

I hereby give notice that an ordinary meeting of the Environment and Community Committee will be held on:

**Date:** Tuesday, 14 August 2018  
**Time:** 9.30am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

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**Komiti Taiao ā-Hapori Hoki /  
Environment and Community Committee  
OPEN ADDENDUM AGENDA**

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**MEMBERSHIP**

|                           |                                |                               |
|---------------------------|--------------------------------|-------------------------------|
| <b>Chairperson</b>        | Cr Penny Hulse                 |                               |
| <b>Deputy Chairperson</b> | Cr Alf Filipaina               |                               |
| <b>Members</b>            | Cr Josephine Bartley           | Cr Mike Lee                   |
|                           | IMSB Member Renata Blair       | Cr Daniel Newman, JP          |
|                           | IMSB Member James Brown        | Cr Greg Sayers                |
|                           | Cr Dr Cathy Casey              | Cr Desley Simpson, JP         |
|                           | Deputy Mayor Bill Cashmore     | Cr Sharon Stewart, QSM        |
|                           | Cr Ross Clow                   | Cr Sir John Walker, KNZM, CBE |
|                           | Cr Fa'anana Efeso Collins      | Cr Wayne Walker               |
|                           | Cr Linda Cooper, JP            | Cr John Watson                |
|                           | Cr Chris Darby                 |                               |
|                           | Cr Hon Christine Fletcher, QSO |                               |
|                           | Mayor Hon Phil Goff, CNZM, JP  |                               |
|                           | Cr Richard Hills               |                               |

(Quorum 11 members)

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**10 August 2018**  
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## Update on Weiti development and wider catchment issues

File No.: CP2018/14420

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### Te take mō te pūrongo / Purpose of the report

1. To update the committee on the Weiti development and surrounds as well as to provide some facts and information in response to the presentation to the July committee by the Great Parks Society on 10 July 2018.

### Whakarāpopototanga matua / Executive summary

2. There is a long planning history in the Okura/Weiti area, dating back over a decade to legacy Rodney District Council. For Weiti, the existing planning provisions have been approved through the Environment Court and consents have been issued in accordance with these provisions.
3. The catchment drains into Karepiro Bay and the Long Bay-Okura marine reserve. There are a variety of land uses, including forestry, agriculture and industry and numerous streams running through these uses. Due to the nature of soils in the area, and around most of Auckland, there will always be some sediment run-off from the land into the coast, regardless of land use.
4. Council is developing a land-based model and a coast-based (hydrodynamic) model to better understand the long-term effects of land use on the coast. These models have the potential to be used throughout Auckland in the future.
5. In their presentation to the July Environment and Community Committee, the Great Parks Society raised a number of concerns around the Weiti development and council's regulatory role. The report provides some brief facts in relation to:
  - Compliance of the Weiti development with earthworks and sediment conditions
  - Cockle mortality
  - Sediment from smaller sites
  - Weiti Development's environmental monitoring reports
  - The ability to 'shut down' earthworks activities.
6. In summary, staff are satisfied that that the erosion and sediment controls at this location are achieving high levels of effectiveness, that the erosion and sediment control conditions are being met and the adverse effects on the environment are consistent with that envisaged through the resource consents. There are no legal grounds to cancel or review any existing consent.
7. At a regional level, staff have been working across disciplines and departments to consider possible alternative approaches to reducing sediment flow into Auckland's coastal environments, and it is recommended that we formally report options to the committee by the end of the calendar year.

## Ngā tūtohunga / Recommendation/s

That the Environment and Community Committee:

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- a) request a scoping report by December 2018 on options for an integrated approach to reduce sedimentation of Auckland's coastal waters (a regional view, not specific to the Weiti development or the catchment), including the following matters:
    - i) individual site approaches
    - ii) catchment approaches
    - iii) timeframe
    - iv) costs
    - v) resourcing, including any trade-offs in work programme required to prioritise this work.
  - b) note that the land-based contaminant load and coastal modelling for the Okura/Weiti catchment will be finalised by the end of 2018.
  - c) note that as the bulk earthworks on the Weiti development draw to a close, council's compliance monitoring staff will continue to prioritise monitoring of the development, particularly through the individual house-building phases.
  - d) request staff to continue to work with interested parties in the Okura/Weiti area around on-going environmental modelling in the catchment.

## Horopaki / Context

### Wider catchment

8. The catchment area that ultimately drains into Karepiro Bay and the Long Bay-Okura marine reserve is a complex and varying environment. The total area of the catchment is approximately 7,200 hectares and contains a variety of land uses including forestry, agriculture, residential housing, commercial and industrial activities. There are also a number of streams running through the catchment and through all these land uses which then flow down into the coast.
9. All land use, including grassed paddocks, affects the coastal receiving environments and this has been demonstrated by the increase in fine sediment that has been recorded in the eight east-coast estuaries council monitors across the region. The soils in the catchment and around most of Auckland are clay-based and not particularly porous, therefore there will always be some sediment run-off from the land into the coast.
10. The Long Bay Okura Marine Reserve was established in 1995 through an Order of Parliament (the Marine Reserve (Long Bay-Okura) Order 1995), and covers all of the Okura Estuary, parts of Karepiro Bay and the coastal waters past Long Bay to Toria Point in the south. The reserve comprises a diversity of coastal habitats; the sandy beaches of Long Bay and Karepiro Bay, the rocky reefs off the two headlands at either end of Long Bay, and the sandflats and mudflats of the Okura River and estuary. Figure 1 is a map showing the extent of the Marine Reserve.

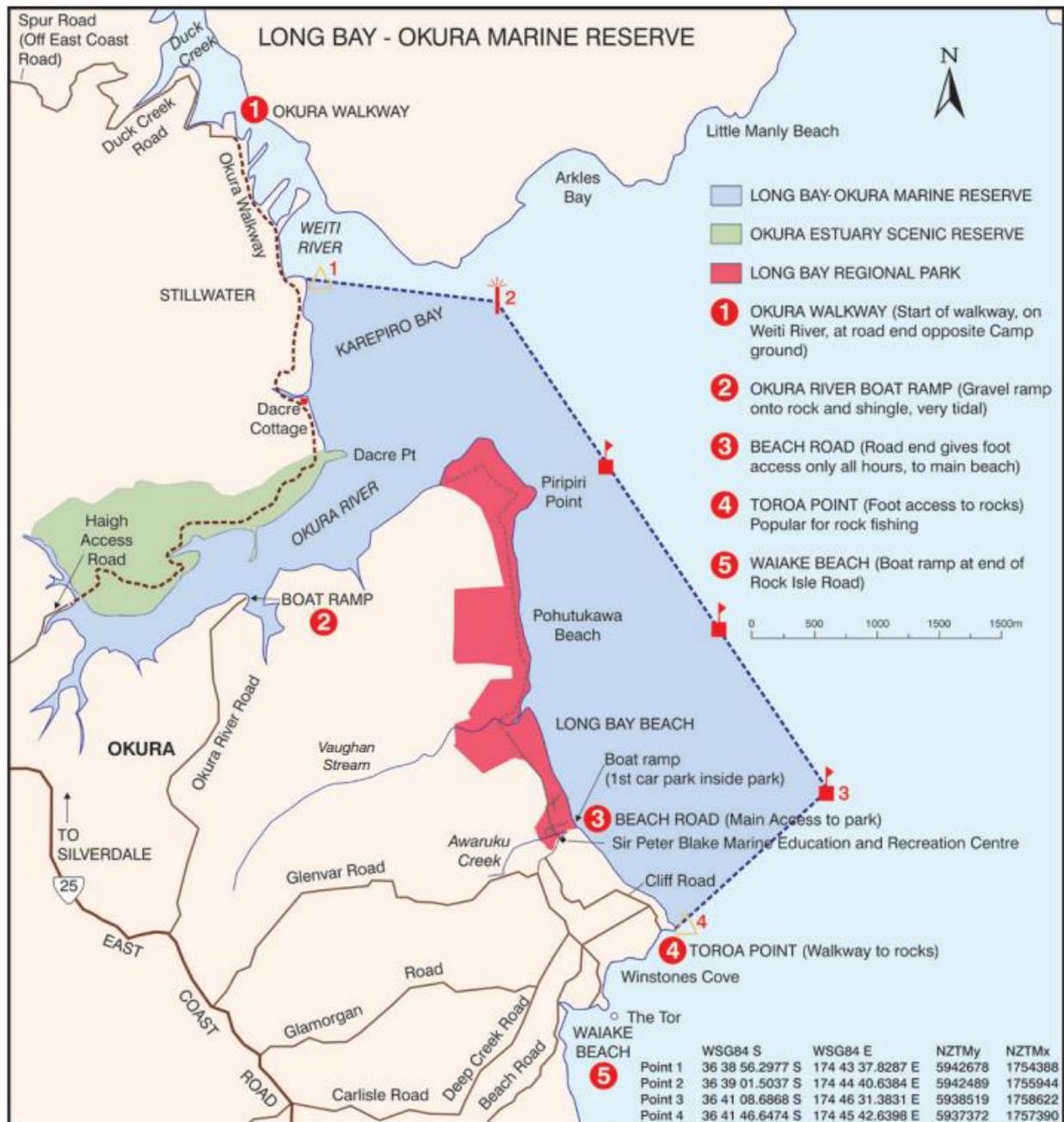


Figure 1 – Long Bay-Okura marine reserve

## Planning history of Weiti

- Planning controls have always sought to consider and recognise the sensitivity of the receiving environment when planning decisions are made. Both the Weiti and Long Bay developments have been considered through the Environment Court process.
- Rodney District Council (RDC) incorporated into its District Plan provisions that allowed for the clustering of up to 550 dwellings at Weiti. RDC derived that figure by combining the number of dwellings that could have been developed as of right under a surrounding Rodney rural zone (Countryside Living Rural) in its 1993 District Plan (that being 400 dwellings), plus 150 dwellings that were already provided for under RDC Special 8 Zone.
- It was considered that clustering the 550 dwellings would have a lower impact at Weiti and on the surrounding receiving environment than the provision of 550 dwellings on countryside living lots spread across the whole of the Weiti land.
- All these provisions (including a limit of 550 dwellings) were carried over into the Auckland Unitary Plan.

## Tātaritanga me ngā tohutohu / Analysis and advice

### Weiti – what council is doing

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15. There are three main elements to council's work in this area – long term monitoring, scientific modelling of the contaminant load (from current and predicted land uses which provides inputs to a coastal-processes model that subsequently describes the fate of these contaminants in the near-shore coastal zone), and the monitoring of the Weiti development.

#### State of Our Environment modelling

16. Auckland Council, and previous Councils, have been monitoring the health of the ecological communities on intertidal mud and sandflats within the Okura Estuary since 2000 to try to understand the effects of land use over time. A further seven small east coast estuaries are also monitored by Auckland Council. Monitoring is carried out twice a year at four sites within each estuary. In Okura, council monitors ten sites in recognition of the changing land uses in the catchment.
17. Subtidal reef ecology has been monitored in the reserve (Long Bay area) and nearby coastal locations since 1999. Intertidal reef ecology was monitored by Auckland Council in 2013 and will be repeating this next year. There has been other intertidal reef monitoring by the Department of Conservation. Contaminants in sediment have been monitored in the lower parts of Vaughans and Awaruku Streams since 1999 and on the Long Bay beach since 1998.

#### Land-based contaminant load (sources) and coastal (fate) modelling

18. A dynamic contaminant load model will characterise the load of sediment, copper and zinc coming off the land as defined by the various land uses undertaken within the catchment. This will provide inputs as loads to the coastal hydrodynamic model. This coastal modelling is supported by the deployment of water quality buoys that provide finer resolution continuous data on currents, waves, sediment deposition rates and a number of other water quality parameters. This data will be used to model sediment transportation throughout the Okura and Weiti Estuaries, Karepiro Bay and the entirety of the Long Bay-Okura Marine Reserve. This modelling will provide a better understanding of the fate of sediment and the urban-derived metals copper and zinc being discharged into the coastal receiving environment. The combination of the land-based model and this hydrodynamic model will help to understand the movement and sources of contaminants from these catchments.
19. Council staff offered the opportunity for local developers, iwi and the Great Parks Society to assist with both the land-based contaminant load model scenarios and the coastal modelling approach. To date, Williams Land Ltd has contributed and staff have met with representatives of the Long Bay Okura Great Parks Society. Most field data has already been collected and consultants are starting to assess possible land use scenarios so that sedimentation effects can be modelled under changing circumstances.
20. The hydrodynamic model is being developed primarily for the purpose of assessing the long-term effects of different land use scenarios of the catchment. However, the calibrated hydrodynamic model may also be used to better understand the fate of sediment discharged during the earthworks phase of development, from any given point within the coastal model's boundaries, and this approach can be applied to other receiving environments in the Auckland area. This model is due to be completed by the end of the calendar year.

#### Monitoring of Weiti development

21. In relation to the Weiti development, senior earthworks specialists have been monitoring the bulk earthworks over the past few years. The Weiti development is a high priority site in terms of monitoring and is one of the most intensely monitored sites in the region with regularly fortnightly monitoring by council. The developer has voluntarily contracted independent experts to monitor the site in the alternate weeks. The monitoring of this site has shown that the erosion and sediment controls at this location are achieving high levels of effectiveness and that the erosion and sediment control conditions are being met.

22. It is important to note that these conditions are designed to perform during normal weather patterns, however, during extreme weather events discharge of some sediment will occur. In recognition of this, Adaptive Environmental Monitoring and Management Response Plans are required to be sent to council following a trigger event of significant rainfall (greater than 25mm in a 24-hour period and/or 15mm within 1 hour). To date Auckland Council have received 38 trigger event reports. These reports have not identified any areas of significant concern, any identified remedial action has been undertaken quickly and staff remain satisfied that the erosion and sediment controls are achieving a high level of effectiveness.
23. The aerial photos shown in the public forum presentation of a plume of sedimentation discharging into the marine reserve is a typical occurrence along Auckland's coastline as a result of significant rainfall. While urban development and earthworks may be a contributing factor, there is currently no evidence that the level of sedimentation observed in a significant rainfall around Okura/Weiti is any more or less typical to the rest of Auckland's coastline.

### Response to some of the matters presented by the Great Parks Society

24. Staff wish to provide some facts and information in relation to the matters presented to the Committee by the Great Parks Society in public forum on 10 July 2018.

#### Compliance of Weiti development with earthworks and sediment conditions

25. In the presentation it was alleged that there have been high levels of non-compliance at various sites surrounding the Long Bay-Okura Marine Reserve. This included a claim that the Weiti site had a non-compliance level of 75% from late 2015. This figure had been derived by considering all scores of "2", "3" or "4" in compliance inspection reports as non-compliance and therefore resulting in adverse effects on the environment.
26. Council's compliance monitoring team uses a 1-4 scoring model defined as follows:
  - 1 = fully compliant;
  - 2 = minor non-compliance where there is evidence of or potential for no more than minor effects on the environment;
  - 3 = more than minor non-compliance where there is evidence of or potential for more than minor effects on the environment; and
  - 4 = significant effect on the environment.
27. The score given during any particular compliance inspection is not a site average but the highest score of any one of the erosion and sediment control devices that were inspected. At its peak there were around 35 devices and 10 kilometres of silt fence that were in use at the Weiti development. This meant that if there was a small maintenance issue identified in any of those devices or with the silt fence, the overall score for that inspection would be scored as a '2' (minor non-compliance where there is evidence of or potential for no more than minor effects on the environment). In addition, a score of 2 is often issued when preventative or maintenance issues have been identified to ensure environmental harm does not occur in the future. Therefore, in such a case, there may have been no adverse effects on the environment and the score of 2 is to avoid any such effects in the future.
28. Therefore, staff do not consider a score of 2 to indicate any adverse effects on the environment that are beyond that expected under the resource consent. Of the 110 inspection reports for Weiti Development, 107 had a score of 1 or 2. For the 3 occasions where a 3 was scored, the developer mitigated the issues in a timely manner that ensured minimal impact on the receiving environment. Staff remain satisfied with the compliance of the Weiti development and the adverse effects on the environment are consistent with that envisaged through the resource consents.

### **Cockle mortality**

29. A die-off of large numbers of cockles in the Okura estuary was reported in April 2018. Samples were sent to the Ministry for Primary Industries (MPI) for testing and investigation in April and May. The results from both samples sent for testing were inconclusive and unable to pinpoint a primary cause. The pathology identified a degree of environmental stress which could be due to a number of variables such as high sediment during a rainfall event, sustained high water temperatures or exposure to high temperatures during low tide. Without samples from other locations there is no context for whether this degree of environmental stress is present in other estuaries. Internationally and nationally, these types of mortality events are typically multi-factorial with interactions between a number of stressors. Monitoring of mortality by the Department of Conservation has confirmed that the mortality has not been ongoing.
30. MPI also advised that there have been increased shellfish mortalities reported throughout the country this summer, including in the Whangateau estuary.

### **Sediment from smaller sites**

31. Staff agree that small sites do generate sediment and the cumulative effect of this can be significant if not managed properly. These small sites must all comply with erosion and sediment control provisions set out in the Auckland Unitary Plan and/or any conditions of their resource consent. Council has put considerable effort into ensuring small sites are managed in a compliant manner. This includes the production of the “Building on small sites” booklet which is printed in English and Mandarin and the “Building on small sites” series of videos that also include Mandarin subtitles. Council is also continuing to develop targeted compliance programmes that focus on large scale small site programmes.

### **Weiti Development’s Environmental Monitoring Reports**

32. Council staff accept and agree with the methodology, analysis and conclusions of Boffa Miskell, MPS and Ridley Dunphy in their various environmental reporting of the site for Weiti Development.

### **“Shut down” earthworks activities**

33. The Weiti development is proceeding in accordance with resource consent and Auckland Unitary Plan provisions. There is no evidence of adverse environmental effects greater than anticipated by those provisions. Therefore, there are no legal grounds to cancel any consent, review conditions or impose different conditions under either the Auckland Unitary Plan or the Resource Management Act 1991.

## **Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views**

34. The Chair of the Hibiscus and Bays Local Board spoke in support of the Great Parks Society at the Environment and Community Committee in July. The Great Parks Society represents some members of the community who are concerned about the adverse environmental effects of development on the marine reserve.
35. This report is an update on existing development and relates to consents and planning provisions approved over decades by the Environment Court and council. There are no specific local impacts as a result of this report but any future provisions may have a local impact.

## **Tauākī whakaaweawe Māori / Māori impact statement**

36. The mauri of water is of critical importance to Māori. At a higher level, council will include and consider Māori dimensions in any work that is done around improving Auckland’s water quality.

37. In relation to this report, given that it is an update on existing development as it relates to already approved consents and Unitary Plan provisions, there is no specific impact on Māori. However, it may be that on-going work coming from this report will have direct impact on Māori and they will be asked to be part of any such work.

### Ngā ritenga ā-pūtea / Financial implications

38. There are no financial implications as a result of this report. However, should the Committee request scoping work to be done, this will include the likely financial cost of any options. Any future work is unlikely to be fully budgeted and will likely require a re-prioritisation of other work. If this is the case, it will be included in the next report to Committee.

### Ngā raru tūpono / Risks

39. The recommendations of the report focus on finalising the modelling, continuing with a high level of monitoring of development sites, as well as scoping options for a possible review of existing provisions and guidance documents around sedimentation. There are no significant risks related to the proposed recommendations. The main risk with these recommendations relates to work programme – the scoping work will take internal resource which would otherwise be spent on other work and there is a risk that the delivery of other work may be delayed.

### Ngā koringa ā-muri / Next steps

40. The quality of water and the greater environment is a key focus of this council through the Auckland Plan 2050 and the Long-term Plan 2018-28. The question is whether or not the existing conditions and controls normally imposed on land uses requiring consent for earthwork activities are “good enough” when it comes to the impact on the environment and the long-term health of ecosystems? In view of this, there are a number of actions that can be taken:
- Council staff will continue with the monitoring regime of the remaining bulk earthworks and small sites of the Weiti development to ensure compliance with resource consents and the Auckland Unitary Plan;
  - Council will continue to reach out to interested parties for involvement in the long term monitoring and modelling of the catchment;
  - Council will continue to work with the Hauraki Gulf Forum and the other agencies to improve the health of the Hauraki Gulf;
  - Council will continue to defend the location of Rural Urban Boundary throughout the region, including in Okura, in recognition of its role in protecting the sensitive receiving environment that surrounds it;
  - The forthcoming Enhancements Plan Change to the Auckland Unitary Plan will include reference to the updated Guidance for Erosion and Sediment Control (GD05) for Land Disturbing Activities. This updated guidance includes the “protection of receiving environments, including sensitive receiving environments” within the fundamental principles of erosion and sediment control, makes explicit reference to the impacts of climate change on weather patterns and refers developers to best practice guidance within the Small Sites booklet in English and Mandarin; and
  - Staff will continue to work across disciplines and departments to identify alternative approaches and solutions to sedimentation. Should the Committee wish to consider this matter more formally, staff will need to scope this and come back to the Committee with advice about timing, cost and potential work programme trade-offs.

## Ngā tāpirihanga / Attachments

There are no attachments for this report.

## Ngā kaihaina / Signatories

|            |   |
|------------|---|
| Author     | Megan Tyler – Acting General Manager Licensing and Regulatory |
| Authoriser | Dean Kimpton - Chief Operating Officer                        |

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