

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



Discretionary activity

Application Number: BUN60376317 (LUC60376346 and DIS60376450)
Applicant's Name: Watercare Services Limited
Site Address: 731 Great North Road, Grey Lynn
Legal Description: Lot 12 DP 168863

Proposal:

The discharge of contaminants into air or water, or onto or into land and the disturbance of contaminated land to allow for the construction of an accessway associated with the Central Interceptor Project

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60376346

District

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES)

- The undertaking of earthworks on land that is contaminated where a detailed site investigation has not been completed and where the works are not a permitted, controlled or restricted discretionary under regulations 8 to 10, is a **discretionary activity** pursuant to regulation 11(2).

Discharge permit (s15) – DIS60376450

Contaminated Land

- The discharge of contaminants into air or water, or onto or into land that does not meet permitted activity Standards E30.6.1.2 and E30.6.1.4 but that does meet controlled activity Standard E30.6.2.1, is a **controlled activity** under Rule E30.4.1(A6).

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 104B, the application is **GRANTED.**

1. Reasons

The reasons for this decision are:

1. 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. This is because the proposed works have been designed in a manner that ensures that any adverse contamination and cultural related effects will be appropriately mitigated by:
 - a. The measures proposed to minimise the risk of the discharge and exposure of contaminants with respect to the environment and people and ensuring that all worked areas are remediated appropriately.
 - b. The positive effects in respect of the remediation of contaminated land.
2. With respect 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
3. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is consistent with the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 and the relevant provisions within the Auckland Unitary Plan (Operative in Part) as established in Chapter E30 'Contaminated Land'. This is because the implementation of the methodologies contained within the proposed contaminated land site management plan will minimise the risk of contaminant exposure with respect to the environment and people and ensure that all contaminated material encountered is disposed of in an appropriate manner. These measures, in conjunction with appropriate remediation of the works areas and the avoidance of taonga, will ensure that the environmental qualities of the receiving environment, the health and wellbeing of people and identified cultural values are maintained and enhanced.
4. There are no other relevant matters that need to be considered under s104(1)(c) of the RMA.
5. The provisions of section 105 of the RMA will be met, as the proposed discharge of contaminants represents the best practicable option, the receiving environment will

not be adversely affected in an unacceptable manner and discharge into an alternative receiving environment is neither practical nor necessary.

6. The provisions of section 107 of the RMA will be met, as after reasonable mixing, proposed discharge of contaminants will not give rise to any of the following effects on receiving waters:
 - a. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
 - b. Any conspicuous change in the colour or visual clarity;
 - c. Any emission of objectionable odour;
 - d. The rendering of fresh water unsuitable for consumption by farm animals; and
 - e. Any significant adverse effects on aquatic life.
7. In the context of this 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.
8. 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 RMA.

2. Conditions

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

General

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 numbers BUN60376317 (DIS60376450 and LUC60376346):
 - a. Application form and Assessment of Environmental Effects, prepared by Jacobs New Zealand Limited, Revision 2, dated 8 March 2021.
 - b. Further information response letter, prepared by Watercare Services Limited, dated 8 June 2021, include email correspondence with Healthy Waters and Iwi consultation emails.
 - c. Preliminary Site Investigation, prepared by Jacobs New Zealand Limited,

- d. Contaminated Land Site Management Plan, prepared by Beca, Document No. GAJV-PLN-00026, Revision 2.0, dated 23 March 2021.

Consent Lapse

2. Under section 125 of the RMA, these consents shall lapse seven 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.

Consent Expiry

3. Pursuant to section 123 of the Act, discharge consent DIS60376450 shall expire on 19 July 2056 unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Monitoring Fee

4. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$680 (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.

Before Construction Starts

Notification to Monitoring

5. The Council shall be advised, in writing, 10 working days prior to any works commencing, unless an alternative timeframe is agreed between all parties.

During Construction

Contamination Land Site Management Plan

6. All works shall be undertaken in accordance with the Contaminated Land Site Management Plan (CLSMP), prepared by Beca, Document No. GAJV-PLN-00026, Revision 2.0, dated 23 March 2021, as referenced in condition 1.

Any variations to the CLSMP shall be submitted to the Council for certification that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent. No works relevant to the requested variation shall occur until written certification is provided.

Advice Note:

The Council acknowledges that the CLSMP is intended to provide flexibility of the management of the works. Accordingly, the plan may need to be updated. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact the Council.

Erosion and Sediment Control

7. Erosion and sediment control shall be installed in accordance with the Auckland Council guideline document titled '*Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region*' (GD005) (2016). Filter cloths or cover mats shall be installed over the stormwater cesspits in the vicinity of the excavation areas. Vehicles will be inspected prior to leaving works area and wheels brushed/cleaned, as required, to avoid the potential for sediment to leave the site on vehicle tyres and enter the existing stormwater system.

Advice Note:

Discharge from the site includes the disposal of water (e.g., perched groundwater or collected stormwater) from excavations.

Land Disturbance

8. All land disturbance works shall be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters.

Groundwater

9. The consent holder shall ensure that any groundwater, perched groundwater or stormwater which may become contaminated through contact with contaminated soil shall be isolated while work is in progress. The water shall be tested prior to discharge to the stormwater system. In accordance with the CLSMP, if the contaminant concentrations meet the 80% trigger level for protection of freshwater species in the Australian and New Zealand Environment Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000), the water shall be allowed to be discharged to the stormwater system. In the absence of confirmatory testing, or if levels exceed the ANZECC criteria (as it relates to the contaminants in soil), the water shall be disposed to trade waste / sewer.

Dust

10. During soil disturbance works all necessary action shall be taken to prevent dust

generation and sufficient water shall be available to dampen exposed soil, and/or other dust suppressing measures shall be available to minimise dust discharges as far as practicable. The consent holder shall ensure that dust management during the excavation works comply with the *Good Practice Guide for Assessing and Managing Dust* (Ministry for the Environment, 2016).

Unexpected Contamination

11. If evidence of unexpected contamination (e.g., refuse / asbestos, discoloured, stained or odorous soil or groundwater) that has not been previously identified, is discovered during any earthworks, the consent holder shall immediately cease the works in this vicinity, notify the Council, and engage a Suitably Qualified and Experienced Contaminated Land Practitioner (SQECLP) to assess the situation (including possible sampling and testing) and decide on the best option for managing the material.

Landfill Material

12. In the event of landfill material /refuse being encountered during excavations, the consent holder shall undertake gas monitoring of methane, carbon dioxide and oxygen, at above ground levels for the duration of the earthworks involving depth excavations. Should methane and oxygen concentrations not comply with the following limits, work shall cease until such time the limits are met:
 - Methane: not greater than 1% by volume;
 - Carbon dioxide: not greater than 1.5% by volume; and
 - Oxygen: not less than 19.5% by volume under normal atmospheric pressure.

Hygiene Measures

13. Good practice hygiene measures shall be adopted during earthworks and adequate decontamination and wash-up facilities shall be provided.

Off-Site Disposal

14. Excavated waste materials requiring disposal and excess capping materials shall be deposited at a disposal site that holds a consent to accept the relevant level of contamination. If an alternative disposal site is proposed for capping material, soil testing shall be carried out to demonstrate that the alternative disposal site is appropriate to accept the levels of contamination. Copies of the disposal dockets for the material removed from the site shall be retained and included in the Excavation Summary Report required by condition 17.

Soil Stockpiles

15. If required, temporary stockpiles of soils excavated from the site shall be located within the site footprint in an area protected by erosion and sediment controls. Any stockpiles where the surface has not been stabilised through hydroseeding or similar measures, shall be covered with impermeable material during periods of heavy rain.

Cleanfill

16. The consent holder shall ensure that the contamination level of any imported soil complies with the definition of 'Cleanfill material', as per the Auckland Unitary Plan (Operative in Part). Any imported material shall be solid material of an inert nature and must not contain hazardous substances or contaminants above natural background levels of the receiving site. Imported soils (unless sourced from a quarry or other known clean source) shall be tested at a rate of 1 per 500m³ of material imported to site.

Following Completion of Construction

Works Validation

17. Within three months of the completion of earthworks on the site, an Excavation Summary Report shall be submitted to the Council for review. The Excavation Summary Report shall be prepared by a SQECLP in accordance with the *Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand* (Ministry for the Environment, revised 2011) and include:
 - a. Results of any soil and groundwater testing and imported fill testing carried out to ensure compliance with the CLSMP;
 - b. Volumes of soil removed from site and confirmed disposal location as well as disposal receipts;
 - c. Reports of any non-compliances with the CLSMP procedures or complaints received while undertaking the works;
 - d. Landfill gas monitoring results undertaken in accordance with condition 12;
 - e. A long-term monitoring and management plan, if required.

Advice Note:

The Excavation Summary Report shall enable the Council to update the property file information relating to soil contamination. Until an Excavation Summary Report is submitted and reviewed by the Council, the Land Information Memorandum for the property shall not be updated to reflect any soil contamination remediation work undertaken.

It is noted that if a long-term monitoring and management plan is required, the consent holder will need to work with the landowner to ensure that this is addressed as necessary.

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. 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.
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 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.
5. 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:

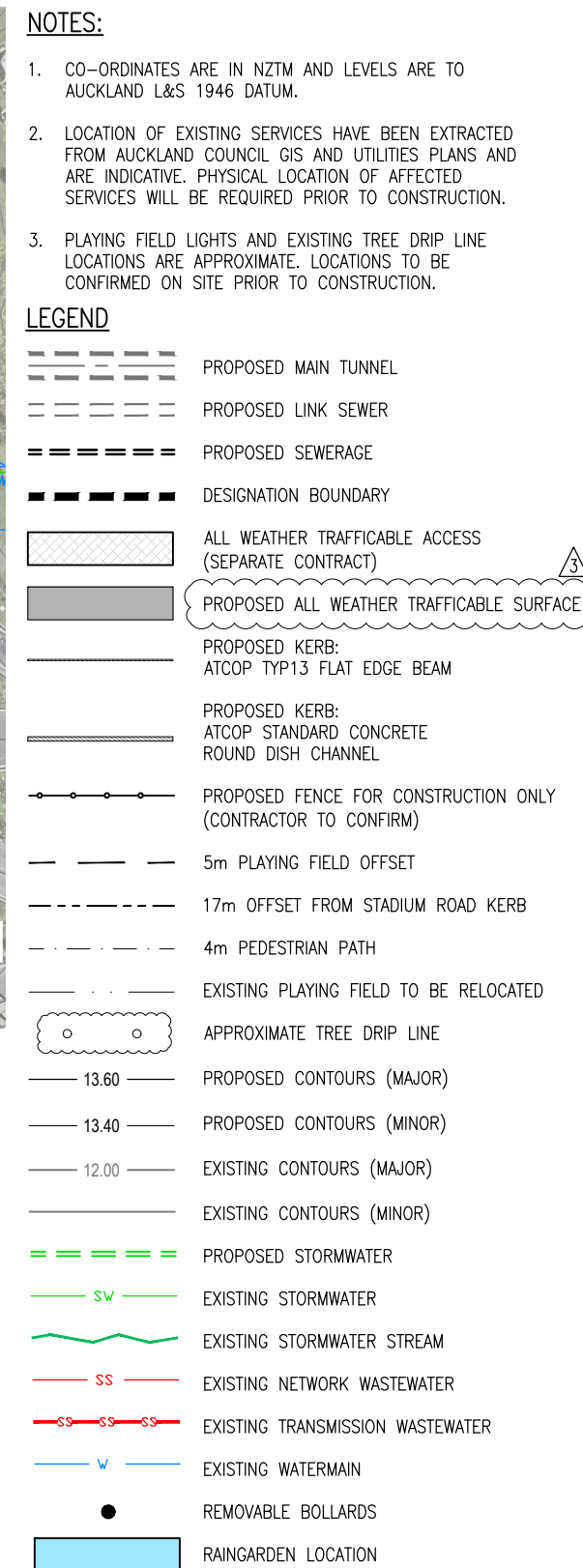
Name: Colin Hopkins

Title: Principal Project Lead
Premium Resource Consents

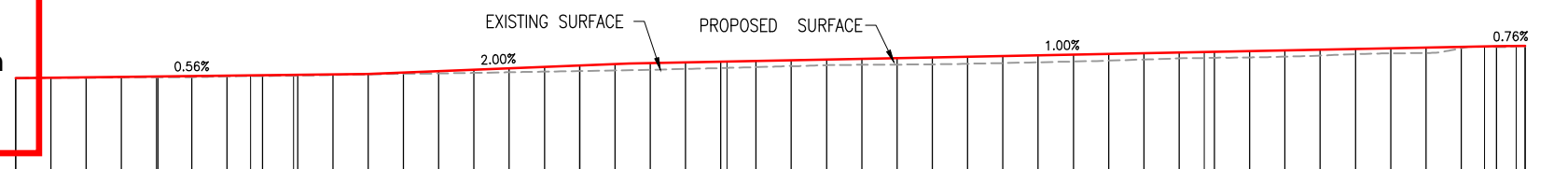
Signed:



Date: 21/07/2021



DATUM 5.00



CUT/FILL	0.00	11.60	11.62	11.65	11.68	11.71	11.74	11.76	11.79	11.82	11.85	11.88	11.98	12.08	12.18	12.28	12.38	12.48	12.58	12.65	12.70	12.75	12.80	12.85	12.90	12.95	13.00	13.05	13.10	13.15	13.20	13.25	13.30	13.35	13.40	13.45	13.50	13.55	13.60	13.65	13.70	13.75	13.80	13.83																							
PROPOSED LEVEL	0.00	5.00	10.00	15.00	20.00	25.00	30.00	35.00	40.00	45.00	50.00	55.00	60.00	65.00	70.00	75.00	80.00	85.00	90.00	95.00	100.00	105.00	110.00	115.00	120.00	125.00	130.00	135.00	140.00	145.00	150.00	155.00	160.00	165.00	170.00	175.00	180.00	185.00	190.00	195.00	200.00	205.00	210.00	214.04																							
EXISTING LEVEL	0.00	5.00	10.00	15.00	20.00	25.00	30.00	35.00	40.00	45.00	50.00	55.00	60.00	65.00	70.00	75.00	80.00	85.00	90.00	95.00	100.00	105.00	110.00	115.00	120.00	125.00	130.00	135.00	140.00	145.00	150.00	155.00	160.00	165.00	170.00	175.00	180.00	185.00	190.00	195.00	200.00	205.00	210.00	214.04																							
CHAINAGE	0.00	5.00	10.00	15.00	20.00	25.00	30.00	35.00	40.00	45.00	50.00	55.00	60.00	65.00	70.00	75.00	80.00	85.00	90.00	95.00	100.00	105.00	110.00	115.00	120.00	125.00	130.00	135.00	140.00	145.00	150.00	155.00	160.00	165.00	170.00	175.00	180.00	185.00	190.00	195.00	200.00	205.00	210.00	214.04																							
VERTICAL GEOMETRY	0.6% (1:178.6)																					2.0% (1:50.0)														1.0% (1:100.0)														0.8% (1:131.5)																	
HORIZONTAL GEOMETRY	L 20.21 B 215' 08" 05"																					L 40.6 R 100.00														L 20.89 B 129' 10" 12"														L 67.7 R 202.00		L 39.74 B 148' 22" 11"														L 1.27 B 169' 41" 52"	

LONGITUDINAL SECTION
SCALE. 1:500

SCALE 1:500 (A1)

CONSENT ISSUE

CAD FILE 2011811.043 DATE 25.03.21

ORIGINAL SCALE A1 1:500	CONTRACT No. 6661
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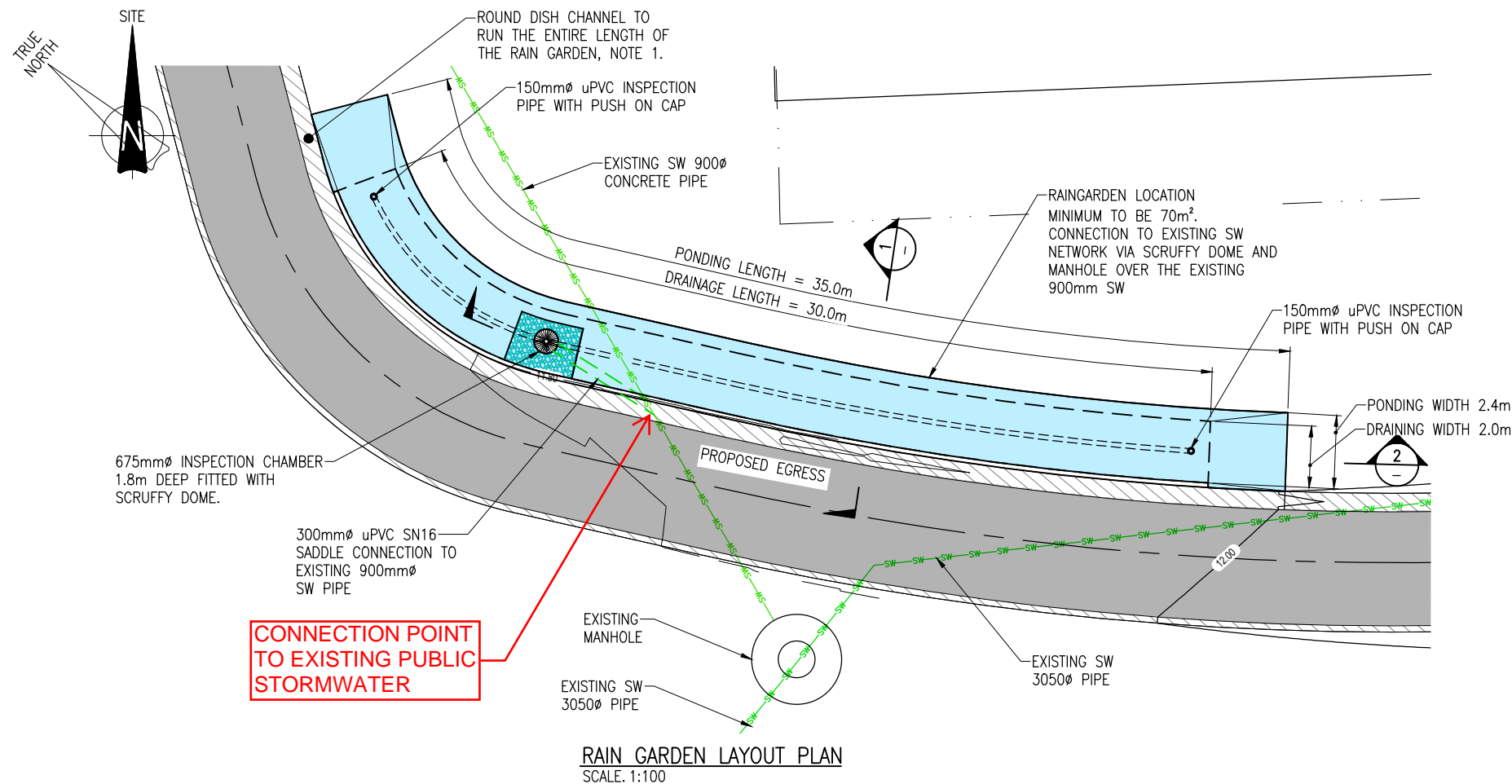
REF. No.	C1-CIVIL	ISS.
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DWG. No.	2011811.043	
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					DESIGNED	BH	06.20
					DES. CHECKED	CW	01.21
					DRAWN	AT	07.20
3	25.03.21	CONSENT ISSUE – FENCING REVISED AND REVISED AS INDICATED	PMF	DJK	DWG. CHECKED	PMF	01.21
2	08.03.21	CONSENT ISSUE	SS	DJK	PROJECT LEADER		
1	22.01.21	CLIENT REVIEW ISSUE	SS	DJK	INFRASTR'R APP'D		
ISSUE	DATE	AMENDMENT	BY	APPD.		BY	DATE


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WESTERN SPRINGS – CENTRAL INTERCEPTOR (DSCIN)
11 STORMWATER
STORMWATER MANAGEMENT CONCEPT



SPECIFIC REQUIREMENTS:

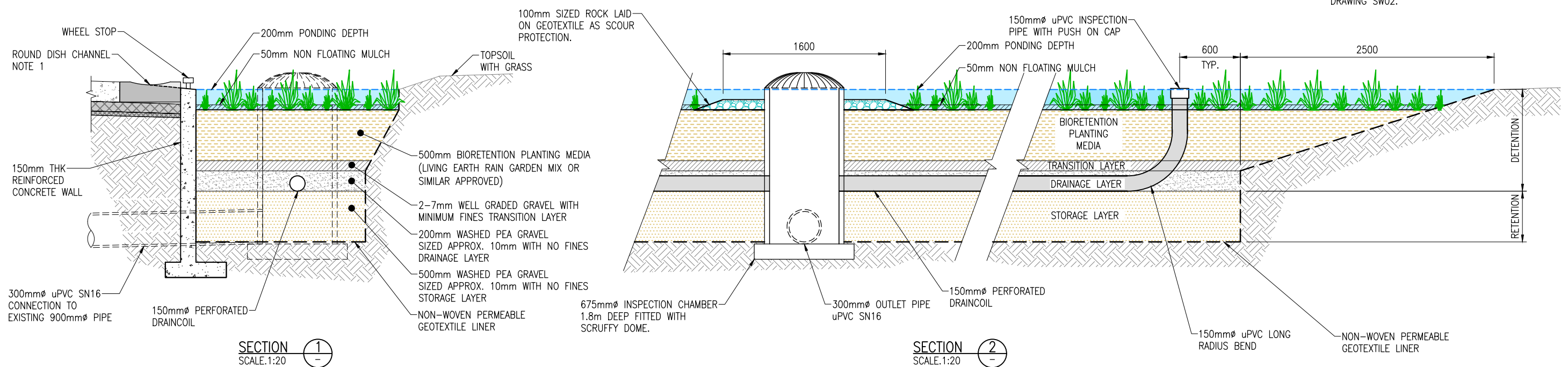
1. PIPELINES ARE TO BE BEDDED, SURROUNDED, AND BACKFILLED IN ACCORDANCE WITH THE PIPE MANUFACTURER'S RECOMMENDATIONS EXCEPT WHERE OTHERWISE SPECIFICALLY SHOWN ON THE DRAWINGS.
2. SURFACE REINSTATEMENT OF EXCAVATIONS FOR PIPELINES AND ASSOCIATED STRUCTURES SHALL MATCH THE EXISTING ADJACENT SURFACE(S).
3. PRIOR TO UNDERTAKING THE WORKS, THE CONTRACTOR IS REQUIRED TO PROVIDE TO THE ENGINEER A CONSTRUCTION PROGRAM THAT IDENTIFIES ALL THE KEY ACTIVITIES AND THE PLANNED TIMING OF THOSE ACTIVITIES.
4. SADDLE CONNECTION TO BE COMPLETED AS PER AUCKLAND COUNCIL SW COP DRAWING SW04.

LEGEND:

	RAINGARDEN LOCATION
	PROPOSED PERMANENT CONCRETE ROAD
	PROPOSED KERB: ROUND DISH CHANNEL
	EXISTING PLAYING FIELD TO BE RELOCATED
	PROPOSED CONTOURS (MAJOR)
	PROPOSED CONTOURS (MINOR)
	EXISTING CONTOURS
	PROPOSED STORMWATER
	EXISTING STORMWATER

NOTES:

1. ROUND DISH CHANNEL TO BE CUT 1m LONG AT EVERY 2m SPACINGS TO ALLOW FLOW TO ENTER INTO THE RAIN GARDEN.
2. UNLESS SPECIFIED OTHERWISE ALL PIPES SHALL BE INSTALLED UNDERGROUND. THE CONTRACTOR IS RESPONSIBLE FOR SELECTING THE MOST APPROPRIATE CONSTRUCTION METHODOLOGY/TECHNIQUE CONSISTENT WITH MINIMISING DISRUPTION TO OTHER PARTIES.
3. EXISTING UNDERGROUND SERVICE INFORMATION SHOWN ON THE DRAWINGS IS PROVIDED IN GOOD FAITH BUT MAY BE INACCURATE, INCORRECT, OR FAIL TO SHOW EXISTING SERVICES. THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND LOCATING UNDERGROUND SERVICES ON SITE PRIOR TO COMMENCING EXCAVATIONS INCLUDING POTHOLING WHERE APPROPRIATE.
4. THE CONTRACTOR IS REQUIRED TO CONSULT WITH THE AUTHORISED REPRESENTATIVE(S) OF THE LAND ON WHICH THE WORKS ARE TO BE UNDERTAKEN AND TO ENTER INTO AN AGREEMENT COVERING ACCESS TO THE LAND, MAINTENANCE OF ACCESS TO THE LAND, ANY EARTHWORKS AND ANY REINSTATEMENT WORKS, AND TIMING OF THESE WORKS.
5. THE CONTRACTOR IS RESPONSIBLE FOR RECORDING BEFORE AND AFTER VISUAL RECORDS OF THE SITE TO FACILITATE COMPARISONS IN THE EVENT THAT CLAIMS OF BREACHES OF AGREEMENT ARE SUBMITTED.
6. THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL THE CONDITIONS OF THE BUILDING CONSENT, RESOURCE CONSENTS, LAND OWNER AGREEMENTS, SERVICE PROVIDER AGREEMENTS/CONSENTS, AND THE REQUIREMENTS OF THE CONTRACT SPECIFICATION.
7. WHERE INFORMATION RELATING TO EXISTING OR PROPOSED ASSET POSITION DATA MAY BE DIFFER FROM THOSE SHOWN ON THE DRAWINGS THE CONTRACTOR IS REQUIRED TO NOTIFY THE ENGINEER AND REQUEST UPDATED CONSTRUCTION DETAILS.
8. WHERE PIPELINE GRADIENTS ARE STEEPER THAN 1:5 ANCHOR BLOCKS ARE TO BE PROVIDED AS DESCRIBED IN AUCKLAND COUNCIL STORMWATER DRAWING ACSD SW23
9. THE STANDARD EMBEDMENT FOR FLEXIBLE PIPES SHALL BE AS DESCRIBED IN AUCKLAND COUNCIL STORMWATER COP DRAWING SW02.



CONSENT ISSUE

JACOBS AECOM

Plot Date: Feb 23, 2021 - 4:19 PM						DESIGNED	ES	02.21	OPERATIONS	 Watercare COPYRIGHT -- This drawing, the design concept, remain the exclusive property of Watercare Services Limited and may not be used without approval. Copyright reserved.	WESTERN SPRINGS – CENTRAL INTERCEPTOR (DSCIN) 00 SITE GENERAL HAUL ROAD – RAINGARDEN GENERAL ARRANGEMENT	CAD FILE 2011811.044		DATE 23.02.21	
					DES. CHECKED	TG	02.21	ORIGINAL SCALE A1				CONTRACT No. 6661			
					DRAWN	CRS	02.21	AS SHOWN							
					DWG. CHECKED	PMF	02.21								
					PROJECT LEADER										
	1	23.02.21	CONSENT ISSUE		PMF	DJK			INFRASTRUCTURE			REF. No. CI–CIVIL		ISSUE	
	ISSUE	DATE	AMENDMENT		BY	APPD.		BY	DATE			DWG. No. 2011811.044		1	

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WESTERN SPRINGS – CENTRAL INTERCEPTOR (DSCIN)
00 SITE GENERAL
HAUL ROAD – RAINGARDEN GENERAL ARRANGEMENT

CAD FILE 2011811.044		DATE 23.02.21	
ORIGINAL SCALE A1 AS SHOWN		CONTRACT No. 6661	
REF. No. CI-CIVIL		ISSUE	
DWG. No. 2011811.044		1	