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9 February 2023

Engkun Trustee Limited  
31 Brigham Creek Road  
Whenuapai  
Auckland 0618

## **Affected Party Approval – 31 Brigham Creek Road**

The purpose of this letter is to formally request Affected Party Approval from you in relation to this project and provide you with information relating to the attached “Written approval of affected person” form (Attachment A).

In addition to this letter, you can find a comprehensive overview of what it means to be an “affected party”, as defined on Auckland Council’s and the Ministry for the Environment’s websites (links are at the bottom of this letter).

### **1. Background**

When processing an application for resource consent, and a Notice of Requirement, one of the first steps that Auckland Council will take is to determine whether the application should be processed on a non-notified, limited notified or fully notified basis. In deciding on notification, Council must determine who is likely to be affected by the project and its associated activities.

Given the nature of the Whenuapai Wastewater Servicing Scheme, and the proposed works on your property, we expect that you will be considered an affected party by Council in relation to the Notice of Requirement. Specifically, we consider this to mainly be in relation to potential noise and vibration effects, effects relating to earthworks on your property, removal of riparian vegetation and construction traffic utilising this access road. We discuss this further below.

### **2. “Written approval of affected persons” Form**

In addition to access agreements and arrangements that are being sought, we are asking you to sign a “Written approval of affected persons” form that we then will submit to Council. This standard form, generated by Auckland Council, is attached (Attachment A).

“Part C” of this form contains several statements that must be ‘ticked’ in order for written approval to be granted. The remainder of this letter goes through each of these boxes and provides additional project-specific details.

**PART C (to be completed by persons and/or organisations providing written approval)**

**PART C – DECLARATION**

- I/We have been given details of the proposal and plans to which I/we are giving written approval.
- I/We have signed each page of the plans in respect of this proposal. These need to accompany this form.
- I/We understand that by giving my/our written approval, the Council when considering the application cannot take account of any actual or potential effects of the activity on my/our property.
- Further, I/we understand that at any time before the determination of the application, I/we may give notice in writing to the Council that this approval is withdrawn.

**3. The Project**

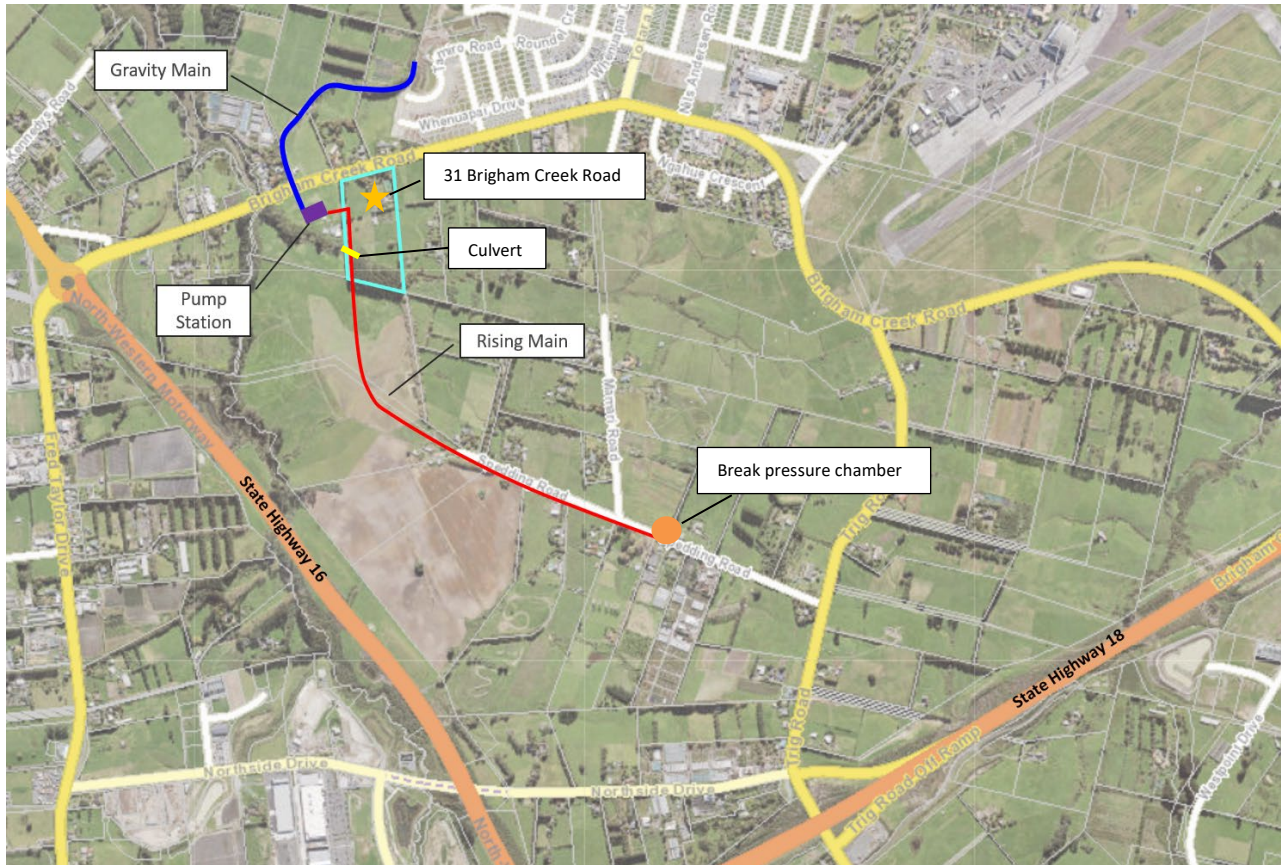
*“I/We have been given the details of the proposal and plans to which I/we are giving written approval”*

Watercare is serving a Notice of Requirement and lodging a resource consent application to construct and operate new wastewater infrastructure, including:

1. A **Pump Station** at a point where the Whenuapai and Redhills Catchments meet at 23A Brigham Creek Road, with an emergency overflow outfall to the Sinton Stream.
2. A **Gravity Main Pipeline** (approximately 700m long and 375 – 475 mm in diameter) between the existing Whenuapai Village Pump Station on Tamiro Road and the Pump Station
3. A **Rising Main** (approximately 1.5km long and 500 mm in diameter) between the Pump Station and a proposed new break pressure chamber on Mamari Road.
4. A **Culvert** (approximately 63 m long including wing wall and rip rap) to provide access for the rising main across Sinton Stream.
5. A **Break Pressure Chamber** located on the corner of Mamari and Spedding Roads.

The project extent is shown on the image below, and there are more detailed plans attached to the letter (Attachment B). These include:

- Whenuapai Wastewater Servicing Scheme Phase 1 - Brigham Creek Road, Whenuapai: Designation – Pump Station. Drawing No: GIS-4219201-4
- Whenuapai-Redhills Wastewater Servicing: Interim Slaughterhouse PS – Wastewater Rising Main. General Layout. Drawing no: 2013654.004
- Whenuapai-Redhills Wastewater Servicing: Interim Slaughterhouse PS – Wastewater Rising Main Plan and Longsection. Drawing no: 2013654.005 to 2013654.007.



The key activities on your property are:

- A new access road approximately 6 m wide and 180 m long, constructed along the western boundary of your property. This is likely to include cutting into the ground at a shallow depth and compacting the ground to ensure the road is level. The access road is temporary to allow construction vehicles to access the site with materials to build the pipeline. Once construction is finished the site will be reinstated to its pre-construction condition.
- A new Rising Main (wastewater pipeline), with one air valve and one scour valve, installed along the western boundary of your property (as shown in the above figure). In order to construct the pipeline, the ground will be cut into a 'trench', these trenches are approximately 1.4-1.8 m wide and between 0.5m-4.1 m deep. The trench will be constructed in sections to limit effects on the surrounding environment.
- A culvert in Sinton Stream to the south of your property. The culvert will be a rectangular concrete box structure, the base of which will be partially embedded below the stream bed. Earth fill will be placed on top of the culvert, to raise the ground level and provide a flat surface across the stream suitable for the access road. The pipe and access road will then cross the stream over top of the culvert. The culvert is the same design and methodology as the culvert proposed by Oyster Capital to underlie the Spedding Road extension, in private plan change 69.

At this stage, it is anticipated that it will take approximately **4 months** to install the access road, culvert, and pipeline. The access road will remain in place until the remainder of the rising main has been constructed

(another approximately **9 months**). Once construction of the rising main is complete the access road across your property will be removed, and the ground reinstated to its existing condition, which will take approximately **1 month**.

Potential effects have been identified relating to the construction by technical specialists, who have made recommendations as to how any potential or actual effects can be avoided, remedied or mitigated. Of relevance to you, there will be:

- Temporary noise from construction activities that you may hear on and off for approximately 5 months (during installation of the access road, and then the subsequent removal). A noise assessment has been undertaken, which indicates that the construction works near your house may generate noise which may be able to be heard from inside your house, but that the noise will be at levels which are unlikely to interfere with daily activities.
- Temporary noise and dust generated from construction traffic driving along the access road. It is anticipated that trucks may drive along the access road approximately 1 to 12 times per hour.
- Tree and vegetation removal, including removal of pine trees from the banks of Sinton Stream over an area of approximately 3,250 m<sup>2</sup>. Watercare are proposing to replant native trees to replace the trees removed, on a ratio of 1.5 tree planted for every plant removed. The location and timing of the replacement planting will be coordinated with you as the property owner, and the proposed Oyster Capital works to extend Spedding Road to meet Brigham Creek Road, to avoid the potential need to remove the new trees and vegetation in future.

***“I/We have signed each page of the plans in respect of this proposal. These need to accompany this form”***

Please sign each page of the plans attached to this letter before returning to William.hung@water.co.nz. We encourage you to get in touch with us to discuss any aspect of the proposed works, should you have any questions or concerns.

***“I/We understand that by giving my/our written approval, the Council when considering the application cannot take account of any actual or potential effects of the activity on my/our property”***

The way in which the Council form is worded can sometimes cause misunderstandings. It states that if you give your written approval,

- the adverse effects on you will not be considered when Council decides whether to notify the application, or to grant or decline the application; and
- you can't appeal the decision after the resource consent has been approved or issued.

For clarity, this does not mean that the potential and actual effects of the activity will go 'un-mitigated.' Under the Resource Management Act 1991, Watercare is required to avoid, remedy and mitigate the actual and potential effects that may arise from project-related activities.

You can find out more about this form, and Council's process, on their website (links provided below).

***“Further, I/we understand that at any time before the determination of the application, I/we may give notice in writing to the Council that this approval is withdrawn”***

You may withdraw this form at any time ahead of a decision.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'William Hung', with a long horizontal flourish extending to the right.

William Hung | Senior Resource Consents Planner

**Watercare Services Limited**

Mobile: 021 613 506

#### Useful links

- An everyday guide: Your rights as an 'affected Person' (<https://www.mfe.govt.nz/node/16390>)
- Written Approval of Affected Persons (<https://www.aucklandcouncil.govt.nz/building-and-consents/resource-consents/prepare-resource-consent-application/Pages/written-approval-affected-persons.aspx>)

## Attachment A - Written Approval of Affecter Persons

# Written approval of affected persons

## PART A (to be completed by applicant)

### PART A – APPLICATION

Applicant(s) name:  
*(please write all names in full)*

Address of proposed activity:

Consent number if known:

Brief description of proposed activity:


Plan references (including title, author and date):


Resource consent(s) being sought for (describe area(s) of non-compliance):


## PART B (to be completed by persons and/or organisations providing written approval)

### PART B – AFFECTED PERSON(S)

		Tick if Owner	Tick if Occupier
Full name: <i>(in print)</i>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full name: <i>(in print)</i>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full name: <i>(in print)</i>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Address of affected property:	<input type="text"/>		Postcode: <input type="text"/>
Phone:	<input type="text"/>	Mobile:	<input type="text"/>

**PART B – AFFECTED PERSON(S) (continued)**

I have authority to sign on behalf of all the other: (tick one)

OWNER(S)       OCCUPIER(S)

of the property. Please provide documentation proving this authority.

*Please note: the approval of all the legal owners and the occupiers of the affected property may be necessary.*

**PART C (to be completed by persons and/or organisations providing written approval)**

**PART C – DECLARATION**

- I/We have been given details of the proposal and plans to which I/we are giving written approval.
- I/We have signed each page of the plans in respect of this proposal. These need to accompany this form.
- I/We understand that by giving my/our written approval, the Council when considering the application cannot take account of any actual or potential effects of the activity on my/our property.
- Further, I/we understand that at any time before the determination of the application, I/we may give notice in writing to the Council that this approval is withdrawn.

*Note: You should only sign below if you fully understand the proposal. If you require the resource consent process to be explained you can contact the Customer Service Team at the Council who can provide you with information.*

Signature(s):	<input type="text" value=""/>	Date:	<input type="text" value=""/>
Signature(s):	<input type="text" value=""/>	Date:	<input type="text" value=""/>
Signature(s):	<input type="text" value=""/>	Date:	<input type="text" value=""/>

**PRIVACY INFORMATION**

The council requires the information you have provided on this form to process your application under the RMA and to collect statistics. The council will hold and store the information, including all associated reports and attachments, on a public register. The details may also be made available to the public on the council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council. If you would like to request access to, or correction of any details, please contact the council.