

+ + + + +



Document control

Title: Ecological Enhancement at Pump Station 23					
Date	Version	Description	Prepared by:	Reviewed by:	Authorised by:
4/10/2022	1.0	For lodgement	T. Ghanim S. McMillan	K. Baverstock	K. Baverstock

Distribution:

Watercare Services Limited

1 PDF copy

Auckland Council

1 PDF copy

Tonkin & Taylor Ltd (FILE)

1 PDF copy

Table of contents

1	Introduction	1
1.1	Overview of project	1
1.2	Background	1
1.3	Applicant and property details	2
1.4	Overview of resource consent requirements	2
1.5	Consent duration	2
2	Environmental setting	3
2.1	Site location	3
2.2	Site description	3
2.3	Built environment	3
2.4	Natural Environment	6
2.4.1	Overview	6
2.4.2	Streams	6
2.4.3	Geology and beach sediment	6
2.4.4	Coastal processes	6
2.4.5	Ecological characteristics and values	7
2.5	Cultural environment/ landscape	9
3	Proposal	10
3.1	Overview and design rationale	10
3.1.1	Constructed bird roost	10
3.1.2	Saltmarsh	10
3.1.3	Rocky outcrop	10
3.1.4	Timber bird roosting piles	10
3.2	Construction methodology	11
3.2.1	Overview	11
3.2.2	Site preparation and access points	11
3.2.3	Rock structures and earthworks	11
3.2.4	Bird roost and saltmarsh construction	11
3.2.5	Timeframe of works and hours of operation	11
3.2.6	Erosion and sediment controls	12
3.3	Maintenance and monitoring	12
4	Resource consent requirements	13
4.1	Introduction	13
4.2	Auckland Unitary Plan	13
4.2.1	Zoning and planning notations	13
4.2.2	Resource consent requirements	14
4.3	Resource Management (National Environmental Standards for Freshwater) Regulations 2020	15
4.4	Permitted activities	16
4.5	Existing resource consents	16
4.6	Other consents and approvals required	17
5	Assessment of effects on the environment	18
5.1	Introduction	18
5.2	Positive effects	18
5.3	Ecological effects	18
5.3.1	Water quality	18

5.3.2	Coastal birds	19
5.3.3	Coastal vegetation and wetlands	19
5.3.4	Marine habitats	19
5.3.5	Summary of ecological effects	19
5.4	Coastal process effects	20
5.5	Visual amenity, landscape and natural character	20
5.5.1	Natural character	20
5.5.2	Landscape character	21
5.5.3	Visual amenity	21
5.6	Public access	23
5.7	Cultural effects	23
6	Statutory assessment	25
6.1	RMA assessment	25
6.1.1	Part 2 of the RMA	25
6.1.2	National Environmental Standards	26
6.1.3	National Policy Statements	26
6.1.4	Auckland Unitary Plan assessment	27
6.2	Other matters	30
6.2.1	Draft National Policy Statement on Indigenous Biodiversity	30
6.2.2	Iwi management plans	31
6.2.3	Statutory Acknowledgements and Deeds of Settlement	32
6.2.4	Customary interests under the Marine and Coastal Area (Takutai Moana) Act	33
7	Consultation and notification assessment	35
7.1	Consultation introduction	35
7.2	Mana Whenua	35
7.3	Auckland Council – Regulatory department	37
7.4	Other stakeholders	37
7.5	Notification assessment	37
7.5.1	Public notification	37
7.5.2	Limited notification	38
7.5.3	Section 95 conclusions	39
8	Conclusion	40
9	Applicability	41
Appendix A	Record of Title	
Appendix B	Design Drawings	
Appendix C	Coastal Processes Assessment and Consent Level Design report	
Appendix D	Assessment of Ecological Effects Report	
Appendix E	Natural Character, Landscape and Visual Assessment	
Appendix F	Draft Coastal Wetland Restoration Plan	
Appendix G	Consultation records	

Schedule 4 Requirements

Schedule 4 of the RMA sets out the information required in an application for a resource consent. All relevant matters required to be included have been addressed in the assessments and descriptions in this AEE. The following table provides a summary of the information required in Schedule 4 and a quick reference to its location in this report.

Schedule 4 Item	Location within report
A description of the activity	Section 3
A description of the site at which the activity is to occur	Section 2
The full name and address of each owner or occupier of the site	Section 1.3
A description of any other activities that are part of the proposal to which the application relates	Section 3
A description of any other resource consents required for the proposal to which the application relates	Section 4
An assessment of the activity against the matters set out in Part 2	Section 6.1.1
An assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b). This must include: <ul style="list-style-type: none"> Any relevant objectives, policies, or rules in a document Any relevant requirements, conditions, or permissions in any rules in a document Any other relevant requirements in a document (for example, in a national environmental standard or other regulations) 	Section 6
An assessment of the activity's effects on the environment that includes the following information: <ul style="list-style-type: none"> If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity. An assessment of the actual or potential effect on the environment of the activity. If the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use. If the activity includes the discharge of any contaminant, a description of— <ul style="list-style-type: none"> The nature of the discharge and the sensitivity of the receiving environment to adverse effects; and Any possible alternative methods of discharge, including discharge into any other receiving environment. A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect. 	Section 5
<ul style="list-style-type: none"> Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted. 	Section 5, Section 6 and Section 7

Schedule 4 Item	Location within report
<ul style="list-style-type: none"> • If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved. • If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group). 	<p>Section 5</p> <p>N/A</p>
<p>An assessment of the activity's effects on the environment that addresses the following matters:</p> <ul style="list-style-type: none"> • Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects. • Any physical effect on the locality, including any landscape and visual effects. • Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity. • Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations. • Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants. • Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations. 	Section 5
<i>For applications involving permitted activities</i>	
<p>If any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A (1)).</p>	Section 4.3

1 Introduction

1.1 Overview of project

This Assessment of Effects on the Environment (AEE) report has been prepared on behalf of Watercare Services Limited (Watercare) to support a resource consent application to authorise ecological enhancement works within the coastal marine area (CMA) at its Pump Station 23 (PS 23) site in Hillsborough.

The project aims to enhance the ecological value of the area and involves the construction of a permanent high-tide bird roost, saltmarsh habitat and other features. As set out in Section 1.2 below, the project is part of Watercare's Central Interceptor (CI) project which is currently under construction. While the CI consents require reinstatement of the CMA once the construction of PS 23 is complete, they do not contain any additional restoration requirements beyond this. Watercare considers this site presents an opportunity to go beyond consent compliance and undertake a comprehensive programme of restoration and enhancement works.

This report has been prepared in fulfilment of section 88 of the Resource Management Act 1991 (RMA), and in accordance with Tonkin & Taylor Ltd's (T+T) letter of engagement dated 9 September 2021 and variation order dated 20 June 2022.

1.2 Background

The CI project is New Zealand's largest wastewater project, which is designed to safeguard the environment and people of Auckland. The underground wastewater tunnel is a 14.7 km-long tunnel that will run between the Māngere Wastewater Treatment Plant and Grey Lynn. The PS 23 site is on the main CI project tunnel alignment, consented as one of the various sites to facilitate construction of CI. The tunnel will cross underneath the Manukau Harbour between the PS 23 site to Kiwi Esplanade.

In order to facilitate the construction of the main tunnel and permanent site works at PS 23, a temporary construction platform is currently in place within the CMA. The CI resource consents and designation conditions¹ require the temporary PS 23 construction platform to be removed, and the disturbed areas of the CMA to be reinstated. Permanent works include a seawall along the coastal edge and the implementation of a "site reinstatement plan" which includes landscape planting within the PS 23 site.

Watercare has sought and achieved accreditation from the former Infrastructure Sustainability Council of Australia² (ISCA) for the CI project through their Infrastructure Rating Scheme (IS). While the current design and site reinstatement plans are sufficient to meet the ISCA requirements, this proposal is an opportunity to go beyond compliance and improve the ecological environment in the CMA around the PS 23, hereafter referred to as "the Site".

¹ 40844, 40845 and 40846

² Now the Infrastructure Sustainability Council

1.3 Applicant and property details

Table 1: Applicant and property details

Applicant	Watercare Services Limited
Owner and occupier of application site	Adjacent site at 39 Frederick Street: owned by Watercare Services Limited Coastal marine area (CMA): no ownership
Site address	CMA adjacent to 39 Frederick Street, Hillsborough
Legal description	39 Frederick Street: Lot 1 DP 161858
Record of Title	39 Frederick Street: NA97C/394
Council and Plans	Auckland Council Auckland Unitary Plan Operative in Part
Address for service during consent processing, implementation and invoicing	Address for invoicing: Attention: Shalini Sanjeshni Phone: +64 021 346 570 Email: Shalini.Sanjeshni@water.co.nz

We attach copies of the relevant Record of Title for the adjacent site at 39 Frederick Street in **Appendix A**.

1.4 Overview of resource consent requirements

Watercare Services Ltd is seeking resource consents required for the project pursuant to the Auckland Unitary Plan Operative in Part (AUP) and the National Environmental Standard for Freshwater (NES-F).

Reasons for resource consent are contained in Section 4 below. In summary, the following resource consents are sought for the project:

- Coastal marine area depositing of material not otherwise provided for, as a discretionary activity pursuant to Rule F2.19.2 (A10) of the AUP.
- The construction of coastal marine area structures and buildings unless provided for elsewhere in this table (see table F2.19.8 for the use of the structure), as a discretionary activity pursuant to Rule F2.19.10 (A121) of the AUP.
- Earthworks or land disturbance within, or within a 10 m setback from, a natural wetland is a restricted discretionary activity (Regulation 39(2)(b)).

Overall resource consent is required from Auckland Council under the AUP as a **discretionary** activity and under the NES-F as a **restricted discretionary** activity. The application falls for consideration overall as a discretionary activity.

1.5 Consent duration

For coastal permits, the maximum duration of 35 years is sought in accordance with s123 of the RMA.

2 Environmental setting

2.1 Site location

The PS 23 site is located at 39 Frederick Street in Hillsborough, on an area of reclaimed land along the coastal edge of Hillsborough Bay, in the Manukau Harbour (Figure 2.1). Hillsborough Bay is a south-east facing bay on the northern side of the Manukau Harbour, west of the Southwestern motorway (SH20).



Figure 2.1: Site location plan (the PS 23 site is outlined in blue) Copyright Auckland Council, 2022

2.2 Site description

The Site is surrounded to the north, east and west by established residential development. Properties are located on rising landform and have open views across the site to the wider harbour setting facing south. Crest levels along the coastal edge slopes down steeply into the upper intertidal area.

The PS 23 site is located on the harbour edge of Hillsborough Bay, a highly modified harbour edge landscape on the southern edge of Hillsborough, Auckland. The bay is defined to the east by Taumanu Reserve and to the southwest by Taylors Bay and a headland. The headland to the southwest of the site includes the Bluff Terrace which is 400 m away from the site. The site is accessed from Frederick Street to the north-west.

2.3 Built environment

The existing built environment of the Site is located on reclaimed land, a highly modified geology and landform as a result of extensive and continued development. The Site is currently characterised by the ongoing construction and drilling works for PS 23 CI tunnel route.

The PS 23 building is located directly on the coastal edge, built from concrete and blockwork construction. The main CI project tunnel and pipeline alignment will run near this building.



Figure 2.2: PS 23 building (labelled pump station)

The pump station building is adjacent to an intertidal area, predominantly comprised of sand flats, soft gloopy mud, with cockle shell-covered flats surrounding a stream outflow across the foreshore. The bay is a shallow harbour floor, which exposes sandflats, soft mud and some areas of sandstone reef at low-tide. There are also areas of exposed herbfield with small strips of adjacent mangrove scrub.

A piped watercourse runs along 35 Frederick Street and into an open watercourse, discharging to the intertidal area immediately to the west of PS 23. Additionally, within the Site and within the CMA, are two high voltage (110kV and 220kV) transmission lines supported by support structures in the harbour between Taylors Bay and Taumanu Reserve.

As part of the CI project, a temporary working platform (**Figure 2.3 and 2.4**) was constructed in December 2021 within the CMA at the location of the Site. Watercare anticipates the platform will be removed in mid-2023 at the end of construction, and the foreshore reinstated.

The harbour edge will be re-instated in accordance with the consented reinstatement plan³, which includes tree replacement, low-level planting, ecological enhancement and habitat creation. Additionally, a seawall is to be constructed within the CMA along the edge of the PS 23 site and stormwater outlets will be reinstated during construction of the seawall. The CI project works, including the works platform and its subsequent removal and reinstatement of the site, form part of the existing environment.

Additionally, Auckland Council holds resource consents to construct a pedestrian boardwalk in the CMA within proximity to the Site, referred to hereafter as the “future boardwalk”. The future boardwalk is shown on the design drawings in **Appendix B**, and it is noted as also forming part of the existing environment.

³ Included within the Central Interceptor Pump Station 23 application.

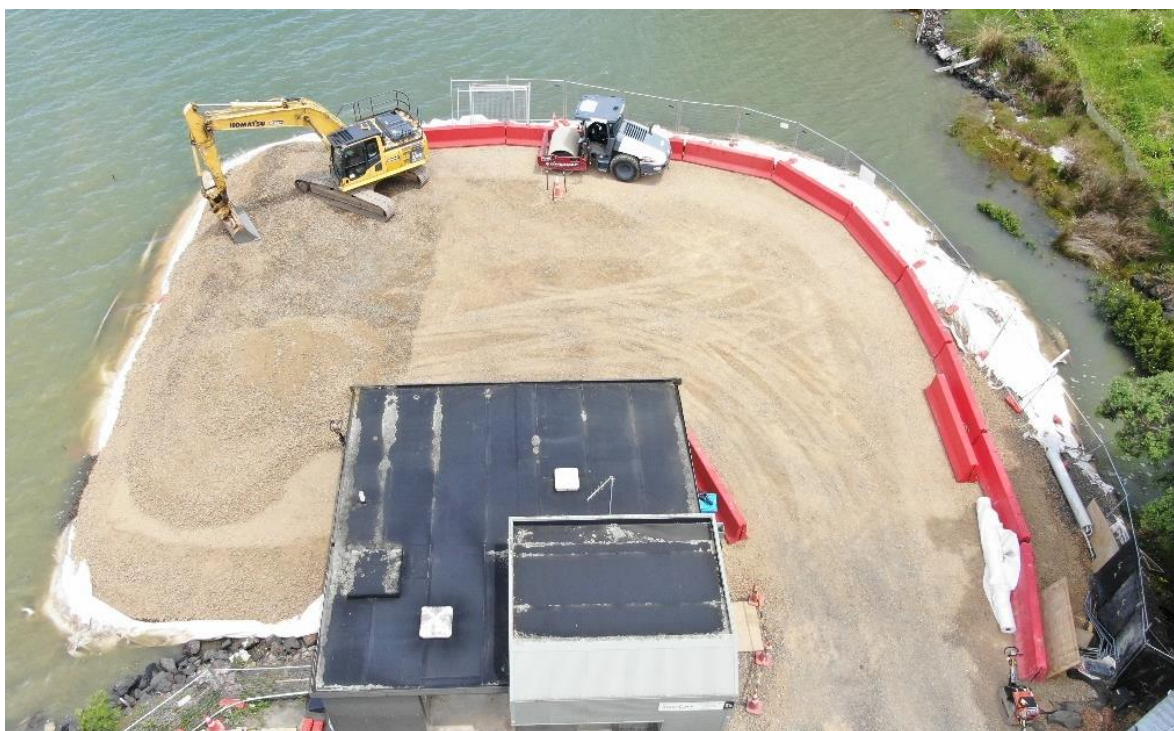


Figure 2.3: Drone photo of the temporary construction platform taken on 22 December 2021 (Watercare, 2021)



Figure 2.4: Drone photo of the temporary construction platform taken on 6 May 2022 (Watercare, 2022)

2.4 Natural Environment

2.4.1 Overview

The Site lies within the Manukau Harbour, which is relatively urbanised with low levels of vegetation cover. Development has led to sedimentation and an expansion of mangroves across Waitematā and Manukau Harbour, including the degradation of habitat quantity and quality for coastal birds.

Despite this, the Manukau Harbour is one of the most important harbours for migratory wading species and other coastal birds in New Zealand, supporting more than 20% of the total New Zealand wader population. It is also known as a 'hotspot' for coastal bird diversity and nationally 'At Risk' and 'Threatened' coastal avifauna.

The intertidal area adjacent to PS 23 is mostly comprised of sand flats and soft gloopy mud, with cockle shell-covered flats surrounding the stream outflow across the foreshore. There are also areas of exposed sandstone reef and a herbfield with small strips of adjacent mangrove scrub and harakeke, located within 10 m of the existing temporary working platform. The intertidal habitats adjacent to PS 23 provide effective foraging habitat for coastal birds.

2.4.2 Streams

A permanent stream flows into the Manukau Harbour located to the northwest of the site. The open stream section is of a defined channel, flowing water and an absence of terrestrial vegetation within the channel, while the upstream section of the open stream is shaded by large indigenous and exotic trees.

The stream has limited open habitat and therefore is unlikely to support a large fish population.

2.4.3 Geology and beach sediment

The site is underlain by East Coast Bays Formation rock, comprising alternating sandstone and mudstone with variable volcanic content and interbedded volcanoclastic grits. Loose gravel and cobbles are spread over the upper intertidal area surrounding the pump station which appear to have been left over material from civil works associated with PS 23.

Limited volumes of loose beach sediments indicate a low sand sediment budget, and fine silts deposited in the upper intertidal areas are typically mobilised by wind waves and transported by a combination of wind waves and wind driven currents. With low tidal currents and sheltered wave climate, very little sediment typically enters or leaves this coastal system.

2.4.4 Coastal processes

The Site is positioned at the upper tidal extent, and so is only inundated at high tide.

The project site is located within the upper reaches of Manukau Harbour and sheltered from open coast waves outside the Manukau Harbour entrance. Inside the harbour, waves are locally generated from wind blowing across the water surface. The low gradients and shallow depth across the 700 m wide intertidal area is likely to cause wave breaking and limit wave heights, particularly at lower tides.

The Site is at a distance from the main channel, so only low tidal currents of up to 0.2 m/s occur. Limited volumes of loose beach sediments indicate a low sand sediment budget. With low tidal currents and sheltered wave climate, very little sediment typically enters or leaves this coastal system.

In terms of coastal hazards, minor flooding is anticipated around the perimeter of the PS 23 site under the present day 1% AEP storm tide levels, with the majority of this area becoming inundated in 50 and 100 years due to predicted sea level rise.

Further detail on coastal processes at this location is set out in the Coastal Report (**Appendix C**).

2.4.5 Ecological characteristics and values

An Assessment of Ecological Effects report (Ecology Report) has been prepared (**Appendix D**), depicting the ecological characteristics and values of the project area which is summarised below.

2.4.5.1 Intertidal habitats

The area of the CMA adjacent to the Site comprises the following habitat types:

- Sandstone reefs, which generally support an assemblage of diverse species;
- Firm muddy fine sand flats which transition to soft gloopy mud further seaward. Typically, sand flats support high diversity of intertidal organisms dependent on tidal level;
- Soft gloopy mud is present within the intertidal area; and
- Small amounts of encrusting pacific oysters were located offshore adjacent to soft gloopy mud habitat.

Sediment quality shows some signs of degradation which is typical of urban receiving environments. Typical mud content near PS 23 is between 30 and 60 % which can lead to unbalanced macrofaunal communities with low resilience.

The benthic ecology is typical of intertidal areas of this nature. While findings indicate that there is a range in benthic degradation within proximity to the PS 23 site, historical sampling at the Site recognised diverse invertebrate community with high species richness. The sampled benthic community included both tolerant and sensitive organisms, and no rare or threatened species were identified in the infauna samples.

2.4.5.2 Fish

The wider Manukau Harbour provides important habitat for fish species, including shelter and nursery grounds for bony fish, sharks and rays. The fish species inhabiting the CMA area adjacent to the PS 23 site are commonly found species or recreationally consumed fish such as Australasian snapper, jack mackerel, exquisite sandgoby and yellow-eyed mullet.

2.4.5.3 Coastal birds

The variety of inter-tidal habitats surrounding PS 23 provide effective foraging habitat, commonly nationally 'at risk' and 'threatened' coastal birds.

Conversely, there is an absence of high-value high-tide roosting or nesting habitat availability in the vicinity of the Site due to housing or vegetation extending close to the MHWS. Prior to the development of the temporary platform within the CMA, nationally At Risk – Declining tarāpunga/red-billed gulls were observed roosting in and around the built environment at PS 23 above the MHWS.

As described in the Ecology Report (**Appendix D**), a total of ten coastal bird species were identified during field investigations, including nine indigenous species, of which four are classified as nationally At Risk. Eight species were considered likely to be utilising habitat in the vicinity of PS 23, including an additional two nationally 'Threatened' and six 'At Risk' species.

Coastal birds were primarily observed foraging within the inter-tidal habitats (Photograph), while both At Risk – Declining tōrea/South Island oystercatcher and At Risk – Recovering tōrea pango/variable oystercatcher were also observed roosting above the MHWS (during the high-tide birds survey). Coastal birds were also observed roosting on existing structures in the inter-tidal zone (Photograph).



Photograph 1: Nationally At Risk – Declining tarāpunga/red-billed gulls roosting and foraging in the inter-tidal zone during low tide in proximity to PS 23.



Photograph 2: Existing structure at PS 23 utilised by perching coastal birds. Additional perching posts/vertical logs will be established to provide additional roosting sites for coastal birds at PS 23.

2.4.5.4 Vegetated coastal wetland habitats

Vegetated wetlands are located to the west of the temporary construction platform currently in place. The footprint of the platform is the same as that of the proposed enhancement area. The vegetated wetlands within 10m of the works area include:

- A small area of mangrove scrub;
- Two discrete areas of coastal saline herbfields;
- A small area of glasswort on a constructed rock seawall;
- Harakeke scrub.



Photograph 3: Mangrove scrub, herbfield and harakeke wetland extents occur on the left-hand edge of the temporary platform in the above image.



Photograph 4: Glasswort and Samolus repens (foreground), transitioning to sea rush, with mangrove scrub to the right of the photograph, and harakeke and false papyrus in the background.

2.5 Cultural environment/ landscape

The Manukau Harbour is of great importance to mana whenua, historically, presently and into the future.

The Manukau Harbour in the area relevant to the project is a Coastal Statutory Acknowledgement Area of Ngāti Tamaoho, Ngai Tai ki Tamaki (which covers the eastern half of the Manukau Harbour) and Te Kawerau ā Maki (which covers the northern portion of the Manukau Harbour).

A number of iwi groups have also made applications for customary marine title or protected customary rights in the area relevant to the project. In accordance with the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), Watercare has notified and sought the views of these groups as discussed in Section 7.

Watercare has a long-standing relationship with the tangata whenua of Tamaki Makaurau through its Kaitiaki Forum. The Kaitiaki Forum is regularly kept up to date with Watercare's projects, including this one. In the course of the preparation of this application, Watercare has met with representatives of Te AhiwaruWaiohua (Makaurau Marae Māori Trust), Ngaati Whanaunga, and Ngāi Tai ki Tāmaki to discuss the design of the project and this consent application, and develop further its understanding of the cultural values as they relate to this Proposal.

3 Proposal

3.1 Overview and design rationale

Watercare seeks to enhance the ecological values of the site through construction of saltmarsh and bird roosting habitat along the coastal edge of the PS 23 site, in the CMA. As part of the design stage of this project, T+T and Isthmus Group developed a number of concept designs for three ecological enhancement options with input from mana whenua. To minimise disturbance of the foreshore, the project area is contained entirely within the footprint of the temporary works platform, with the exception of proposed timber piles for bird roosting.

The components of the project are summarised in the following sections, and the design drawings are contained in **Appendix B**. Note these drawings are consent level design and are subject to change during detailed design.

The total footprint of the proposed structure is approximately 900 m², extending up to about 25 m from the coastal edge into the CMA and measuring approximately 50 m in length.

3.1.1 Constructed bird roost

A bird roost of approximately 170 m² is proposed. This bird roost will provide high tide roosting habitat for coastal birds, including nationally 'At Risk' and 'Threatened' species such as red billed gull and Caspian tern. The roost is connected to land, in the location of an existing rock wash out where wading birds have been observed roosting.

The roost would be comprised of shelly material, underlain by imported hardfill and surrounded by a rock wall with geotextile to prevent wash through and loss of fines. The roost will be flat and open so that coastal birds have an effective 'line-of-sight' to any potential predators.

3.1.2 Saltmarsh

Saltmarsh of approximately 320 m² is proposed, extending from the constructed bird roost along the coastal edge of the PS 23 Site. It will be encircled by rock sill to separate the bird roost from the saltmarsh and to reduce the movement of shell and soil material between the areas.

The saltmarsh will be planted with indigenous vegetation, which may provide habitat for indigenous coastal birds such as 'At Risk' such as banded rail. The saltmarsh will enhance the indigenous vegetation biodiversity values of the Site.

3.1.3 Rocky outcrop

A rocky outcrop is proposed to be attached to the outer edge of the saltmarsh rock sill. The rocky outcrop is intended to provide roosting habitat for perching coastal bird species such as cormorants, and to provide potential substrate for encrusting organisms such as pacific oysters.

3.1.4 Timber bird roosting piles

Approximately 22 clustered and solitary log piles are proposed in the mudflats, intended to provide roosting habitat for coastal birds, including nationally 'At Risk' species. The clustering of the poles is to encourage colony roosters in some areas (e.g., white-fronted terns and pied shags), while some poles are standalone to encourage solitary roosters (e.g., sacred kingfishers and, some shag species).

To prevent harassment from southern black-backed gulls, timber piles have been placed away from the proposed high-tide bird roost. The poles will be placed at least 5 m away from the future boardwalk to reduce bird disturbance.

The timber piles will be cast in oversized holes with concrete surrounds.

The number and location of piles shown on the design drawings is indicative and will be confirmed during detailed design.

3.2 Construction methodology

3.2.1 Overview

The proposed construction methodology is generally as follows; refer to the Coastal Report (**Appendix C**) for further detail, noting it is likely that construction methods will be further refined with detailed design

3.2.2 Site preparation and access points

The project will be constructed either as the existing temporary working platform is removed, or after its removal.

A site office, facilities and laydown areas (materials storage, machinery storage etc.) will be established within Watercare's site before construction commences. These areas are to be fenced off to avoid public access during construction. The construction areas on the foreshore will be clearly marked with specific access corridors to minimise the area of disturbance.

Additionally, excess debris (such as material from the temporary platform that is not suitable for re-use for the salt marsh or bird roost) will be removed from the project footprint and disposed of at a suitable disposal facility.

Construction access would be gained either from the PS 23 site.

No vegetation (on land or in the CMA) will be disturbed or removed.

3.2.3 Rock structures and earthworks

Land disturbance is required to allow for the installation of rock structures. The proposal involves toe excavation along the rock sill and rock platform alignments, with the excavated material stockpiled landward of the sill. This excavated material will be reused in the surface layers of the proposed saltmarsh.

The rock sill and rock platform will be constructed from the foreshore, working within the low tide windows to avoid working in the wet. The rock armour will be constructed with layers of imported angular quarry rock over a geotextile filter fabric. The slope formation will be undertaken with an excavator, the fabric placed by hand, and the armour rock placed with an excavator and shaped to form the design profile.

3.2.4 Bird roost and saltmarsh construction

The project requires the deposition of imported hardfill to construct the bird roost. The fill will be end-tipped from the foreshore edge, mixed with in-situ sediments and shaped to the design profile with an excavator. It may be possible to reuse the GAP65 material that forms the temporary working platform.

Planting of the saltmarsh will be undertaken as soon as practicable following placement of the planting medium, during late autumn and winter to provide the greatest plant survival.

3.2.5 Timeframe of works and hours of operation

It is anticipated that the project would be constructed at low-mid tides to avoid working in the wet or the need for a barge.

The construction duration is anticipated to be less than 6 months.

3.2.6 Erosion and sediment controls

Erosion and sediment control measures will be implemented as part of a Construction Management Plan (CMP), proposed to avoid and mitigate potential adverse construction effects. As such, an Erosion and Sediment Control Plan (ESCP) is proposed to be implemented prior to works commencing on site. The ESCP will be prepared in accordance with the relevant sections of Auckland Council Guideline Document 2016/005 (GD05). The Contractor will be responsible for ensuring the ESCP measures and dust controls are implemented, managed and maintained on site for the duration of the construction works.

Details of erosion and sediment controls will be finalised once the construction methodology is developed.

3.3 Maintenance and monitoring

The proposed ecological enhancement features to be placed within the CMA will require maintenance and monitoring.

The constructed bird roost is expected to lose some shelly material during times of high wave action. As there is no natural supply, the material will likely need to be replaced following storm events. The raising of rock sill crest levels and the ground levels could be considered if sea level rise results in the gradual loss of saltmarsh or repeat loss of shelly substrate within the bird roosting area.

The geofabric required for the constructed roost will also need to be replaced periodically.

It is possible that Watercare may need to temporarily deconstruct part of the project (likely the bird roost) in the future, in order to access the underlying rising main and local sewer.

4 Resource consent requirements

4.1 Introduction

The requirements for resource consent are determined by the rules and regulations in the following documents:

- Auckland Unitary Plan – Operative in Part (AUP); and
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F).

An assessment of the project against the relevant rules and regulations is set out in the sections below.

4.2 Auckland Unitary Plan

4.2.1 Zoning and planning notations

The rules which apply are determined by the zoning of the site, any identified notations in the plan and the nature of the activities proposed. A summary of the zoning and planning notations applicable to the site is set out in Table 4.1 below.

The works are proposed within the CMA adjacent to the PS 23 site (owned and designated by Watercare).

Table 4.1: Zoning and planning notations

Zoning/planning notation	Location
Zones	
Coastal – General Coastal Marine Zone	This zone includes the majority of Auckland’s coastal marine area. In this case, applies to Hillsborough Bay. The project’s area of works is predominantly within the General Coastal Marine Zone.
Coastal – Coastal Transition Zone	This zone applies to land above mean high water springs that was typically un-zoned in previous district plans. In this case, applies to the land between Hillsborough Bay and adjacent properties.
Open Space – Informal Recreation Zone	Applies to the PS 23 site at 39 Frederick Street. Also applies to a number of esplanade reserves situated on either side of the PS 23 site.
Designations	
Designations – 9440, Wastewater Purposes – Trunk Pump Station, Designations, Watercare Services Ltd	Applies to the PS 23 site. The site is designated (ref. 9440) by Watercare for the purposes of a pump station and associated structures.
Designations – 9466, Construction, operation and maintenance of wastewater infrastructure, Designations, Watercare Services Ltd	Applies to PS 23 site. The site is designated (ref. 9466) under the AUP by Watercare for the purposes of the construction, operation and maintenance of wastewater infrastructure.
Airspace Restriction Designations – ID 1102, Protection of aeronautical functions – obstacle limitation	This designation applies to the PS 23 and works area. Its purpose is to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the aerodrome

Zoning/planning notation	Location
surfaces, Auckland International Airport Ltd	
Overlays	
National Grid Corridor Overlay – National Grid Yard Compromised	A Transpower tower is situated to the rear of 47B Frederick Street, Hillsborough (site is separated from the coastal marine area by an esplanade reserve). Applies to the rear portion of properties at 47B, 59 & 61 Frederick Street, Hillsborough and extends to Hillsborough Bay for approximately 49m.
National Grid Corridor Overlay - National Grid Subdivision Corridor	Extends 12m either side of the Transpower tower and applies to the accessway to PS 23 and properties to the east. It also applies in part to the coastal marine area (78m away from the PS 23 site) extending 48m. The proposed works is outside of the 12m national grid corridor.
Controls	
Coastal Inundation 1 per cent AEP Plus 1m Control-1m Sea level rise	Applies to majority of Coastal Transition Zone along Hillsborough Bay and in part to residential and open space sites along Hillsborough Bay.
Macroinvertebrate Community Index - Urban	Applies across the greater extent of the Site and the entirety of the works area. This control indicates the presence of urban macroinvertebrate on the site. There are no corresponding consenting requirements under this control.
Stormwater Management Area Control - HILLSBOROUGH 1, Flow 2	Applies across the greater extent of the PS 23 site, with the exception of the coastal transition zone areas and Frederick esplanade reserves.
Management Layers	
Archaeological site R11/2893	Applies to 25A Frederick St, Hillsborough Bay, Manukau Harbour. This site is located within a Department of Conservation (DOC) reserve, located 50m southwest of the pumping station and nearby 2 wooden jetties.
Coastal Statutory Acknowledgement Area	A statutory acknowledgement is a formal acknowledgement by the Crown of the particular cultural, spiritual, historical, and traditional association a Māori group has with a specified area of Crown-owned land. Statutory acknowledgements enhance the ability of Māori groups to participate in specified Resource Management Act 1991 and Heritage New Zealand Pouhere Taonga Act 2014 processes. The CMA in this location is a statutory acknowledgement area under the Te Kawerau ā Maki Claims Settlement Act 2015, the Ngāti Tamaoho Claims Settlement Act 2018, and the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. These statutory acknowledgements are addressed in Section 6.2.

4.2.2 Resource consent requirements

The activities that require resource consents pursuant to the AUP are summarised below. All resource consents required for the project are being sought as part of this application. Overall, the activity status under the AUP is a **discretionary activity**.

For the avoidance of doubt, this application specifically identifies consent triggers and any other consent requirements necessary to undertake the works.

The chapters for which resource consent is being sought are contained in Chapters F2 of the AUP. Reasons for resource consents being required under these chapters and under sections 9(2), 9(3), 13, 14 and 15 of the RMA are set out in Table 4.2 below.

The relevant AUP permitted activities are set out in Section 4.2.

Table 4.2: Resource consents required

Proposed activity	Rule reference / description	Activity status
Chapter F2 – General Coastal Marine Zone		
Depositing material on the foreshore to create the enhancement features, including incidental disturbance, diversion of coastal water and discharge of contaminants. Includes future deposition for maintenance and repair that may be needed over the term of the consent.	F2.19.2(A10) Coastal marine area depositing of material not otherwise provided for.	Discretionary Activity
Constructing structures (rock sill and timber piles), including occupation and use, and incidental disturbance, deposition, diversion of coastal water and discharge of contaminants.	F2.19.10(A121) Construction of coastal marine area structures and buildings unless provided for elsewhere in this table	Discretionary Activity

4.3 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The NES-F regulate activities that pose a risk to natural wetlands. A recent High Court decision⁴ has determined that all wetlands in the CMA are subject to the regulations of the NES-F, although we note MfE has recently consulted the public on its intention to remove CMA wetlands from the NES-F. Until such changes are in effect, Part 3, subpart 1 of the NES-F is considered relevant to the project.

In the absence of clear guidance from MfE, this planning assessment has adopted Auckland Council's interim approach of treating all areas of vegetation, mudflats and estuarine environments in the CMA as wetlands.

Based on the existing consent requiring removal of the temporary platform and reinstatement of the foreshore, the area under the temporary platform (project area) is deemed a natural wetland for the purposes of this application. In reality we note that as this project will be constructed following the platform removal, the area will not return to a wetland.

The NES-F permits earthworks within a natural wetland if it is for the purpose of natural wetland restoration, provided the conditions are met⁵. At minimum, the proposed earthworks will alter

⁴ CIV 2021-488-24 CIV 2021-488-26 [2021] NZHC 3113

⁵ Regulation 38

natural movement of water within the wetland, requiring a resource consent in accordance with Regulation 39(2)(b). As such, a restoration plan (**Appendix F**) has been prepared in accordance with Schedule 2 and will be finalised once the final construction method has been determined, and the final plan submitted to council as a condition of consent.

Therefore, the following consent is sought from Auckland Council under the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NES-F):

Table 4.3: Resource consents required under NES-F

Proposed activity	Rule reference / description	Activity status
Earthworks to construct the project	Regulation 39(2)(b)) Earthworks or land disturbance within, or within a 10 m setback from, a natural wetland which does not comply with either of the conditions in regulation 38(4).	Restricted discretionary Activity

4.4 Permitted activities

The activities listed in Table 4.3 have been identified as permitted activities under the AUP.

Table 4.3: Permitted activities assessment

Proposed activity	Rule	Comment
Planting the saltmarsh	F2.19.5(A51) <i>Planting of native vegetation</i> : permitted activity provided the standards in F2.21.1 and F2.21.6.1 are met.	The saltmarsh will be planted with native vegetation only, and the planting will meet the permitted activity standards. In particular, plants will be sourced from the same ecological district if possible.
Construction vehicle use of the foreshore, during construction and future maintenance	F2.19.8(A96) <i>Vehicle use of the foreshore and seabed, not otherwise provided for</i> : permitted activity provided the standards in F2.21.1 and F2.21.9.5 are met.	The applicable standards will be met. In particular, the relevant construction noise levels will be met, hazardous substances will be stored appropriately, and accidental discovery protocols will be followed.
Maintenance and repair of the timber piles and rock sill that may be needed over the term of the consent.	F2.19.10(A122) <i>Maintenance, repair or reconstruction of existing lawful coastal marine area structures</i> : permitted activity provided the standards in F2.21.1 and F2.21.10.1 are met.	While the ecological enhancement works have been designed with a life of 50-years, the proposed bird posts and rock sill are expected to require occasional maintenance. Maintenance and repair work will meet permitted activity standards, or a resource consent will be sought. In particular, the work will maintain the structure in a good and safe working condition, will not alter the form or external appearance of the structure in a more than minor way, and will not increase the existing footprint.

4.5 Existing resource consents

The PS 23 site is on the main CI alignment and is one of the various sites consented to facilitate construction for the installation of the Central Interceptor. Watercare holds a suite of resource consents for the CI tunnel alignment project, including the following consents that relate to PS 23:

- Consent 40844, 40845, 40846 - Works in the CMA – including all construction activities, occupation and use of tunnel; temporary construction platform and permanent sea wall structure at PS 23; and Emergency Pressure Relief structure adjacent to Mangere Pump Station (PS 23, Kiwi Esplanade, Mangere Pump Station);
- Consent 40848 – Discharges to CMA – stormwater discharges from construction works at PS 23, Kiwi Esplanade and Mangere Pump Station; and
- Consent 40849 - Discharges to CMA – stormwater discharges from construction and permanent works at PS 23, Kiwi Esplanade and Mangere Pump Station.

These permits expire on 28 November 2048.

4.6 Other consents and approvals required

No other consents or approvals are required.

5 Assessment of effects on the environment

5.1 Introduction

The following assessment identifies and assesses the types of effects that may arise from the proposed works. This assessment also outlines the measures that the applicant proposes to avoid, remedy or mitigate any potential adverse effects on the environment.

Actual and potential effects on the environment have been identified as including:

- Positive effects;
- Adverse ecological effects;
- Coastal processes effects;
- Visual amenity, landscape, and natural character;
- Public access; and
- Cultural effects.

5.2 Positive effects

The proposed works at PS 23 will have a number of positive effects, summarised below:

- PS 23 lies within the Manukau Harbour, one of the most important harbours for migratory wading species and other coastal birds in New Zealand, supporting more than 20% of the total New Zealand wader population. This project aims to restore roosting sites, many of which are under pressure from increased development, human-related disturbance and pest mammals for nationally 'At Risk' and 'Threatened' coastal birds.
- An overall net gain in habitat value for coastal birds. The saltmarsh will provide foraging and roosting habitat for cryptic wetland birds, and the proposed bird roost, rocky outcrop, and timber piles will provide roosting habitat for a variety of coastal birds, including both colony and solitary roosting species.
- The constructed saltmarsh will comprise of indigenous vegetation, providing an additional seed-source for the natural establishment of indigenous vegetation in the wider environment. Additionally, the saltmarsh will enable a buffer and filtering zone between the urban environment and the CMA.
- The proposal has a naturalistic appearance that will assist in the visual integration of the existing site infrastructure into the coastal environment. This will result in a positive effect on the perceptual (vividness and memorability of the landscape features) attributes of the site and Hillsborough Bay and on the visual amenity of views from the mudflats and future boardwalk.

5.3 Ecological effects

While the project objective is to enhance the ecological values of the site (i.e., result in positive ecological effects), limited adverse ecological effects are expected during construction. An Assessment of Ecological Effects report (Ecology Report) has been prepared (**Appendix D**) to assess potential adverse ecological effects as a result of the proposed enhancement. A summary is provided in the sections below.

5.3.1 Water quality

The Ecology Report determined the water quality of the subject site as a 'degraded 1' area, which is an area where monitoring data shows a high level of degradation.

Construction works immediately adjacent to and within the CMA have the potential to cause adverse effects on the quality of water if appropriate erosion and sediment controls are not implemented.

As detailed in Section 3.2.6, erosion and sediment control measures will be implemented to minimise the discharge of sediment and/or other material to the CMA, which will be further outlined in a CMP. With these management measures in place, the adverse water quality effects will be no more than minor.

5.3.2 Coastal birds

Various coastal birds use the subject site from time to time, for foraging purposes. Birds will be temporarily affected during construction as a result of noise, light and mobilisation disturbances. Such disturbances may increase escape flights and movement of coastal birds, resulting in increased energy demands on the birds.

The potential disturbance adverse effects are anticipated during the construction phase and for a limited time and are therefore temporary effects. It is proposed construction will be undertaken at low-mid tide, at which point the coastal birds will predominantly be found foraging in the intertidal soft mud habitat. It is expected that birds will either be far enough from the site that they're not disturbed, or that they will temporarily self-relocate to other intertidal feeding areas within the vicinity and wider Manukau Harbour if disturbed.

In terms of adverse sediment discharges effects, erosion and sediment control measures implemented prior to works starting on site are expected to appropriately manage potential sediment discharges from the site.

Overall, the anticipated adverse effects on coastal birds during construction is assessed as less than minor.

5.3.3 Coastal vegetation and wetlands

Sediment discharges and disturbance during the construction phase has the potential to result in a loss and/or change in vegetation composition of the surrounding natural habitats/wetlands.

As set out above, the proposed erosion and sediment control measures are expected to appropriately manage potential uncontrolled sediment discharges. This will ensure the adverse effects of construction on coastal vegetation and wetlands is considered to be less than minor.

5.3.4 Marine habitats

Sedimentation has the potential to result in adverse effects on the marine receiving environment, including effects on filter feeding marine fauna, marine benthic communities and fish. As previously mentioned, ESCP measures will be implemented to minimise the discharge of sediment and/or other material to the CMA. As such, the potential magnitude of effect on marine habitats from sediment discharge is expected to be less than minor as has been the case with the current CI construction programme.

5.3.5 Summary of ecological effects

Some adverse ecological effects are anticipated to occur as a result of the project. However, these effects will be well managed by the proposed erosion and sediment control procedures and are temporary effects that are limited to the construction phase only.

As detailed in Section 5.2, the proposal is expected to provide permanent positive ecological effects, providing an overall net gain in ecological values.

5.4 Coastal process effects

A Coastal Processes Assessment and Consent Level Design (Coastal Report) report has been prepared (**Appendix C**) to assess the potential adverse coastal processes effects of the project. A summary is provided below:

- There will be no measurable effects on extreme water levels caused by the proposed works within the local or wider harbour environment. Similarly, the tidal regime will not be affected by the proposed works.
- The proposed rock sill around the perimeter of the bird roost and saltmarsh will dissipate wave energy through wave breaking on the armoured slopes and over the crest.
- Low tidal currents occur in the area of the proposed works due to comparatively shallow water depths and distance from the main tidal channels. Tidal currents will be unaffected by the project.
- Sediment transport is expected to remain minimal and largely unchanged as a result of the project. The proposed salt marsh will be filled to the upper extent of its capacity to confine loose material and will therefore not remove additional sediment from the surrounding coastal system after completion.
- The increased level of protection to the existing coastal edge from this structure will reduce the potential for coastal erosion behind it. The project is not expected to increase the inundation hazard.
- Crest and bed levels may be raised if increased levels of inundation and exposure results in increased levels of maintenance.
- The shoreline (defined by MHWS) will be relocated seaward as a result of the project. However, the proposed salt marsh will continue to function as a coastal environment, with water extending into the protected planting area at high tides. The extent of the notional shift in MHWS varies subject to location along the project site up to approximately 20 m.

Overall, the potential adverse effects of the project on coastal processes are considered no more than minor.

5.5 Visual amenity, landscape and natural character

A Natural Character, Landscape and Visual Assessment (NCLVA) has been prepared by Isthmus and is attached (**Appendix E**). A summary of the effects is included below.

5.5.1 Natural character

The NCLVA report states that the highest level of natural character occurs where there has been the least amount of modification from the original natural state. The factors that contributed to natural character attributes are biotic (e.g., ecological), abiotic (e.g., geological/ natural landforms), and experiential factors (human components). These are each assessed as follows:

- **Biotic:** The coastal environment of the site is considered to have very high ecological value for coastal birds. The anticipated disturbance effects during construction works are temporary and outside the high tide (birds will be found foraging in the intertidal area). Overall, resulting in no net loss (positive effects).
- **Abiotic:** the geology and landform of the site and the wider Hillsborough area has been modified through continued and extensive development. The site itself is located on reclaimed land and is a highly modified landscape. While the project results in modification to the harbour edge, the intent is to rehabilitate the Site to provide a more naturalistic appearance and formation. Foreshore disturbance will be limited to the areas immediately surrounding

the project and the soft material will re-settle with the following tidal cycles. The NCLVA assesses adverse effects on abiotic factors as being very low.

- Experiential: while the project will introduce a change, the overall design will result in a more naturalistic appearance to the edge of the pumpstation and is assessed as a neutral contributing factor to the natural character of Hillsborough Bay.

On the basis of the NCLVA, the project is considered to have no adverse natural character effects overall.

5.5.2 Landscape character

The NCLVA Report (**Appendix E**) assessed the landscape character of the Site based on its physical aspects (e.g., geomorphology, ecological communities and processes), perceptual aspects (e.g., vividness and memorability of the landscape features) and associated aspects (e.g., historical connections). These are summarised below:

- Physical: The harbour floor will be disturbed as a result of the proposal; however, it is currently subject to temporary works. While the proposal includes deposition of material along the harbour edge resulting in a physical change to the landscape, it is only limited to a short section of Hillsborough Bay. Overall, the proposal is assessed less than minor as it is considered an enhancement of the consented reinstatement plan of the Site, providing a more naturalistic and ecologically responsive design to the harbour edge.
- Perceptual: Alterations to the reinstatement plan will contribute to integrate the Site and the Pump Station into the landscape and coastal edge. The proposed design has been tailored to be in keeping with the established coastal character of the area, which includes basalt rock sills and additional planting. As such, resulting in low (positive) adverse perceptual effects on the Site and Hillsborough Bay.
- Associative: The nature of the proposal is of nil associative value effects.

Overall, adverse landscape and character effects as a result of the ecological and landscape treatment and associated activities have been assessed as nil.

5.5.3 Visual amenity

A detailed assessment of visual amenity effects has been undertaken in the NCLVA report, including viewpoints photographs from the land and harbour edge. The potential viewing audiences are public viewpoints (such as from the coastal walkway, mudflats, and Taylors Bay), and residences to the north and west.

When viewed from the mudflats and future boardwalk, the proposed ecological and landscape enhancements at PS 23 will introduce a more naturalistic and appropriate harbour edge. In particular, the proposed saltmarsh and shallow gradient rock sills will assist visual integration. Overall, the NCLVA Report finds the project will have a very low positive effect on visual amenity from these viewpoints.

Views from Taylors Bay and Taumanu Reserve

Views from Taylors Bay (south) and Taumanu Reserve (east) will be largely contained by the future boardwalk which will traverse the harbour edge. The ecological features, including the proposed planting and rock sill will be seen beyond and below the raised boardwalk structure. Where visible, the proposal will be seen as a visually recessive and naturalistic section of the bay, resulting in neutral effects on visual amenity.



Figure 3: View from Taylors Bay.



Figure 4: View from Taumanu Reserve.

Views from residences immediately to the north and west

In terms of the visual catchment of the site from residences immediately north and west of the site is limited to those within proximity of the site including the following:

- 2/25 Frederick Street;
- 27 Frederick Street;
- 29 Frederick Street;
- 33 Frederick Street;
- 33A Frederick Street;
- 3/41 Frederick Street;
- 45B Frederick Street and
- 47B Frederick Street.

Most of the abovementioned residences are located on rising landform and have broad open views across the Manukau Harbour. The project will be seen within the context of the future boardwalk and the reinstatement planting to be undertaken within the PS 23 site (as part of Watercare's CI project). Furthermore, the proposed naturalistic design of the enhancement works will ensure that the proposal will be visually recessive and appear as a natural section of the harbour edge. The NCLVA report finds that the adverse visual amenity effects on each of these residences will range from very low adverse to very low positive.

From longer distance views, the proposal will be a barely perceptible feature within the wider context of Hillsborough Bay, and these visual amenity effects are therefore assessed as being nil.



Figure 5: View looking north from the mud-flats

Overall, the proposal will result in less than minor adverse visual amenity effects due to the naturalistic design of the enhancement works, as the proposal will be visually recessive and appear as a natural section of the broader setting of Hillsborough Bay.

5.6 Public access

The works undertaken to construct the enhancement features will only affect a small portion of the intertidal area and will not interfere with any existing public walkways. The intertidal area in this location comprises of mudflats, including soft gloopy mud, and so it is not a desirable location for walking.

During construction, public access to the works area will be restricted to ensure public safety.

Overall, the project is assessed as having less than minor adverse effects on public access.

5.7 Cultural effects

The project is not within any areas formally identified as culturally significant under the AUP; however, the Manukau Harbour and coastline falls within a Statutory Acknowledgement Area under the Te Kawerau ā Maki Claims Settlement Act 2015, the Ngāti Tamaoho Claims Settlement Act 2018, and the Ngāi Tai ki Tāmaki Claims Settlement Act 2018⁶.

Native plants, birds and animals are central to the beliefs, customs and practises to Māori. Traditionally, they provide the basic necessities of food (wild and cultivated), clothing, shelter, tools and transport (eg. waka). Native plants and animals do not exist in isolation. In Tāmaki Makaurau (Auckland) there are numerous reserves and parks, as well as transport corridors and green networks that have potential to sustain native species.

Watercare recognises that Māori relationships with land and water are a matter of national importance and regard must be had to their role of kaitiakitanga (guardianship). Watercare has engaged with iwi groups to understand which groups wished to be involved in the project as part of the project team. As a result, Te Ahiwaru Waiohau (Makaurau Marae Māori Trust), Ngaati Whanaunga, and Ngāi Tai ki Tāmaki (Ngāi Tai ki Tāmaki Tribal Trust) have inputted into the project to date, including attending the options workshop to inform the design. Consultation undertaken with interested iwi groups including those with a statutory acknowledgment is summarised in Section 7 below.

⁶ Statutory acknowledgement information sourced:

<https://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20M%20Appendices/Appendix%201%20Treaty%20Settlement%20Legislation%20-%20statutory%20acknowledgements.pdf>

In addition, Te Ahiwaru Waiohua (Makaurau Marae Māori Trust) and Ngaati Whanaunga wish to prepare Cultural Impact Assessments, which will be provided to Auckland Council upon completion.

6 Statutory assessment

6.1 RMA assessment

Section 104 of the RMA sets out the matters to which a consent authority must have regard to, subject to Part 2 of the RMA, when considering an application for resource consent. These are:

- Any actual and potential effects on the environment of allowing the activity (refer Section 5 above);
- Any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity;
- Any relevant provisions of:
 - a national environmental standard
 - other regulations
 - a national policy statement
 - a New Zealand coastal policy statement
 - a regional policy statement or proposed regional policy statement
 - a plan or proposed plan.
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

With respect to Section 104(1)(a) of the RMA, the actual and potential effects of the proposed works on the environment are set out in Section 5 of this AEE. Overall, the project will result in positive ecological effects, and any adverse effects on the environment can be appropriately avoided, remedied or mitigated such that the project will promote the sustainable management purpose of the RMA through efficient use of the site for purposes of ecological enhancement of the Manukau Harbour.

Furthermore, and based on the conclusions reached with respect to the actual and potential environmental effects of the project, no additional compensatory or offsetting measures are proposed or considered necessary in terms of Section 104(1) (ab) of the RMA. The objectives and policies of the AUP (being the relevant plan for the purpose of Section 104(1)(b) of the RMA) are assessed in Section 6.1.4 and it is concluded that the proposal is consistent with the policy direction of the AUP.

6.1.1 Part 2 of the RMA

Part 2 of the RMA sets out the purpose and principles of the Act. The purpose of the RMA is to promote the sustainable management of natural and physical resources.

Court of Appeal case law (*RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316) found that the decision in *Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd* [2014] 1 NZLR 593 does not extend to preventing recourse to Part 2 in the case of resource consent applications under s104, however where a plan is clear and directive and clearly deals with Part 2 subject matter and contains a coherent set of policies designed to achieve clear environmental outcomes, then recourse to Part 2 may not add much in the final judgement.

It is considered that the AUP appropriately reflects the provisions of Part 2 and therefore an assessment against Part 2 is not considered necessary in respect of this application.

6.1.2 National Environmental Standards

6.1.2.1 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The NES Freshwater regulates activities that pose risks to the health of freshwater and freshwater ecosystems. As addressed in Section 4.3, the NES-F also currently applies to natural wetlands in the CMA, and Part 3 subpart 1 is therefore relevant to this application.

Refer to Section 4.3 which provides an assessment against the relevant provisions. Based on this assessment resource consent is required under the NES Freshwater.

6.1.3 National Policy Statements

6.1.3.1 New Zealand Coastal Policy Statement 2010 NZCPS

The New Zealand Coastal Policy Statement 2010 (NZCPS 2010) sets out policies in order to achieve the purpose of the Act in regard to the coastal environment of New Zealand. It contains objectives and policies including those aimed at safeguarding the integrity, form, functioning and resilience of the coastal environment and sustaining its ecosystems, and preserving the natural character of the coastal environment.

Table 6.1: Objectives and policies assessment

Key Theme	Reference	Comment
Natural character of the coastal environment	Objective 2, Policy 1, Policy 6(1h), Policy 13, Policy 14, Policy 15(b)(c)	<p>The assessment of ecological effects detailed in the Ecology Report follows the framework outlined in the Environmental Institute of Australia and New Zealand (EIANZ) Ecological Impact Assessment Guidelines (EciAG). The basis of the EIANZ assessment includes the assessment of the ecological context of the site, in particular the essential characteristics.</p> <p>According to the NCLVA report, the site is not located within any specific landscape, ecological or natural character overlay and there are no known values that require protection. The NCLVA report provides an assessment of the adverse natural character effects, particularly on its constituent factors (biotic, abiotic, and experiential). In fact, the intent of the proposal is to provide an overall ecological enhancement of the site, and to rehabilitate the harbour edge, providing a more naturalistic appearance. The NCLVA report concludes that the overall adverse visual effects are less than minor at most.</p>
Sustainable management of natural and physical resources	Objective 1, Objective 6, Policy 3(2), Policy 11.	<p>The restoration of the CMA results in an overall net gain to coastal birds and vegetation which in turn contributes to the amenity of the area. An area which will bring about social benefits for current and future generations. The effects on coastal process are considered to be low/less than minor.</p>
Treaty of Waitangi principles	Objective 3, Policy 2.	<p>The objective and policies aim to recognise tangata whenua, incorporating mātauranga Māori into sustainable management practices and protecting the CMA's characteristics.</p> <p>The principles of the Treaty of Waitangi are recognised through mana whenua engagement in the resource consent application process. This is detailed in Section 5.7 and 7 of this report, which includes engagement through Watercare's Mana Whenua Kaitiaki Forum. The Ngāti Tamaoho Claims Settlement Act 2018, the Ngāti Tamaoho Claims Settlement Act 2018, the Ngai Tai ki Tamaki Claims Settlement Act 2018 and the Te</p>

Key Theme	Reference	Comment
		Kawerau a Maki Claims Settlement Act 2015 have been recognised as part of the resource consent process (Section 6.2.3).
Public access and open space	Objective 4, Policy 6(2b), Policy 18(c), Policy 19.	The public access to Hillsborough Bay will not be compromised as a result of the enhancement features placed within the CMA. The intertidal area predominantly comprises of sand flats, soft gloopy mud, with cockle shell-covered flats which are typically unsuitable for public access. The ecological enhancement features will be enjoyed by a passer-by utilising the future boardwalk.

6.1.3.2 National Policy Statement on Electricity Transmission

The National Policy Statement on Electricity Transmission (NPS-ET) provides a high-level framework that gives guidance across New Zealand for the management and future planning of the national grid. This includes the management of the adverse effects of activities from third parties on the grid which could constrain the operation, maintenance, upgrading and development of the grid.

As described in Section 2.3, while existing transmission lines are within proximity of the Site, these are at a sufficient and safe distance that the project does not pose a risk to the lines. The Site is outside of the AUP National Grid Corridor Overlay.

6.1.4 Auckland Unitary Plan assessment

6.1.4.1 Objectives and policies assessment

An assessment of the proposed works against the relevant objectives and policies of the Regional Policy Statement (Chapter B) and the District Plan/Regional Plan provisions of the AUP is included in Table 6.2 and Table 6.3 respectively below.

Table 6.2: Regional Policy Statement assessment

Key Theme	Reference	Comment
B6 Mana Whenua		
Recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation	Objectives B6.2.1(1), (2), (3) Policies B6.2.2(1), (2)	The principles of the Treaty of Waitangi are recognised through mana whenua engagement in the resource consent application process (refer to Section 7 of this report), with particular recognition of mana whenua afforded a statutory acknowledgement (Section 6.2.3) and groups with customary interests (Section 6.2.4).
Recognising Mana Whenua values	Objectives B6.3.1(1), (2), (3) Policies B6.3.2(1), (2), (3), (4), (5), (6)	The Te Kawerau a Maki Claims Settlement Act 2015, the Ngāti Tamaoho Claims Settlement Act 2018, and the Ngāi Tai ki Tamaki Claims Settlement Act 2018 have been recognised and engagement with relevant groups has been undertaken.
Māori economic, social and cultural development	Objectives B6.4.1(1), (2) Policies B6.4.2(2), (3), (4), (5), (6)	Mana whenua values have been recognised through the engagement process with Te Ahiwaru Waiohau (Makaurau Marae Māori Trust), Ngaati Whanaunga, and Ngāi Tai ki Tāmaki (Ngāi Tai ki Tāmaki Tribal Trust). Their involvement has inputted into the project to date, including attending the options
Protection of Mana Whenua	Objectives B6.5.1(1), (2), (3), (4) Policies	

Key Theme	Reference	Comment
cultural heritage	B6.5.2(2)	workshop to inform selection of the preferred design. Additionally, Cultural Impact Assessments are currently being prepared and will be provided upon completion. The cultural and spiritual value of native birds to mana whenua is recognised, noting that mitigation measures are proposed to minimise the temporary effects on during construction, whilst the project will achieve an overall net gain in ecological values.
B7 Natural Resources		
Coastal water, freshwater and geothermal water	Objectives B7.4.1(1), (2), (4), (6) Policies B7.4.2(1), (2), (3), (4), (5), (7),	The Manukau Harbour is generally classified as degraded which in turn has a direct effect on marine habitats. The deposition of material to construct the ecological enhancement features and the installation of timber piles in the CMA are to provide ecological enhancement. Construction has the potential to cause sedimentation and affect the quality of water of the CMA. These effects will be appropriately managed through measures to be detailed in the ESCP.
B8 Coastal environment		
Natural Character	Objectives B8.2.1(2), (3) Policies B8.2.2(4)	The proposed work in the CMA is designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment. The proposal avoids significant adverse effects and any effects are of a temporary nature. As concluded in section 5.5.1, on the basis of the NCLVA, the project is considered to have nil adverse natural character effects overall.
Subdivision, use and development	Objectives B8.3.1(1), (2), (4), (5), (6) Policies B8.3.2(1), (3), (4), (6)	The proposed area of works and placement of ecological enhancement features (within the footprint of the temporary platform) are considered appropriate. The project aims to enhance the ecological value of the area and involves the construction of a permanent high-tide bird roost, saltmarsh habitat, and other features. The project design and associated construction management measures put in place will mitigate adverse effects on the coastal environment.
Public access	Objectives B8.4.1(1), (2), (3) Policies B8.4.2(1), (3)	The project will not prevent public access within the CMA. Public access will be restricted during construction to ensure public safety.

Table 6.3: District Plan/Regional Plan assessment

Key Theme	Reference	Comment
Chapter F2 – General Coastal Marine Zone		
Depositing and disposal of material	Objectives F2.3.2(1), (3), (4), (5) Policies F2.3.3(7), (9)	The proposed works includes the deposition of clean material (rocks and growing medium) in the CMA for the purpose of habitat enhancement. The project area is limited to the footprint of the temporary platform and adverse ecological effects are limited to the construction phase which is well managed by the proposed erosion and sediment control procedures. Erosion and sediment control measures will be implemented as part of a Construction Management Plan (CMP). To avoid the spread or loss of sediment to the surrounding seabed and coastal waters, works will be undertaken “in the dry” around the lower stages of the tide window to avoid working within water.
Disturbance of the foreshore and seabed	Objectives F2.5.2(1) Policies F2.5.3(1), (4), (5), (6), (7)	The use of the CMA will result in short-term impacts during the construction phase. Construction disturbance is short-term and limited to the extent practicable, will be appropriately mitigated through the proposed management measures (including not working at high tide), and will be remedied by wave and tidal processes. In particular, the project is consistent with Policy F2.5.3 which provides for CMA disturbance that is necessary to enhance ecological and habitat values.
Vegetation: planting in the coastal marine area	Objectives F2.9.2(1) Policies F2.9.3(1), (2), (3), (4)	The proposal does not involve exotic planting in the CMA. The proposal involves the use of native plants sourced from the same ecological district for the proposed saltmarsh vegetation within the CMA. The project is consistent with the policy F2.9.3(4) in promoting planting in the CMA to enhance existing natural character through the use of native plants.
Use, development and occupation in the coastal marine area	Objectives F2.14.2(1), (2), (4), (8) Policies F2.14.3(1), (11),	The project does not prevent public access within the CMA. The project area is considered appropriate for the intended restoration, limited to the existing temporary platform footprint to minimise disturbance.
Structures	Objectives F2.16.2(1), (2), (3), (4) Policies F2.16.3(1), (2), (7), (8), (9), (10), (11), (19), (20)	Proposed structures (timber posts and rock sills) placed in the CMA for its intended functional need (coastal bird roosting habitat and to support saltmarsh and bird roosting habitat). The structures will not prevent public access and are appropriately designed to minimise adverse effects on the ecological, natural character, landscape, natural features, and Mana Whenua values of the coastal marine area. The timber piles are not of large scale and placed a minimum of 5 m from the future boardwalk. As such, the piles will not impact coastal activities and recreational use. Visual impacts of the structures are of less than minor effects.
E18 Natural character of the coastal environment		
Natural Character	Objectives E18.2(1), (2) Policies	As detailed in Section 5.5.1, the natural characteristics and qualities (biotic, abiotic and experiential) that contribute to the natural character of the Site are enhanced.

Key Theme	Reference	Comment
	E18.3(3), (4)	<p>The temporary construction effects on the natural character of the Site will be undertaken outside the high tide. The change in landform is to rehabilitate the Site and provide a more naturalistic appearance and formation. Overall, the proposal is of nil adverse natural character effects.</p> <p>The project is consistent with Policy E18.3(4) by way of maximising the ecological values and rehabilitating the natural character values of the Site.</p>
E19 Natural features and natural landscapes in the coastal environment		
Natural landscapes and natural features	Objective E19.2(1) Policies E19.3(2)	<p>As described in Section 5.5, the proposal will result in a physical and perceptual change to the landscape character of Hillsborough Bay, however the landscape values and characteristics of the bay will remain unchanged.</p> <p>Accordingly, the proposal will have a positive effect on the perceptual attributes of the site and Hillsborough Bay.</p>
H7 Open Space Zone		
Works within Open Space Zone	Objective H7.2(2) and H7.5.2(1). Policies H7.3(2), H7.5.3(2), (9)	<p>A small portion of the ecological enhancement features will be within the edge of the PS 23 site. This will result in less than minor effects on residents, communities and the environment.</p> <p>Watercare has engaged with iwi groups to ensure the project reflects mana whenua values as detailed in section 5.7.</p> <p>The project intends on rehabilitation the Site while maintaining amenity values (section 5.5), mana whenua values (Section 5.7) and natural values (5.2).</p> <p>The project enhances the natural character values of the open space through new planting and landscaping.</p>

6.2 Other matters

This Section sets out the other matters that the consent authority may consider relevant and reasonably necessary to determine the application in accordance with section 104(1)(c).

6.2.1 Draft National Policy Statement on Indigenous Biodiversity

An exposure draft of the National Policy Statement for Indigenous Biodiversity (Draft NPSIB) was released for consultation in July 2022 and, if approved, is anticipated to take effect in late 2022. While the consideration of a proposed NPS is not explicitly required by section 104(1)(b)(iii), the Draft NPSIB is considered potentially relevant under section 104(1)(c).

Clause 1.3 of the Draft NPSIB sets out its application, being that it applies to indigenous biodiversity throughout Aotearoa New Zealand, other than indigenous biodiversity in the CMA and aquatic indigenous biodiversity. However, it does apply to specified highly mobile fauna (including those that use the CMA or water bodies) and wetland restoration. For this proposal, the Draft NPSIB is considered to apply to some coastal bird species that use the CMA in the vicinity of the site.

The Draft NPSIB seeks to strengthen the contribution that the RMA makes to 'halting the decline' of indigenous biodiversity in a nationally coordinated way. The Draft NPSIB is underpinned by three fundamental concepts: Te Rito o te Harakeke (which seeks to achieve an integrated and holistic approach to maintaining indigenous biodiversity), the maintenance of indigenous biodiversity, and adherence to the effects management hierarchy.

The single objective of the Draft NPSIB is to protect, maintain and restore indigenous biodiversity in a way that recognises tangata whenua as kaitiaki, and people and communities as stewards, of indigenous biodiversity; and provides for the social, economic and cultural wellbeing of people and communities, now and into the future.

The Draft NPSIB identifies 17 policies. Of note are:

- Policy 1 – indigenous biodiversity is managed in a way that gives effect to Te Rito o te Harakeke;
- Policy 2 – to recognise the role of tangata whenua as kaitiaki and to identify and protect indigenous species and ecosystems that are taonga;
- Policy 13 – to provide for the restoration of indigenous biodiversity;
- Policy 15 – areas outside of SNAs that support specified highly mobile fauna are identified and managed.

Policies 13 and 15 are particularly relevant as the proposal will restore indigenous biodiversity habitat, including saltmarsh wetlands and roosting habitat for birds, including species specified as highly mobile fauna.

6.2.2 Iwi management plans

An iwi management plan (IMP) is a term commonly applied to a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. The readily available IMPs identified as being relevant to the Site is Waikato-Tainui's Environmental Management Plan (Tai Tumu Tai Pari Tai Ao), Ngāti Whātua Ōrākei's Environmental Management Plan (Te Pou o Kāhu Pōkere) and Te Kawerau ā Maki's Resource Management Statement.

Waikato-Tainui's Environmental Management Plan (Tai Tumu Tai Pari Tai Ao)

Waikato Tainui has developed an Environmental Plan and this Plan is applicable to PS 23 and its surrounds. The Plan is developed out of Whakatupuranga 2050 (Waikato-Tainui strategic plan), which is a long-term development approach to building the capacity of Waikato-Tainui marae, hapū, and iwi. The goal of Waikato-Tainui is to ensure that the needs of present and future generations are provided for in a manner that goes beyond sustainability towards an approach that enhances the environment.

The Plan sets out the specific environmental matters of interest to Waikato-Tainui. Of these, the following chapters (which set out objectives, policies and methods for each topic) are considered to be relevant to this application:

- Chapter 14 relates to customary activities and includes Hauanga kai - the customary and contemporary gathering and use of naturally occurring and cultivated foods. After feedback received from mana whenua, Watercare investigated the potential for the project to enhance the provision of kai moana in the area, however this was not deemed possible due to the nature of the intertidal substrate.
- Chapter 15 relates to natural heritage and biodiversity. Decreased indigenous biodiversity is identified as a key issue for Waikato-Tainui, and Objective 15.3.1 seeks that the full range of Waikato ecosystem types found throughout the Waikato-Tainui rohe are robust and support representative native flora and fauna. While not in the Waikato, the Site is located within the Waikato-Tainui rohe and will restore habitats for native flora and fauna.
- Chapter 24 relates to the coastal environment. Objective 24.3.1 seeks that the mauri of marine waters in the Waikato-Tainui coastal area is protected and enhanced and the marine biodiversity is restored and protected. The coastal environment of Hillsborough Bay is already heavily modified as a result of land use activities including the Pump Station. This application

restores and enhances this area by creating habitats of greater biodiversity value than the existing.

It is considered that the proposal is consistent with Waikato-Tainui's Environmental Management Plan.

Ngāti Whātua Ōrākei's Environmental Management Plan (Te Pou o Kāhu Pōkere)

Ngāti Whātua Ōrākei has developed an Environmental Plan and this Plan is applicable to PS 23 and its surrounds. Te Pou o Kāhu Pōkere is a recognised iwi planning document for the purposes of the Resource Management Act 1991. It is intended to be a succinct "manual" for resource management practitioners, with a focus on land use and Resource Management Act matters. As such, Ngāti Whātua Ōrākei wish to be engaged regarding policy and strategy, specific development projects and sites of cultural significance.

The goal for Ngāti Whātua Ōrākei is to ensure all activities are environmentally restorative and reflects their kaitiakitanga and guardianship roles in Tāmaki Makaurau. Biodiversity is a particularly relevant area of interest to this project.

Native plants, birds and animals are central to their beliefs, customs and practises, noting that native plants and animals do not exist in isolation. Intertidal habitats adjacent to PS 23 provide effective foraging habitat for coastal birds. This application will provide additional habitat which includes open roosting habitat, perching habitat and saltmarsh habitat and improve the overall ecological environment around the PS 23 site. This is consistent with the relevant desired outcomes of the Plan.

Te Kawerau ā Maki's Resource Management Statement.

Te Kawerau ā Maki has developed a resource management statement to outline the concerns and goals the Kawerau ā Maki Trust have with regard to the sustainable management of the taonga within the tribal area of Te Kawerau. This statement is applicable to PS 23 and its surrounds. This plan sets out the role of Kawerau ā Maki as kaitiaki. The general approach is being active, promoting sustainable development, recognition as kaitiaki and internal education.

The Plan sets out the specific environmental matters of interest to Te Kawerau ā Maki. Of these, the following sections (which set out objectives and policies) are considered to be particularly relevant to this application:

- Section 4.5 relates to the coastal marine area. Objective 4.5.1 seeks that their role as Kaitiaki is given effect to in the protection, enhancement and appropriate use of the CMA.
- Section 4.7 relates to land and landscape. Objective 4.7.2 seeks that their role as Kaitiaki is given effect to in the management and protection of the land and landscape.

6.2.3 Statutory Acknowledgements and Deeds of Settlement

The CMA in this location is a statutory acknowledgement area under the Ngāti Tamaoho Claims Settlement Act 2018, the Ngai Tai ki Tamaki Claims Settlement Act 2018 and the Te Kawerau ā Maki Claims Settlement Act 2015.

Ngāti Tamaoho Claims Settlement Act 2018

Of relevance to this application is the Ngāti Tamaoho Claims Settlement Act 2018 (specified in Schedule 11 of the RMA). This Act acknowledges and apologises to Ngāti Tamaoho for confiscated lands in which the iwi had interests in and gives effect to provisions of the deed of settlement that settles the historical claims and the breach of te Tiriti o Waitangi/ the Treaty of Waitangi and its principles. As part of the cultural redress, statutory acknowledgement was made over an area of CMA including the Manukau Harbour.

The Deed of Settlement Summary states that “A statutory acknowledgement recognises the association between Ngāti Tamaoho and a particular site or area and enhances the iwi’s ability to participate in specified Resource Management Act 1991 processes.” In particular, the consent authority “must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11” when determining affected parties.

PS 23 and its surrounds fall within a Statutory Acknowledgement Area under the Ngāti Tamaoho Claims Settlement Act 2018.

Ngāti Tamaoho have been engaged with, as outlined in Section 7 below.

Ngai Tai ki Tamaki Claims Settlement Act 2018

The rohe of Ngāi Tai ki Tāmaki is centred in Tāmaki Makaurau/Auckland, extending to Hauraki/Coromandel and, in particular, the coastline, harbours and motu/islands of the Waitematā harbour and Tīkapa Moana/ Hauraki Gulf.

PS 23 and its surrounds fall within a Statutory Acknowledgement Area under the Ngai Tai ki Tamaki Claims Settlement Act 2018. This Act acknowledges and apologises to Ngāti Tamaoho for confiscated lands in which the iwi had interests in and gives effect to provisions of the deed of settlement that settles the historical claims and the breach of te Tiriti o Waitangi/ the Treaty of Waitangi and its principles. As part of the cultural redress, statutory acknowledgement was made over an area of CMA including the Manukau Harbour.

Ngāi Tai ki Tāmaki signed their Deed of Settlement with the Crown on 7 November 2015.

Ngāti Tai ki Tamaki has been engaged with, as outlined in Section 7 below.

Te Kawerau ā Maki Claims Settlement Act 2015

Te Kawerau ā Maki is an iwi with customary interests that extend from the Tāmaki isthmus, northwards through Hikurangi (West Auckland) and lands around the upper Waitemata Harbour and North Shore, and into the south Kaipara and Mahurangi. PS 23 and its surrounds fall within a Statutory Acknowledgement Area under the Te Kawerau ā Maki Claims Settlement Act 2015.

Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014 at Makaurau Marae in Mangere.

The Te Kawerau ā Maki Deed of Settlement is the final settlement of all historical claims of resulting from acts or omissions by the Crown prior to 21 September 1992 and is made up of a package that includes an agreed historical account, Crown acknowledgments and apology to Te Kawerau ā Maki, cultural redress, financial and commercial redress and collective redress.

Te Kawerau ā Maki has been engaged with, as outlined in Section 7 below.

6.2.4 Customary interests under the Marine and Coastal Area (Takutai Moana) Act

The Marine and Coastal Area (Takutai Moana) Act 2011 (MACA Act) restores the right of iwi, hapu and whānau to have their customary rights recognised in specific parts of the Common Marine and Coastal Area (CMCA), through customary marine titles (CMTs) and protected customary rights (PCRs).

Section 62(3) of the MACA requires that, if a person applies for a resource consent in relation to part of the common marine and coastal area, that person must notify any CMT applicant groups with an interest in that part of the common marine and coastal area and seek the views of those groups.

The following applicants have made CMT claims to the Manukau Harbour⁷:

- Ngāti Whātua
- Ngāti Whātua Orakei;
- Ngāti Whātua Ōrākei Trust;
- Ngā marae o te takutai moana o Waikato-Tainui;
- Ngā Hapū me ngā marae o te takutai moana o Waikato-Tainui;
- Ngāpuhi nui toni;
- Ngāti Rahiri;
- Ngāti Awa;
- Ngā Tahuhu;
- Ngāitawake;
- Te Hikutu Hapū;
- Ngāi Tai ki Tāmaki;
- Ngāti Kawau and Te Waiariki Korora;
- Ngāpuhi Nui Tonu (Te Kotahitanga Marae)
- Ngāti Tamaoho;
- Ngāti Te Ata;
- Ngāpuhi Nui Tonu (Taiao Marae); and
- Ngāpuhi Nui Tonu (Matawhaorua Marae).

Watercare has notified each of these parties in accordance with section 62(3) of the MACA. Refer to Section 7.2.

⁷ The MACA Act applicants were identified from Te Arawhiti. Sourced:

[Te Kete Kōrero a Te Takutai Moana Information Hub \(Kōrero Takutai\) \(arcgis.com\)](https://www.tearawhiti.govt.nz/assets/Application-maps/Northland-maps/0e58d3e274/MAC-01-01-54.pdf)

<https://www.tearawhiti.govt.nz/assets/Application-maps/Northland-maps/0e58d3e274/MAC-01-01-54.pdf>

<https://www.tearawhiti.govt.nz/assets/Application-maps/Northland-maps/bafd1e82fd/MAC-01-01-52.pdf>

7 Consultation and notification assessment

7.1 Consultation introduction

Watercare has consulted with mana whenua, stakeholders and interest groups regarding the ecological enhancement works within the CMA at PS 23. This includes the following parties:

- Mana whenua
- Department of Conservation (DoC)
- Auckland Council – Regulatory department
- Auckland Council Parks
- Local interest/community groups
- Transpower Ltd

The extent of the consultation with these groups and the outcomes of the consultation to date are summarised below.

7.2 Mana Whenua

Watercare primarily engages with Mana Whenua through its Mana Whenua Kaitiaki Forum, which comprises representatives from the following groups:

- Ngāi Tai Ki Tāmaki
- Ngāti Maru
- Ngāti Pāoa
- Ngāti Rehua
- Ngātiwai ki Aotea
- Ngāti Tamaoho
- Ngāti Tamaterā Ngāti
- Te Ata
- Ngāti Wai
- Ngāti Whanaunga
- Ngāti Whātua Ōrākei
- Te Ahiwaru
- Te Ākitai
- Te Patukirikiri
- Te Uri o Hau, Waikato Tainui
- Te Kawerau ā Maki
- Ngāti Whātua o Kaipara
- Ngāti Manuhiri
- Te Rūnanga o Ngāti Whātua

Watercare's Mana Whenua Kaitiaki Forum meets regularly to discuss and share views on the management of water, wastewater and all matters affecting the strategic interest of mana whenua across the Auckland region.

In November 2021, Watercare invited representatives of the Kaitiaki Forum to be involved in development of the project, as part of the project team. Representatives from Te Ahiwaru

(Makaurau Marae), Ngāti Whanaunga and Ngai Tai ki Tamaki indicated interest in being part of this project team.

During the concept development and option selection stage of the project, the Mana Whenua project team has taken part at options assessment workshops in February 2022 and April 2022, providing specialist advice to formulate the consent level design. In addition to these workshops, Watercare holds fortnightly hui with the Mana Whenua project team, in order to provide updates on project changes, issues and progress.

The key feedback received from the Mana Whenua project team to date is as follows:

Mana Whenua comment	Response
Recognition that the Manukau Harbour is degraded.	The project aims to restore and enhance the ecological value of the coastal environment.
Can the project help to maintain and enhance habitat for kaimoana, such as cockles, pipi and scallops? Accessibility to kai is a significant issue as it links people to the moana and enhances mana of the marae.	This was explored but the location is not suitable for shellfish restoration due to the high level of sediment, and its location high in the intertidal zone. Hard substrates may provide habitat for encrusting species, but this is probably limited to oysters. The proposed saltmarsh will provide some filtering and improve water quality in a small way.
Māori view of ecology is the interface with people, everything is connected. The project has opportunities for integrating the local community, iwi, and interest groups.	Watercare will investigate opportunities for the project to bring people and the environment together through the detailed design and delivery stages. This may include community planting, weeding or rubbish collection.
Can the project assist with better flushing of sediment from the wider harbour?	This is a sheltered area, well away from the main channel, and the project is not able to positively affect flushing.
Re-use of CMA material is preferred	Watercare will investigate opportunities to reuse material excavated from the temporary construction platform and foreshore may be to construct the project as much as practicable.
Effect of mammalian pests and human disturbance on roosting birds	Mammalian pest control at this location has been considered, and project ecologists do not consider it is necessary. Adequate sightlines for roosting birds have been assessed and are reflected in the design. The project has been designed to minimise the effect of human disturbance on roosting birds, such as through minimum separation distance of roosting areas from the future boardwalk.

Engagement with the Mana Whenua project team is ongoing and will continue through project development and delivery.

In addition to the Mana Whenua project team, Te Rūnanga o Ngāti Whātua and Ngāti Maru form a Cultural Outcomes Group. The Group provides specialist advice, particularly in the areas of consent compliance, new consent applications and social outcomes, as well as reporting back to the Kaitiaki Forum. This project was added to the monthly agenda in February 2022. The Cultural Outcomes Group regularly meets with CI representatives to support the project team in delivering project outcomes with cultural aspects.

The PS23 ecological enhancement project was added to the Mana Whenua Kaitiaki Project List in September 2022. The Kaitiaki Managers Project List is provided on a monthly basis to the nominated representatives of all 19 mana whenua in the Auckland Council area. A brief summary of the project

is included and Mana Whenua are invited to indicate if they have an interest. Further information is provided to those parties followed by further engagement, depending on the responses received.

Watercare also notified all applicants that have made CMT claims to the Manukau Harbour under the MACA Act by email on 15 September (refer to Section 6.2.4 and **Appendix G**). To date, no responses have been received.

7.3 Auckland Council – Regulatory department

Watercare has engaged with Auckland Council’s regulatory department to discuss the project and receive pre-lodgement advice for the resource consent application. A Preliminary Planning Assessment was provided via email August 2022. A pre-application meeting (reference PRR00039571) was held in September 2022 with Auckland Council’s Premium Regulatory team to discuss these matters, confirming the applicable rules and information requirements, including that the project is considered wetland restoration under the NES Freshwater and restoration plan requirements.

7.4 Other stakeholders

Watercare has consulted with a range of other stakeholders and interest groups regarding the project.

The Puketāpapa Local Board was notified of the project by email on the 19th of September 2022 (**Appendix G**). The email described the background to the project, including mana whenua input, and attached draft drawings. Watercare offered to provide further information or attend a project workshop if the Board wished. No response has been received to date.

Notice of the project was also provided to the following groups by email on the 23rd of September 2022 (**Appendix G**):

- Auckland Council Parks and Places
- Transpower NZ
- Department of Conservation
- Manukau Harbour Restoration Society
- Manukau Harbour Forum.

On the 27th of September the Manukau Harbour Forum acknowledged the receipt of the project information and indicated interest at providing the information to the public. Watercare has agreed.

While the other parties have not yet responded, any input would be considered in the detailed design stage.

7.5 Notification assessment

7.5.1 Public notification

Section 95A of the RMA is relevant when a consent authority is considering whether a consent application should be considered with or without public notification.

Section 95A identifies a four-step process. In relation to these steps, we note the following:

- The applicant does not request public notification of the application;
- There is no rule or national environmental standard that precludes or requires public notification of this application;

- An assessment of effects on the environment is provided in Section 5 of this AEE report. This assessment concludes that the adverse effects on the environment are likely to be no more than minor;
- The application is not for any of the activities identified in section 95A(5)(b) (i.e. a controlled activity, subdivision of land or a residential activities, a boundary activity, or an activity prescribed in section 360H(1)(a)(i));
- No special circumstances are considered to exist in relation to the application.

Based on this assessment, we consider that this proposal meets the tests of the RMA to be processed without public notification.

7.5.2 Limited notification

For applications that are not publicly notified, under section 95B, the consent authority must determine whether to give limited notification of an application to any affected parties. Section 95B identifies a four-step process. In relation to these steps, we note the following:

- The application does not need to be notified to any parties under section 95B(4). The proposed change will not affect any customary rights;
- The proposed activity is land that is the subject of a statutory acknowledgement (refer to Section 6.2.3);
- There are no applicable rules or national environmental standards precluding limited notification;
- No special circumstances are considered to exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification.

Section 95E(1) states that a consent authority must consider a person to be an affected person if the activity's adverse effects on the person are minor or more than minor (but not less than minor). We make the following comments:

- Watercare has consulted with each of the iwi that have a Statutory Acknowledgement over the Site, as detailed in Section 7. In summary:
 - Te Kawerau ā Maki and Ngāti Tamaoho are part of Watercare's Kaitiaki Forum and were invited to be involved in the development of the project, but they did not express an interest in being part of the project team. They continue to be kept informed of the project via the Kaitiaki Forum. No specific comments regarding the project have been received from these iwi groups. Te Kawerau ā Maki and Ngāti Tamaoho are therefore not considered to be affected parties.
 - Ngāi Tai ki Tāmaki is part of the project team and has been involved in the project development phase (including attendance at options development workshops) until their representative resigned. Unfortunately, a replacement was not available, but this iwi entity has been kept informed via the Kaitiaki Forum. Ngāi Tai ki Tāmaki has expressed no opposition to the project from their involvement to date. Ngāi Tai ki Tāmaki is therefore not considered to be an affected party.
- As set out in Section 5.5.3 above, visual catchment of the site from residences immediately north and west of the site is limited to those within proximity and the adverse effects are less than minor.

Based on this assessment, we consider that this proposal meets the tests of the RMA to be processed without limited notification.

7.5.3 Section 95 conclusions

Following the steps set out in sections 95A and 95B, we consider that the application should be processed without public or limited notification.

8 Conclusion

This AEE report has been prepared on behalf of Watercare to accompany a resource consent application to authorise the construction of ecological enhancement features in the coastal marine area at Pump Station 23, as part of Watercare's Central Interceptor environmental outcomes. Watercare considers this site presents an opportunity to go beyond CI consent compliance and undertake a comprehensive programme of restoration and enhancement works. Specifically, the project aims to enhance the ecological value of the area and involves the construction of a permanent high-tide bird roost, saltmarsh habitat and other features.

The project requires resource consent discretionary activity under the AUP and a restricted discretionary activity under the NES Freshwater.

This AEE concludes that the project is consistent with the relevant objectives and policies of the AUP and the NPS-F. Overall, the adverse effects on the environment as a result of the proposed construction activities will be appropriately managed and adverse effects mitigated resulting in less than minor effects. More broadly, the actual and potential effects of the proposed works include a number of positive effects, in particular it will result in a net gain of indigenous biodiversity values, creating a saltmarsh and high tide roosting habitat for coastal birds.

Accordingly, we respectfully request that this resource consent application be granted on a non-notified basis, subject to fair and reasonable conditions. We would appreciate the opportunity to comment on draft conditions prior to any consent being granted.

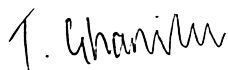
9 Applicability

This report has been prepared for the exclusive use of our client Watercare Services Limited, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

We understand and agree that our client will submit this report as part of an application for resource consent and that Auckland Council as the consenting authority will use this report for the purpose of assessing that application.

Tonkin & Taylor Ltd
Environmental and Engineering Consultants

Report prepared by:



.....
Tara Ghanim
Planner

Authorised for Tonkin & Taylor Ltd by:

P.P



.....
Karen Baverstock
Technical Director

6-Oct-22

t:\auckland\projects\1015172\1015172.1600 - ps 23 bird roost\202201004. ps23 bird roost aee_ final.docxbis.docx

Appendix A Record of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier **NA97C/394**
Land Registration District **North Auckland**
Date Issued 04 April 1995

Prior References

NA89C/566 NA9B/1172

Estate Fee Simple
Area 2030 square metres more or less
Legal Description Lot 1 Deposited Plan 161858

Registered Owners

Watercare Services Limited

Interests

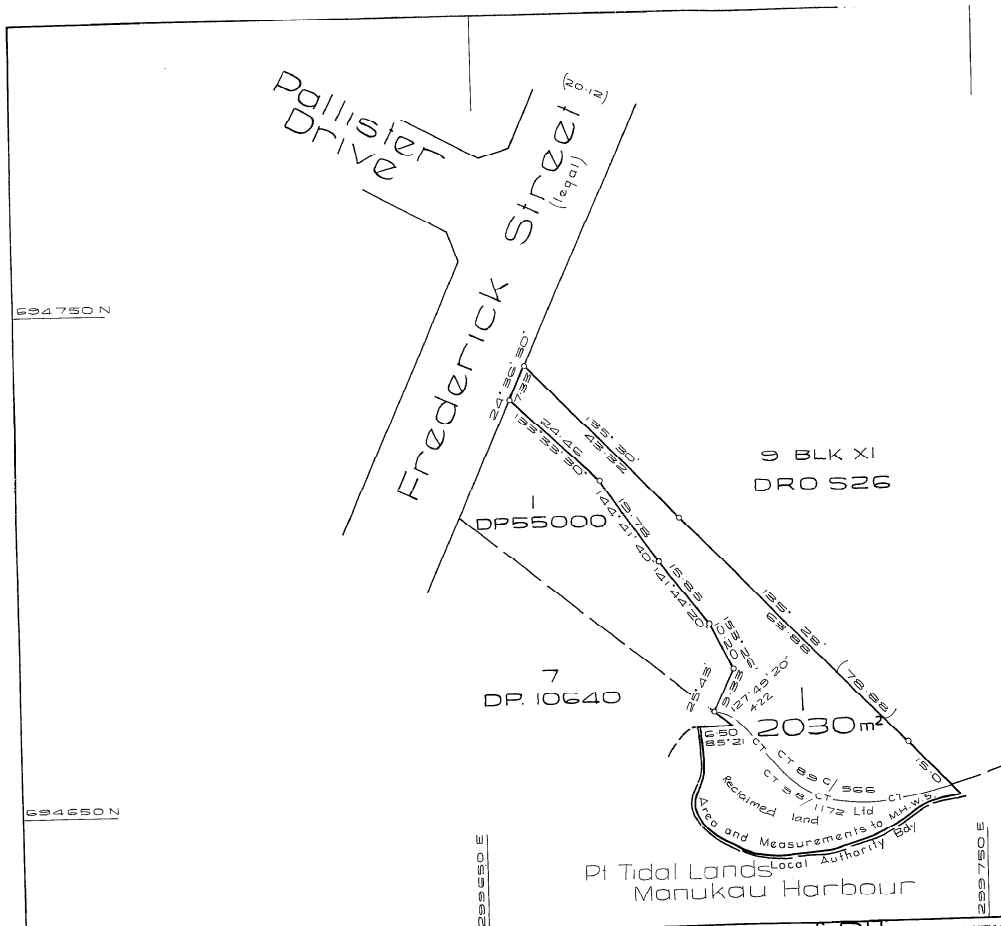
Fencing agreements in Conveyance 295599 (R354.238)



Fencing Agreement in Transfer 320187

Fencing Agreement in Transfer 557607

Subject to a drainage right (in gross) over part coloured yellow on Plan 55000 in favour of the Onehunga Borough Council created by Transfer A136861

C480523.2 CAVEAT BY THE AUCKLAND REGIONAL COUNCIL (AFFECTS PART) - 14.5.1993 AT 1.57 PM



Approvals EXEMPT FROM THE PROVISIONS OF PART X OF THE RESOURCE MANAGEMENT ACT 1991, LAND TO BE ACQUIRED FOR A PUBLIC WORK EXEMPT BY SECTION 11(1)(b) OF THE RESOURCE MANAGEMENT ACT 1991 AUTHORIZATION TO RECLAIM SEE SECTION 35(4) AUCKLAND METROPOLITAN DRAINAGE ACT 1960 REGISTERED OWNER THE COMMON SEAL OF WATERCARE SERVICES LIMITED WAS HERETO AFFIXED IN THE PRESENCE OF - <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  DIRECTOR </div> <div style="text-align: center;">  SECRETARY </div> </div>	
New CT allocated Lot 1 CT 970/394 Total Area 2030 m² Comprised in CT 930/566 (all) 98/1172 L10 (51) Timothy James Smedley Registered Surveyor and holder of an annual practicing certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1980) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof Dated at Auckland this 7 day of June 1994 of 1994 Signature [Signature]	
Field Book p Reference plans Examined and Corrected E. Hindmarsh	Approved as to Survey 1.11.94 Deposited this day of June 1994 District Land Registrar
LOCAL AUTHORITY Auckland City Surveyed by CATO CONSULTANTS LTD Scale 1:500 Date Mar. 1994 DP 161858	

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. VIII Titirangi
 NZMS 261 SHT RECORD MAP No 35/22

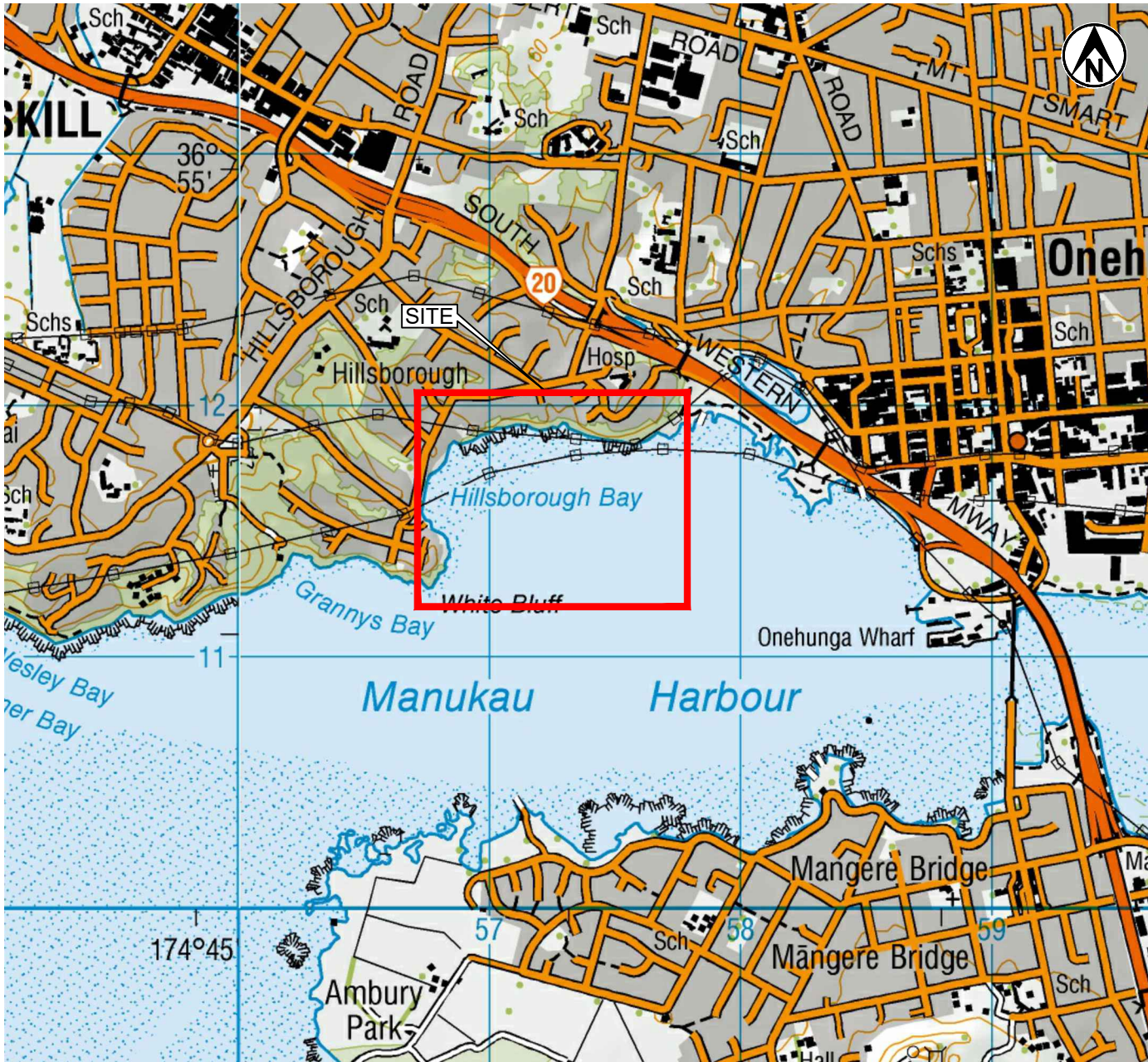
Lot 1 being subdivision of Pt of the Tidal Lands of the Manukau Harbour Lot 2 DP 55000
 LOCAL AUTHORITY Auckland City
 Surveyed by CATO CONSULTANTS LTD
 Scale 1:500 Date Mar. 1994

CENTIMETRES 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
 31 MAY 1995

Appendix B Design Drawings

WATERCARE SERVICES LIMITED
PUMP STATION 23 ECOLOGICAL ENHANCEMENT
Draft Consent Level Design Issue

DRAWING	Rev	Title
• 1015172.1600-000	1	DRAWING LIST AND LOCALITY PLAN
• 1015172.1600-001	1	EXISTING LAYOUT
• 1015172.1600-002	1	PROPOSED LAYOUT
• 1015172.1600-003	1	PROPOSED SECTIONS - SHEET 1 OF 2
• 1015172.1600-004	1	PROPOSED SECTIONS - SHEET 2 OF 2



TOPOMAP SOURCED FROM LINZ DATA SERVICE <<https://data.linz.govt.nz/layer/50767-nz-topo50-maps/>> , LICENSED BY LINZ FOR RE-USE UNDER THE CREATIVE COMMONS ATTRIBUTION 4.0 NEW ZEALAND LICENCE (CC BY 4.0). ACCESSED 09/08/2022.

LOCALITY PLAN
SCALE 1:25,000

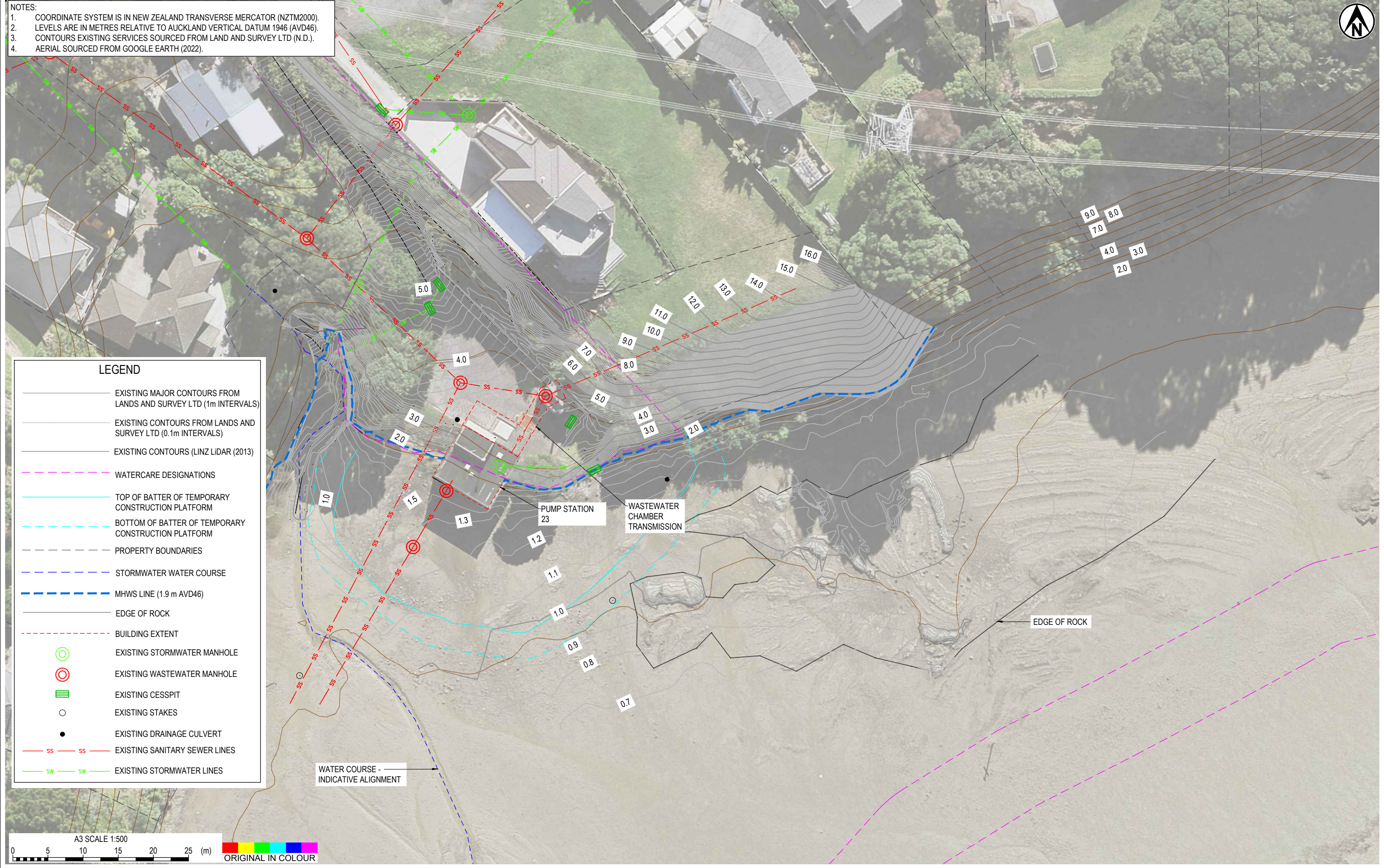
• Denotes drawing this issue: 07/10/2022



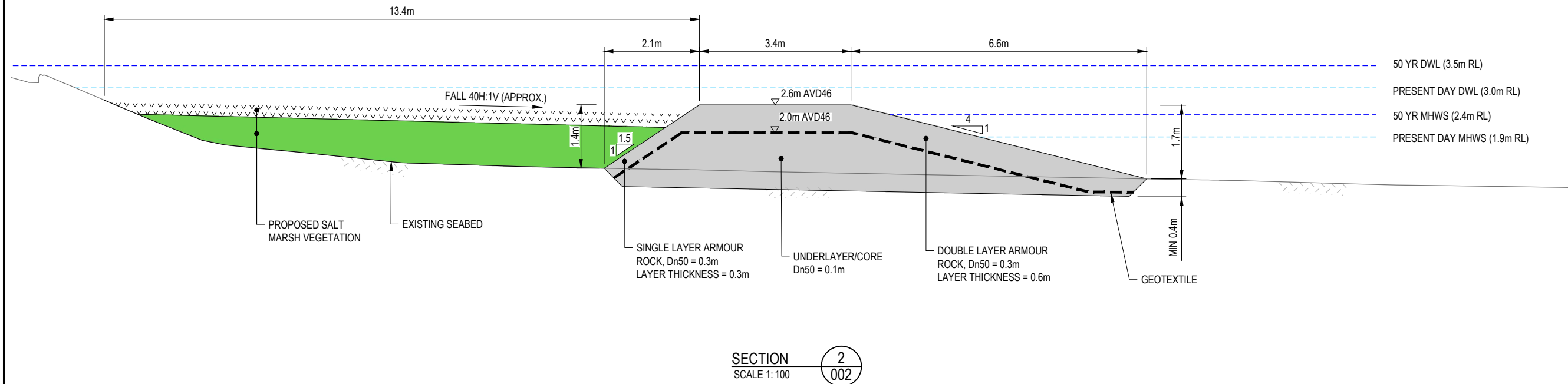
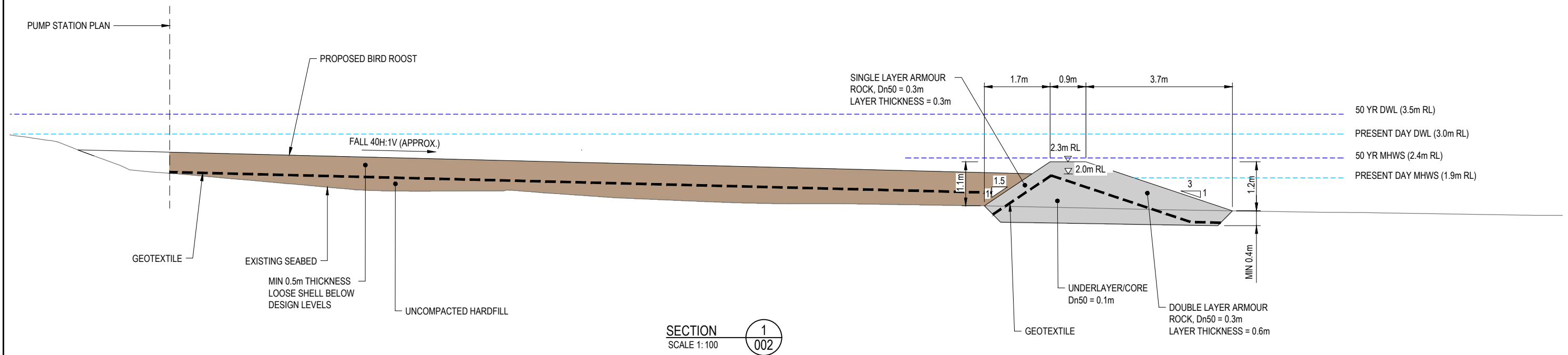
Exceptional thinking together www.tonkintaylor.co.nz

1	DRAFT CONSENT LEVEL DESIGN ISSUE	CHLI	PWQ	07.10.22	DESIGNED DRAWN DESIGN CHECKED DRAWING CHECKED			COVA CHLI PWQ JC	Aug.22 Aug.22 Oct.22 Oct.22	DRAWING STATUS DRAFT CONSENT LEVEL DESIGN	CLIENT	WATERCARE SERVICES LIMITED				
											PROJECT	PUMP STATION 23 ECOLOGICAL ENHANCEMENT				
											TITLE	ECOLOGICAL ENHANCEMENT WORKS DRAWING LIST AND LOCATION PLAN				
REV	DESCRIPTION	CAD	CHK	DATE	APPROVED			DATE			SCALE (A3)	1:25000	DWG No.	1015172.1600-000	REV	1

- NOTES:
1. COORDINATE SYSTEM IS IN NEW ZEALAND TRANSVERSE MERCATOR (NZTM2000).
 2. LEVELS ARE IN METRES RELATIVE TO AUCKLAND VERTICAL DATUM 1946 (AVD46).
 3. CONTOURS EXISTING SERVICES SOURCED FROM LAND AND SURVEY LTD (N.D.).
 4. AERIAL SOURCED FROM GOOGLE EARTH (2022).



- NOTES:
1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
 2. LEVELS ARE IN METRES RELATIVE TO AUCKLAND VERTICAL DATUM 1946 (AVD46).
 3. ECOLOGICAL ENHANCEMENT EXTENTS AND LOCATION CONCEPT ONLY, SUBJECT TO CHANGE DURING DETAILED DESIGN.



1	DRAFT CONSENT LEVEL DESIGN ISSUE	COVA	PWQ	07.10.22	DESIGNED	COVA	Aug.22	DRAWING STATUS DRAFT CONSENT LEVEL DESIGN	CLIENT	WATERCARE SERVICES LIMITED				
					DRAWN	COVA	Aug.22		PROJECT	PUMP STATION 23 ECOLOGICAL ENHANCEMENT				
					DESIGN CHECKED	PWQ	Oct.22		ECOLOGICAL ENHANCEMENT WORKS PROPOSED SECTIONS - SHEET 1 OF 2					
DRAWING CHECKED	JC	Oct.22												
					NOT FOR CONSTRUCTION			THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED AS APPROVED						
REV	DESCRIPTION	CAD	CHK	DATE	APPROVED			DATE	SCALE (A3)	1:100	DWG No.	1015172.1600-003	REV	1

THIS DRAWING IS NOT TO BE USED
FOR CONSTRUCTION PURPOSES
UNLESS SIGNED AS APPROVED

1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
2. LEVELS ARE IN METRES RELATIVE TO AUCKLAND VERTICAL DATUM 1946 (AVD46).
3. ECOLOGICAL ENHANCEMENT EXTENTS AND LOCATION CONCEPT ONLY, SUBJECT TO CHANGE DURING DETAILED DESIGN.



1	DRAFT CONSENT LEVEL DESIGN ISSUE	COVA	PWQ	07.10.22	DESIGNED	COVA	Aug.22	DRAWING STATUS DRAFT CONSENT LEVEL DESIGN	CLIENT	WATERCARE SERVICES LIMITED				
					DRAWN	COVA	Aug.22		PROJECT	PUMP STATION 23 ECOLOGICAL ENHANCEMENT				
					DESIGN CHECKED	PWQ	Oct.22		TITLE	ECOLOGICAL ENHANCEMENT WORKS				
					DRAWING CHECKED	JC	Oct.22		PROPOSED SECTIONS - SHEET 2 OF 2					
					NOT FOR CONSTRUCTION				THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED AS APPROVED					
REV	DESCRIPTION	CAD	CHK	DATE	APPROVED		DATE		SCALE (A3)	1:100	DWG No.	1015172.1600-004	REV	1

Appendix C Coastal Processes Assessment and Consent Level Design report

Appendix D Assessment of Ecological Effects Report

Appendix E Natural Character, Landscape and Visual Assessment

Appendix F Draft Coastal Wetland Restoration Plan

Appendix G Consultation records

- **Example MACA notification letter – sent to the parties listed in Section 6.2.4**
- **Email to Puketāpapa Local Board**
- **Project information sent to the parties listed in Section 7.4**

15 September 2022

Watercare Services Limited

Private Bag 94010

Auckland 2241

www.watercare.co.nz

ciproject@water.co.nz

www.centralinterceptor.co.nz



Contractor project helpline

24 hours

0800 425 802

Tēnā koe Sir/Madam on behalf of Ngāti Tamaoho

RESOURCE CONSENT APPLICATION FOR ECOLOGICAL ENHANCEMENT IN THE COASTAL MARINE AREA AT WATERCARE'S PUMP STATION 23: NOTICE UNDER SECTION 62(3) OF THE MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011 TO APPLICANTS FOR CUSTOMARY MARINE TITLE

Watercare Services Ltd (Watercare) understands that you have made an application for customary marine title or protected customary right under section 62(3) of the Marine and Coastal Area (Takutai Moana) Act 2011 in the area relevant to its Pump Station 23 (PS23), within the Manukau Harbour.

We wish to notify and seek your views in relation to resource consents that will be lodged under the Resource Management Act 1991 to undertake ecological enhancement works within the Coastal Marine Area (CMA) at PS23, as part of the Central Interceptor (CI) project.

The CI project involved the construction of a temporary construction platform within the CMA. The ecological enhancement project will replace this platform with permanent bird roosts and saltmarsh habitat. The project is expected to benefit a range of coastal bird species, including those that are nationally threatened and at risk, and enhance the coastal vegetation values of the site and surrounding area.

Watercare intends to lodge the resource consent applications in October 2022, requesting they be processed without public notification. However, if resource consent applications are publicly notified through the consenting process, you will have an opportunity to make submissions through that process also, should you wish to do so.

We would be grateful if you could please provide any views no later than 6 October 2022. Our address and contact details are provided below. Please contact us if you would like to discuss the project further or if you require any further information.

Ngā mihi mō ō whakaaro e pā ana ki tēnei pukapuka tono. Thank you for your time in considering this application.

Ngā mihi



Xenia Meier

Environmental Manager - CI
Watercare Services Limited

Enc. Draft consent level drawings for the PS23 Ecological Enhancement Project

From: [PWilson \(Peter\)](#)
To: [RES Local Board Puketapapa](#)
Cc: [SSanjeshni \(Shalini\)](#)
Subject: Central Interceptor Frederick St PS23 site: Ecological enhancement project
Date: Monday, 19 September 2022 8:59:59 am
Attachments: [CI PS23 Ecological enhancement project-draft consent level design-Sept22.png](#)

Dear members, please find below and attached information about an ecological enhancement initiative Watercare is proposing at Pump Station 23 (PS23) as part of the Central Interceptor (CI) project. The site is on Watercare land at 39 Frederick Street, Hillsborough.

The opportunity for the enhancement project arose after an ecological report by consultants Boffa Miskell in 2012. This identified that CI could achieve some ecological gains by improving the coastal habitat at the site. In addition, the report considered the site to have moderate-to-high bird and marine populations.

While the current design and site reinstatement plans for PS23 meet the ISC ^[1] requirements, this project is an opportunity to go beyond compliance and improve the environment around the site. Ecological enhancement works at PS23 have the potential for long-term positive effects on the local wetland and marine habitats and also for coastal birds. Given continued degradation of the coastal environment across the Tamaki Makaurau/Auckland region, this project provides an opportunity to benefit a wide range of native species.

Mana Whenua consultation

Watercare consultants and designers recently provided input into the landscape aspect, producing three ecological enhancement options within the Coastal Marine Area (CMA) adjacent to PS23. Given the work is in a coastal marine area, Mana Whenua groups have claimed statutory acknowledgement.

The concept sketches for the options were assessed in a workshop held with Mana Whenua this past April. As a result of this process, it was decided that we will proceed with Concept #3: please see the attachment for the detailed draft design.

Concept #3

The features of this selected concept include:

- Bird roosts connected to the land to provide roosting habitats
- Saltmarsh vegetation to enhance the declining wetland habitat
- A rocky outcrop to provide roosting habitats for non-wading birds
- Clustered timber piles to provide roosting habitats for at-risk and threatened birds

At this stage, the design is at a consent level and will be updated as part of more detailed design work. We are engaging closely with Mana Whenua, fortnightly basis to provide them with updates on consent progress and to consult on the design.

Next steps

We realise this is a very busy time for members but now that we have the detailed draft design, we wanted to inform the board about the project. For a number of reasons, we have a very tight timetable for the project.

We are in the process of preparing the consent application and aim to lodge it with Auckland Council in October 2022, to enable them to grant consent by the end of the year. Delaying this until 2023 puts the build in jeopardy as we need to construct as we remove the CI temporary platform at PS23, enabling us to reuse the material for the roosts in a sustainable manner. This is currently planned for mid-2023.

If there are any questions or further information needed, please respond to me directly and I will get that information. If the board wishes to set up a workshop to find out more, either this year

or in the new year, we would of course be very happy to attend.

Regards, Peter

Peter Wilson | Stakeholder & Communications Lead, Central Interceptor

Watercare Services Limited

Mobile: +64 21 341 884

Customer service line: +64 9 442 2222

Postal address: Private Bag 92 521, Victoria St West, Auckland 1142, New Zealand

Physical address: 73 Remuera Road, Remuera, Auckland 1050, New Zealand

Website: www.watercare.co.nz

^[1] Infrastructure Sustainability Council of Australia (ISCA) - The IS Rating Scheme (IS) is Australia and New Zealand's only comprehensive rating system for evaluating economic, social and environmental performance of infrastructure across the planning, design, construction and operational phases of infrastructure assets.



**Watercare Central Interceptor project:
Ecological enhancement initiative
Pump Station 23, Frederick St, Hillsborough site
Introduction - September 2022**

Background

The Watercare Central Interceptor tunnel is a major infrastructure project which will significantly reduce wastewater overflows into the inland waterways for central Auckland.

While the project itself leaves a long-term legacy for the city, we also want to improve social outcomes for the communities along the tunnel route. We are pleased to announce a further project to do so.

What is planned

Watercare is proposing an ecological enhancement initiative at Pump Station 23 (PS23) as part of the Central Interceptor (CI) project. The site is on Watercare land at 39 Frederick Street, Hillsborough.

The opportunity for the enhancement project arose after an ecological report by consultants Boffa Miskell in 2012. This identified that CI could achieve ecological gains by improving the coastal habitat at the site. In addition, the report considered the site to have moderate-to-high bird and marine populations.

While the current design and site reinstatement plans for PS23 meet the ISC¹ requirements, this project is an opportunity to go beyond compliance and improve the environment around the site. Ecological enhancement works at PS23 have the potential for long-term positive effects on the local wetland and marine habitats and also for coastal birds. Given continued degradation of the coastal environment across the Tāmaki Makaurau/Auckland region, this project provides an opportunity to benefit a wide range of native species.

Consultation

Watercare consultants and designers recently provided input into the landscape aspect, producing three ecological enhancement options within the Coastal Marine Area (CMA) adjacent to PS23. Concept sketches for the options were then assessed in a workshop held with Mana Whenua. As a result of this process, it was decided to proceed with Concept #3: please see below for the detailed draft design.

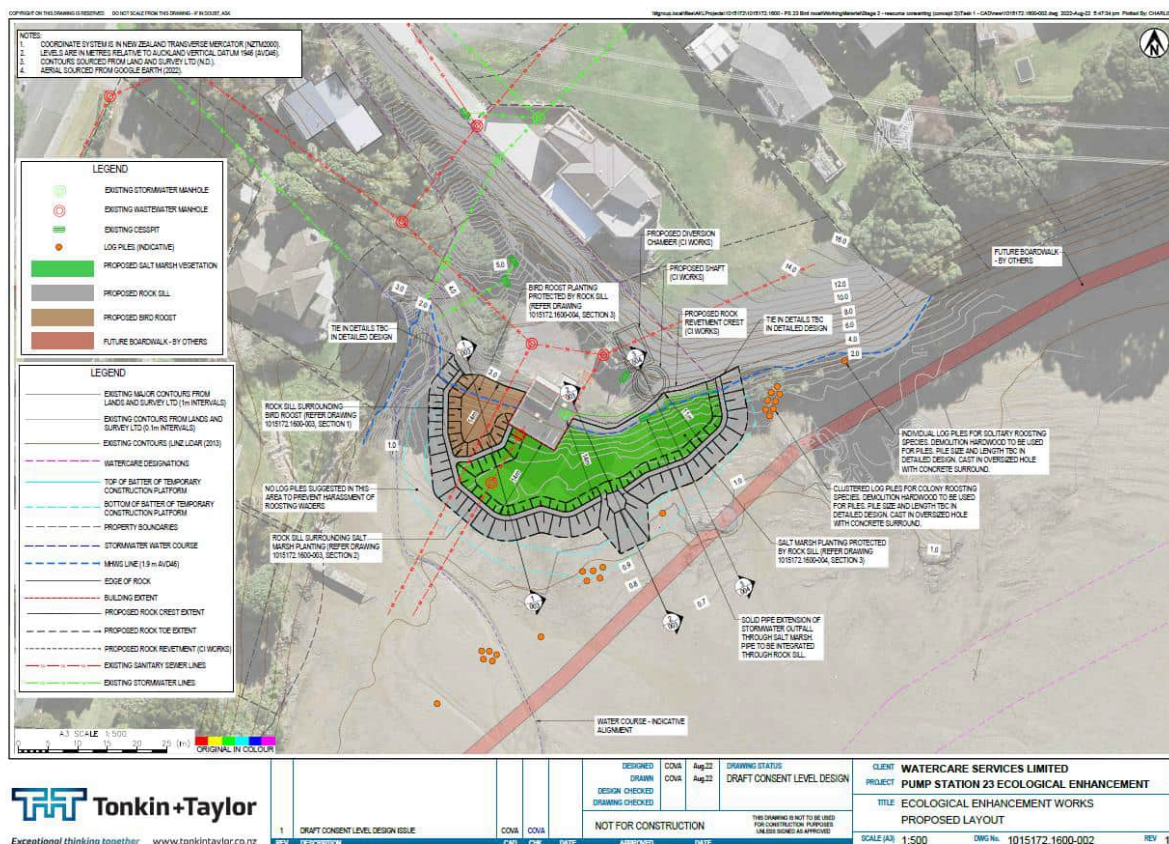
We continue to engage closely with Mana Whenua, providing them regular updates on the consent progress and continuing to consult on the design. The Puketāpapa local board has also been updated.

(¹ Infrastructure Sustainability Council of Australia (ISCA) - The IS Rating Scheme (IS) is Australia and New Zealand's only comprehensive rating system for evaluating economic, social and environmental performance of infrastructure across the planning, design, construction and operational phases of infrastructure assets.)

Concept #3

The features of this selected concept include:

- Bird roosts connected to the land to provide roosting habitats
- Saltmarsh vegetation to enhance the declining wetland habitat
- A rocky outcrop to provide roosting habitats for non-wading birds
- Clustered timber piles to provide roosting habitats for at-risk and threatened birds



Next steps

We wanted to inform you of about the project as you have a vital interest in the Manukau Harbour and its flora and fauna. At this stage, the design is at a consent level and will be updated as part of more detailed design work. We are in the process of preparing a consent application and aim to lodge it with Auckland Council in October, to enable them to grant approval by the end of 2022. The timing is quite critical as we need to construct in mid-2023. At that time, we plan to remove the Central Interceptor's temporary platform at PS23 to enable us to reuse the material for the roosts in a sustainable manner.

We will provide updates for you as we come to future milestones on this project.

Kind regards, the Central Interceptor team



Central Interceptor



www.tonkintaylor.co.nz