

Kaikohe Wastewater Treatment Plant Renewal

Planning Assessment

May 2024

EXECUTIVE SUMMARY

Land development and use within Designation

Because the Kaikohe Wastewater Treatment Plant (WWTP) site designation is included in the relevant District Plans, rules in the District Plan do not apply to it¹. Instead, the work required to undertake the plant renewal works within the designation could be carried out by seeking a waiver of an Outline Plan of Works (OPW) from the Far North District Council's Resource Consents team. A summary of the Project will need to be submitted to the Resource Consents team and should briefly describe aspects like;

- the height, shape, and bulk of the public work, project, or work; and
- the location on the site of the public work, project, or work; and
- the vehicular access, circulation, and the provision for parking; and
- the landscaping proposed; and
- any other matters to avoid, remedy, or mitigate any adverse effects on the environment.

Other Authorisations

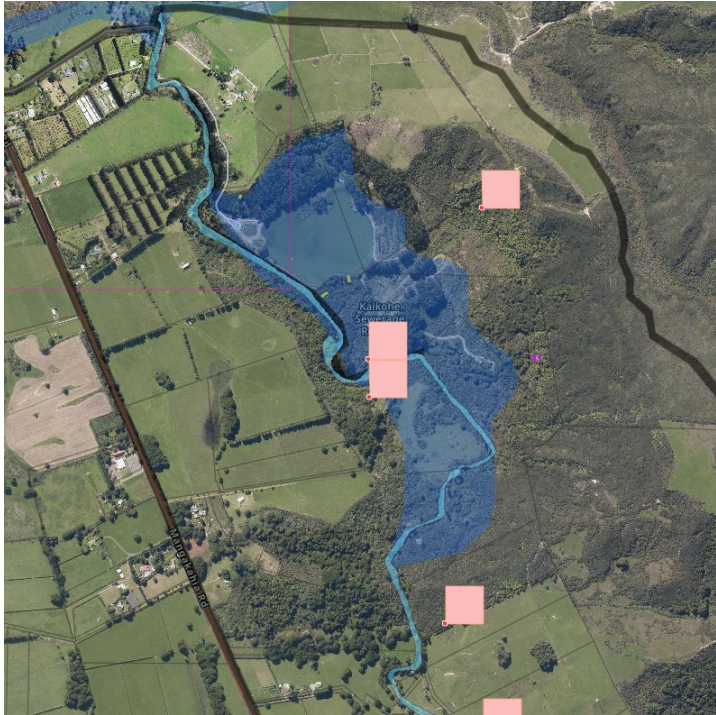
Earthworks regulated under a relevant Regional Plan apply and are subject to limitations on the area or volume of earth exposed or moved per project in a 12-month period. At this time, it is not known whether proposed renewal works is within 10m of the Wairoro Stream. If this is the case, earthworks for the entire project is limited to 50 cubic meters of earth moved or placed in any 12-month period. If this limit cannot be complied with then resource consent is required.

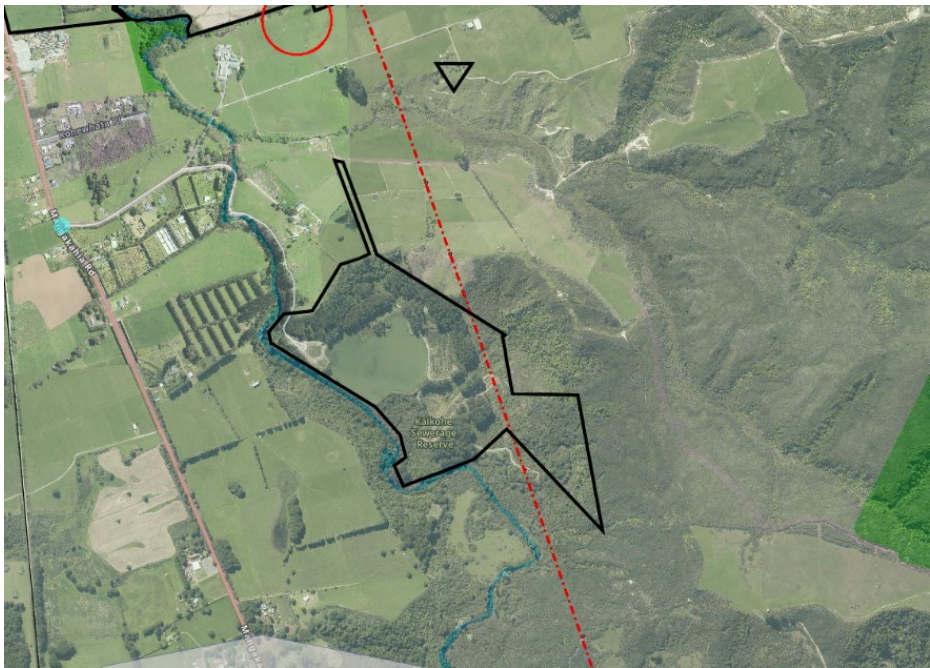
Wastewater treatment is identified in the Ministry for Environment's Hazardous Activities and Industries List (at G.6) (HAIL). As such the entire site is HAIL with respect to the potential for contaminants in soil. Advice will be sought in the form of a Preliminary Site Investigation (PSI) as per the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCSCS). Compliance with a permitted activity standard of the NESCSCS can only be determined with the results of a PSI. Depending on the status of soil contamination onsite, additional regional plan rules would apply if the site was deemed to be contaminated also.

The area includes and is surrounded by archaeological site; therefore, an archaeologist would be engaged to advise whether an authority is required under the Heritage New Zealand Pouhere Taonga Act 2014 or whether accidental discovery protocol is available for the earthworks.

SITE INFORMATION

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| Subject Site | Cumber Road, Kaikohe |
| Property Owner | Far North District Council |
| Legal Description(s) | Lot 2, DP 45233 Blk XV, Omapere SD; Sec 27, SO 40585 Blk IV Punakitere SD; Sec 2, SO 12295 Blk IV Punakitere DS; Sec 30 Blk IV Punakitere SD. |
| Area | Kaikohe |

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| District Plans | Operative Far North District Plan 2009 (FNDP) See attachment A for mapping. | Zoning Designation FN171. Purpose: Sewage Treatment and Disposal Purposes. Rural Production |
| | Proposed District Plan 2022 (PDP) | Zoning Designation FN171. Purpose: Sewage Treatment and Disposal Purposes. Rural Production |
| Regional Plans | The site is included in the Selected Land Use Register (see attachment D) | |
| Recorded Archaeological Sites | <p>The following are recorded archaeological features identified in Figure 1 below NZAA ID P05/202, NZAA ID P05/430, NZAA IDP05/231.</p>  <p>Figure 1 Recorded archaeological sites, FNDP Operative District Plan Maps May 2024.</p> | |

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| Location |  <p><i>Figure 2 Kaikohe WWTP Site Map, FNDC Operative District Plan Maps, May 2024</i></p> |
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SECTION B: PLANNING ASSESSMENT

ASSESSMENT INFORMATION

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| Assessor | Losaline Finekifolau, Development Engineer | Date | 2/05/2024 |
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EXISTING CONSENTS

| Topic | Comments |
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| AUT.002417.01.03 | <p>The resource consent for the discharge expired on 30 November 2021 and FNDC applied for a new discharge consent in August 2021.</p> <p>The application was placed on hold by Northland Regional Council to allow a working group to be established to determine the future options for the Kaikohe WWTP.</p> |
| AUT.044698.01.02 AUT.044698.02.02 AUT.044698.03.02 AUT.044698.04.02 AUT.044698.05.02 | <p>Resource consent granted to undertake desludging of wastewater treatment ponds as part of regular operational maintenance for the plant.</p> <p>Resource consent permits the following activities:</p> <ul style="list-style-type: none"> • Earthworks for the construction of sludge dewatering ponds. • Discharge stormwater to land during land disturbance activities. • Divert stormwater during land disturbance activities. • Discharge wastewater to land during sludge dewatering activities. • Discharge contaminants (odour) to air during desludging and dewatering activities. |
| APP.002417.01.04 | Resource consent application lodged to NRC August 2021 for a consent renewal of AUT.002417.01.03. |

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| | Application has been put on hold to determine a finalised best practicable option for the wastewater treatment plant upgrades. |
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As the project has not progressed to a detailed design stage, proposed activities will still need to be confirmed. The following assessment uses a traffic light key to instantly indicate those activities which show whether the regulated activity will be required;

Likely PERMITTED ACTIVITY

DESIGN COMPLIANCE needed

likely RESOURCE CONSENT

will require RESOURCE CONSENT

| Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC) | | |
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| Regulation | Comments | Resource Consent? |
| <p><i>8.(3) Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:</i></p> <p><i>(a)controls to minimise the exposure of humans to mobilised contaminants must—</i></p> <p><i>(i)be in place when the activity begins:</i></p> <p><i>(ii)be effective while the activity is done:</i></p> <p><i>(iii)be effective until the soil is reinstated to an erosion-resistant state:</i></p> <p><i>(b)the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:</i></p> <p><i>(c)the volume of the disturbance of the soil of the piece of land must be no more than 25 m³ per 500 m²:</i></p> <p><i>(d)soil must not be taken away in the course of the activity, except that,—</i></p> <p><i>(i)for the purpose of laboratory analysis, any amount of soil may be taken away as samples:</i></p> <p><i>(ii)for all other purposes combined, a maximum of 5 m³ per 500 m² of soil may be taken away per year:</i></p> <p><i>(e)soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:</i></p> <p><i>(f)the duration of the activity must be no longer than 2 months:</i></p> <p><i>(g)the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.</i></p> | <p>Wastewater treatment is identified in the Ministry for Environment's Hazardous Activities and Industries List (at G.6) and therefore the subject site is identified as a HAIL site (refer to attachment D).</p> <p>FNDC will look to undertake a Preliminary Site Investigation (PSI) to confirm soil contamination through sampling, laboratory analysis and risk assessment as well as a site management plan.</p> <p>A progressed detailed design of this project will confirm the activity soil disturbance volumes. Once this has been determined, the permitted thresholds would need to be reassessed for compliance.</p> <p>Non-compliance with a permitted activity standard would result in the need for resource consent under the NESC and is likely to be a Controlled activity.</p> | |

| Proposed Regional Plan for Northland (August 2022) | | |
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| Standard | Comments | Resource Consent? |
| C.6.8.1 Investigating potentially contaminated land <i>The disturbance of land for a site investigation to assess the concentration of hazardous substances in soil, water or air is a permitted activity, provided:</i> 1) the site investigation is certified by a suitably qualified and experienced practitioner, and 2) the person or organisation initiating the site investigation provides a copy of the site investigation report to the Regional Council within three months of the completion of the investigation, and 3) site investigations undertaken to assess the concentrations of contaminants in soil are undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (Ministry for the Environment, 2011). | A PSI will be undertaken in accordance with the standards in PRPN. | |
| C.6.8.2 Discharges from contaminated land – permitted activity <i>The passive discharge of a contaminant from contaminated land into water, or onto or into land where it may enter water...</i> C.6.8.3 Contaminated land remediation – controlled activity <i>The remediation of contaminated land is a controlled activity.</i> | At this time, the assumption is that no soil contamination is present so neither of these rules apply. However, if that assumption changes as a result of the PSI, then a controlled activity will be applicable. | |
| C.8.3.1 Earthworks – permitted activity <i>Earthworks outside the bed of a river, lake, wetland, inanga spawning site and the coastal marine area, and any associated damming and diversion of stormwater and discharge of stormwater onto or into land where it may enter water, are permitted activities provided:</i> | A detailed design will need confirm whether the proposed activities are within 10m of an intermittently flowing river (Wairoro Stream) which would limit the earthworks thresholds to 200m ² of exposed earth at any time, and 50m ³ of moved or placed earth in any 12-month period. Resource consent is therefore likely as a Discretionary activity pursuant to Rule C.8.3.4 of the PRPN | |
| C.8.4 Vegetation Clearance | Vegetation clearance is defined in the PRPN as <i>cutting, burning, crushing, removal or destruction of vegetation, but does not include clearing:</i> 1) <i>hedges and amenity plants, or</i> 2) <i>vegetation along fences and around dams and ponds, or</i> 3) <i>vegetation around network utilities, or</i> 4) <i>vegetation alongside roads and tracks, or</i> | |

5) vegetation that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993, or
 6) pasture, or
 7) agricultural or horticultural crops, or
 8) weeds and pest plants.
 Clearance of the amenity plantings, weeds and pest plants within the site are not subject to the vegetation clearance provisions of the PRPN.

District Plans

Lot 2, DP45233, Sec 2, SO12295, Sec 27, SO40585, SO69436, Blk XV, Omapere SD is designated for Sewage Treatment and Disposal in both the operative FNDP (FN171) and PDP (FN171). The designation is not subject to any conditions. The effect of the designation in the District Plans means that Section 9(3) of the RMA does not apply to work undertaken by the FNDC under the designation – including the renewal work required.

Section 176A of the RMA establishes that an outline plan of work (OPW) on designated land must be submitted by the requiring authority (FNDC Infrastructure Consents) to the territorial authority (FNDC Resource Consents) to allow the territorial authority to request changes before work is commenced, unless;

- (a) the proposed public work, project, or work has been otherwise approved under this Act; or
- (b) the details of the proposed public work, project, or work, as referred to in subsection (3), are incorporated into the designation; or
- (c) the territorial authority waives the requirement for an outline plan.

The work has not otherwise been approved under the Act, so (a) does not apply.

Because the designation only refers to sewage treatment and disposal, it is unclear whether it would cover maintenance and repair activities in terms of achieving (b) above. This is because the effects of repair and maintenance can be quite different to 'Business As Usual' operations at the site.

A waiver in accordance with (c) could be sought from FNDC Resource Consents Authority.

An alteration to the designation is not necessary for the proposed work under Section 181 RMA.

Section 30 Block IV Punakitere SD is not designated and is instead zoned Rural Production in the FNDP and PDP, any work carried out on that site will be subject to Section 9(3) RMA, meaning a District Plan assessment is required for work on this property and is provided as follows.

FNDP Section 6 - Recreational Activities Zone

| Standard | Comments | Resource Consent? |
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| 9.6.5.1.2 SCALE OF ACTIVITIES <i>The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed:</i> <i>8 persons per 400m² (sewered)</i> <i>8 persons per 3,000m² (unsewered)</i> | <p>Although this rule seems to be aimed at residential or commercial type activity, the way it is written does not exclude the proposed work and land use from having to be considered under it.</p> <p>The permissible scale of activity may be exceeded where persons are engaged in constructing or establishing an activity (including environmental enhancement) on the site. Therefore, the scale of the construction activity is not restricted under this rule.</p> | |

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| | There is no public toilet on the site, however, the site is technically sewered (see Attachment C). PERMITTED | |
| 9.6.5.1.5 STORMWATER MANAGEMENT <i>The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 10%.</i> | A detailed design will confirm impermeable surfaces proposed in this project, however due to the size of the site and what is being proposed, it can be assumed that the overall impermeable surfaces will be well within the permitted thresholds of 10%. PERMITTED | |
| 9.6.5.1.8 HOURS OF OPERATION <i>Hours of operation shall be limited to between the hours 0700 - 2200 Monday to Sunday provided that these hours may be exceeded on 30 days of every year; and Provided that this rule does not apply:</i> <i>(a) where the entire activity is located within a building; and</i> <i>(b) where each person engaged in the activity outside the above hours resides permanently on the site; and</i> <i>(c) where there are no visitors, clients or deliveries to or from the site outside the above hours;</i> <i>(d) where there is a reserve management plan or bylaw allowing an activity to operate outside the specified hours.</i> | It is anticipated that the use of the accessway by the contractor to access the site is excluded from this rule as there is no 'operation' of an activity in using the accessway. The activity being operated is the WWTP which is designated and which is not subject to District Plan rules. It is expected that hours of operation at the site will be within the hours of 0700-2200 in accordance with the district plan provisions. Should expectations change as a result of the detailed design, compliance with this standard will need to be reassessed. PERMITTED | |
| 9.6.5.1.9 SCREENING FOR NEIGHBOURS <i>Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites in the Residential, Conservation, Russell Township and Coastal Residential Zones by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.</i> | The adjoining sites are not within the Residential, Conservation, Russell Township and Coastal Residential Zones and so therefore this standard is not applicable. NOT APPLICABLE | |
| 9.6.5.1.10 OUTDOOR ACTIVITIES Any activity may be carried out outside except that any commercial retailing, manufacturing, altering, repairing, dismantling or processing activities of a permanent nature, shall be carried out within a building. | The proposed upgrade work is considered a temporary activity. PERMITTED | |

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| <p>9.6.5.1.12 NOISE <i>All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits as measured at or within the boundary of any site in the Residential, Coastal Residential or Russell Township Zones, or at or within the notional boundary of any dwelling in any other rural or coastal zones:</i> 0700 to 2200 hours 55 dBA L_{10} 2200 to 0700 hours 45 dBA L_{10} and 70 dBA L_{max} Noise Measurement and Assessment: <i>Sound levels shall be measured in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". The notional boundary is defined in NZS 6802:1991 "Assessment of Environmental Sound", as a line 20m from any part of any dwelling, or the legal boundary where this is closer to the dwelling.</i> Construction Noise: <i>Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".</i></p> | <p>Construction noise generated from the proposed upgrade works, and other amenity features, should comply with the relevant standards provided best management practices are employed regarding noise mitigation and management from plant equipment and workers.</p> <p>PERMITTED</p> | |
| <p>FNDP Section 12 – Natural and Physical Resources (District Wide Matters) Where a corresponding rule in the PDP has legal effect, it is referenced following the relevant FNDP rule and coloured a green hue.</p> | | |
| <p>Standard</p> | <p>Comment</p> | |
| <p>12.2.6.1.4 INDIGENOUS VEGETATION CLEARANCE IN OTHER ZONES <i>The clearance of indigenous vegetation is a permitted activity if the site meets the definition of an "urban environment" site as specified in Rule 12.2.6.1.1(p) above. <u>On all other sites in other zones, the clearance of indigenous vegetation is a permitted activity, provided that the clearance does not increase the total area of cleared land on the site above 500m².</u></i></p> | <p>It is unknown at this time whether the vegetation to be cleared is indigenous. Assuming some or all of the vegetation to be cleared is indigenous, the activity would comply with the permissible area of clearance.</p> <p>PERMITTED</p> | |
| <p>IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area ... PER-2</p> <ol style="list-style-type: none"> 1. A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and a report has not been submitted to Council 14 days in advance of the clearance being undertaken; and 2. It does not exceed 100m² per site in any calendar year. | <p>It is unknown at this time whether the vegetation to be cleared is indigenous. Assuming some or all of the vegetation to be cleared is indigenous, the activity should comply with the permissible area of clearance.</p> <p>PERMITTED</p> | |

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| <p>Note: This rule only has immediate legal effect for indigenous vegetation clearance where compliance is not achieved with PER-2 (i.e. in circumstances where a report confirming that the indigenous vegetation is not a Significant Natural Area has not been obtained).</p> | | |
| <p>12.3.6.1.2 EXCAVATION AND/OR FILLING, INCLUDING OBTAINING ROADING MATERIAL BUT EXCLUDING MINING AND QUARRYING, IN THE ... RECREATIONAL ACTIVITIES, ... ZONES <i>Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Living, Coastal Living, South Kerikeri Inlet Zone, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones is permitted, provided that:</i> <i>(a) it does not exceed 300m³ in any 12 month period per site; and</i> <i>(b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m</i></p> | <p>The quantity of excavation required to undertake the proposed upgrade works is not known at this time.</p> <p>It is noted that this rule applies in addition to a regional rule which limits the quantity of earth moved or placed as well (see above).</p> <p>LIKELY PERMITTED</p> | |
| <p>12.3.6.1.4 NATURE OF FILLING MATERIAL IN ALL ZONES <i>Filling in any zone shall meet the following standards:</i> <i>(a) the fill material shall not contain putrescible, pollutant, inflammable or hazardous components; and</i> <i>(b) the fill shall not consist of material other than soil, rock, stone, aggregate, gravel, sand, silt, or demolition material; and (c) the fill material shall not comprise more than 5% vegetation (by volume) of any load</i></p> | <p>The scale and nature of earthworks required to undertake the proposed upgrade works is not known at this time. However, it is expected that this rule should be complied with as part of good practise.</p> <p>PERMITTED</p> | |
| <p>EW-R13 Earthworks and erosion and sediment control All zones Activity status: Permitted Where: PER-1 <i>The earthworks complies with standard EW-S5 Erosion and sediment control.</i></p> | <p>It is assumed that some form of erosion and sediment control may need to be employed during construction, therefore, the standards at EW-S5 must be adhered to and are as follows;</p> <p><i>Earthworks</i></p> <ul style="list-style-type: none"> <i>i. must for their duration be controlled in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005);</i> <i>ii. shall be implemented to prevent silt or sediment from entering water bodies, coastal marine area, any stormwater system, overland flow paths, or roads.</i> <p>LIKELY PERMITTED</p> | |
| <p>12.7.6.1.1 SETBACK FROM LAKES, RIVERS AND THE COASTAL MARINE AREA <i>For the purposes of this rule, lakes include the Manuwai and Waingaro Reservoirs. Any building and any impermeable surface must be set back from the boundary of</i></p> | <p>No buildings are proposed, however it will need to be confirmed (through detailed design) that works will not be at least 30m within the Wairoro Stream.</p> | |

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| <p>any lake (where a lake bed has an area of 8ha or more), river (where the average width of the riverbed is 3m or more) or the boundary of the coastal marine area, except that this rule does not apply to man-made private water bodies other than the Manuwai and Waingaro Reservoirs. The setback shall be:</p> <ul style="list-style-type: none"> a. a minimum of 30m in the Rural Production, Waimate North, Rural Living, Minerals, Recreational Activities, Conservation, General Coastal, South Kerikeri Inlet and Coastal Living Zones; b. ... <p>Provided that these setbacks do not apply:</p> <p>...</p> <p>(vii) where there is a legally formed and maintained road between the property and the coastal marine area, lake or river; or...</p> | <p>LIKELY PERMITTED</p> | |
| <p>Table 15.1.6A.1 MAXIMUM DAILY ONE WAY TRAFFIC MOVEMENTS Recreational Activities – Permitted Activity 200</p> <p>15.1.6A.2.1 TRAFFIC INTENSITY The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4. This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted above) on site need to be taken into account in order to address cumulative effects. Exemptions: The first residential unit on a site, farming, forestry and <u>construction traffic (associated with the establishment of an activity)</u> are exempt from this rule.</p> | <p>Construction traffic associated with the proposed upgrade works is exempt from these rules as the project does not propose to establish a new activity or change the current activity on site.</p> <p>PERMITTED</p> | |
| <p>16.6.1.2 GENERAL REQUIREMENTS FOR ALL SIGNS (a) The maximum height of any sign, including its support structure, on any site shall not exceed 4m, except:</p> <p>...</p> <p>(ii) Otherwise provided for in Rules 16.6.1.4 and 16.6.1.5.</p> <p>(b) The maximum sign area per site for any sign type, excluding Rule 16.6.1.4 [Directional and Health and Safety Signs] is that shown in Rule 16.6.1.3 Maximum Sign Area Per Site. [3m² for Recreational Activities Zone]</p> <p>(c) For double sided and v-shaped signs (provided that the internal angle of the 'v' does not exceed 90°) the maximum sign area shall be calculated from one side only.</p> <p>(d) No sign shall:</p> <p>(i) use reflective materials that may interfere with a road user's vision; or</p> | <p>It is assumed that temporary health and safety signage would be erected while construction is underway, as well as permanent signage for during the operation of the plant.</p> <p>Provided the signage erected both temporarily and permanently complies with the standards of this rule, it would be permitted.</p> | |

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| <p>(ii) use flashing or revolving lights or be animated in any way.</p> <p>(e) The maximum number of freestanding signs on a site shall not exceed 1 per site frontage except:</p> <p>...</p> <p>(ii) Otherwise restricted or provided for in Rules 16.6.1.4 [Directional and Health and Safety Signs] and 16.6.1.5.</p> <p>(f) No sign shall be erected or allowed to remain on or near a road which will:</p> <p>(i) obstruct the line of sight of any corner, bend, intersection or vehicle crossing;</p> <p>(ii) obstruct, obscure or impair the view of any traffic sign or signal;</p> <p>(iii) resemble or be likely to be confused with any traffic sign or signal.</p> | PERMITTED | |
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Bylaws

Control of Earthworks Bylaw 2019

| Clause | Comments |
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| <p>Where a Resource Consent for earthworks and/or filling is not required under the FNDP, then no person shall carry out or cause to be carried out, any excavation, cellar construction or filling until the Council's approval has been obtained and a permit has been issued for earthworks under the EC-Bylaw where;</p> <ul style="list-style-type: none"> it is within 3 metres of any boundary or water body in all zones, except Minerals zone; or it is in a Rural Production zone, and beyond 3 metres of any boundary or water body, and that exceeds 1.5 metres in depth; or that affects the flow of stormwater in such a way that it adversely impacts on adjoining properties. <p>Excavation means the digging out of materials from the ground and filling means to deposit soil, rock, or other material, but, as relates to this Proposal, does not include:</p> <ul style="list-style-type: none"> digging of post holes or trenches for drainage; dam maintenance, driveway maintenance and drain maintenance; normal rural practices; septic tanks and associated drainage fields; excavation for building foundations and stripping of topsoil to form a building footprint; <p>vehicle crossings.</p> | <p>It is likely that the earthworks will require a resource consent under the relevant District Plans.</p> <p>In the unlikely event that the EC-Bylaw is triggered, the Council's approval would be issued upon satisfaction that all relevant information has been provided and the proposed works meets the criteria of the EC-Bylaw.</p> <p>Every application for a permit to undertake work shall:</p> <ul style="list-style-type: none"> contain a drawing of the location, scope and description, to scale, on a site plan, to the Council's approval; be supported by any engineering reports that may be required by the Council to assess the application; be accompanied by evidence, to Council's satisfaction, of erosion and sediment controls to be introduced for all work covered under the application, and to comply with GDO5; be made in the prescribed form as specified by Council <p>be accompanied by the payment of any required application and processing fees in accordance with the Council's fees and charges schedule.</p> |

Pouhere Taonga Heritage New Zealand Act 2014

| Section | Comments |
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| <p>42 Archaeological sites not to be modified or destroyed</p> <p><i>(1) Unless an authority is granted under section 48, 56(1)(b), or 62 in respect of an archaeological site, no person may modify or destroy, or cause to be modified or destroyed, the whole or any part of that site if that person knows, or ought reasonably to have suspected, that the site is an archaeological site.</i></p> <p><i>(2) Subsection (1) applies whether or not an archaeological site is a recorded archaeological site or is entered on—</i></p> <p><i>(a) the New Zealand Heritage List/Rārangi Kōrero under subpart 1 of Part 4; or</i></p> <p><i>(b) the Landmarks list made under subpart 2 of Part 4.</i></p> | <p>The site includes and is surrounded by recorded archaeological sites; therefore, an archaeologist should be engaged to advise whether an authority is required or whether accidental discovery protocol is available for the earthworks.</p> |

