

15 November 2011

Land Information New Zealand
C/- Colliers International Limited
PO Box 558
Wellington 6140

Attention: [s 9(2)(a)]

Dear Sir/Madam,

**Notification under the Local Government (Auckland Council) Act 2009
Construction of a palisade retaining wall at Kitewao Wastewater Pump Station affecting
land at 58 Akoranga Drive, Northcote (allot 698 Parish of Takapuna)**

Due to the on-going instability of land around the Kitewao Wastewater Pumping Station, Watercare Services Limited (Watercare) proposes to construct a palisade retaining wall on the southern and western sides of the pump station to protect it from ongoing lateral slope movement. The proposed works are set out below.

Auckland Council's stormwater department is to simultaneously upgrade the stormwater system in the vicinity of the pump station by replacing a damaged stormwater pipe and directing the stormwater flow toward the NZTA stormwater pond adjacent to the motorway. Watercare and the Auckland Council's stormwater department have met and discussed the proposed works with representatives of the Crown and the Awataha Marae.

Formal Notification Process

Section 66.1 of the Local Government Auckland Council Act 2009 requires Watercare to give formal notice in writing to the person who has jurisdiction over the land impacted by the proposed construction works.

This letter and the attached plans therefore comprise the formal notice under Section 66.1 of the Local Government (Auckland Council) Act 2009 to construct the palisade retaining wall and to gain access for construction of the retaining wall and temporarily occupy 8 car parks.

As the person who has jurisdiction over the land you have the right under Section 67 of the Local Government (Auckland Council) Act 2009 to impose conditions within 20 working days upon receipt of this letter. Any conditions you wish to impose on the proposed works should be sent in writing to Watercare and should state the nature of your conditions.

Proposed works

The proposed work will require a small portion of the palisade retaining wall on the Southern side of the pump station to be located approximately 400mm into the property at 58 Akoranga Drive, Northcote (the Property). Watercare's contractor will need to gain access through the Property and also to temporarily occupy approximately 8 car parks for use as a site compound/storage area. These areas will be reinstated upon completion of the works to the condition prior to occupation by Watercare and its contractors. Also, a coastal Pittisporum tree of

approximate height 4m located in your property will need to be removed as it is in the way of the proposed work.

The work will involve the construction of a palisade retaining wall on the west and south side of the existing pump station structure. Construction of a palisade retaining wall involves installing 600 mm diameter concrete piles spaced at approximately 1.2 m centres and to depths of approximately 12m. One row of concrete piles will extend into the Property by approximately 400mm. The concrete piles will be installed by boring out the earth and filling the drilled hole with concrete and steel reinforcement. A concrete capping beam will also be constructed along the top of the piles and will finish flush with the ground level. Refer to the attached Drawings numbered 2009307.001, 2009307.002 and 2009307.003.

Effect of the Works

1. Future property development

The 400mm encroachment along a small section of the boundary is considered to have a negligible impact on the future development of the Property.

2. Effects of construction

Access will need to be gained through the existing car park to bring construction machinery onto the property. It will also be necessary to have temporary occupation of approximately 8 car parks for the duration of the construction period for the storage of construction materials, vehicles and equipment. The work area will be fenced off for safety and security purposes during the construction period.

The construction work is planned to commence in January 2012 and will take approximately 3 months to complete.

Watercare shall comply in all respects with the provisions of all statutes, ordinances, regulations and bylaws, including, but without limitation, the Health and Safety in Employment Act 1992 and any other health and safety legislation in so far as it may relate to Watercare's particular use of the property. In particular, but without limitation, Watercare shall take all practicable steps to ensure any person in or on the land or in the vicinity of the land is not harmed by any hazard arising in or on the Property.

On completion of the works, Watercare will as far as is reasonably practicable, reinstate any fences, driveways and lawn areas affected by the works, to the same condition that existed immediately prior to the commencement of the works. Should Watercare fail to do so, you are entitled to reinstate and/restore the Property at Watercare's cost.

Watercare shall at all times indemnify you from and against all legal liability for fines, penalties, costs, claims, losses, damages, expenses, actions and proceedings however caused or arising which you as the property owner may sustain, incur or pay as a direct or indirect consequence of any act error omission including, but without limitation any breach of the Health and Safety in Employment Act 1992 on the part of Watercare or its contractors and for which Watercare is legally liable.

3. Construction hours

Construction hours will be limited to 7am to 7pm Monday to Friday and 7 am to 4 pm on Saturdays. No works are permitted on Sundays or Public Holidays. Traffic and pedestrian access to the property will be maintained at all times.

Local Government (Auckland Council) Act 2009 - Notification of Conditions Process

Please note that, in accordance with the provisions of Section 66 of the Local Government (Auckland Council) Act 2009, if you wish to object to the proposed works you will need to deliver your objection in writing to Watercare, 2 Nuffield Street, Newmarket, (for the attention of Thienyet Liew) within 20 working days after receiving written notice of Watercare's intention to carry out the proposed works. If no written objection is received from you, Watercare will proceed with the proposed works as scheduled after the expiry of the 20 working days notice period.

Resource Consent approval as affected party

Watercare is required to obtain the consent of all affected parties to their Resource Consent approval before starting the proposed work. As you have been identified as an affected party in terms of the Resource Management Act 1991, your written consent to the proposed work is required. If you have no objection to the proposed works, please sign and return the attached consent form and drawings numbered 2009307.001, 2009307.002 and 2009307.003. Watercare has provided a self addressed envelope for this purpose.

If you have any queries regarding the proposed works or would like to discuss the consenting process, please call [s 9(2)(a)]

Yours sincerely,

[s 9(2)(a)]

Property Manager
Watercare Services Limited

cc. Auckland Council

[s 9(2)(a)]

Attachments: Drawings numbered 2009307.001, 2009307.002 and 2009307.003.
Resource Management Act 1991 Consent form.