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi
Sent: Friday, 24 October 2025 4:01 pm
To: 'Chanel Hargrave' <chanel@subdivision.co.nz>
Cc: Karen Thomas <karent@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Good afternoon Chanel,

Thank you for your email. I have passed the information on to AT for review. In the meantime, I have now heard back from the other specialists on the information you sent through earlier in the month. Please refer to the attached tracking table which refers to the outstanding clarifications sought.

You will see that a follow on query has arising from the Flow Consulting plans which show bore water supply. Further, as per discussions with Karen, it has been determined through the specialist review that Aaron's Contracting is also an ITA and requires a discharge permit for the associated discharge of contaminants and is best processed under the same DIS application as Vernon Developments. Please refer to comments in attached table.

Feel free to reach out if you require clarification on anything. I will be in touch once I hear back from AT.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 23 October 2025 1:27 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please find the outstanding transport information attached. I've updated the s92 response table to reflect this.

At this stage it looks like Cam will be able to get the written approval of # 1819 GSR. I understand that # 1810 GSR have told Cam verbally they have no objection to the application and Cam is following up written approval from this party as well.

Cam has consulted with the owner of 1789 and 1789A GSR who I understand has no objection to the application however as the land is for sale he is unwilling to sign the written approval form at this point.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 I W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Tuesday, 21 October 2025 8:27 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

I have passed the info received on to the specialists and am currently awaiting feedback. I really need the Council specialists' assessments before being able to further comment on notification matters.

Is there any update on neighbours written approvals?

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Monday, 20 October 2025 1:45 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

In regard to the outstanding AT transport request, the traffic counts are underway. I've asked Andrew Hunter for an update of when we can expect a response to this and will let you know when I hear back.

Can you confirm if the other responses are being reviewed (ITA, streamworks, EW)? Or are they waiting for this traffic matter to be responded to?

Also have you had any more thoughts around notification?

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Chanel Hargrave
Sent: Thursday, 9 October 2025 11:38 AM
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Cc: Cameron Vernon <sam@vermondevelopments.co.nz>; Craig Forrester <craig@subdivision.co.nz>; Shannon Darroch <shannon@brabant.co.nz>; Jeremy Brabant <jeremy@brabant.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

The link below provides an additional response to the outstanding matters letter received on the 30th of September.

[1799A Great South Road additional response 2](#)

Please note it does not yet provide a response to the additional information for traffic counts requested by AT (#1). I will get back to you with a timeframe for providing this information as it may not be available by the 21st of October. The reference to the 2021 traffic count was included in the original traffic assessment which was lodged with the application. Therefore, AT's comments on the existing traffic volume and request to provide traffic counts should have been asked in the initial RFI. However, we will get this undertaken as quickly as possible, and I will update you with progress before the 21st of October.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Tuesday, 30 September 2025 11:08 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Good morning Chanel,

The specialists have now reviewed the further information provided. There are unresolved queries relating to transportation effects, industrial and trade activity, regional earthworks and ecology. For detail, please refer to the attached tracking table which has been simplified to only refer to the unresolved matters. The numbering is from the original s92 requests.

Please let me know if you require clarification on anything.

Please provide the outstanding information within 15 working days, by **21 October 2025**. If your intention is not to provide the further information requested, please let me know within the same timeframe.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Friday, 19 September 2025 2:19 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Good Afternoon Michele

Attached are comments from the traffic engineering regarding the outstanding traffic matters.

A response to all additional matters has now been provided.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 LW: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 19 September 2025 11:48 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received, and circulated to the specialists for review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 18 September 2025 1:24 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

The link below contains the additional RFI information that was requested. The only thing outstanding is the additional comments from the traffic engineer which I am hoping will come through later today or tomorrow. I am about to head out of the office but will send through the traffic comments as soon as I get them.

I'm hoping this response will get us very close to satisfying all the outstanding matters. However, we will continue to work as quickly as possible to resolve any outstanding issues if they arise.

[1799A Great South Road Additional RFI response](#)

Thanks for your patients and work on this job so far.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 LW: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 29 August 2025 1:06 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

We have now reviewed the further information provided. There are some outstanding matters and follow on queries which I have itemised in the attached letter. Please do not hesitate to contact me if you require clarification on anything.

Please provide the outstanding information within 15 working days, by 19th of September 2025.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi
Sent: Wednesday, 6 August 2025 9:26 am
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received and circulated to the specialists.

There is quite a lot of information to go through. I will be in touch next week with an update on how the specialists are tracking with their review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 5 August 2025 3:59 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Cc: Cameron Vernon <cam@vernondvelopments.co.nz>; Jeremy@brabant.co.nz; Craig Forrester <craig@subdivision.co.nz>; Shannon Darroch <shannon@brabant.co.nz>; Craig Forrester <craig@subdivision.co.nz>
Subject: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please find attached my response to the s92 matters dated 2nd April and 15th April 2025.

All attachments are included in the following link: [1799A Great South Road RFI Response](#)

Please let me know if you have any questions.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MUrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 LW: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: Chanel Hargrave
To: Michele Schitko-Saboonchi
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response
Date: Monday, 17 November 2025 10:50:05 am
Attachments: [maoe01.png](#)
[maoe02.png](#)
[maoe03.png](#)
[maoe04.png](#)

Great news thanks Michele. I will let you know about the written approval in the next few days.

Yes, we propose a condition requiring a water meter to be added to the bore.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Monday, 17 November 2025 10:24 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thanks, Chanel,

Yes, I am currently waiting to hear back from the DE on the PC120 matters. All other s92's are satisfied. To confirm, I understand that the installation of a water meter for the bore is offered as a condition of consent?

In terms of dates, your email sent through on 11 November provided the final clarifications pertaining to the first s92 letter issued on 2nd April 2025. I have taken the application off s92 hold from that date. Note, the application remains on hold under s88E(4), until the written approval of the owners and occupiers of 1810 Great South Road is provided (or when you advise us to proceed without their written approval).

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Monday, 17 November 2025 9:36 am
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Thanks for this update. Can you please confirm if the only outstanding matter the PC 120 RFI? Or are we still waiting on confirmation for something else?

Cam has a meeting with the Jones (#1810) tomorrow to discuss the proposal and answer any outstanding questions they have. I'll update you after this meeting as we should have a clear idea at that point if they will be providing written approval or not.

I've asked Wiebe Boxem (owner) to confirm the name of the boarders at 1819 and will let you know when he has responded.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Monday, 17 November 2025 7:50 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel,

AT have advised that they are satisfied with the further information and have no further queries.

Can you please give me an update on the written approvals for 1810 Great South Road. Is this forthcoming or should I proceed with the reporting based on their approvals not being provided?

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Friday, 14 November 2025 12:32 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

SSD Calculation:

Attached are the SSD spreadsheet calculations as requested by AT. The engineer has stated that the road is almost flat, and the standard reaction time has been used.

Row 83 confirmed the required SSD of 110 and as shown on the Plan this is easily achieved on the site.

The traffic engineer is starting to get very frustrated with the continued questioning and has asked who at AT is looking at this application.

Written Approvals:

-
I'll double check the names and get back to you.
-
Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / M UrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 I W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

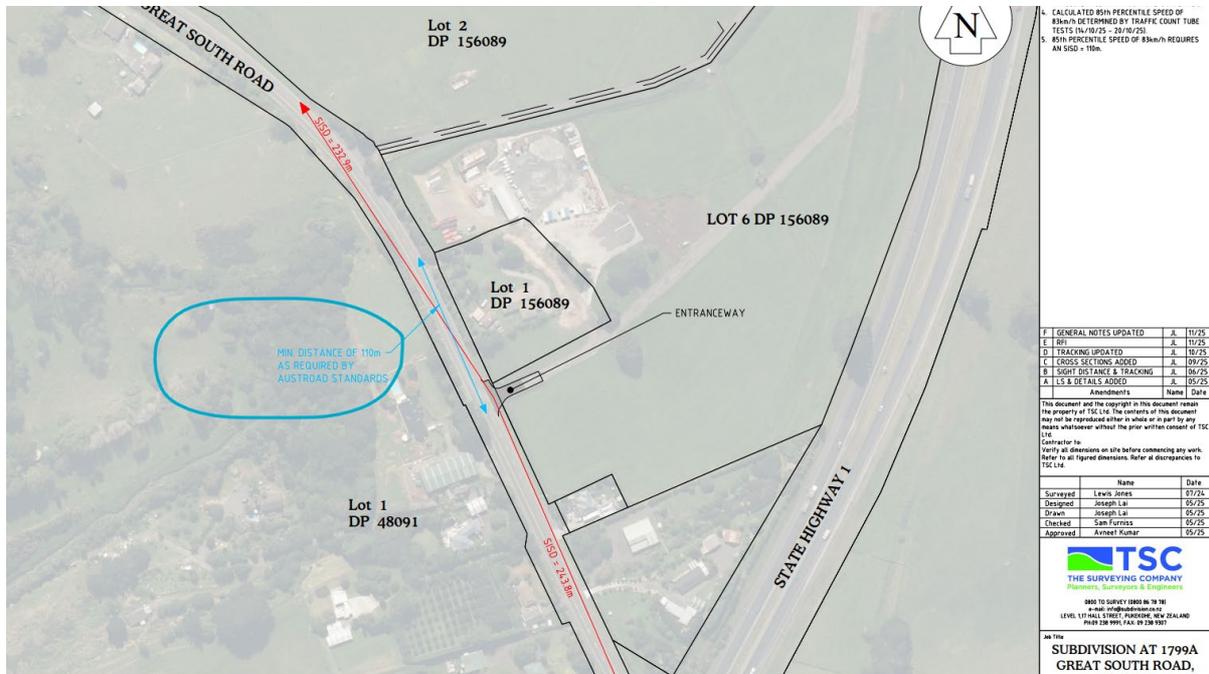
From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Thursday, 13 November 2025 8:25 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, for this further information.

We are yet to review the PC120 assessment, however, I have had a quick response from AT for you to action please:

According to the applicant's response and the attached plan, the SSD requirements comply with Austroads standards. However, the applicant has not provided any detailed calculations to support their plan.

Could you please request the applicant to provide SSD calculations based on the operating speed, reaction time, and road gradients?



For the written approval of the occupiers of 1819 Great South Road, can you please email me the names of the persons that have signed the form – I am having difficulty deciphering this and will need to include this in the reporting.

Ngā mihi | Kind regards

Michele Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 11 November 2025 1:45 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

A Plan Change 120 assessment is attached. I have only outlined the consents I think maybe required at this point. We have covered flooding in original application / previous responses so I will leave it up to the specialist to come back to me with any additional information they require on this matter.

Regarding the questions below I can confirm:

1. Please find attached a Plan showing the Stopping Sight Distance (SSD) or Approach Sight Distance for both the right-turning and southbound vehicles, in accordance with Austroads standards. The traffic counts determined an 85th percentile speed of 83km/h. Austroads standard require a SSD/approach distance of 110m. This has been shown on the Plan and easily achievable. The intervisibility for both the right-turning and southbound vehicles will exceed the required Austroads standards. No vegetation is required to be removed. Please find Plan attached.
2. Yes, a notice of permitted use has been submitted. A water meter is proposed to be installed. Cam has stated that the water currently being used from the bore is very minimal.
3. Please find attached an assessment of the consents required under Plan Change 120.
4. I can confirm that the Regional Specialists understanding of the earthworks sequencing is correct as follows:
Silt fence installed (to manage pond construction), complete pond construction, then further Area 2 earthworks (managed by pond working as SRP). No additional Area 2 works to continue until Pond is constructed and

functional as sediment retention pond.

Occupier Approval #1819 Great South Road

Please find attached a copy of the written approval of the occupier at 1819 Great South Road.

#1823 Great South Road

In my opinion the effects on 1823 Great South Road are less than minor. The vegetation around the dwelling is and property boundary is very thick and mature and forms part of the existing environment. In addition, there are sheds on the property located between the dwelling and 1799A Great South Road that would provide some screening of the site. A large area of pasture is maintained directly adjoining the site and the closest part of the activity area is 130m away from the neighbouring boundary and ~200m away from the dwelling. Specimen trees are to be planted along the southern edge of the activity area which would soften any view from the neighbouring dwelling should the extensive planting ever be removed in its entirety.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURBDes(Hons)



Level One, 17 Hill St - PO Box 466 - Pukekohe 2340
P: (09) 238-9911 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Sent: Thursday, 6 November 2025 1:52 PM

To: Chanel Hargrave <chanel@subdivision.co.nz>

Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

I have now heard back from the regional earthworks specialist. They are seeking clarification as per the below – please address as part of your response.

It is understood that for Area 2, the earthworks will follow a sequencing pattern of – silt fence (to manage pond construction), complete pond construction, then further Area 2 earthworks (managed by pond working as SRP). No additional Area 2 works to continue until Pond is constructed and functional as sediment retention pond. For avoidance of doubt, please confirm this methodology or provide clarification.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi

Sent: Tuesday, 4 November 2025 12:46 pm

To: 'Chanel Hargrave' <chanel@subdivision.co.nz>

Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

Yes, we can schedule a TEAMS catch up for early next week, who would be attending?

With regard to the further information provided, I have an interim update whilst I am still waiting for the regional earthworks specialist to respond (they are on leave until tomorrow):

1. Auckland Transport s92 request (item 1) remains unresolved as per feedback from AT:

The applicant's traffic engineer has not adequately addressed the issue.

AT's safety concern relates to the intervisibility between right-turning vehicles from Great South Road into the subject site and southbound vehicles.

The applicant should provide Stopping Sight Distance (SSD) or Approach Sight Distance for both the right-turning and southbound vehicles, in accordance with Austroads standards. This should include a plan clearly showing the SSD.

If the required SSD cannot be achieved, the applicant should propose appropriate mitigation measures.

Recommendation:

The applicant may consider removing the existing trees located within the road reserve at the bend to improve visibility.

2. Use or bore water: Can you please confirm if the bore is metered (or whether the installation of a meter is proposed)? Also, Council's records indicate that the bore is being used for stock drinking water which is no longer the case. Notice is required to be given to Council under standard E7.6.1.3(4). Has this occurred?
3. With Proposed Plan Change 120 having been notified yesterday and the site being subject to a flood plain (with associated rules having immediate legal effect), please provide assessment against the relevant PC120 provisions and identify whether the proposal triggers any reasons for consent under Chapter E36, as proposed to be amended.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>

Sent: Monday, 3 November 2025 4:28 pm

To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>

Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Thanks for this. I have initiated consultation with the occupiers through Wiebe Boxem.

If the s92 isn't already resolved, I expect we are very close to resolving all the outstanding issues and can begin to think about the next step in this process.

Are we able to schedule a meeting for early next week to discuss the process forward?

We have a final extension for the abatement notice until the 31st of January. We are looking for some guidance around timeframes as to whether getting a consent by this date would be achievable under any circumstance. If it is unlikely we will need to apply for a stay on the abatement notice.

Kind Regards,

Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / M UrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Monday, 3 November 2025 10:28 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

Thank you for these clarifications. We would consider the people living in the house at 1819 Great South Road to be occupiers and potentially adversely affected persons, irrespective of whether they are legally boarders or tenants.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Friday, 31 October 2025 10:21 am
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Yes KL Duncan is Karmon Boxem. With Boxem being her married name.

I asked Wiebe about the tenancy situation yesterday when he was in our office yesterday. He stated that the people living in the house are boarders and not tenants. My understanding is that boarders are not usually considered to be affected persons.

1789 and 1789A Great South Road - Cam has also undertaken consultation with Tom Burr the director of Sollas Corporation Limited. Tom has advised that he has no objection to the proposal. However, does not want to sign the written approval forms as the property is for sale. Tom has provided his contact number (0274999982) and is happy for you to contact him to confirm this, if required.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / M UrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 31 October 2025 9:09 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel – received.

With regard to the written approval for 1819 Great South Road:

- You previously mentioned that the property is tenanted. Will the occupiers also be providing their written approvals?
- Council's system shows the owner for the site as KL Duncan & W Boxem. Has there been a name change that is perhaps not reflected in the Council system (form is signed by Wiebe and Karmon Boxem), or is KL Duncan a different person? If yes, they would also need to sign the form.

I will be in touch once I have heard back from the specialists.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 30 October 2025 4:10 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please see further response attached.

In addition, I have attached the written approval of 1819 Great South Road.

Cam is obtaining the approval of 1810 Great South Road, and I will send through when it is completed.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / M UrbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Tuesday, 28 October 2025 8:14 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Morning Chanel,

I trust you enjoyed the long weekend.

I have now heard back from AT and have added their comments to the tracking table. Please address the concern raised.

As previously, please respond within 15 working days, by 18th November 2025.

Many thanks

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi
Sent: Friday, 24 October 2025 4:01 pm
To: 'Chanel Hargrave' <chanel@subdivision.co.nz>
Cc: Karen Thomas <karent@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Good afternoon Chanel,

Thank you for your email. I have passed the information on to AT for review. In the meantime, I have now heard back from the other specialists on the information you sent through earlier in the month. Please refer to the attached tracking table which refers to the outstanding clarifications sought.

You will see that a follow on query has arising from the Flow Consulting plans which show bore water supply. Further, as per discussions with Karen, it has been determined through the specialist review that Aaron's Contracting is also an ITA and requires a discharge permit for the associated discharge of contaminants and is best processed under the same DIS application as Vernon Developments. Please refer to comments in attached table.

Feel free to reach out if you require clarification on anything. I will be in touch once I hear back from AT.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 23 October 2025 1:27 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please find the outstanding transport information attached. I've updated the s92 response table to reflect this.

At this stage it looks like Cam will be able to get the written approval of # 1819 GSR. I understand that # 1810 GSR have told Cam verbally they have no objection to the application and Cam is following up written approval from this party as well.

Cam has consulted with the owner of 1789 and 1789A GSR who I understand has no objection to the application however as the land is for sale he is unwilling to sign the written approval form at this point.

Kind Regards,

Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Tuesday, 21 October 2025 8:27 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

I have passed the info received on to the specialists and am currently awaiting feedback. I really need the Council specialists' assessments before being able to further comment on notification matters.

Is there any update on neighbours written approvals?

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Monday, 20 October 2025 1:45 pm

To: Michele Schitto-Saboonchi <michele.schitto-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

In regard to the outstanding AT transport request, the traffic counts are underway. I've asked Andrew Hunter for an update of when we can expect a response to this and will let you know when I hear back.

Can you confirm if the other responses are being reviewed (ITA, streamworks, EW)? Or are they waiting for this traffic matter to be responded to?

Also have you had any more thoughts around notification?

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Chanel Hargrave
Sent: Thursday, 9 October 2025 11:38 AM
To: Michele Schitto-Saboonchi <michele.schitto-saboonchi@aucklandcouncil.govt.nz>
Cc: Cameron Vernon <cam@vernondevelopments.co.nz>; Craig Forrester <craig@subdivision.co.nz>; Shannon Darroch <shannon@brabant.co.nz>; Jeremy Brabant <jeremy@brabant.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

The link below provides an additional response to the outstanding matters letter received on the 30th of September.

[1799A Great South Road additional response 2](#)

Please note it does not yet provide a response to the additional information for traffic counts requested by AT (#1). I will get back to you with a timeframe for providing this information as it may not be available by the 21st of October. The reference to the 2021 traffic count was included in the original traffic assessment which was lodged with the application. Therefore, AT's comments on the existing traffic volume and request to provide traffic counts should have been asked in the initial RFI. However, we will get this undertaken as quickly as possible, and I will update you with progress before the 21st of October.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitto-Saboonchi <michele.schitto-saboonchi@aucklandcouncil.govt.nz>
Sent: Tuesday, 30 September 2025 11:08 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Good morning Chanel,

The specialists have now reviewed the further information provided. There are unresolved queries relating to transportation effects, industrial and trade activity, regional earthworks and ecology. For detail, please refer to the attached tracking table which has been simplified to only refer to the unresolved matters. The numbering is from the original s92 requests.

Please let me know if you require clarification on anything.

Please provide the outstanding information within 15 working days, by **21 October 2025**. If your intention is not to provide the further information requested, please let me know within the same timeframe.

Ngā mihi | Kind regards

Michèle Schitto | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Friday, 19 September 2025 2:19 pm
To: Michele Schitto-Saboonchi <michele.schitto-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Good Afternoon Michele

Attached are comments from the traffic engineering regarding the outstanding traffic matters.

A response to all additional matters has now been provided.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Planners, Surveyors & Engineers

Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 19 September 2025 11:48 AM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received, and circulated to the specialists for review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Thursday, 18 September 2025 1:24 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

The link below contains the additional RFI information that was requested. The only thing outstanding is the additional comments from the traffic engineer which I am hoping will come through later today or tomorrow. I am about to head out of the office but will send through the traffic comments as soon as I get them.

I'm hoping this response will get us very close to satisfying all the outstanding matters. However, we will continue to work as quickly as possible to resolve any outstanding issues if they arise.

[1799A Great South Road Additional RFI response](#)

Thanks for your patients and work on this job so far.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 I W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.

From: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Sent: Friday, 29 August 2025 1:06 PM
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Chanel,

We have now reviewed the further information provided. There are some outstanding matters and follow on queries which I have itemised in the attached letter. Please do not hesitate to contact me if you require clarification on anything.

Please provide the outstanding information within 15 working days, by 19th of September 2025.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Michele Schitko-Saboonchi
Sent: Wednesday, 6 August 2025 9:26 am
To: Chanel Hargrave <chanel@subdivision.co.nz>
Subject: RE: BUN60444618 - 1799A Great South Road, Drury RFI Response

Thank you, Chanel, received and circulated to the specialists.

There is quite a lot of information to go through. I will be in touch next week with an update on how the specialists are tracking with their review.

Ngā mihi | Kind regards

Michèle Schitko | Senior Planner
Planning and Resource Consents Department
Mob: 021 347 979
Auckland Council, Manukau Civic Building Level 6
33 Manukau Station Road, Manukau Central
Visit our website: www.aucklandcouncil.govt.nz

From: Chanel Hargrave <chanel@subdivision.co.nz>
Sent: Tuesday, 5 August 2025 3:59 pm
To: Michele Schitko-Saboonchi <michele.schitko-saboonchi@aucklandcouncil.govt.nz>
Cc: Cameron Vernon <sam@vernonddevelopments.co.nz>; Jeremy@brabant.co.nz; Craig Forrester <craig@subdivision.co.nz>; Shannon Darroch <shannon@brabant.co.nz>; Craig Forrester <craig@subdivision.co.nz>
Subject: BUN60444618 - 1799A Great South Road, Drury RFI Response

Hi Michele

Please find attached my response to the s92 matters dated 2nd April and 15th April 2025.

All attachments are included in the following link: [1799A Great South Road RFI Response](#)

Please let me know if you have any questions.

Kind Regards,
Chanel

Chanel Hargrave
Planning Manager
BPlan(Hons) / MURbDes(Hons)



Level One, 17 Hall St - PO Box 466 - Pukekohe 2340
P: (09) 238-9991 | W: www.subdivision.co.nz

WARNING: The information contained in or attached to this message is intended only for the people it is addressed to. If you are not the intended recipient, any use, disclosure or copying of this information is unauthorised and prohibited. This information may be confidential or subject to legal privilege. If you have received this message in error, please notify the sender immediately and delete this message.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Written approval of affected persons for resource consent



PART A (to be completed by the applicant)

PART A - APPLICATION		
Applicant/s name: (please write all names in full)	Vernons Development Limited	
Address of proposed activity:	1799A Great South Road, Bombay	Application number if known:
		BUN60444618
Description of proposed activity:		
Rural Industry / Rural Commercial Service Activity and associated earthworks and stormwater consents to operate Vernon Developments from the site at 1799A Great South Road.		
List of all documents and plans to be sighted (including title, author and date)		
Title	Author	Date
Assessment of Environmental Effects Report	Chanel Hargrave TSC	February 2025
J2224 - Land Use Consent Plan 1-B - 1799A Great South Road	TSC	Feb 2025
Resource consent/s being sought for (describe why resource consent is required and details of any non-compliance)		
H19.4.1 Rural Industry (A21) and Rural Commercial Service (A16)		
E8.4.1(A10) Stormwater Discharge E9.4.1(A6) High Contaminant Carparking		
E12.4.1(A6) & E11.4.2(A4) District and Regional Land Disturbance E27.4.1(A2) bicycle parking infringement		

PART B (to be completed by the person/s and/or organisation/s who are providing written approval)

PART B - AFFECTED PERSON/S			Tick if owner	Tick if occupier
Full name: (in print)	<i>ROSS JONES</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Full name: (in print)	<i>Mavis Jones</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Full name: (in print)			<input type="checkbox"/>	<input type="checkbox"/>
Address of affected property	1810 Great South Road, Bombay	Postcode:		
Email:		Mobile:	0274 964 879	

PART B – AFFECTED PERSON/S (continued)

I have authority to sign on behalf of all (tick which one/s apply)

Property owners

Property occupiers

Please note: The approval of all the legal owners and occupiers of the affected property is required. If you have authority however to sign on behalf of others, please provide documentation providing you have this authority.

PART C (to be completed by the person/s and/or organisation/s who are providing written approval)

PART C – DECLARATION

Tick each box below that applies

I/We have been given details of the proposal and plans to which I/we are giving written approval. A list of the documents I/we have sighted is included on page 1.

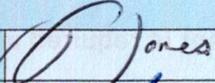
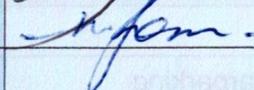
I/We have signed each page of the plans in respect of this proposal. These need to accompany this form.

I/We understand that by giving my/our written approval, the council cannot take account of any actual or potential effects of the activity on my/our property when considering the application.

Further, I/we understand that at any time before a decision is made about the application, I/we may give notice in writing to the council that this approval is withdrawn.

In signing this form, I/we am/are satisfied that I/we fully understand the proposal.

Contact our Customer Service team on 09 301 0101 if you need more information about the resource consent process.

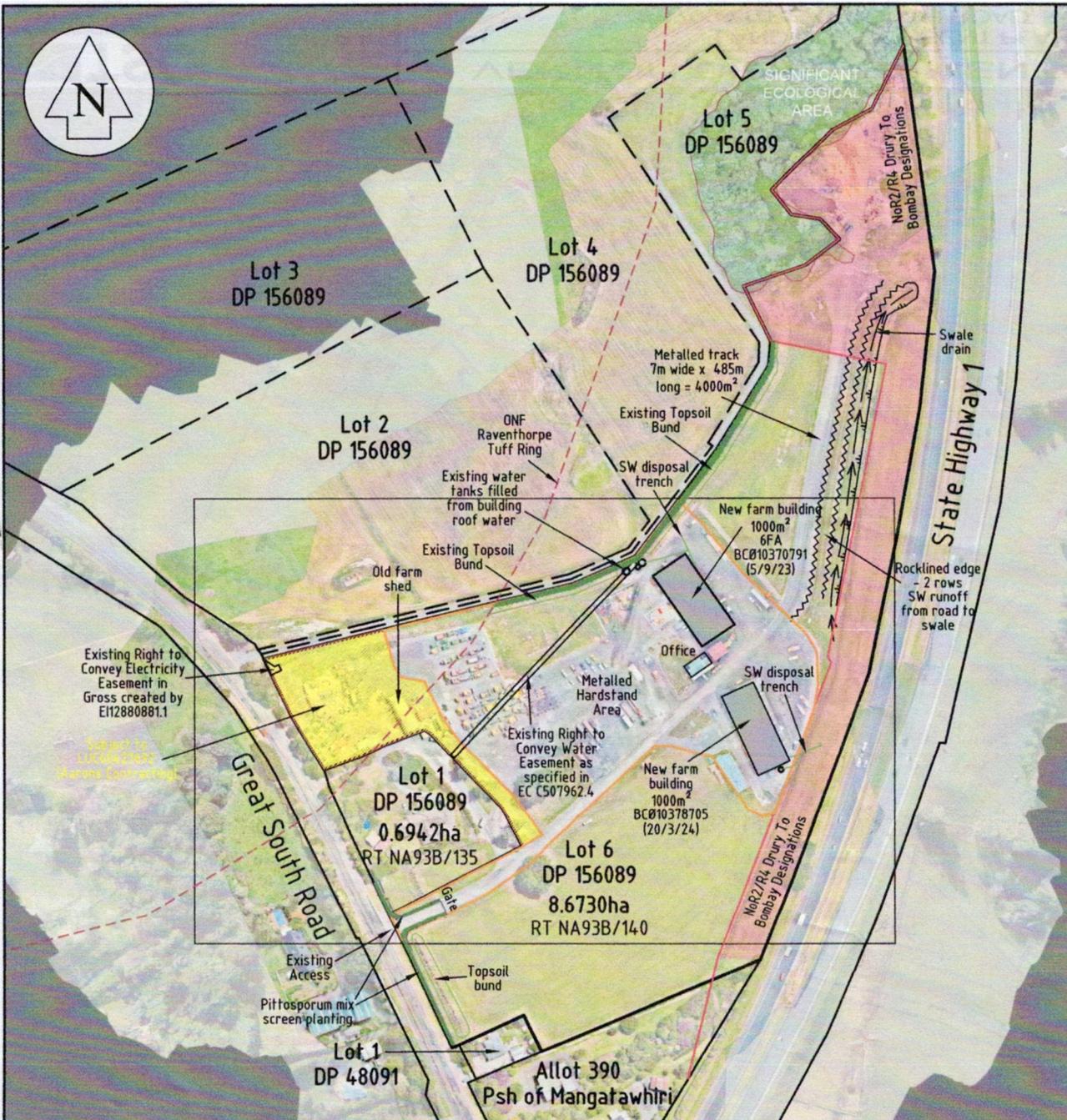
Signatures/s		Date	1 / 12 / 25
Signatures/s		Date	1 / 12 / 25
Signatures/s		Date	

PRIVACY INFORMATION

The council requires the information you have provided on this form to process your application under the Resource Management Act 1991 and to collect statistics. The council will hold and store the information on a public register. The details may also be made available to the public on the council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council. Under the Privacy Act 2020, you have the right to see and correct personal information Auckland Council holds about you.

Advice Note: If you are asked to give your written approval to someone's proposed activity as part of their application for a resource consent, you should do the following:

- Request that the applicant (or their representative) explain the proposal clearly and fully to you.
- Study the application and associated plans provided by them in order to understand the effects of the proposed activity. If there are no plans available at this stage, you may wish to wait until they are available.
- Ask the applicant (or their representative) if you have been provided with a copy of the full application, including plans.
- Ask for time to consider the documents if you think you need it.



LOCAL AUTHORITY : AUCKLAND COUNCIL
 ZONING : RURAL - MIXED RURAL ZONE
 TOTAL AREA : 8.6730ha
 COMPRISED IN : RT NA93B/140
 REGISTERED OWNERS : C.G. VERNON, R.K. VERNON & CG VERNON KW TRUSTEE LIMITED

L. Jones 21/12/25
C. Jones 21/12/25

SHEET 1 OF 2

Unauthorised copying or use of this plan for any other purpose is not permitted without the prior consent of The Surveying Company Limited. Areas and dimensions shown on this plan are approximate only and are subject to confirmation by survey. This survey has been carried out adopting techniques required to produce a plot, which is accurate at the intended scale. CAD packages are capable of calculating the relationship between points which is greatly in excess of this accuracy. Data calculated from CAD files should be confirmed by on-site measurement. Copyright and ownership of data transferred electronically is as set out in The Surveying Company Limited's Standard Conditions Of Engagement / Client Engagement Contract. Boundaries defined mathematically as part of any electronic dataset must not be accepted in substitution of the requirements for Redefinition Surveys as set out in the Surveyor-General's Rules for Cadastral Survey 2002/1. This dataset is forwarded in its entirety. This plan shall not be amended and/or reprinted without the written permission of The Surveying Company Limited.

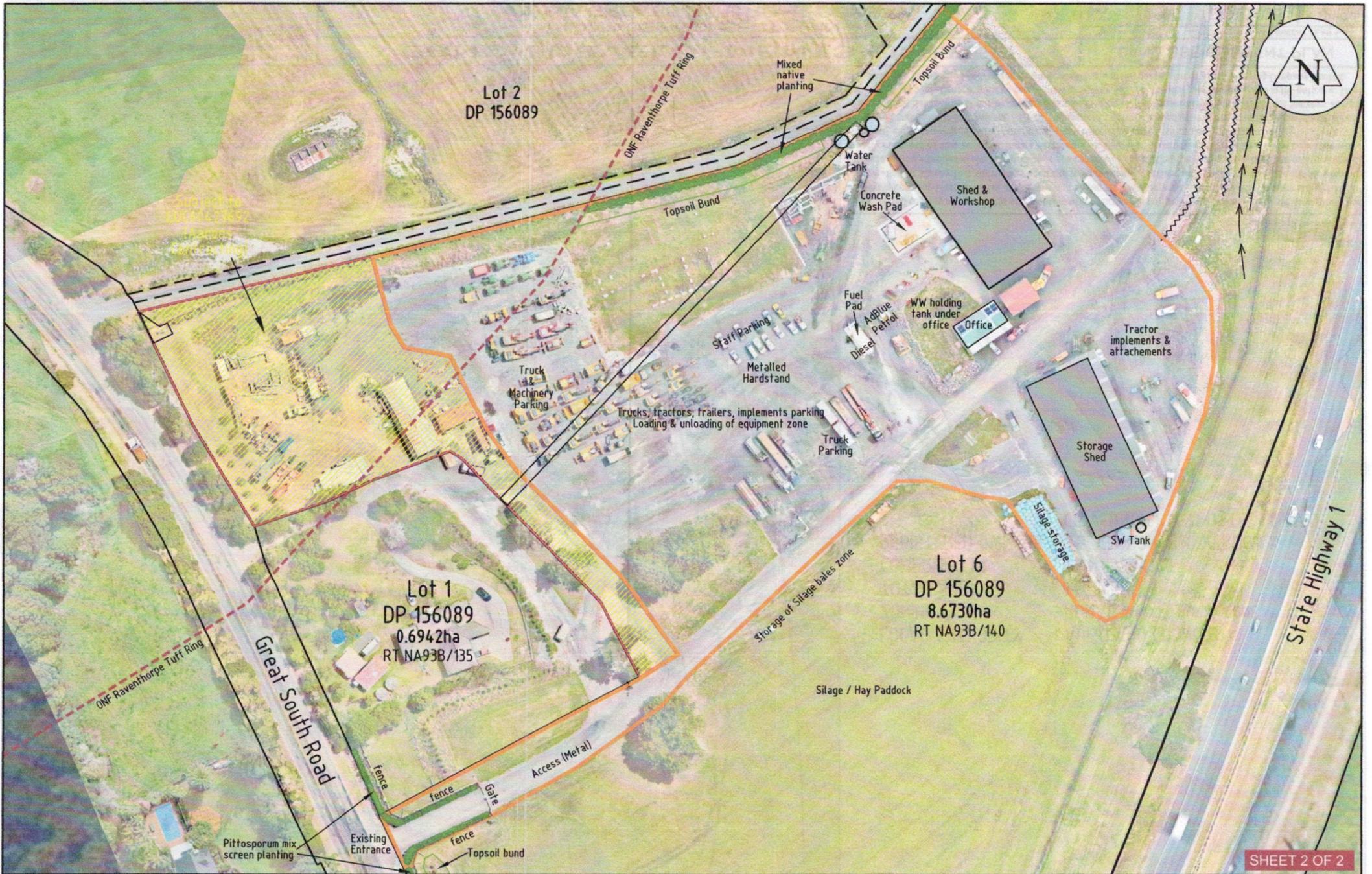
TSC
 THE SURVEYING COMPANY
 Planners, Surveyors & Engineers
 Level One, 17 Hall Street
 PO Box 466 Pukekohe 2340
 Phone 09 238 9991
 Fax 09 238 9307
 email : info@subdivision.co.nz
 web : www.subdivision.co.nz

VERNON DEVELOPMENTS LIMITED

LAND USE CONSENT PLAN -
 # 1799A GREAT SOUTH ROAD, BOMBAY.

LAND USE CONSENT PLAN

Drawn By RP	J224 - LANDUSE CONSENT PLAN 1-A	
Scale @A3	1 : 2500	FEB 2025
		J224



SHEET 2 OF 2

TSC
 THE SURVEYING COMPANY
 Planners, Surveyors & Engineers

Level One, 17 Hall Street
 PO Box 466 Pukekohe 2340
 Phone 09 238 9991
 Fax 09 238 9307
 email : info@subdivision.co.nz
 web : www.subdivision.co.nz

VERNON DEVELOPMENTS LIMITED

LAND USE CONSENT PLAN -
 # 1799A GREAT SOUTH ROAD, BOMBAY.

LAND USE CONSENT PLAN

Drawn By RP	J2224 - LANDUSE CONSENT PLAN 1-A
Scale @A3 1 : 1000	FEB 2025 J2224

22nd January 2026



Auckland Council
Private Bag 92300
Victoria Street West
AUCKLAND 1142

The Surveying Company LTD
17 Hall Street
PO Box 466 Pukekohe 2340
Phone 09 238 9991
email: info@subdivision.co.nz
web: www.subdivision.co.nz

Attention: Independent Commissioner Richard Blakey

Dear Commissioner Blakey

RE: RESOURCE CONSENT APPLICATIONS FOR RURAL INDUSTRIAL ACTIVITIES AND RURAL COMMERCIAL SERVICES IN THE MIXED RURAL ZONE – VERNON DEVELOPMENTS LIMITED AT 1799A GREAT SOUTH ROAD, DRURY

TSC are the consultant planners for Vernon Developments Limited (the applicant) in relation to the above resource consent applications for the rural industrial and rural commercial activities being Aaron's Contracting and Vernon Developments, within the Rural – Mixed Rural Zone at 1799A Great South Road, Drury.

It is the recommendation of the Council's Senior Planner, Michele Schitko-Saboonchi that, under s95B RMA, the application be processed with limited notification as outlined within the notification report dated 19th January 2026. We have reviewed this report and make the following comments for your consideration on matters relating to the receiving environment and the summary of the adversely affected persons assessment for the sites at 1789 and 1789A Great South Road and 1823 Great South Road, Drury.

Receiving environment

The description of the receiving environment is provided on pages 18 and 19 of the notification report. Having read this description, it is my professional opinion that the receiving environment is more characteristic of being a mixed rural environment rather than the traditional rural environment as described. This is due to the proximity of the site to other activities which include 'Majestic Horse Floats' at 352 Hillview Road, Bombay (located on the opposite side of the Southern Motorway, to the north-east of the site) and St Stephens/Tipene School at 1832 Great South Road (located to the south-west of the site). Other non-residential activities visible in the surrounding rural environment within a 2.0km radius of the site include Pukekohe Timber Packaging, LTTE, Philips Diesel Limited, Kiwi Sheds, Underglass Bombay, Leaderbrand Pukekohe, Perry Des Panel Beaters, Prestige Trailers, Market Cars, Golden Horse Feeds, Shri Guru Temple, Timberline Landscaping, Outlaw Mechanical, DR Electrical and Auckland Pump and Filtration.

The presence and visibility of these activities emphasise the mixed rural nature of the surrounding area, especially when viewed from the Southern Motorway. The character of the site and surrounds is therefore consistent with the description of the Mixed Rural Zone provided in H19.4 of the AUP(OP).

Adversely affected persons assessment (sections 95B(8) and 95E)

1789 and 1789A Great South Road

In relation to the vacant properties at 1789 and 1789A Great South Road, I concur that the presence of the Raventhorpe tuff ring feature (ONF) limits the locations a dwelling and accessory building could establish on these sites as a permitted activity. However, I would like to note that the titles creating these sites were issued in 1993 and remain un-occupied by buildings to date. It is therefore not unreasonable to suppose that these sites will remain un-occupied in the foreseeable future. This could cover the next five-year period up until the screen planting matures. It is noted that the existing earthbund along the northern boundary (approximately 1.8m high) provides immediate screening and acoustic mitigation for these sites.

The applicant, Cam Vernon of Vernon Developments Limited, has circulated the details of the proposal to the owner of these properties (*Sollas Corporation Limited*), who has not raised any opposition to the proposed activities.

1832 Great South Road

I concur that the existing mature landscaping at 1832 Great South Road currently obscures sightlines/views from this neighbouring property to the activities on the site at 1799A Great South Road. While this landscaping is unable to be considered as mitigation, the maturity and density of the landscaping on this property (which has been established and maintained over the last 15 years) is such that it is unlikely that this vegetation will be removed in the foreseeable future. This is relevant when having regard to the opinion of Council's specialist landscape architect that there will only be low - moderate visual amenity value effects, reducing to low over a 5-10 timeframe (once the proposed mitigation landscaping matures). This timeframe means any visual amenity effects of the activity on this property will be temporary, with a high likelihood the existing landscaping on the site will be retained during this initial 5 year period. Notwithstanding this, there is a separation distance of approximately 180m between the dwelling on this property and the closest point of the Vernon Development activity. This intervening area of land will remain pastoral. Given the presence of the mature vegetation on this site, separation distance between the dwelling and proposed activity and temporary nature of any visual effect (should the vegetation at 1823 Great South Road be removed) it is my opinion that the character and amenity effects on this adjacent site are less than minor.

If you have any questions or require any further information to support your decision making, please do not hesitate to contact me.

Yours sincerely



Chanel Hargrave
Planning Manager

29th January 2026

Auckland Council
Private Bag 92300
Victoria Street West
AUCKLAND 1142



The Surveying Company LTD
17 Hall Street
PO Box 466 Pukekohe 2340
Phone 09 238 9991
email: info@subdivision.co.nz
web: www.subdivision.co.nz

Attention: Independent Commissioner Richard Blakey

Dear Commissioner Blakey

RE: RESOURCE CONSENT APPLICATIONS FOR RURAL INDUSTRIAL ACTIVITIES AND RURAL COMMERCIAL SERVICES IN THE MIXED RURAL ZONE – VERNON DEVELOPMENTS LIMITED AT 1799A GREAT SOUTH ROAD, DRURY

This letter is provided in response to the following queries and subsequent addendum to the notification recommendation of the reporting officer, Michele Schitko-Saboonchi, dated 28 January 2026.

Duty Commissioner queries:

The notification report refers to certain parties having an interest in the application, and that the Council has received complaints in respect of the activities that are the subject of the application. Are these interests/complaints documented and available for my consideration (in a Videbeck sense)?

- This has been responded to by Ms Schitko-Saboonchi. It is noted that some of the activities initially operating from the site have ceased since the initial abatement notices were issued. It is also noted I have not received any direct complaints or queries about the activities on the site. Finally, I note the legal response from the Applicant's barrister Mr Brabant addressing this query (Attachment 1).

Has the Applicant been advised of the proposed recommendation and the basis for it, and have they then had an opportunity to respond? I could not see anything to that effect in the last round of emails (early December 2025 for Vernon and early November for Aarons).

- I confirm Ms Schitko-Saboonchi's response is correct. We have been made aware of Council's proposed recommendation and the basis for it. My response to this was provided on the 22/01/2026.

From a technical perspective I have noted the officer assessment regarding effects on prime soils, noting that the Council's specialist's assessment did not seem to go much further than identifying how much prime land is affected. As I understand it, the officer has not accepted the Applicant's position of the proposal meeting the exclusion provisions of supporting rural activities, but goes on to conclude that the loss of 2.674ha would represent a minor effect on such soils. This is notwithstanding the very directive provisions under the NPS-HPL, and those under the AUP, which I understand seek to avoid the incremental loss of such land. It may be that this is an issue of more particular relevance to the substantive decision-making stage (including with reference to the approach in Blue Grass as to the relevance of site-specific land classification reports), but from an adverse effects perspective and for the purposes of s.95D I suggest that some consideration of

cumulative effects would be of assistance, including with reference to any other Council notification decisions that affect the development of highly productive land at this scale.

- I provided comments on HPL / prime soil in the AEE. In my opinion the effect on HPL / prime soil is no more than minor. I acknowledge the difference in opinion regarding the assessment against the NPS – HPL. This matter is relevant to the substantive decision and not one that requires consideration as part of the notification decision. As the soil matter has now been raised I address the topic with the following comments. I also rely on the legal response from the Applicant’s barrister Mr Brabant addressing this query.

Soil Assessment:

Site specific LUC reporting continues to be relevant for assessment under the AUP. Detailed LUC classification assessment and mapping has been undertaken by Dr Reece Hill of Landsystems (Landsystems undertook an on-site property scale (1:10,000 scale) LUC assessment of the 8.69 ha). This report assessed the site as if it were in a pre-development state prior to the construction of the hardstand area. The report concludes that the site contains a mix of LUC classifications being class 2s3, 2e2, 3s3 and 4s. Of these soil types 2.6ha is classified as Prime land. The expert opinion of Dr Hill is:

Based on the on-site mapping and applying the AUP definition for land containing elite and prime soil, elite soil was not mapped on the site. LUC 2e2 and 2s3 land is prime soil. Due to the imperfect drainage characteristics of the 3s3 land on site, and very shallow, stoney nature of the LUC 4s land, the remaining available productive land is classed as other productive land.

A detailed opinion on the definition prime soil is provided in the legal opinion of Jeremy Brabant, dated 5th August 2025 [para 30 – 48]. For the purpose of brevity this is attached by way of Attachment (2) for your reference.

Avoidance of Incremental Loss:

The AUP objectives and policies make a key policy distinction between elite and prime soils. The policies require elite soils to be protected / loss avoided in certain circumstances (inappropriate subdivision, urban use and development). The policy direction in AUP is that prime soils are to be managed. The key objectives are below (emphasis added):

RPS - Land with high productive potential - Objectives B9.3.1(1) and (2) which state:

Land containing elite soils is protected through land management practices to maintain its capability, flexibility and accessibility for primary production.

Land containing prime soil is managed to enable its capability, flexibility and accessibility for primary production.

Rural – Policies – general rural - Objective H19.2.1(3) which states:

Elite soil is protected, and prime soil is managed, for potential rural production.

In addition, the appropriateness of a development affecting elite / prime soils is also 'fleshed out' by the AUP objectives and policies, and rules, such as (emphasis added)

RPS – Land with high productive potential – Policy B9.3.2(4), which states:

Provide for non-soil dependent rural enterprises (including post-harvest facilities) on land containing elite or prime soil where there are economic and operational benefits associated with concentrating such enterprises in specific rural localities.

Rural – Policies – general rural - H19.2.2(3), which states:

Enable rural production activities on elite and prime soil and avoid land-use activities and development not based on, or related to, rural production from locating on elite soil and avoid where practicable such activities and development from locating on prime soil.

Rural - Objectives – rural industries, rural commercial services and non-residential activities - H19.2.5(1), which states:

Rural production activities are supported by appropriate rural industries and services.

Rural – Policies – Mixed Rural - H19.4.3(1), which states:

Enable rural production, rural industries and rural commercial services that are compatible with the existing subdivision pattern and recognise that these activities are significant elements of, and primary contributors to, rural character and amenity values.

It is noted there is an absence of any objective or policy that refers to avoiding, or even discouraging, rural industry on elite or prime soil. Furthermore, in the AUP context, there is no policy directive to avoid the incremental loss of prime soil as suggested by the query.

In regards to the NPS-HPL, in my opinion there is a pathway as set out in the application documentation (AEE and supporting reports).

Cumulative Effects

In my opinion the activity itself does not result in cumulative loss of prime soil / HPL. The prime soil on the site represents a very small loss of the Auckland Regions HPL. The loss will not have any cumulative effect on rural production activities throughout the Region. I disagree with the Reporting Officer's opinion that "the proposal, if granted, could set an undesirable precedent which could contribute to the incremental loss of highly productive soils, with resulting adverse cumulative effects". The correct approach in law to this assessment is addressed by Mr Brabant.

Rural industries and rural commercial services are provided for as restricted discretionary activities. As set out above, the objectives and policies do not require rural industries to avoid prime soil and the activity is not an inappropriate use of prime land.

Furthermore, the use of specialised rural contractors such as Vernon Developments reduce the need for rural production businesses to store specialised equipment on their sites, thereby reducing cumulative losses of

soils across individual farming units. In this regard the activity directly supports the use of HPL and is an integral link in the management of HPL resources. Vernon Developments provide services to farmers and growers on surrounding HPL which will enable farmers to continue with primary production activities.

Recent Decisions – 166 Puni Road

I am not aware of any recent decision that has been notified for effects on HPL. Mr Brabant addresses the relevance of other notification decisions.

I was the planner for the application at 166 Puni Road. The application was publicly notified in 2018, due to more than minor adverse effects on elite soils. The proposal involved 'Freight and Transportation Services' meeting the definition of Rural Industries and involved 4.6ha of earthworks and associated disturbance of Class 1 soils. The AUP policy context relating to elite soils and rural production zoning is a key difference in Puni Road application. The site context at 166 Puni Road is distinguishable from the subject site as it was arable land within the Rural Production zone and used for commercial vegetable production, surrounded by other sites used for cropping activities. The application was granted and resulted in the entire site being used for a rural industry substantially larger than that proposed by Vernon Developments.

If you have any questions or require any further information to support your decision making, please do not hesitate to contact me.

Yours sincerely



Chanel Hargrave

Planning Manager

Attachment 1 - Legal opinion of Jeremy Brabant, dated 29th January 2026

Attachment 2 - Legal opinion of Jeremy Brabant, dated 5th August 2025

29 January 2026

Auckland Council
by email

Attention: **Independent Commissioner Richard Blakey**

Dear Richard

**Resource Consent Applications for Rural Industrial Activities and Rural Commercial Services
in the Mixed Rural Zone – Vernon Developments Limited At 1799a Great South Road, Drury**

Notification Recommendation and Determination

1. I am instructed by the Applicant.

Background

2. This letter follows receipt of an email forwarded to me by the Applicant's planner (Chanel Hargrave) from the reporting planner Michele Schitko-Saboonchi.¹
3. The email sets out three queries sent by the Duty Commissioner. It then sets out the reporting planner's proposed responses.
4. Ms Hargrave was advised that if the Applicant wished to make further comment that needed to occur by the end of the day 28 January. I have seen a draft response from Ms Hargrave. This letter addresses various matters arising from a legal context.
5. I would add that at approximately 2:30 pm on 28 January 2026 I was advised by Ms Hargrave that she in turn had been informed by the reporting planner that "she has prepared an

¹ Reporting planner's email dated 27 January 2026 at 2:31 pm.

addendum to her original assessment with a recommendation for public notification due to cumulative effects on HPL soil. I don't have a copy of this yet as it is with the Team Leader for review." I have now seen a copy of that addendum dated 28 January 2026 (**Addendum Recommendation Report**).

6. At face value, it appears the reporting planner has been swayed to change her position as a consequence of the third query from the Duty Commissioner (although that query did not suggest a change in recommendation was required). For reasons I identify, the proposition that this matter would be publicly notified due to cumulative effects on HPL soil is misconceived.

Response to Queries

7. This letter responds to the first and third queries made by the Duty Commissioner.
8. The second query asks whether the Applicant has had an opportunity to respond to the proposed recommendation. The short answer is that with respect to the originally proposed recommendation, yes, the Applicant is comfortable with it and has indicated as much in communication with the reporting planner. However as noted above, if the recommendation is now to change to suggest that public notification is appropriate, then the position is that the apparent addendum report being prepared is not one that the Applicant has seen and had an opportunity to respond to.

First Query

9. The first query states:

The notification report refers to certain parties having an interest in the application, and that the Council has received complaints in respect of the activities that are the subject of the application. Are these interests/complaints documented and available for my consideration (in a Videbeck sense)?

10. The response I understand the reporting planner intends to make to this query identifies three things. First, that formal complaints were received in 2023/2024 regarding activities on the site without consent. Those complaints lead to abatement notices being issued after investigation. Second, during processing of the application an assertion of conflict of interest was made. Third, a person through their consultant planner expressed the hope they would be notified in the context of raising concerns about noise, traffic and discharges to air.

11. The first matter referenced by the reporting planner is not relevant to a determination about notification. The complaints received led to subsequent investigation and enforcement action. The second matter, namely an assertion of conflict of interest is also irrelevant and without foundation. The third matter has the potential to be relevant in a *Videbeck*² sense. However for reasons addressed below, the proper application of *Videbeck* means the specifics of the complaint is not material.
12. The relevant issue raised by *Videbeck* is whether relevant information has been made available to the decision-maker. That issue and the application of *Videbeck* have more recently been considered in *NZ Southern Rivers*.³ The judicial commentary in that case at paragraph [49] – [57] is instructive. I discuss it below.
13. The Court of Appeal commenced by identifying that the issue was whether the Commissioner in question did not have sufficient information as to the actual potential effects of the proposal because particular email correspondence was not made available to him. The appellant in support of that ground of appeal referred to the judgement in *Videbeck*. The Court of Appeal in *NZ Southern Rivers* summarised *Videbeck* as a case where “there was criticism of a planning officer preparing an assessment of whether an application for resource consent should be publicly notified without providing to the decision maker correspondence received from a neighbour claiming to be adversely affected by the proposal and a supporting opinion provided by an arborist.”⁴
14. In the case of *Videbeck* the ultimate conclusion was that the report about notification had lacked balance because the correspondence in question had not been provided to the decision-maker. However in *NZ Southern Rivers* the Court of Appeal determined the same shortcoming do not arise effectively because the position is not simply one where any subjective views of complainant’s must be provided to the decision-maker. Rather the finding in *NZ Southern Rivers* focused on the relevant issues raised. Thus in that case subjective views of anglers about potential adverse effects on the environment of the proposed activity as set out in correspondence was not the key issue – rather as the Court said at [56] “What was necessary was that the Commissioner be informed about the characteristics of the area, and the effects of the proposed activity on those characteristics. On those issues, we consider there was sufficient information before him for the purposes of both the notification and consent decisions. He was aware of all the necessary facts, and able to draw inferences and apply his understanding of them in making

² *Videbeck v Auckland City Council* [2002] 3 NZLR 842 (HC).

³ *NZ Southern Rivers Society Inc v Gore District Council* [2021] NZCA 296.

⁴ At [50].

his decision. The subjective views of anglers would not have added anything of value to his consideration of the application.”

15. Applying that approach to the current proposition, what is relevant is not whether a person expressed the hope they would be notified and whether a copy of that communication has been provided, but rather whether there is sufficient information before the Duty Commissioner to be able to assess environmental effects, including concerns raised about noise, traffic and discharges to air (being the matters raised by that person).
16. In this case the recommendation report notes that 16 Council specialists have been consulted by the reporting planner, which includes experts addressing noise, traffic and discharges to air. The recommendation report includes commentary on those matters. The Application for consent addresses relevant matters. The Duty Commissioner has the necessary information before him for the purposes of the notification decision. A copy of the complaint itself is not necessary in order for a determination to be made.

Third query

17. The third query states:

From a technical perspective I have noted the officer assessment regarding effects on prime soils, noting that the Council’s specialist’s assessment did not seem to go much further than identifying how much prime land is affected. As I understand it, the officer has not accepted the Applicant’s position of the proposal meeting the exclusion provisions of supporting rural activities, but goes on to conclude that the loss of 2.674ha would represent a minor effect on such soils. This is notwithstanding the very directive provisions under the NPS-HPL, and those under the AUP, which I understand seek to avoid the incremental loss of such land. It may be that this is an issue of more particular relevance to the substantive decision-making stage (including with reference to the approach in Blue Grass as to the relevance of site-specific land classification reports), but from an adverse effects perspective and for the purposes of s.95D I suggest that some consideration of cumulative effects would be of assistance, including with reference to any other Council notification decisions that affect the development of highly productive land at this scale.

18. There are several matters to address arising out of the above query. I now also need to comment on the apparent change in position by the reporting planner set out in the Addendum Recommendation Report.

19. I commence by dealing with the reference to the *Blue Grass* decision.⁵ The text of the NPS – HPL (prior to amendment as of 15 January 2026) and the interpretation in *Blue Grass* meant that a site-specific land productivity assessment or soil report cannot be used as a method to avoid the application of the transitional definition of “highly productive land” or the application of the NPS-HPL to land identified as being highly productive at the date of commencement of that instrument.⁶
20. The implication of *Blue Grass* is that a site-specific soil survey or productivity report cannot be used to re-categorise whether land is properly regarded as LUC 1, 2 or 3 for the purposes of the NPS-HPL.⁷
21. The above position remains the case in law, however the amendments as of 15 January 2026 mean by reference to clause 3.5(7)(iii) that where a resource consent application for subdivision, use or development on LUC3 land for any activity other than rural lifestyle has been lodged, the land in question does not qualify as highly productive land. In other words the blanket protection on LUC3 land has been removed, but the methodology for identifying whether it is such land in the context of application of the NPS remains the NZLRI.
22. For the applicant’s land the NZLRI identifies it as LUC2 and therefore the NPS-HPL is engaged.
23. However conclusions in a site-specific soil report can be relevant to findings as to degree of effect when a decision maker undertakes a real world analysis. It is also relevant for assessment under the AUP which engages different definitions as addressed in the application for consent.
24. In addition, with reference to queries from the Duty Commissioner, I note the NPS – HPL does not make the proposed activities prohibited and this NPS is only one of a range of matters to be considered.
25. Further, the question of whether the Applicant’s position of the proposal meeting the exclusion provisions of supporting rural activities is correct, is a matter for determination on the substantive application and has no implication for determination of notification.

⁵ *Blue Grass Limited v Dunedin City Council* [2024] NZEnvC 83.

⁶ 22 October 2022.

⁷ Land Use Capability (LUC) class is determined by the New Zealand Land Resource Inventory (NZLRI) as of 17 October 2022.

26. That brings us to the Duty Commissioner's query regarding cumulative effects. This issue is relevant to the draft response from the reporting planner I have seen, and is now relevant to the change in position by the reporting planner with respect to the notification recommendation in the Addendum Recommendation Report.
27. It is important that cumulative effect is correctly understood. In law the position is this (as set out in a leading text):⁸

In *Dye v Auckland RC*⁹, the Court of Appeal held that the precedent effect that may result from the granting of a non-complying resource consent is not within the concept of cumulative effect. That **concept is confined to the effect of the activity itself on the environment**. The Court of Appeal found that the Environment Court was not required to have regard to the cumulative wastewater or other effects, resulting from the change in land use and increased population densities, that might result from subsequent subdivision proposals (which might follow from allowing the particular proposal in question). It noted that **such an inquiry would be a speculative exercise**. ...

The Court in *Stallard v Nelson CC*¹⁰ also applied the decision in *Dye v Auckland RC*, holding that **a finding of a cumulative effect requires evidence of a particular effect that would be cumulative on an effect of the same kind arising from other activities, past or present**.

The High Court in *Rodney DC v Gould*¹¹, held that it would be inconsistent with the approach of the Court of Appeal in *Dye* (above) to regard evidence on "community expectations" as relevant to precedent or to the integrity of the district plan. **A cumulative effect must be one that arises as an effect of the particular application. It is not legitimate to consider, as cumulative effects in relation to a particular application, any effects relating to possible future applications**. An effect that may never happen, or if it does, arises from a different activity from that for which consent is sought, is not a cumulative effect. [my emphasis]

28. Therefore, applying the above, the relevant question from a cumulative effects perspective is the loss of 2.674ha. In addition from the perspective of a real-world assessment, it is the loss of actual LUC2 soil which is relevant, not merely that which is deemed to be LUC2 in the NZLRI. However even if we take a conservative position and talk about the entirety of the 2.674ha, any cumulative effect relevant to the determination is limited to the loss of this land only, and any cumulative effect with other activities, past or present, not in relation to any effects from possible future applications. The AEE addresses this issue in section 7.2.2. There is clear

⁸ Resource Management – Westlaw New Zealand.

⁹ [2002] 1 NZLR 337; (2001) 7 ELRNZ 209; [2001] NZRMA 513 (CA).

¹⁰ EnvC C160/06.

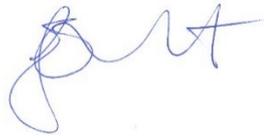
¹¹ (2004) 11 ELRNZ 165; [2006] NZRMA 217 (HC).

evidence before the Duty Commissioner that cumulative effects to a degree which would justify public notification are not present.

29. In contrast the Addendum Recommendation Report concludes that the proposal by itself would result in “some but no more than minor effects on highly productive soils” but then states: “However, the proposal, if granted, could set an undesirable precedent which could contribute to the incremental loss of highly productive soils, with resulting adverse cumulative effects. In this context, I consider that the proposal could potentially give rise to more than minor adverse cumulative effects on highly productive soils.”
30. The quoted position above is a misapplication of the law – not only as it applies to cumulative effects but also as it applies to precedent. It is an unlawful basis upon which to base a recommendation that more than minor adverse cumulative effects arise and that the activity will have or is likely to have adverse effects on the environment that are more than minor.
31. The quoted approach stacks speculative hypotheticals upon one another and appears to treat precedent as a scenario where the grant of this application would necessarily lead to the grant of other unknown applications which might affect productive soils. That does not reflect the correct approach in law. In addition there is no evidence in the context of this application which supports the reporting planner’s altered position.
32. It also follows that “other Council notification decisions that affect the development of highly productive land at this scale” are of no relevance to determination of notification in this matter. Those notification decisions will have been determined on their own merits as is required in law.
33. In addition a notification decision ultimately has no bearing on whether the substantive application is granted and therefore has no relationship to cumulative effects. Any effect on development of highly productive land can only occur in circumstances where an application is granted, and if such an application was granted that is because it has been deemed appropriate on the merits (including consideration of potential cumulative effect).

34. To conclude, the change in position by the reporting planner consequent on the Duty Commissioner's query, has no basis either in law or in fact. The correct decision is a determination that the matter be limited notified.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'J Brabant', with a stylized flourish at the end.

Jeremy Brabant

CC. The Surveying Company. Attn: Chanel Hargrave / Craig Forrester

5 August 2025

Vernon Developments Limited
C/ The Surveying Company Limited

by email

Attention: Chanel Hargrave

Dear Chanel

Vernon Developments Limited – 1799A Great South Road – s 92 Response

1. Further to our correspondence, you have asked me to provide a legal opinion addressing matters arising from Auckland Council's (**Council**) request for further information¹ (**RFI**) with respect to Vernon Developments Limited's (**VDL**) application for resource consent (**Proposal**).²
2. I understand that this opinion will be provided to Council as part of VDL's RFI response.

Context

3. VDL seeks to operate a rural contracting activity involving rural commercial services and rural industry activities at 1799A Great South Road (**Site**).
4. By way of relevant context:

¹ Dated 2 April 2025.

² BUN60444618.

- a. The AEE describes the activity for which consent is sought as “a rural contracting activity (rural commercial service / rural industry).”
 - b. Section 2.0 of the AEE sets out the consents required under the Auckland Unitary Plan Operative in Part (**AUP**). Relevantly, Table H19.4.1 Rural Industries (A21) and Rural Commercial Services (A16) are restricted discretionary activities by reference to the AUP’s Rural Zones.
 - c. The overall activity status is discretionary.
 - d. The application for resource consent was lodged in February 2025.
5. The RFI seeks further information with respect to a variety of matters. Those matters are addressed in the RFI response you have prepared and the supporting attachments (**Response**). Specialist input has been sought from Ms Peake to address landscape and visual effects.
6. The RFI seeks clarity regarding the activities proposed to be undertaken on the Site. Council appears to be concerned that the activity for which consent is sought is not properly classified as a rural activity.

Matters to Address

7. The RFI matters requiring legal input are limited to:
- a. Comments on the customer base of the existing activity and a breakdown of percentage of non-rural customers;³
 - b. The AUP definition of “land containing prime soil” and its application to the Site;⁴
 - c. The National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**) definition of a “supporting activity”;⁵ and
 - d. Whether the proposed use of land will be a “goods site” by reference to the AUP.⁶
8. I will deal with each matter in turn.

³ RFI 6(d).

⁴ RFI 11.

⁵ RFI 12; non-RFI comment paragraph 3.

⁶ RFI 43.

Executive Summary

9. In summary:
 - a. It is not necessary to provide a breakdown of financial records and customer breakdown for VDL's existing operation in the context of a s 92 request.
 - b. Notwithstanding the above, VDL anticipates the Proposal will comprise approximately 75% - 80% rural customer base.
 - c. Rural commercial services and rural industry are not constrained solely to a rural customer base, so long as they are principally servicing rural productive activities.
 - d. With respect to productive soils, the Proposal:
 - i. On a property level analysis contains limited "land containing prime soils"; and
 - ii. Fits within the NPS-HPL definition of a "supporting activity".
 - e. The Proposal does not involve a "goods site" by reference to the AUP.

Proposed Land Use Activities - RFI 6(d)

10. RFI 6 seeks further clarity on the proposed activities to be undertaken on the Site. All requests, except for 6(d), have been addressed in Attachment A to the Response.

RFI Request 6(d)

11. RFI 6(d) requests comment as follows:

Please provide a breakdown on what percentage of the current customer base and turnover of the business operation at 1799A Great South Road is associated with residential and commercial or industrial customers that do not have a direct connection to rural production activities.

Response

12. The request is directed at the current customer base and turnover of the business operation currently undertaken on the Site.
13. In response:
 - a. It is understood that the purpose of the request is theoretically to identify the degree to which the existing activities may service any non-rural productive uses.

- b. I say that strictly the make-up of the current customer base is not relevant to the assessment of effects of the Proposal. The proper assessment to be undertaken is on the effects of the activity for which resource consent is sought as described in the application, which VDL states is a rural contracting activity.
- c. VDL has no obligation to provide financial turnover records for the activity currently operating on the Site. VDL's turnover records (and associated client base) are confidential, commercially sensitive and not relevant to the assessment of effects of the proposed activity. Such request goes beyond the ambit of an appropriate s 92 request.
- d. A consent authority must assume that a consent holder will not act unlawfully (i.e. they must assume the consent holder will act in accordance with the conditions of a resource consent granted). Historic activity is not relevant to that assessment.
- e. Notwithstanding the above, Mr Vernon⁷ has advised that approximately 75% - 80% of the current activity's customer base is the rural sector. The Proposal is anticipated to comprise a similar percentage of rural customer base.

Additional Response regarding definitions

- 14. It appears that Council's processing officers are of the initial view that some of VDL's proposed activity may not fall within the definition "rural commercial services" or "rural industry" as some of the equipment, machinery, services and business components might be provided to some residential and commercial customers. It also appears, if that were the case, they have a concern that as a result the proposal does not come within the definitions at all. I address the issue further below.
- 15. I preface that discussion, by recording in summary my view (for reasons I set out) that the activity for which consent is sought comes within the relevant definitions. In addition, I am also of the opinion that the activities proposed can service non- rural activities and remain within the definitions so long as that is not its principal function (and other relevant aspects of the definitions are met).

Relevant AUP Definitions

- 16. For convenience, I set out the relevant AUP definitions in full below:

⁷ Director, VDL.

a. Rural commercial services:

Commercial services that:

(a) have, as their principal function, a clear connection to, or provide services to:

- (i) rural production activities; or
- (ii) aquaculture activities; and

(b) involve the sale of:

- (i) rural produce and other products produced by a handcraft industry or home occupation on the same site; or
- (ii) rural services that support rural production activities or aquaculture; and

(c) may have some form of accessory depot, office, base, or storage area, from which the activity is normally operated or commenced.

Includes:

- farm visits;
- laboratories and research facilities associated with rural production activities;
- rural topdressing, pest control and spraying services;
- servicing, assembling or repair of agricultural or aquaculture machinery or equipment;
- the services of a trenchers, post rammers, or fencing contractors; or
- aquaculture equipment storage or maintenance.

Excludes:

- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site;
- stock yards that are accessory to farming carried out on the same site;
- shops for sale or hire of goods;
- freight or transportation services;

- storage of vehicles or equipment for hire;
- sale yards;
- sawmills and portable sawmills;
- grain silos or feed mills;
- aquaculture equipment storage or maintenance;
- meat or poultry processing;
- dairy factories;
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- packing sheds.

This definition is nested within the Rural nesting table.

- b. **Commercial services:** Businesses that sell services rather than goods. For example: banks, real estate agents, travel agents, dry cleaners and hair dressers.

c. Rural industries:

Industries that:

(a) have, as their principal function, a clear connection to, or provide services to:

(i) rural production activities; or

(ii) aquaculture activities; or

(b) use raw materials derived from:

(i) rural production activities;

(ii) aquaculture activities, or

(iii) the natural resources on the site other than topsoil or aggregate; and

(c) may have some form of:

(i) processing facility;

(ii) accessory depot; or

(iii) base or storage area, from which the activity is normally operated or started.

Includes:

- freight or transportation services;
- storage of vehicles or equipment for hire;
- sale yards;
- sawmills other than portable sawmills;

- grain silos or feed mills;
- meat or poultry processing;
- dairy factories; and
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site.

Excludes:

- home occupations;
- shops (sale or hire of goods);
- rural topdressing, pest control and spraying services;
- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- stock yards that are accessory to farming carried out on the same site.

This definition is nested within the Rural nesting table.

- d. Rural production activities:** Activities that involve the production of primary products such as those from farming, intensive farming, horticultural, or forestry activities, and which have a functional need for a rural location.

17. In my opinion the proposed rural contracting activity the subject of the consent is properly defined as a “rural commercial service” and “rural industry” activity (some parts of the activities come within either definition, while others come within one or the other).
18. When considering the definitions, principles of statutory interpretation are engaged. Those principles are well-established and are not repeated here.⁸
19. To come within the definitions, the proposed activity (relevantly):
 - a. Rural commercial service – must be a commercial service that has as its principal function a clear connection to or provide services to rural production activities and involve the sale of rural services that support rural production activities and may have some form of accessory depot, base or storage area from which the activity is normally operated or commenced.
 - b. Rural industry – must have as its principal function a clear connection to or provide services to rural production activities and may have some form of accessory depot, office, base or storage area from which the activity is normally operated or started.
20. Assessing the definitions:
 - a. A commercial service is defined as a business that sells services instead of goods.
 - b. For both Rural commercial services and Rural industries the concept of a principal function is relevant.
 - c. The AUP does not define the term “principal function”. I have not found relevant case law where the term was expressly judicially considered or defined in the context of the AUP.
 - d. The ordinary meaning of “principal” is “first in rank or importance; chief; main, leading.”⁹
 - e. In my submission the chief, main or leading function of the service in question would be a function or service which would exceed more than 50% of the activity. It does not need to be the only function or service. I return to this below in the context of relevant case law.

⁸ In short, consider the plain ordinary meaning of the terms as well as the immediate context of the Rule.

⁹ Oxford Dictionary

- f. The definitions require either “a clear connection to or provide services to” rural production activities. Thus, there is some flexibility as to how a service relates to rural production activities – in my opinion a “clear connection to” could perhaps be interpreted to give more flexibility than “provide services to”, although nothing turns on that distinction for the purposes of my opinion. Either a connection or actual provision of services to a “rural production activity” is required. My view is that the proposed activity does both.
- g. The commercial service must also “involve the sale of rural services that support rural production activities.” The only additional obligation imposed by this wording is that the services must “support” rural production. That terminology can encompass a wide range of potential activities.
- h. “Rural production activity” is defined. It refers to activities that involve the production of primary products such as those from farming,¹⁰ intensive farming,¹¹ horticultural,¹² or forestry¹³ activities and have a functional need for a rural location.
- i. The AEE sets out a list of current activities and services provided by VDL to farming and forestry clients.¹⁴ My view is that those activities have a clear connection to and provide services to rural production activities. For example, undertaking rural contracting activities such as constructing, maintaining and repairing farm access tracks, feed pads, farm drains, tractor services and earthworks would fall within the definition.
- j. The definition of “rural commercial services” also expressly includes “servicing, assembling or repair of agricultural machinery or equipment” and therefore would cover those activities proposed to be undertaken on the Site.
- k. The “Rural industry” definition expressly includes “freight or transportation services” and would cover for example, collection, cartage and distribution of stock feed for farming use (i.e. animal feed).

¹⁰ Land used for horticulture, beekeeping, or raising, caring, breeding and grazing of livestock.

¹¹ Intensive growing of fungi, livestock, or poultry within a building or structure or on animal feed lots with: limited or no dependence on natural soil quality on the site; and food required to be brought to the site.

¹² Production of flowers, fruit, vegetables, and grains. Includes greenhouses, plant nurseries and orchards.

¹³ Growing trees to produce timber, or where the land cover is principally timber tree species. Includes: clearing understorey; harvesting trees; portable sawmills; planting trees; tree alteration; replanting trees; thinning trees; and accessory vegetation removal.

¹⁴ Page 15.

21. In my opinion there the ability for an activity to provide services to non-rural production activities (i.e. residential or commercial) so long as that does not disrupt or overtake its principal function. That reflects case law referred to below.
22. Returning to “principal function” and real world application of the definitions, and related to the question from Council officers about the makeup of the current VDL business, is there the ability for an activity to provide services to non-rural production activities so long as that does not disrupt or overtake its principal function and thereby remain within the definition? In my opinion the answer is yes.
23. I have already identified that principal function essentially requires simply that the activities in question represent the majority or the main function.
24. I am aware of a council-level decision granting consent for the operation of a rural contractor’s yard in Sutton Road, Drury.¹⁵ When determining whether the activity was properly “rural industry” as defined by the AUP, the independent commissioners considered evidence from the applicant as to what type of services were provided. The applicant’s evidence was that 69.18% of the business had a direct link to rural production activities and a further 8.07% had an indirect link to rural production activities. A further 22.7% of the business related to urban activities.¹⁶
25. The commissioners stated:¹⁷
- We see no need to undertake any further detailed analysis of the conclusions of either Mr Askew or Ms Bartley on this matter. The Rural Industry definition requires that the principal function of the industry, being more than 50% of business activities, relate to rural production. Both witnesses agree this definition is met.
26. Thus, at a consent authority level there is precedent for the position that at least 50% of rural industry activities must have a clear connection to, or supply services to rural productive use but there is no need for precision beyond that. I agree with that approach.
27. I understand that the proposed operation will service and support rural production activities to a degree well in excess of 50% of the business – likely something in the order of 70% -80%. In my view, that squarely falls within a principal function.

¹⁵ Decision dated 1 July 2020.

¹⁶ I note the Council’s planner reached slightly different percentages, but nothing turns on that.

¹⁷ Decision at [46].

28. It is not surprising that the definitions allow some room for manoeuvre. A real-world approach acknowledges that the same type of rural services and materials can also service residential and commercial customers.¹⁸ Such diversification does not materially change the level of effects arising from the proposal, rather it increases efficiency and is an effective use of resources and services.
29. The question of servicing non-rural customers is also raised in the context of RFI requests 7 and 8 and additional comment 4. My comments above are equally applicable to the extent they are raised in those RFIs.

Highly Productive Soils – RFI 11 & 12

30. The RFI seeks further information regarding the Proposal's location on highly productive soils, both in the context of the AUP(OP) and the NPS-HPL.

RFI Request 11

31. Commencing with the AUP(OP), RFI 11 provides:

The AEE on Page 30 states that imperfectly drained 3s3 soils on the site are classed as other productive land under the AUP(OP), not prime land. However, as per the AUP(OP) definition of 'Land containing prime soil', all LUC 2 and 3 soils class as prime soils under the AUP(OP). Please update your assessment accordingly and provide a revised AEE, to avoid later confusion.

Response

32. The AEE contains an assessment of elite and prime soils in section 6.5.1. The AEE's assessment and conclusion is informed by, and relies upon, the expert technical reports prepared by AgFirst¹⁹ and Landsystems.²⁰
33. The Planning Response relies on Dr Hill's assessment and concludes not all LUC 2 and 3 soils are prime soils and that the Site contains LUC 3 soils which are more accurately classified as

¹⁸ One obvious example is back hauling loads by trucks.

¹⁹ Development of a Rural Contractors Yard Assessment Against NPS-HPL for Vernon Developments Limited dated December 2024 prepared by Jeremy Hunt and Sean Alexander.

²⁰ Land Use Capability Classification Assessment dated 29 November 2024 prepared by Reece Hill.

“other productive land”. Consequent on expert opinion, VDL retains its description and identification of the Site’s LUC 3 soils as “other productive land”.

34. I note at commencement that interpreting the AUP definition is a different task to assessing the NPS-HPL 2022. Therefore in the context of the AUP definition, the New Zealand Land Resource Inventory (NZLRI) mapping of the site is not determinative.
35. Turning to the definition, the AUP defines “land containing prime soil” as:²¹

Land containing prime soil

Land identified as land use capability classes two and three (LUC2, LUC3) with slight to moderate physical limitations for arable use.

Factors contributing to this classification are:

- readily available water;
- favourable climate;
- favourable topography;
- good drainage; and
- versatile soils easily adapted to a wide range of agricultural uses.

36. The definition requires land to be identified as LUC 2 and 3 with slight to moderate physical limitations for arable use. Land containing *prime soil* can be contrasted with land containing *elite soil* which is the most highly versatile and productive land in Auckland.²²
37. The definition anticipates that land containing prime soils will have a relatively low level of physical limitations for arable use. The subsequent listed factors identify attributes which are anticipated to be present.
38. The Landsystems report undertook a land use capability assessment at a property scale. The assessment included both desktop and on-site assessment components.
39. The Landsystems report expressly engages with the definition at pages 5 – 6. The report notes that with respect to the AUP’s definition:²³

Land containing prime soil is arable, versatile, has favourable topography and good drainage. There are no serious climate or soil water storage issues. Unfortunately, these characteristics for land containing prime soil are not

²¹ Chapter J – Definitions.

²² Chapter J – Definition of “land containing elite soil”.

²³ Page 6.

defined. AUP land containing elite or prime soil, and other productive land was classified using the definition interpretation used by soil scientists in the Auckland region for previous private plan changes.

40. At the NZLRI scale, the entirety of the Site is identified as containing LUC 2e2 (erosion) soils, namely well-drained Hamilton clay loam on undulating slopes.

41. When mapped at a property level scale, the Site's soil composition is more varied.²⁴ Notably, the Site contains a 2.2 ha area of LUC 3s3 soil which Dr Hill records as "other productive land". Table 5 to Dr Hill's report identifies about 70% of the Site when properly assessed, is not prime land.

42. Dr Hill's assessment concludes that the Site's LUC 3s3 soils (approx. 2.2ha) is not prime soil, rather it should be classified as "other productive land" due to its imperfect drainage characteristics.²⁵ Dr Hill's conclusion is supported by a site-specific analysis of soil samples. The conclusion with respect to the LUC 3s3 soils is that they have "moderate physical limitations to arable use, and in this case, moderate structural impediments to cultivation, imperfect drainage, and stony soils"²⁶ such that they are not proper representation of prime soil as defined by the AUP.

43. Thus, the expert opinion is:²⁷

Based on the on-site mapping and applying the AUP definition for land containing elite and prime soil, elite soil was not mapped on the site. LUC 2e2 and 2s3 land is prime soil. Due to the imperfect drainage characteristics of the 3s3 land on site, and very shallow, stoney nature of the LUC 4s land, the remaining available productive land is classed as other productive land.

44. The AEE contains a detailed assessment of the above and concludes that applying a real-world assessment, "the location of the activity on the Site responds to the detailed characteristics of the soil present. The activity largely occurs on land not identified as Prime with only a small portion (approximately 5000m²) of the activity occurring on Prime land."²⁸

45. I do not agree with Council's approach that all LUC 2 and LUC 3 land is by default, prime land. The definition of prime land goes further than simply specifying LUC 2 and 3 without more (as it could have) and adds the requirement that the soil in question have "slight to moderate

²⁴ Refer Table 5, Landsystems report.

²⁵ AEE Attachment 9, pg. 21.

²⁶ AEE Attachment 9, pg. 17 - 18.

²⁷ Refer Table 5, Landsystems report.

²⁸ AEE, pg. 31.

physical limitations for arable use” (notably in the context of this site including as a relevant factor “good drainage”). The soil may upon expert site specific assessment be found to have physical limitations that take it outside the definition. That is the case here, with identified physical limitations and structural impediments, including of particular note, imperfect drainage.

46. The proper interpretation of the AUP prime soil definition has already been addressed before Commissioners (as identified in the planning response). Consideration of prime vs. other productive soils was considered in the context of Private Plan Change 73 (PC73). To summarise that proposal:

- a. PC73 proposed to rezone approximately 32.5ha of land in Waiuku from Rural – Mixed Rural Zone to Residential – Mixed Housing Urban Zone.
- b. Both the applicant’s soil expert and Council’s peer reviewer agreed that some areas of the site’s LUC 2 and 3 soil did fall within the definition of “prime”, while others did not and were therefore “other productive land”.
- c. On that point, the Hearing Panel concluded:

[220] We accept the expert evidence that the classification of prime land under the Unitary Plan is more than simply identifying whether the land is Class 2 or 3 and involves a somewhat nuanced assessment based on the factors outlined in the Unitary Plan definition of “Land containing prime soil”. On that basis we find that the plan change land contains 13.4ha (46.3%) of prime soils and 13.7ha (47.9%) of other productive land within this classification.

- d. While ultimately the Hearing Panel declined PC73, the applicant was successful on appeal to the Environment Court.²⁹ I note the *Gardon* appeal did not challenge the Hearing Panel’s decision regarding its findings on the identification of the site’s prime soils.

47. Although the PC73 decision is not binding on Council, it does provide authority for a more nuanced approach to the interpretation of prime soils. In my view, the site-specific assessment of Dr Hill should be preferred.

²⁹ *Gardon Trust v Auckland Council* [2025] NZEnvC 058.

48. In any event, I do not consider the presence of “land containing prime soils” to be a barrier to consent.

RFI Request 12

49. RFI 12 provides:

The AEE states on page 15:

VD has a broad rural production client base. Their clients include large arable cropping business and members of the Pukekohe Growers Association such as R C Hari Ltd, Balle Bros Ltd and Manga Jivan Ltd. Forestry clients including JT Logging and Pulley Contracting Limited. Intensive and pastoral farming clients include pig, poultry, goat, dairy and drystock businesses. While the primary function of VD is to service the rural production sector, a small amount of work is also undertaken for residential and commercial clients. This is to ensure that the business is diverse enough to handle the seasonal nature of farming and to ensure all staff remain employed throughout the year. It is expected that the activity will grow to employ 30 staff over the next 5 -10 years. The site will provide an administration hub and storage yard for staff, vehicles and machinery (...).

This description of the business activities appears to go beyond a supporting activity, as defined in the NPS-HPL (see non s 92 commentary). If you consider otherwise, please provide additional information to demonstrate that the proposed activities support land based primary production on the site, surrounding HPL and the applicants’ landholding.

Response

50. I disagree with Council’s interpretation.
51. As a broad observation I note the extract on page 15 of the AEE forms part of the “Proposal Overview”. It is intended to provide context to the activity the subject of consent by demonstrating VDL’s broad rural client base. It is not, of itself, an assessment of the NPS-HPL.
52. The relevant provisions of the NPS-HPL are considered in detail in section 7.2.2 of the AEE, commencing at page 37. That assessment includes specific consideration of the term “supporting activities”. The RFI does not refer to this assessment, rather it centres solely on the overview of the proposal and a description of the activities currently undertaken on the

Site. For the purposes of assessment, the Council must consider the application as it pertains to the activity sought to be undertaken, not the activities currently undertaken on the Site.

53. In any event, I assume from the additional comment that the Reporting Planner does not accept the assessment in section 7.2.2 of the AEE. Taking RFI 12 and the additional comment together, the Council's reasoning appears to be based on:

- a. The proposed activity "going beyond" a supporting activity for "land-based primary production on the site, surrounding HPL land and the applicant's landholding"; and
- b. The Ministry for the Environment's National Policy Statement for Highly Productive Land Guide to Implementation (**Guidance Document**).

54. As with any interpretative exercise, the starting point is with the text of the provision in question.

55. I assume the provision Council refers to is cl 3.9(2)(a) of the NPS-HPL which provides (relevantly):

A use or development of highly productive land is inappropriate except where it provides for supporting activities on the land.

56. The term "supporting activities" is defined in the NPS-HPL as:³⁰

Supporting activities, in relation to highly productive land, means those activities reasonably necessary to support land-based primary production on that land (such as on-site processing and packing, equipment storage, and animal housing).

57. As noted above, the AEE addresses this definition in section 7.2.2 of the AEE. That assessment is supported by the technical report prepared by AgFirst. I do not propose to repeat those assessments other than to note they provide a sound basis for the conclusion that the proposed activity does fall within the definition of a "supporting activity".

58. I make the following observations:

- a. Supporting activities is defined as "in relation to highly productive land, means those activities reasonably necessary to support land-based primary production on that land". Therefore, the activities must:

³⁰ Clause 1.3, NPS-HPL.

- i. Relate to highly productive land (not a particular site) which is a defined term;³¹
and
 - ii. Be “reasonably necessary”³² to support land-based primary production on that land.
- b. The words “on that land” refer to “highly productive land” generally and do not limit activities to primary production on a particular site. Had the intention to be to limit supporting activities to a particular site, the NPS-HPL could have used that term. It did not.
- c. Whether a supporting activity is “reasonably necessary” is a question of fact. The AEE and AgFirst report demonstrate why the proposed operation is reasonably necessary to support rural production including land-based primary production. As noted in the AEE, the proposed activity will provide services that are necessary to enable the use of highly productive land and are an integral part of rural production.³³
- d. Council’s approach undermines the crucial role rural contracting services provide to land-based primary production. The activities the subject of consent will provide invaluable rural commercial and rural industry services to highly productive land. I say that falls squarely within the ambit of “reasonably necessary”. There are many reasons why land-based primary producers do not have their own machinery, maintenance equipment and cartage options. Without access to specialised rural services and cartage, many land-based primary producers could not operate effectively and efficiently. In that respect, VDL provides an integral supporting service to land-based primary production.
- e. The Council has misapplied cl 3.9(2)(a) by relying on examples contained in the Guidance Document. In addition to not being a comprehensive list, in my view, the examples given in the Guidance Document if considered as a comprehensive list inappropriately narrow the application of the exception in cl 3.9(2)(a).
- f. While it is appropriate in some circumstances to consult external interpretive aides, it is inappropriate to interpret cl 3.9(2)(a) narrowly by reference to the Guidance Document.

³¹ Highly productive land means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

³² Reasonably necessary is not defined.

³³ AEE, pg.39.

g. The courts have consistently cautioned against the inappropriate use of non-statutory guidance documents as interpretative aides. In that respect, I note:

- i. The Guidance Document is a non-statutory document and is therefore not binding on a decision-maker required to have regard to the NPS-HPL.
- ii. The Guidance Document's disclaimer provides, inter alia, that "the information provided has no official status and so does not alter the laws of New Zealand, other official guidelines or requirements."
- iii. In considering the Guidance Document, the Environment Court has strongly cautioned against reliance upon it. In *Gray v Dunedin City Council*,³⁴ the Court noted that the council's arguments made extensive reference to the Guidance Note's examples of inappropriate activities under cl 3.9 and urged the Court to find in alignment with the Guidance Note.
- iv. The Court disagreed, stating:

[206] However, we are not prepared to give any weight to the discussion of the NPS-HPL in the MfE guidelines. We refer to the High Court's observation on the relevance of the Guidance Notes published by MfE for the NZCPS 2010 which we respectfully agree with and are in any event bound by:³⁹

The first question is what status should be given to the Department of Conservation's Guidance Notes. It is clear that they have no statutory basis, and that whilst helpful, they are not legally binding on the Court as necessarily properly interpreting the provisions of either the Act or the NZCPS. Whilst the Supreme Court may have referred to the Guidance Notes, not surprisingly it did not determine that the Guidance Notes are determinative, and indeed the Guidance Notes themselves include a disclaimer that they are not a substitute for legal advice, neither are they official government policy.

³⁹ *Opoitere Ratepayers and Residents Association v Waikato Regional Council* [2015] NZEnvC 105, at [97].

- v. The Court went on to find that subsequent decisions of the Environment Court, including that of *Federated Farmers of New Zealand v Northland Regional Council*,³⁵ had taken the same approach.

³⁴ [2023] NZEnvC 45.

³⁵ [2022] NZEnvC 016.

- h. It is clear from the above that while guidance documents potentially can be used as an interpretative aide, they are not infallible, and they cannot derogate from the terms of the statutory requirements they are being used to interpret.
59. It is also important to note that the NPS-HPL is but one of the matters to which Council must have regard to under s 104 RMA and is not necessarily determinative. The Environment Court in *Hopkins v Waikato District Council*,³⁶ was asked to consider an appeal against a decision regarding a resource consent for a rural contractors' depot. Relevantly:
- a. The proposed activity included cartage and general civil contracting services for rural clients, as well as roading infrastructure. Notably, the Court held that the NPS-HPL was but one of the matters to which it must have regard to under s 104 of the RMA.³⁷ Due to the very limited loss of productive potential and the alignment of the proposal to rural production, the Court did not consider the NPS-HPL issue to be determinative.³⁸
 - b. The fact that the Court found the grant of consent appropriate demonstrates that:
 - i. An inconsistency with the NPS-HPL is not necessarily determinative or fatal to an application where an activity otherwise aligns with a rural productive use; and
 - ii. Each case must be determined on its own merits, considering the actual activities that are proposed to occur.
60. To round out the above analysis, it is immaterial whether VDL's proposed activity also provides some level of services to commercial or residential customers. The principal use of the Site is for rural purposes which support land-based primary production for highly productive land. The fact that some non-rural uses may also be supported does not derogate from the fact that the activity is principally for a rural purpose.

Use of the Site for "Goods" - RFI 43

RFI Request 43

61. RFI 43 provides:

³⁶ [2025] NZEnvC 034.

³⁷ At [72].

³⁸ At [84].

It is noted that this site has been stated not to be a 'goods' site, please confirm that vehicles stored on this site will not temporarily be holding goods on site, such as stock feed, fertiliser, aggregates or other raw materials.

Response

62. The Planning Response confirms that.³⁹

No 'goods' will be held on site. Trucks will occasionally be loaded with aggregate over night to avoid the need to obtain material in the morning. This aggregate is required to complete a project undertaken by Vernon Developments and is not a dispatch point associated with the sale or transport of goods specifically.

63. Legal commentary may usefully be added.

64. It is not immediately clear from the RFI whether a specific AUP rule is regarded as relevant to this request. If the assertion or assumption is that the storage of "goods" would bring the activity within the ambit of a "freight depot" or sit outside the ambit of Rural commercial services and rural industry that assertion is misplaced.⁴⁰ The activity for which consent is sought is for Rural commercial services and rural industry.

65. As addressed in the AEE, 41 the definition of "rural industries" expressly includes freight and transportation services and the storage of vehicles or equipment for hire. The proposed cartage operation provides services to rural production activities and uses raw materials derived from rural production services and thus falls squarely within the definition of "rural industries".

66. Whether the trucks stored on the Site are laden or unladen is irrelevant as the activity being undertaken is one of "rural industry". The freight and transportation of raw materials or goods is part of the proposed cartage activity which is a type of rural industry – therefore the use and storage of laden trucks on the Site is anticipated by that activity.

67. Further, I note:

- a. The Rural Zone provisions do not control or prohibit the storage of goods on a site.

³⁹ Attachment A, pg. 14.

⁴⁰ AEE, pg. 17.

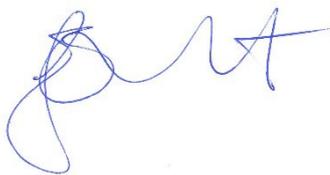
⁴¹ AEE, pp. 17 – 17.

- b. The AUP does not define the term “goods”.
 - c. For completeness, the proposed activity does not process or manufacture goods, nor does it involve shops for the sale or hire of goods.⁴²
68. The primary function of the proposed activity is to provide rural commercial services and rural industry services for rural productive uses. The fact that some aggregate or other organic material may temporarily be stored overnight in trucks on the Site does not change the activity being undertaken, namely the cartage and/or provision of rural commercial services.

Conclusion

69. It is clear from the above analysis that VDL’s proposed activity falls within both the definition of “rural commercial services” and “rural industry”. So long as the principal function undertaken on the Site is to service rural production activities, there is some leeway for non-rural sectors to form part of VDL’s client base.
70. Council is not entitled to speculate that a consent holder will not comply with the consent (and its conditions) for the activity sought.
71. I am happy to discuss the above further.

Yours faithfully,



Jeremy Brabant

⁴² These activities are expressly excluded from the definitions of “rural industries” and “rural commercial services”.