

Technical Memo – Specialist Unit

To: Bryce Powell, Consultant Planner (Southern Resource Consents)

From: Steve Bryant (Bryant Environmental Solutions Ltd on behalf of Earth, Streams & Trees Team, Auckland Council)

Date: 26 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Applicant's Name: Taha Auto Limited

Application numbers: LUC60449557, BUN60449555

Activity type: Regional Earthworks

Site address: 395 Fitzgerald Road, Drury, Auckland 2113

2.0 PROPOSAL, SITE AND LOCALITY DESCRIPTION

2.1 Proposal relevant to this consent only

The application seeks land use consent to undertake the proposed earthworks to establish stable platforms for the construction of the two warehouses, as well as ensuring that the site is appropriately sloped towards the ponding areas at the rear and front.

In brief:

- It is proposed to undertake earthworks over an area of 25,255m² with a total volume of 23,248m³. This includes 14,605m³ of cut and 8,823m³ of fill. The balance of unsuitable material will be exported off site. An additional 6,813m³ of aggregate will be imported to the site.
- The proposed measures for erosion and sediment control have been designed in accordance with the guidelines of Auckland Council's GD05 document.

2.2 Site Description

- The site is in a rural area on the south side of Fitzgerald Road. The property is irregular in shape and is generally flat.
- The site lies within the Hingaia Stream catchment. Runoff from the western half of the site discharges to a tributary of the Hingaia Stream. Flows from the eastern half discharge to a roadside swale and then into an overland flow-path before reaching a tributary of the Hingaia Stream.

3. REASON FOR CONSENT

Auckland Unitary Plan Operative in Part (AUP:OP):

- Land use consent is required under the Auckland Unitary Plan: Operative in Part (AUP:OP) E11.4.1 (A9) for earthworks greater than 2,500m² which are within the Sediment Control Protection Area as a restricted discretionary activity.

4. TECHNICAL ASSESSMENT OF EFFECTS

- 4.1** This assessment covers the actual and potential adverse effects of the proposed earthworks on the receiving environment in regard to:

Potential sediment discharges from the proposed earthworks flow into tributaries of the Hingaia Stream which discharges to the Drury Creek and the Pahurehure Inlet, which in turn discharges into the Manukau Harbour.

Erosion and Sediment Controls

- 4.2** To manage potential sediment discharges resulting from the proposed earthworks, the applicant has prepared a suitable ESCP in accordance with Auckland Council guidance document number 005, "Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region", June 2016, Incorporating Amendment 3 (GD05). This plan includes:

- It is proposed that two Sediment Retention Ponds (SRPs) will be constructed in accordance with GD05 to provide most of the sediment control required during bulk earthworks.
- Dirty Water Diversions (DWDs) will be established to ensure any runoff generated during earthworks is directed to the correct SRP. The Dirty Water Diversions constructed around the site perimeters will double as Clean Water Diversions (CWDs). Cut & fill operations may require these bunds to be temporarily removed, however, they will be re-established at the end of each day or when the site is not being earthworked.
- Chemical treatment of the SRPs is proposed to be implemented throughout the earthworks phase of the development.
- Silt Fences (SFs) will be established along down gradient site boundaries to manage dirty water during construction of the SRPs which is considered appropriate. The SFs will remain in place to manage the small areas where runoff cannot be directed to an SRP, (see *Silt Fences 4.4* below for my assessment/action required).

- Access to the site will be provided by a stabilised site entrance in accordance with GD05 at the Southwestern corner of the site.

4.3 I consider the proposed controls detailed within the ESCP generally accord with best practice (GD05) and will minimise and manage potential sediment discharges from the proposed earthworks, however, there are some additional matters that can be dealt with via conditions or at the pre-start meeting with Council's Monitoring officer. These matters are discussed below.

Silt Fences

4.4 The *Babington Infrastructure Report, Rev 2, 07.08.25*, provides the following detail re the use of Silt Fences (SFs). *"Silt fences will be established along down gradient site boundaries to manage dirty water during construction of the SRPs, and once dirty water diversion bunds have been established to direct runoff to an SRP, the silt fences will remain in place to manage the small areas where runoff cannot be directed to an SRP. Catchment areas managed by silt fences alone, have been detailed on the ESCP"*.

The southern embankment earthworks area is located immediately above the stream. This is a significant area of earthworks (2,747m²) to be undertaken immediately adjacent to the sensitive stream environment. I consider the use of low efficiency SFs (~50%) to be inappropriate given the close proximity to a stream, and as such the sole use of SFs for this area of works was queried under s92. The applicant has now proposed to undertake this area of earthworks as per GD05, Cut & Cover with the SFs as backup.

The term Cut & Cover means that when earthworks is undertaken, that the exposed ground will be rapidly covered with stabilised material, generally with hay mulch, aggregate or geotextile cloth. The methodology describing Cut & Cover is detailed in GD05 (G3.1.1) and is considered an appropriate methodology for the proposed embankment earthworks operations. GD05 recommends that all exposed areas are stabilised on a daily basis. As such, provided this methodology is undertaken in accordance with GD05 the proposed 'Cut and Cover' approach with SFs as a backup control is considered appropriate.

The applicant has provided the following s92 response:

Response: *"We are happy to use a cut and cover methodology with the SFs as back up"*.

"We would prefer that this be conditioned to be shown on the drawing and present at the preconstruction meeting".

- Therefore, I recommend that the proposed Cut & Cover methodology with SFs as backup be included as a condition of consent as detailed below and that the applicant presents the additional Cut & Cover methodology details in an updated engineering drawing to replace the existing; *Cut and Fill and Erosion and Sediment Control Plan. Drawing No C210 Rev B. 16/07/25*. Prepared by Babington and Associates (2004) Limited, for approval by Auckland Council at the Pre-start meeting.

4.5 Chemical Treatment

The applicant has proposed chemical treatment (flocculation) of the two SRPs. It is well proven that chemical treatment will increase the overall efficiency of sediment controls treating Auckland soil types. As such, the provision of a Chemical Treatment Management Plan (ChTMP) for Auckland Council approval prior to works commencing, and the chemical

treatment of the SRPs throughout the earthwork's operation has been recommended and a condition has been included below.

Timing/Seasonal Restrictions

- 4.6** The applicant has not provided an estimate of when earthworks are expected to be completed. However, given the scale of the works and the receiving environment, a seasonal restriction is recommended as this will ensure the earthworks are undertaken during the standard Auckland Council earthworks season, being 1 October to 30 April of any year. This is consistent with similar earthworks proposals in the Auckland Regional and will help ensure appropriate management of the works should the applicant intend to work during the wetter, winter months.

4.7 Conclusion

I consider that the applicant's assessment adequately identifies the potential sediment related effects resulting from the earthworks proposal and that there are no additional effects that may be generated. Provided the earthworks are managed in accordance with the application documents, including any additional recommendations as noted above, I consider that the potential effects arising from sediment discharges will be appropriately managed.

5. RECOMMENDATION AND CONDITIONS

5.1 Recommendation

The assessment in this memo does not identify any reasons to withhold consent, and the aspects of the proposal considered by this memo could be granted consent, subject to recommended conditions, for the following reasons:

1. The sensitivity of the receiving environment to the potential adverse effects of sediment discharges will not be compromised given the nature of the proposed works and the implementation of suitable designs, control technologies and appropriate on-site management techniques.
2. Subject to the imposition of consent conditions, it is considered that the effects on the immediate freshwater receiving environment will be appropriately managed.

5.2 Duration of consent

It is considered that a standard term of 5 years duration is appropriate to allow for the delay in the commencement and completion of the earthworks.

5.3 Conditions

It is appropriate to recommend a suite of consent conditions including timing of the earthworks, the monitoring, maintenance and chemical treatment of erosion and sediment controls, and progressive stabilisation of the site. The inclusion of these conditions is consistent with similar earthworks operations granted consent for in the Auckland Region, and the wider site, and will ensure that the effects of the proposed works will be appropriately managed and mitigated.

The following general conditions are recommended:

X.1 The earthworks activity must be undertaken in accordance with the following application documents, including appendices, except where a higher standard is referenced in the conditions below:

- *395 Fitzgerald Road, Drury. Application for land use consent for vehicle dismantling facility, associated earthworks and stormwater management. Final. Taha Auto Limited. 18 August 2025. Prepared by Saddleback. (AEE)*
- *Infrastructure Report. Taha Auto Limited. 395 Fitzgerald Road. Drury. July 2025, Rev 2, 07.08.25. Prepared by Babington and Associates (2004) Limited. (Infrastructure Report)*
- *Cut and Fill and Erosion and Sediment Control Plan. Drawing No C210 Rev B. 16/07/25. Prepared by Babington and Associates (2004) Limited.*
- *395 Fitzgerald Road, Drury. s92 Response #3. Taha Auto Limited. 25 September 2025. (s92 response)*
- *Additional information received under section 92 of the Resource Management Act (RMA), by email with updated drawings and documents from Babington and Associates (2004) Limited on 02 and 26 September 2025 in relation to ESCP.*

Advice Note: In the event that minor amendments to the ESCP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the ESCP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council prior to implementation to confirm that they are within the scope of this consent.

X.2 Immediately upon abandonment or completion of earthworks on the subject site all areas of bare earth associated with the works must be permanently stabilised against erosion.

Advice Note: Measures may include:

- *The use of mulching or natural fibre matting.*
- *Top-soiling, grassing and mulching of otherwise bare areas of earth.*
- *Aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

The on-going monitoring of these measures is the responsibility of the consent holder. It is recommended that you discuss any potential measures with Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact Council for more details. Alternatively, please refer to Auckland Council Guidance Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

X.3 Resource consent LUC60449557 (earthworks) must expire 5 years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Pre-commencement

X.4 Prior to the commencement of earthworks activities, the consent holder must hold a pre-start meeting that:

- is located on the subject site;

- is scheduled not less than five days before the anticipated commencement of earthworks;
- includes representation from Auckland Council compliance officer[s]; and
- includes representation from the contractor who will undertake the works.

The meeting must discuss the erosion and sediment control measures and the earthworks methodology and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

The following information must be made available at the pre-start meeting:

- Timeframes for key stages of the works authorised under this consent;
- Resource consent conditions;
- Erosion and Sediment Control Plan (ESCP); and,
- Chemical Treatment Management Plan (ChTMP).

Advice Note: To arrange the pre-start meeting required by Condition (X.4) please contact Council on monitoring@aucklandcouncil.govt.nz, or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by Council should be provided 2 days prior to the meeting.

X.5 Prior to the commencement of the earthworks activity, the consent holder must provide an updated Erosion and Sediment Control plan (based on 'Cut and Fill and Erosion and Sediment Control Plan', Drawing No C210 Rev B. 16/07/25, prepared by Babington and Associates (2004) Limited), to include the additional cut and cover methodology for works above the stream. Earthworks activity on the subject site must not commence until written certification is provided by Council that the finalised ESCP includes a cut and cover methodology in accordance with GD05 (section G3.1.1) with Silt Fences as a backup control, for the earthworks area (2,747m²) located on the southern boundary immediately above the stream,

X.6 Prior to the commencement of land disturbance at the site, a Chemical Treatment Management Plan (ChTMP) must be prepared by an appropriately qualified and experienced person and submitted to Council. No earthworks activity on the subject site must commence until written certification is provided by Council that the ChTMP meets the requirements of GD05, and the measures referred to in that plan for the site's impoundment devices have been put in place.

The ChTMP must include as a minimum:

- a. Specific design details of a chemical treatment system based on a rainfall activated dosing methodology for the Sediment Retention Ponds and any other approved impoundment devices;
- b. Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
- c. Details of optimum dosage (including assumptions);
- d. Results of initial chemical treatment trial;
- e. A spill contingency plan; and
- f. Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

Advice Note: In the event that minor amendments to the ChTMP are required, any such amendments must be limited to the scope of this consent. Any amendments which affect the performance of the ChTMP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments must be provided to Council prior to implementation to confirm that they are within the scope of this consent. For the avoidance of doubt, chemical treatment is required for any impoundment devices except for Silt Fences.

- X.7 The Sediment Retention Ponds and any other authorised impoundment devices utilised as part of the earthworks, must be chemically treated in accordance with the certified Chemical Treatment Management Plan (ChTMP).
- X.8 Within ten (10) working days following implementation and completion of the specific erosion and sediment control works referred to in the certified ESCP, and prior to the commencement of earthworks activity on the subject site, a suitably qualified and experienced person must provide written certification to Council that the erosion and sediment control measures have been constructed and completed in accordance with the certified Erosion and Sediment Control Plan and Chemical Treatment Management Plan. Written certification must be in the form of a report or any other form acceptable to the Council. Certified controls must include;
- The Sediment Retention Ponds, Clean Water Diversions, Dirty Water Diversions, Silt Fences, and stabilised entranceways.
 - Contributing catchment area;
 - Size of structure (dimensions of structure);
 - Position of inlets/outlets; and
 - Stabilisation of the structure.

During Earthworks

- X.9 The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the Erosion and Sediment Control Plan (required by Condition X.5), must be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.

Advice Note: As a guide, maintenance of the erosion and sediment control measures must seek to ensure that the accumulated sediment be removed from sediment retention devices prior to reaching 20% of its storage capacity. Sediment removed from treatment devices must be placed on stable ground where it cannot re-enter the device or be washed into any watercourse.

Where maintenance work is required to ensure the effectiveness of these erosion and sediment control measures, the record should include the date, time and details on the nature of any maintenance. The site manager (or equivalent) will need to ensure regular inspections of these measures, and particularly within 24 hours after any rainstorm event. Where it is identified that erosion and sediment control measure have become ineffective and maintenance is required, Council must be contacted (email monitoring@aucklandcouncil.govt.nz).

- X.10 All perimeter controls must be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site itself must be diverted away from earthworks areas via a stabilised system, to prevent surface erosion.
- X.11 Earthworks must be managed to minimise the deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must

roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the storm water drainage system, watercourses or receiving waters.

Advice Note: In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent, or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpit protection*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned. It is recommended that you discuss any potential measures with Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact Council for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

- X.12 The site must be progressively stabilised against erosion at all stages of the earthworks activity and must be sequenced to minimise the discharge of contaminants to groundwater or surface water in accordance with the certified Erosion and Sediment Control Plan.

Advice Note: Earthworks should be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:

- *the use of waterproof covers, geotextiles, or mulching*
- *top-soiling and grassing of otherwise bare areas of earth*
- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

It is recommended that you discuss any potential measures with Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact Council for more details. Alternatively, please refer to Auckland Council Guideline Document 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05).

- X.13 Erosion and sediment control measures must be constructed and maintained in general accordance with Auckland Council Guidance Document GD05; *Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region* and any amendments to this document, except where a higher standard is detailed in the documents referred to in conditions above, in which case the higher standard must apply.

Seasonal Restriction

- X.14 No earthworks on the subject site must be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

6. REVIEW

Memo prepared by:

Steve Bryant



Sediment Management Consultant - Earth, Streams and Trees, Specialist Unit, Resource Consents

Date:

26 September 2025

Technical memo reviewed and approved for release by:

Fiona Harte



Team Leader - Earth, Streams & Trees Specialist Unit, Resource Consents

Date:

26 September 2025