

Decision on notification of an application for resource consent under the Resource Management Act 1991



Discretionary activity

Application number:	BUN60326771, LUC60326774
Applicant's name:	Tūpuna Maunga o Tāmaki Makaurau Authority
Site address:	Māngere Mountain: 17R Domain Road, 31R Ridgemount Rise, 143 Wallace Road, 27R Putini Road, 22R Mountain Road, 3R & 17R Taylor Road, Māngere Bridge; and 98-100 Coronation Road, Māngere
Legal description and Site Area:	Māngere Mountain: 31.8291 hectares Section 1 SO 68568 5.3805 hectares Section 2 SO 68568 0.1889 hectares Section 1 SO 40483 0.0460 hectares Allotment 270 Parish of Manurewa 0.3914 hectares Section 3 SO 68568 0.1019 hectares Section 4 SO 68568 0.4520 hectares Section 1 SO 41481 0.0865 hectares Lot 16 DP 42381 Total Site Area: 38.4763 ha more or less 98-100 Coronation Road, Māngere: 4.5 hectares Part Allot 202 PSH of Manurewa, Allot 370 PSH of Manurewa Total Site Area: 4.5 ha more or less
Operative plan:	Auckland Unitary Plan: Operative in Part
Zoning:	Māngere Mountain: Open Space – Conservation Zone Open Space – Informal Recreation Open Space – Sport and Active Recreation Zone 98-100 Coronation Road, Māngere: Open Space - Community
Precinct	N/A
Special features, overlays etc:	Māngere Mountain: Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Auckland Isthmus Volcanic Natural Heritage: Outstanding Natural

Features Overlay [rcp/dp] - ID 87, Māngere Mountain volcano (Te Pane o Mataoho)

Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - Māngere Mountain, Height Sensitive Areas

Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - M4, Mount Māngere, Viewshafts

Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - M5, Mount Māngere, Viewshafts

Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - M6, Mount Māngere, Viewshafts

Built Heritage and Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1275, Te Pane A Mataaho/Te Pane O Mataaho/Te Upoko o Mataaho/Māngere Mountain

Macroinvertebrate Community Index [rcp/dp] – Exotic

Macroinvertebrate Community Index [rcp/dp] – Native

Macroinvertebrate Community Index [rcp/dp] – Urban

98-100 Coronation Road, Māngere:

Natural Heritage: Outstanding Natural Features [rps/rcp/dp] – ID 87, Māngere Mountain volcano (Te Pane o Mataoho), Type V1⁴

Natural Resource: Aquifer [rp] Manukau Kaawa Aquifer

Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - Māngere Mountain, Height Sensitive Areas

Built Heritage and Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1415, Kauri Cottage, Category A

Macroinvertebrate Community Index [rcp/dp] – Native

Designations

Māngere Mountain:

Designations: Airspace Restrictions Designation – ID1102, Protection of

aeronautical functions – obstacle limitation surfaces, Auckland International Airport Ltd

98-100 Coronation Road, Māngere:

Designations: Airspace Restrictions Designation – ID1102, Protection of aeronautical functions – obstacle limitation surfaces, Auckland International Airport Ltd

Notice of Requirements, NoR 7: Proposed Northern Runway, Airspace Restriction Designations, notified 15/02/2018

Proposal

To remove exotic vegetation and undertake restoration planting on Te Pane-o-Mataaho / Te Ara Pueru / Māngere Mountain (at 17R Domain Road, 31R Ridgemount Rise, 143 Wallace Road, 27R Putini Road, 22R Mountain Road, 3R & 17R Taylor Road, Māngere Bridge), and restoration planting at 98-100 Coronation Road, Māngere

The resource consents are:

Land use consents (s9) – LUC60326774: Māngere Mountain

Auckland Council Unitary Plan (Operative in Part)

District land use

Historic Heritage Overlay (Chapter D17)

- Modifications to, or restoration of, buildings, structures, fabric or features of a scheduled historic heritage place, except where provided for as a permitted, controlled or restricted discretionary activity in another rule in this overlay requires consent as a **restricted discretionary activity** pursuant to D17.4.1 (A9).
- Conservation planting requires consent for a **discretionary activity** pursuant to D17.4.2 (A23).
- The removal of trees greater than 3m in height or greater than 300mm in girth requires consent for a **discretionary activity** pursuant to D17.4.2 (A26).

Land Disturbance – District (Chapter E12)

- The activity of replanting will involve approximately 13m² of ground disturbance. Consent for a **restricted discretionary activity** is required for earthworks not otherwise permitted up to 500m² in the Open Space – Conservation Zone pursuant to Rule E12.4.1 (A3);
- The activity of replanting will involve approximately 8m³ of ground disturbance. Consent for a **restricted discretionary activity** is required for earthworks not otherwise permitted up to 250m³ in the Open Space – Conservation Zone pursuant to Rule E12.4.1 (A7);

- The activity of replanting will involve 674.4m² of ground disturbance over the site. Consent for a **restricted discretionary activity** is required for earthworks in the Historic Heritage Overlay over an area of greater than 50m² pursuant to Rule E12.4.2 (A30);
- The activity of replanting will involve 23.33m³ of ground disturbance over the site. Consent for a **restricted discretionary activity** is required for earthworks in the Historic Heritage Overlay of greater than 5m³ up to 250m³ in pursuant to Rule E12.4.2 (A32);
- The activity of replanting will involve 149m² of ground disturbance over the site. Consent for a **restricted discretionary activity** is required for earthworks within the V1 Outstanding Natural Feature Overlay of greater than 50m³ pursuant to Rule E12.4.3 (A41);

Trees in Open Space Zones (Chapter E16)

- The proposed tree removals include trees that are greater than 4 meters in height and 400mm girth. Consent for a **restricted discretionary activity** is required for these removals pursuant to Rule E16.4.1 (A10);

Noise and Vibration (Chapter E25)

- Construction noise levels exceeding the permitted standards of 75dB Leq (by a maximum of 7dB for up to 3 days) are anticipated. Construction noise that exceeds the permitted activity standards in E25.6.27 requires consent as a **restricted discretionary activity** pursuant to E25.4.1 (A2);

98-100 Coronation Road, Māngere

Auckland Council Unitary Plan (Operative in Part)

- The activity of replanting will involve 149m² of ground disturbance over the site. Consent for a **restricted discretionary activity** is required for earthworks within the V1 Outstanding Natural Feature Overlay of greater than 50m³ pursuant to Rule E12.4.3 (A41).

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on notification.

Public notification

Under section 95A of the RMA this application shall proceed without public notification because:

1. Under step 1, public notification is not mandatory as:
 - a. the applicant has not requested it
 - b. there are no outstanding or refused requests for further information, and
 - c. the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977.
2. Under step 2, public notification is not precluded as:

- a. there is no rule or NES that specifically precludes public notification of the activities, and
 - b. the application is for an activity other than those specified in s95A(5)(b).
3. Under step 3, public notification is not required as:
- a. the application is for an activity that is not subject to a rule that specifically requires it, and
 - b. the activity will have or is likely to have adverse effects on the environment that are no more than minor because:
 - In the context of the landscape and visual values of the Maunga, any adverse landscape and visual effects of the proposal are considered to be short term in nature and effectively mitigated by the proposed restoration and replanting such that they can be considered to be less than minor;
 - Any adverse ecological effects arising from the proposal can be appropriately managed as part of the works programme to ensure that any adverse effects are less than minor;
 - Any adverse effects on public access and recreation will be short term in nature and can be considered to be less than minor;
 - The proposed works have been designed to be sympathetic to the heritage values of the Maunga, and can be managed to ensure they are less than minor;
 - The tree removals methodologies are considered consistent with best arboricultural practice, and any adverse effects are therefore considered to be less than minor;
 - Any effects associated with land disturbance and stability can be appropriately managed to ensure they are less than minor.
4. Under step 4, there are no special circumstances that warrant the application being publicly notified because there is nothing exceptional or unusual about the application, and the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

Limited notification

Under section 95B of the RMA this application shall proceed without limited notification because:

1. Under step 1, limited notification is not mandatory as:
 - a. there are no protected customary rights groups or customary marine title groups affected by this proposal, and
 - b. no persons to whom a statutory acknowledgement is made is adversely affected by this proposal.
2. Under step 2, limited notification is not precluded as:
 - a. there is no rule or NES that specifically precludes limited notification of the activities, and

- b. the application is for an activity other than those specified in s95B(6)(b).
3. Under step 3, limited notification is not required as:
 - a. this application is not for a boundary activity or prescribed activity, and
 - b. there are no adversely affected persons because:
 - Noise effects arising from the proposal arise primarily through the use of the helicopter to remove the trees from summit walkway and Tihi and slopes, the use of chainsaws and from processing of the trees. The applicant has engaged Styles Group to model the potential noise effects of the proposed works (as set out in Appendix 8 to the submitted A.E.E. and as expanded on within the further information responses). Their assessment outlines that with the exception of the helicopter, noise levels generated by all activities will comply with the permitted levels of the AUP:OP. With respect to the noise generated by the helicopter, and noting that alternatives are not practicable to undertake the works, Styles Group predict that the helicopter will infringe the permitted noise levels by 7dB (although consent is sought for an infringement up to 10dB) at the closest residential receivers, and consider that any effects will be “noticeable” but will be limited to three days.

To manage the effects arising from the helicopter it is proposed to limit the hours of the helicopter to between 9am and 5pm Monday to Friday, and to limit the consecutive days that the helicopter will be used to no more than three consecutive days per week (in the event that works take longer than the three days the work is required). On this basis, the applicant concludes that any adverse effects on people and in particular residents within a close proximity of the Maunga, will be less than minor.

The acoustic assessments provided with the application have been peer reviewed on behalf of Council by Consultant Acoustics Specialist, Mr Peter Runcie. Mr Runcie has advised that the approach and limits identified by Styles Group are appropriate, and generally in accordance with the guidance of NZS6803:1999 Acoustics – Construction. Mr Runcie also confirms that in his experience that the noise model prepared by Styles Groups is reasonable, and that it is appropriate to mitigate these effects through limiting the hours and duration of the Helicopter use, and through advising properties in the vicinity of the works prior to the works commencing. Mr Runcie has also advised that the difference between the modelled 7dB infringement, and the 10dB max sought as part of the consent are likely to be imperceptible to the nearby receivers.

Conditions relating to the use of the helicopter and noise levels have been proposed by the applicant. Although Mr Runcie has proposed different wording to the conditions proposed by the applicant, I am satisfied that both specialist seek the same outcome, and that the conditions recommended by the applicant can be effectively implemented and monitored by the Council.

With the above considerations in mind, I am satisfied that adverse noise effects on people arising from the proposal are short term in nature and can be managed so that they are less than minor.

- Although public access to the Maunga will be temporarily disrupted, this disruption will be short term in nature, and is necessary for health and safety reasons; also the applicant has proposed a communications plan to ensure that users of the reserve are aware of any restrictions. Overall, it is considered that any adverse effects on people accessing the Maunga will be less than minor;
 - Any landscape and visual effects of the tree removals experienced by people with an outlook to or using the Maunga are likely to be short term in nature and it is considered that such effects are mitigated by the proposed restoration planting, and in the context of the volcanic cone landform that will be exposed, any adverse effects are less than minor;
 - Given the scale and nature of the works, any construction traffic associated with the removal of the processed trees, and that associated with the necessary machinery, will be limited in volume, short term in nature, and occur only in the proposed hours of work (7:30am-6pm Monday to Friday with no work occurring on weekends or public holidays), and as such can be considered to have effects that are less than minor; and
 - The applicant has engaged with local Iwi groups and the general public as part of the consultation process for the Tūpuna Maunga Integrated Management Plan (IMP). Having reviewed the IMP, this document makes clear the expectations with respect to exotic vegetation and cultural significance of the restoration of the Maunga, and the outcomes of this engagement have been incorporated into the application.
4. Under step 4, there are no special circumstances that warrant the application being limited notified to any persons because there is nothing exceptional or unusual about the application, and the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

Accordingly, this application shall proceed on a **NON-NOTIFIED** basis.



Barry Kaye **Duty Commissioner**

19 December 2018

Decision on an application for resource consent under the Resource Management Act 1991



Discretionary activity

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Precinct	N/A
Special features, overlays etc:	Māngere Mountain: Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Auckland Isthmus Volcanic Natural Heritage: Outstanding Natural

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Designations

Māngere Mountain:

Designations: Airspace Restrictions Designation – ID1102, Protection of

aeronautical functions – obstacle limitation surfaces, Auckland International Airport Ltd

98-100 Coronation Road, Māngere:

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The resource consents are:

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Land Disturbance – District (Chapter E12)

- The activity of replanting will involve approximately 13m² of ground disturbance. Consent for a **restricted discretionary activity** is required for earthworks not otherwise permitted up to 500m² in the Open Space – Conservation Zone pursuant to Rule E12.4.1 (A3);
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- The activity of replanting will involve 149m² of ground disturbance over the site. Consent for a **restricted discretionary activity** is required for earthworks within the V1 Outstanding Natural Feature Overlay of greater than 50m³ pursuant to Rule E12.4.3 (A41);

Trees in Open Space Zones (Chapter E16)

- The proposed tree removals include trees that are greater than 4 meters in height and 400mm girth. Consent for a **restricted discretionary activity** is required for these removals pursuant to Rule E16.4.1 (A10);

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- Construction noise levels exceeding the permitted standards of 75dB Leq (by a maximum of 7dB for up to 3 days) are anticipated. Construction noise that exceeds the permitted activity standards in E25.6.27 requires consent as a **restricted discretionary activity** pursuant to E25.4.1 (A2);

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Auckland Council Unitary Plan (Operative in Part)

- The activity of replanting will involve 149m² of ground disturbance over the site. Consent for a **restricted discretionary activity** is required for earthworks within the V1 Outstanding Natural Feature Overlay of greater than 50m³ pursuant to Rule E12.4.3 (A41).

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent(s). I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104B, and Part 2 of the RMA, the application is **GRANTED**.

Reasons

The reasons for this decision are:

- In accordance with an assessment under s104(1)(a) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - In the context of the landscape and visual values of the Maunga, any landscape and visual effects of the proposal are considered to be acceptable, with adverse effects being short term in nature, in keeping with the natural

landscape, and mitigated by the proposed restoration replanting to ensure that they are less than minor;

- Ecological effects arising from the proposal can be appropriately managed as part of the works programme to ensure that any adverse effects are less than minor;
- Any adverse effects on public access and recreation will be short term in nature and can be considered to be less than minor;
- The proposed works have been designed to be sympathetic to the heritage values of the Maunga, and can be managed to ensure that any adverse effects are less than minor;
- The tree removals methodologies are considered consistent with best arboricultural practice, and any adverse effects are therefore considered to be less than minor;
- Any effects associated with land disturbance and stability can be appropriately managed to ensure they are less than minor;
- Construction effects, and in particular noise arising from the use of helicopters can be managed effectively through conditions of consent around hours and duration of such activity so that any adverse effects are less than minor; and
- The proposed removal of exotic trees from the Maunga will have positive effects including the landscape and visual qualities of the Maunga, and in terms of the cultural and spiritual values of the Maunga in delivering on the mandate bestowed on the Tūpuna Maunga o Tāmaki Makaurau Authority as part of their role governing taonga tuku, such as Māngere Mountain. In addition, replanting will have a positive ecological effects on the Maunga.

Overall, and having considered the adverse effects as well as the positive effects of the proposal, the proposed tree removals and restoration planting are considered to be acceptable from a resource management perspective.

- In accordance with an assessment under s104(1)(b) of the RMA the proposal is considered to provide for an acceptable outcome under the relevant statutory documents as:
 - The proposal is considered to be consistent with the anticipated outcomes of the New Zealand Coastal Policy Statement. In particular, due to the careful design of the proposed works and the mitigation provided by the restoration planting, the proposal will not adversely impact on the coastal environment;
 - In terms of the relevant sections of the Auckland Unitary Plan (Operative Part), the proposal is considered to be consistent with the outcomes anticipated by the Outstanding Natural Features and Heritage Overlay provisions. In particular, the application manages the restoration of the sensitive environment whilst ensuring that any adverse effects on the receiving environment of the Maunga and surrounding residential and business environments are minimised through ensuring that the works are designed and managed to mitigate adverse effects on heritage, ecological, and landscape and visual values. It is considered that the proposed works can be managed to ensure that effects on

the sensitive environment of the Maunga and surrounding environment are minimised, whilst public access and recreational use of the reserve can be managed appropriately

- The proposal is consistent with Part 2 of the Resource Management Act 1991. In particular it is considered that the restoration of the Maunga will enable the social, economic, and cultural wellbeing of people and communities, whilst appropriately managing adverse effects on the sensitive site and surrounding environment, whilst adverse effects of the proposal are not considered to have an unreasonable impact on the sensitive receiving environment. The proposed restoration works also reflect the role of mana whenua through the applicant as kaitiakitanga and their stewardship of this iconic feature of the natural and cultural landscape, as well as being consistent with the principals of the Treaty of Waitangi. Overall, the application is considered to have a positive effect on the amenity and landscape values of the site and surrounding environment.

Overall, the proposal is considered to be consistent with the relevant matters for consideration under the NZCPS and the Auckland Unitary Plan (OP). Any actual or potential adverse effects are assessed to be able to be managed such that they are considered acceptable in the context of the sensitive site and surrounding receiving environment. Furthermore, the application is considered to secure positive effects in terms of the restoration of the Maunga. Accordingly the proposal is considered to be acceptable from a resource management perspective.

Conditions

Under section 108 of the RMA, these consents are subject to the following conditions:

General Conditions

1. The removal of exotic vegetation and restoration planting activities shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Council as consent number BUN60326771 and LUC60326774:
 - Application Form, and Assessment of Effects on the Environment and Statutory Assessment prepared by Richmond Planning Limited, titled "*Tūpuna Maunga Authority, Te Ara Pueru / Te Pane-O-Mataaho / Māngere, Vegetation restoration and exotic vegetation removal works*", dated September 2018 and the following appendices:

Appendix 1	Certificate of title
Appendix 2	Rule assessment
Appendix 3	Affected Landowner Approval – Parks, Sport and Recreation Department; Auckland Council
Appendix 4	Tree Removal Methodology
Appendix 5	Planting Plan
Appendix 6	Draft Communications Plan
Appendix 7	Heritage Impact Assessment
Appendix 8	Acoustic Assessment
Appendix 9	Ecological Assessment & Herpetologist Assessment
Appendix 10	Landscape and Visual Effects Assessment
 - Other additional information:

- Letter from Richmond Planning Limited (Jodie Mitchell), 30 October 2018 “Resource consent application at 17R Domain Road, 31R Ridgemount Rise, 143 Wallace Road, 27R Putini Road, 22R Mountain Road, 3R & 17R Taylor Road, Māngere Bridge (BUN60326771, LUC60326774) - Section 92 request” [including two appendices as listed below]:
 - Appendix A – Treescape Environmental drawing “Te Pane a Mataaaho – Māngere Mountain – Operating Zones and Tree Locations”, October 2018
 - Appendix B – Memo from Rebecca Skidmore to Tania Richmond, 23 October 2018, “Māngere Mountain Tree Removal: Landscape and Visual Effects Assessment – Section 92 Response” [including four graphic attachments]
 - Email from Jodie Mitchell (Richmond Planning Limited) to Brooke Dales (DCS Limited) with attached Treescape Environmental drawing “Te Pane a Mataaaho – Māngere Mountain – Operating Zones and Tree Locations”, 12 November 2018
2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
- a. The consent is given effect to; or
 - b. The Council extends the period after which the consent lapses.
3. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$1500.00 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Advice note:

The initial monitoring charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice. Only after all conditions of the resource consent have been met, will Council issue a letter confirming compliance on request of the consent holder.

Pre-commencement Conditions

Pre-Construction Meeting with Compliance and Monitoring Staff

4. Prior to the commencement of **each stage** of the tree removals, the consent holder shall hold a pre-construction meeting that
- is located on the subject site,
 - is scheduled not less than 5 days before the anticipated commencement of tree removals,
 - includes Senior Compliance Advisor (Central) and relevant other specialists (eg Ecologist/ Archaeologist) at the Council’s discretion
 - includes the Project Manager and supervising Archaeologist

- includes representation from the contractors who will undertake the works.

The following information shall be made available at the pre-construction meeting:

- Timeframes for key stages of the works authorised under this consent
- Finalised Communications Plan, including: Details regarding implementation of Communications Plan (e.g. Sign locations, copies of letters to residents)
- Finalised Restoration Plan
- Finalised Construction Management Plan
- Finalised Tree Protection Methodologies;
- Results of the lizard survey
- Details of briefing for contractors, including: heritage protocols, location of processing sites, and ecological protocols
- Archaeological Works Plan

Advice Note:

To arrange the pre-construction meeting please contact the Council's Monitoring Team Leader Central on 373 6292 or email monitoring@aucklandcouncil.govt.nz.

It is noted that these documents may be updated as required for subsequent stages.

Finalised Management Plans to be provided

5. A minimum of 5 working days prior to the commencement of construction activity and the vegetation removal approved by this resource consent, the consent holder shall submit to the Council (Monitoring Team Leader Central) for approval in writing, final versions of the following management plans:
 - Finalised Communications Plan;
 - Restoration Plan (Planting Plan);
 - Lizard Survey Results and Finalised Lizard Management Plan;
 - Predator Management Plan (Lizards);
 - Works Management Plan, including:
 - Health and Safety Plan;
 - Confirmation from an acoustic specialist that the consented construction noise limits will be met; and
 - Traffic Management Plan; and
 - Incorporation of ecological protection measures;
 - Archaeological Works Plan. The Plan shall include (but not be limited to) recommendations for:
 - General archaeological monitoring, recording, and reporting.
 - Monitoring of all works involving, or with high potential for, ground disturbance in areas of historic heritage potential (e.g. quarry, bowl locations and below the tihi).

- A post-works condition survey of all areas of tree removal to investigate possible ground disturbance or disturbed historic heritage material or features.
- Remediation of destabilised surfaces avoiding ground disturbance.

Development in Progress Conditions

Implementation of Management Plans

6. No construction activity or vegetation removal approved by this resource consent shall commence until written confirmation is provided by the council that **all** of the submitted final management plans are acceptable and that all measures identified in these plans, as needing to be put in place prior to commencement of works, have been undertaken.
7. The consent holder shall ensure that all the actions within the Communications Plan approved as part of the conditions of this consent are undertaken as proposed and submit a written record to the Council (Monitoring Team Leader Central) confirming compliance within 5 days of each stage of work identified within the construction management and restoration plans having commenced. The consent holder shall undertake any additional communications as required by the council following their review of the submitted record(s).
8. The consent holder shall ensure that all the actions within the restoration plan approved under the conditions of this consent are undertaken as proposed and submit a written record to the Council (Monitoring Team Leader Central) confirming compliance within 15 days of the completion of each stage of work identified within the restoration plan, on an ongoing basis.

Works Hours

9. Tree works (including removals, trimming, and processing) shall only be undertaken between the hours of 7:30 am and 6:00 pm, Monday to Friday. No works shall occur on any weekend or public holiday.

Use of Helicopters

10. The use of helicopters for works purposes is only permitted between the hours of 9am to 5pm from Monday to Friday and for a maximum of 20 days in total.
11. The noise from the use of helicopters shall comply with a noise limit of 85dB L_{Aeq} when measured 1m from the façade of any occupied building in accordance with NZS6803:1999 Acoustics – Construction Noise.
12. Where the use of helicopters is required for a period of more than 3 days in any work area which would result in noise levels exceeding 75dB L_{Aeq} at any receiver, the use of helicopters shall be limited to 3 consecutive days per week, and may only be continued on the same 3 consecutive days in the subsequent weeks until the work in that area is complete.

Ecology

13. All vegetation shall be removed outside of bird breeding season (bird breeding season is September to January inclusive). If vegetation clearance is undertaken within the bird breeding season, woody vegetation must be confirmed clear of nesting native birds by a

suitably qualified ecologist. This should ensure no nesting birds, eggs, or chicks are harmed.

14. Before tree removal in each area commences, a suitably experienced ecologist shall survey for *Geranium solanderi* or other threatened plant species and any confirmed threatened plants should be avoided by works.
15. A survey to confirm the presence of native lizards, particularly rare 'At Risk' species of skinks, shall be carried out by a suitably qualified and experienced herpetologist. The lizard survey must:
 - I. Target potential lizard habitat identified during the herpetological assessment, [REDACTED]
 - II. Be carried out at a time of year and during weather conditions that will maximise the chance of locating native lizards, including rare and 'At Risk' species potentially present at the site;
 - III. Utilise no-dig, non-pitfall methodologies suitable for deployment in high value archaeological areas with public access; and
 - IV. Be conducted after the implementation of specific targeted predator control in any areas of high value skink habitat to be surveyed.

16. A finalised Adaptive Lizard Management Plan for the site shall be prepared by a suitably qualified herpetologist after surveys have been conducted on site and provided to Auckland Council for approval prior to vegetation clearance commencing. This shall include, but not be limited to, the following:

Tree felling and associated works methodologies and restrictions based on the Ecogecko Herpetology report and best practice scouting and rescue conditions;

- I. Project ecologist and permit details;
 - II. Specific targeted predator control in any areas of high value skink habitat;
 - III. Habitat enhancement including any specific weed management in identified high value skink habitat areas; and
 - IV. Survey outcomes and management methods.
17. The finalised planting plan shall be prepared by a suitably qualified ecologist and provided to Auckland Council for approval within two months of completion of the lizard survey, for all restoration areas within the site. The final planting plan shall include, but not be limited to, the following:
 - I. Final locations of planting following the completion of the lizard survey;
 - II. Plant species, spacing, planting zones (if required), plant numbers and specification on plant size as described in this assessment report;
 - III. Inclusion of threatened species;
 - IV. Planting methodology, including any staging;

- V. Plant maintenance and weed management until canopy closure (minimum of five years); and
 - VI. Monitoring and reporting.
18. A comprehensive predator management plan targeting potential habitat of native lizard and bird species shall be provided to and approved by Auckland Council. The predator control relating to native lizards shall be implemented prior to surveys at sites identified as high value lizard habitat which is to be surveyed. The comprehensive predator management plan will mitigate for any residual impacts on native lizards and birds.

Ecology – Myrtle Rust

19. Prior to any Myrtaceae species being delivered to the site, a signed Myrtle Rust Nursery Management Declaration that certifies that the plant producer has implemented the New Zealand Plant Producers Incorporated Myrtle Rust Nursery Management Protocol must be obtained by the consent holder and provided to the Council (Monitoring Team Leader Central).

Advice Note

The New Zealand Plant Producers Incorporated has developed a framework of supply chain biosecurity protocols that will satisfy the above condition. A copy of the Myrtle Rust Nursery Management Declaration and the New Zealand Plant Producers Incorporated Myrtle Rust Nursery Management Protocol can be found at the website (<http://nzppi.co.nz/>). The website explains that a declaration signed by the plant provider will be proof that any Myrtaceae species have been grown and treated according to best practice protocols to reduce the spread of Myrtle rust.

Historic Heritage

20. Should ground disturbance on the site result in the identification of any previously unknown archaeological site, the land disturbance – Regional Accidental Discovery (ADP) rule [E12.6.1] set out in the Auckland Unitary Plan Operative in part (November 2016) shall be applied.

Advice Note

Noting that the Tūpuna Maunga Authority are contacted as part of the ADP and that the responsibility of informing mana whenua as outlined in the protocol, rests with the Tūpuna Maunga Authority.

21. In the event that any unrecorded historic heritage sites are exposed as a result of consented work on the site, then these sites shall be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holders project historic heritage expert shall prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Council (Monitoring Team Leader Central) (who will consult with the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within one calendar month of the completion of work on the site.

Tree removal methodology

22. All tree felling works and use of non-tarsealed access tracks or routes across the Reserve should only occur when the earth is dry to reduce the risk of pugging of the ground surface from repeated vehicle movements over soft ground.
23. That when setting up to undertake the tree removals in the area defined as the south western boundary that the project archaeologist establishes in conjunction the project arborist a defined route for vehicle traffic. This route must be marked out and adhered to for the duration of the works.
24. All tree felling in the south western boundary area must be onto crash mats.
25. All tree felling in the Memorial Hall area must be onto crash mats.
26. The macrocarpa to be manually felled in the Domain Road area must be felled onto crash mats.
27. The area arrowed in Figure 6 (HIA, Druskovich, Page 16) could be set up for a small vehicle and chipper to process the manually felled Macrocarpa in the Domain Road area, provided that crash mats or some other form of protection is placed between the fallen trees and the chipper to protect the surface and below surface soil from dragging damage.

Conservation Planting works

Quarry

28. In the area described as Quarry Locations definition of areas for planting, methods of planting and plant species selection requires detailed archaeological survey and vegetation clearance (as required to facilitate the archaeological survey) prior to finalising detail of the planting plan.
29. In particular any WF7 plantings should be confined to those areas defined by the detailed archaeological survey as former quarry.
30. That the archaeologist marks out on the ground the area boundaries that the WF7 plantings are to be confined to prior to any WF7 plantings occurring.

Playground

31. Any Amenity Specimen Trees should be planted at least 3m away from the fenceline that separates the modified land from the natural slopes.

Bowl Craters

32. That the areas defined as Within the Two Bowl Craters are subject to detailed archaeological survey prior to finalising detail of the planting plan.

Below the Tihi

33. In the area referred to as Below the Tihi the finalised planting plan should consist of plant species defined as suitable for planting on archaeological sites as per the Department of Conservation (Jones 2007) publication or any updated list that is subsequently released by the Department of Conservation.
34. That the finalised planting plan for this area is approved by the project Archaeologist prior to it being implemented.

Advice Note

Advice Note: Depending on the findings of the detailed archaeological survey the final planting plan may require an Authority to modify an archaeological site from Heritage New Zealand.

Post Development Conditions

Historic Heritage

35. Within one calendar month of the completion of work on the site the consent holder's supervising archaeologist shall prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Council (Monitoring Team Leader Central) (who will consult with the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz).
36. In the event that any unrecorded historic heritage sites are exposed as a result of consented work on the site, then these sites shall be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holders project historic heritage expert shall prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Team Leader (for the Manager: Heritage Unit, heritageconsents@aucklandcouncil.govt.nz) within one calendar month of the completion of work on the site.

Maintenance of Restoration Planting

37. Once the final implementation stage of work is completed, the consent holder shall maintain the site as per the requirements of the approved Restoration plan to the satisfaction of Council, including the removal of any weed species and the replanting of native plant cover to ensure a continuous vegetated cover is achieved over the old quarry face on the southern side of Māngere Mountain.

Advice notes

1. *For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring inspector unless otherwise specified. Please contact the Team Leader Compliance Monitoring (Central) on 09 3010101 or monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
2. *For more information on the resource consent process with Auckland Council see the council's website www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.*
3. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.*
4. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work*

Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

5. The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the Auckland Unitary Plan Operative in part (November 2016).

According to the Act (section 6) archaeological site means, subject to section 42(3) –

any place in New Zealand, including any building or structure (or part of a building or structure), that –

was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

- ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

includes a site for which a declaration is made under section 43(1)

It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary Authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals.

For information please contact the Heritage New Zealand Pouhere Taonga Regional Archaeologist – 09 307 9923 or 307 9924 / archaeologistMN@historic.org.nz.

Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act).

According to the Act (section 2) taonga tūturu means an object that –

- a) relates to Māori culture, history, or society; and

- b) was, or appears to have been –

manufactured or modified in New Zealand by Māori; or

- ii. brought into New Zealand by Māori; or

- iii. used by Māori; and

- c) is more than 50 years old

The Act is administered by the Ministry of Culture and Heritage. Tāonga may be discovered in isolated contexts, but are generally found within archaeological sites. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the modification of an archaeological site should to be considered by the consent holder if tāonga are found within

an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014. It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum (for Auckland this is the Auckland War Memorial Museum), which shall notify the chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu; alternatively provided that in the case of any taonga tūturu found during the course of any archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification shall be made within 28 days of the completion of the field work undertaken in connection with the investigation.

Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court.

For information please contact the Ministry of Culture and Heritage – 04 499 4229 / protected-objects@mch.govt.nz.



Barry Kaye

Duty Commissioner

19 December 2018