

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



Restricted discretionary activity

Application Number: LUC60375823
Applicant's Name: Watercare Services Limited
Site Address: Taylors Bay Road Reserve, Hillsborough
Legal Description: Road Reserve

Proposal:

The installation of new wastewater infrastructure, being two manholes, within a coastal storm inundation 1% annual exceedance probability plus 1m sea level rise area

The resource consent is:

Land use consent (s9) – LUC60375823

Auckland Unitary Plan (Operative in Part)

District

Natural Hazards and Flooding

- The installation of new wastewater infrastructure, being two manholes, on land that is located within a coastal storm inundation 1% annual exceedance probability plus 1m sea level rise area, is a **restricted discretionary activity** under Rule E36.4.1(A56).

I have read the application, supporting documents and the report and recommendations on the consent application. 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 and 104C, the application is **GRANTED.**

1. Reasons

The reasons for this decision are:

1. The application is for restricted discretionary activity resource consent, as such under s104C only those matters over which council has restricted its discretion have been considered. Those matters are:

E36.8.1.(18) – Coastal storm Inundation Area

- a. The functional and / or operational need to locate within the hazard area; and
- b. The risk of adverse effects to other people, property and the environment, including with respect to: public health and safety; impacts on landscape values and public access; management or regulation of other people required to mitigate natural hazard risks; storage or use of hazardous substances; and exacerbation of existing or creation of new natural hazard risks.

In addition, conditions have only been included in relation to those matters.

2. In accordance with an assessment under s104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be of an acceptable nature and scale in this environment with any adverse effects being less than minor. This is because any adverse effects relating to coastal storm inundation will be mitigated by:
 - a. The underground nature of the proposed manholes, which in combination with the reinstatement of existing ground levels ensures that the functionality of the subject coastal storm inundation area will be maintained.
 - b. The positive effects in respect of the upgrade of existing wastewater infrastructure by allowing for the Hoskins Avenue sewer to be diverted into a system with greater levels of capacity, being the central interceptor.
 - c. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment and / or within the relevant matters of discretion.
3. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is consistent with the relevant objectives, policies and assessment criteria within Chapter E36 'Natural Hazards and Flooding' of the Auckland Unitary Plan (Operative in Part) for the following reasons:
 - a. The manholes are required to allow for wastewater from the Hoskins Avenue sewer to be diverted into the central interceptor. As the consented extension to this sewer is currently located with a coastal storm inundation area, there is both an operational and functional need for the works to be located within this hazard area, with no practicable alternative option available to achieve the same outcome.
 - b. The manholes will be located underground, with the lids and reinstated ground levels being flush with the existing ground level, all of which ensures that existing

adverse inundation effects will not be exacerbated, and that water will not be diverted into areas that are currently outside of the inundation area. That is to say, increased levels of natural hazard risk will not result with respect to property, people or the environment.

- c. The nature of the works, in that they are proposed on land with no identified natural characteristics of importance and will not involve the alteration or removal of protected vegetation, ensures that adverse effects on landscape values will not result.
 - d. The works area will be enclosed by construction fencing, which ensures that public access within the Taylors Bay Road Reserve will be maintained during the works period and that persons will not accidentally enter the works area.
 - e. The proposed works will not involve the storage or use of hazardous substances.
4. In accordance with an assessment under s104(1)(c) there are no other matters that are considered relevant.
 5. In the context of this restricted discretionary activity application where the objectives and policies in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. As they also provide a clear framework for assessing all relevant potential effects, there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
 6. Overall, the proposal will result in acceptable actual and potential effects, and is consistent with the relevant objectives and policies of the Plan and Part 2 of the Act.

2. Conditions

Under section 108 of the RMA, this consent is subject to the following conditions:

Application Documents

1. The consented development 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 LUC60375823:
 - a. Application form and Assessment of Environmental Effects, prepared by Tonkin and Taylor Limited, Job No. 1015172.1500, version 1.0, dated April 2021.
 - b. Natural hazard assessment, prepared by Lucy Ferris, reference: JNZ-WSL-CIP-TM-0000050, dated 1 April 2021.
 - c. Plan as detailed below:

Drawing No.	Title	Prepared by	Dated
2011804.006, Issue C	PS23 – Onehunga Catchment (ZDONE) 82 Gravity Sewer Including Manholes Network Sewer 2 – Plan and Longitudinal Section – Sheet 1 of 4	Watercare Services Limited	21 January 2021

Consent Lapse

2. Under section 125 of the RMA, these consents shall lapse five years after the date they are granted unless:
 - a. The consent is given effect to; or
 - b. The Council extends the period after which the consent lapses.

Monitoring Fee

3. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$340 (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 deposit 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, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.

3. Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For the purpose of compliance with conditions of consent, "the Council" refers to the council monitoring inspector unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.
3. Manhole lids should be waterproofed and sealed to minimise surface water ingress into the network.

4. 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.
5. 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 in Employment Act 1992), 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.
6. 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 RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.

Delegated decision maker:

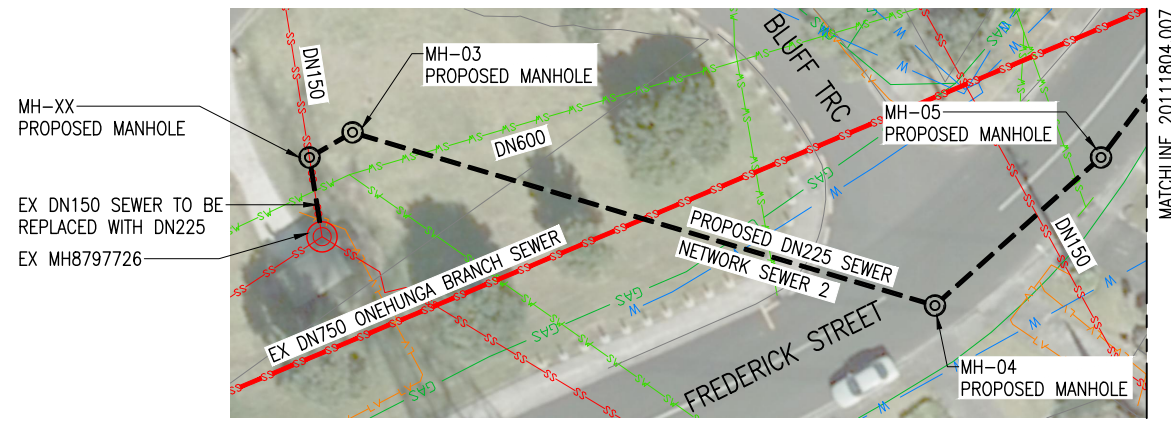
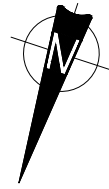
Name: Colin Hopkins

Title: Principal Project Lead
Premium Resource Consents


Signed:



Date: 29th April 2021

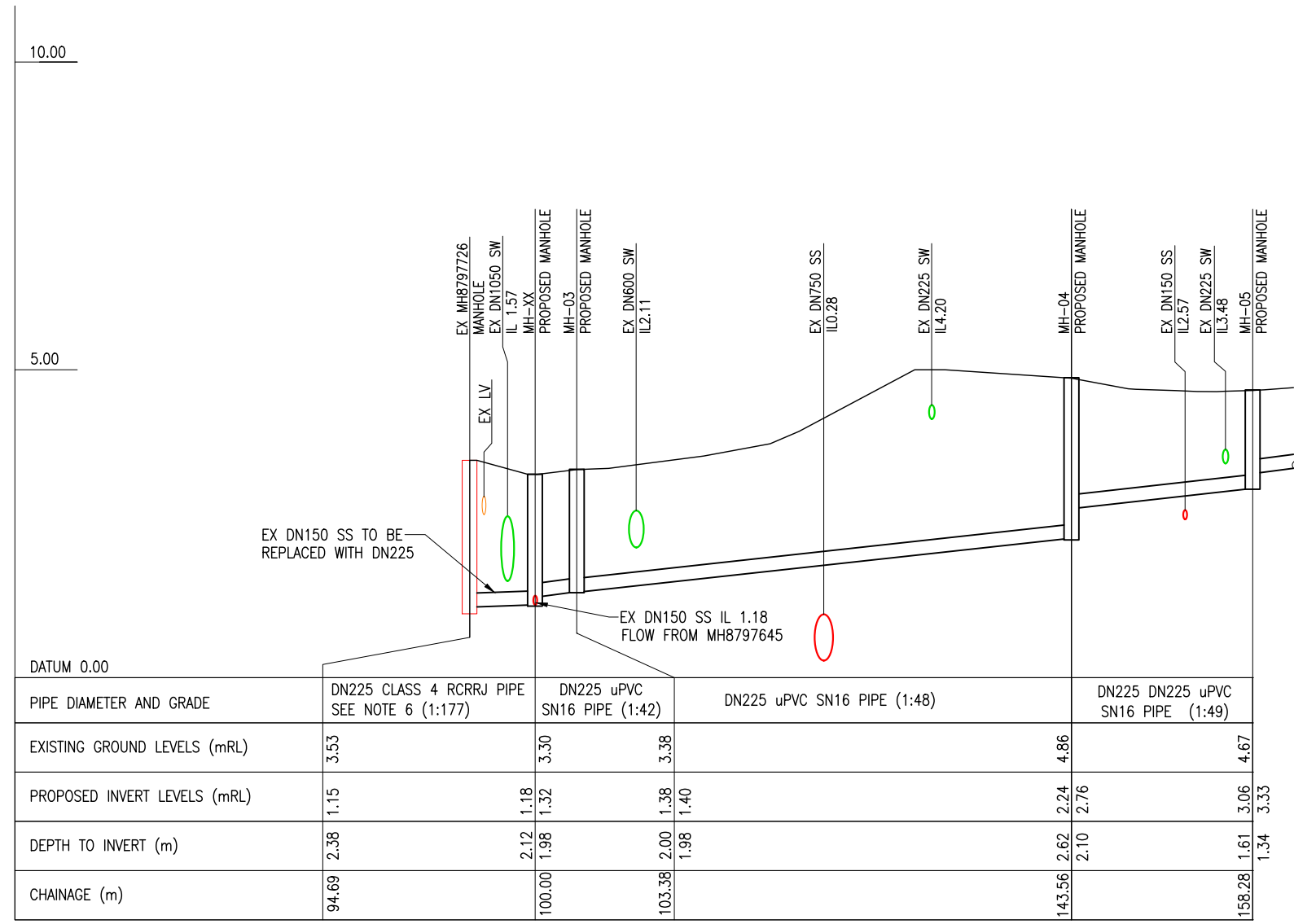


PLAN
SCALE: 1:250 (A1)

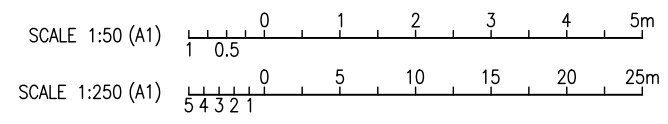


LUC60375823
Approved Resource Consent Plan
29/04/2021

- NOTES:**
- CO-ORDINATES ARE IN NZTM AND LEVELS ARE TO AUCKLAND L&S 1946 DATUM.
 - LOCATION OF EXISTING SERVICES HAVE BEEN EXTRACTED FROM AUCKLAND COUNCIL GIS AND UTILITIES PLANS AND ARE INDICATIVE. PHYSICAL LOCATION OF AFFECTED SERVICES WILL BE REQUIRED PRIOR TO CONSTRUCTION. ALL AFFECTED SERVICES SHALL BE PROTECTED DURING CONSTRUCTION.
 - REFER TO WATERCARE STANDARD DRAWING 2010070.005B FOR PIPE BEDDING DETAIL.
 - ALL PIPEWORK TO HAVE ROCKER PIPES AT JUNCTION WITH CHAMBERS IN ACCORDANCE WITH DRAWING 2011804.030.
 - BACKFILL AROUND MH'S TO BE ORDINARY BACKFILL IN ACCORDANCE WITH CLAUSE C2-16.
 - A MIN OF 75mm THICK HIGH DENSITY POLYSTYRENE TO BE INSTALLED ACROSS THE IMMEDIATE INTERFACE BETWEEN THE DN1050 SW AND PROPOSED DN225 SS.



LONGITUDINAL SECTION
SCALE: 1:50 V 1:250 H (A1)



- LEGEND**
- PROPOSED MAIN TUNNEL
 - PROPOSED LINK SEWER
 - FUTURE CSO COLLECTOR SEWER AND MANHOLE
 - PROPOSED SEWERAGE
 - PROPOSED STORMWATER
 - PROPOSED POWER/CONTROL DUCT
 - EXISTING STORMWATER
 - EXISTING STORMWATER STREAM
 - EXISTING NETWORK WASTEWATER
 - EXISTING TRANSMISSION WASTEWATER
 - EXISTING WATERMAIN
 - LV POWER CABLE
 - HV POWER CABLE
 - MV POWER CABLE
 - FIBRE OPTIC CABLE
 - TRANSPOWER LINE
 - VECTOR TRANSMISSION LINE
 - COMM CABLES
 - TELECOM
 - GAS LINE
 - TO BE ABANDONED
 - EXISTING SEWER PREVIOUSLY ABANDONED
 - DESIGNATION BOUNDARY
 - PROPOSED ALL WEATHER TRAFFICABLE ACCESS
 - PROPOSED AIR DUCT

CONSTRUCTION ISSUE



C:\Users\ss034\25\appdata\local\temp\AcPublish_4660\201804_006.dwg

ISSUE	DATE	AMENDMENT	BY	APPD.	BY	DATE
C	29.01.21	IFC - ASSET TAG NUMBERS UPDATED	SS	DJK	DESIGNED	CW 06.16
B	16.09.20	REVISED CONSTRUCTION ISSUE	SS	CW	DES. CHECKED	DJK 06.16
A	30.01.20	CONSTRUCTION ISSUE	PMF	EM	DRAWN	AP 06.16
-	30.08.17	TENDER ISSUE	PJG	NK	DWG. CHECKED	CW 06.16
2	14.03.17	ISSUED FOR CLIENT REVIEW	PJG	DJK	PROJECT LEADER	NK 08.17
1	10.11.16	ISSUED FOR CLIENT REVIEW	PJG	DJK	INFRASTR APP'D	SG 08.17



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PS23 - ONEHUNGA CATCHMENT (ZDONE)
82 GRAVITY SEWER INCLUDING MANHOLES
NETWORK SEWER 2 - PLAN AND LONGITUDINAL SECTION - SHEET 1 OF 4

CAD FILE 2011804.006		DATE 29.01.21	
ORIGINAL SCALE A1		CONTRACT No. 6661	
AS SHOWN			
REF. No.	CI-CIVIL		ISSUE
DWG. No.	2011804.006		C