

21 February 2023

Ministry for the Environment
Fast-Track Consenting Team
Private Bag 10362
Wellington 6143

Attention: Madeleine Berry
Acting Manager, Fast-track Consenting Team

by Email

Dear Madeleine,

REQUEST FOR FURTHER INFORMATION RESPONSE – TEAL PARK PROJECT – STAGE 1

I refer to your letter detailing a request for further information received 7th February 2023. This letter serves as a response to those requests, and is supported by accompanying documents, which should be read in conjunction with this letter:

Name	Author
44314-DR-C-8700 SW Discharge Options	Cato Bolam

Our responses in reply to the comments are as follows:

- 1. The project scope needs to be clearly defined. In the application, the proposed reserve will either be vested to the Council or developed into a commercial cafe. We understand that it would rely on Auckland Council's acceptance of the vesting of the public reserve but have you had any consultation with Auckland Council regarding this matter? Would you be able to determine at this stage if it will be a public reserve or a commercial cafe?**

The applicant has engaged with Auckland Council's Parks Department in relation to the future ownership of the proposed Open Space recreation reserve and associated café, but is yet to receive a response (see consultation email attached).

Council agreement is required for any proposal to vest land as drainage or recreation reserve. Section 223(5) of the RMA confirms a territorial authority's discretion whether or not to accept a reserve for vesting, when approving a survey plan of subdivision.

The applicant has not relied on the proposed reserve as being a Council-owned Open Space. In the event that the Council did not want to accept the recreation reserve land, it would simply remain within the ownership of the applicants and be set aside as private communally-owned open space.

2. Planting and installation of stormwater outlet will occur in the existing esplanade reserve. Have you consulted Auckland Council regarding the likelihood of getting approval for these proposed activities? Will such approval potentially impact on timing or delivery of the project? Do you have an alternative stormwater management plan in the event that an approval is not obtained?

The applicant has not specifically engaged with Auckland Council regarding the installation of the stormwater outlet. Consultation will be undertaken during Stage 2 of the process. We have no reason to believe that Auckland Council's approval will not be granted for the stormwater outlet given that stormwater discharge of this nature is routinely granted. We expect discussions with Auckland Council will be based on the design, placement and planting.

Should the proposed stormwater discharge option not be approved by Auckland Council, alternative options will be pursued, as outlined below. Given that the alternative options are available, approval will not impact on timing or delivery of this project.

We have sought expert advice from Paul Kleynhans, Associate Engineering Manager, Cato Bolam regarding alternative stormwater discharge options. See Alternative Discharge Plan attached and response below:

There are several options available to enable stormwater to discharge from the proposed subdivision known as Teal Park on the corner of Kauri Road and Brigham Creek road. The preferred option for the stormwater discharge was submitted with the fast track application, which involves a large diameter stormwater pipe through number 11 Kauri Road (which is already owned by the developer), and to outlet positioned in the adjacent esplanade reserve to discharge to the Waiarohia Stream. While the position of the outlet is steep, there is sufficient space to construct an outlet that reduces the velocity of the stormwater being discharged to mitigate erosion and scouring. This position is also as far downstream as is practical which reduces the impact on downstream flooding, but positioned upstream of the coastal edge which starts at the northern boundary of 11 Kauri Road. While this is the best practical option, there are other options available, which include:

Option 1: Pipe the stormwater to the north, upgrade the existing culvert and discharge to the small unnamed tributary positioned in 37 and 41 Kauri road. This option would require stormwater drains to be extremely deep (in excess of 5 metres). The existing watercourse is small in nature, and the increased catchment is likely to change the nature of the watercourse. The watercourse is already very steep as it merges with the Waiarohia Stream, and avoiding

additional scouring of the banks would be challenging. In similar projects, Heathy Waters have advised against utilizing small watercourses where increased catchments may result from development and instead recommended discharging to the more significant downstream watercourse. This in part led to the preferred option above being selected.

Option 2 and 3: Discharge either upstream or downstream of the culvert road crossing. There is a vast number of services and drains within the road reserve near the Kauri Road intersection which makes installing large diameter stormwater pipes very challenging. The stream banks

on either side of Brigham Creek road which would complicate constructing an outlet structure that sufficiently reduces the velocity and protects and stream bank. Furthermore, based on the future upgrade works suggested by SGA, the outlets may not be practical long term as they may clash with the proposed upgrade/bridge construction.

Option 4: Upgrade and connect to the existing culvert crossing Kauri road adjacent to number 5 Kauri road. The existing culvert drains to an existing overland flow path that crosses number 5 and 9 Kauri road before discharging to the Waiarohia Stream. Connecting the proposed development to this culvert is likely to transform the overland flow path into a permanent stream. It is likely that the property owners affected would object to such a proposal. The alternative would be to pipe the stormwater all the way to the Waiarohia Stream, however, this proposal would be the same as that proposed as the preferred option, and would add the additional complication of negotiation with two property owners to work on land not owned the developer.

There is also the option of combining those listed above and splitting the catchment into two or more smaller catchments with separate outlets. This is considered to be less preferable with multiple outlets and additional assets for Council ownership.

Based on the above, we believe the preferred option is the most practical solution, however, if for some reason that option is rejected, other options exist that would enable the proposed subdivision to proceed.

We trust that this further information is of assistance. Please do not hesitate to contact us should additional clarification be required.

Yours sincerely



Philip Brown
Director
Campbell Brown Planning Limited



Michelle Kemp
Principal Planner
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