

**Date:** Tuesday, 4 February 2025  
**Time:** 10.01am  
**Meeting Room:** Room 1, Level 26  
**Venue:** Te Wharau o Tāmaki - Auckland House  
135 Albert Street  
Auckland

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## **Te Komiti mō te Waeture me te Haumaru / Regulatory and Safety Committee**

### **OPEN MINUTE ITEM ATTACHMENTS**

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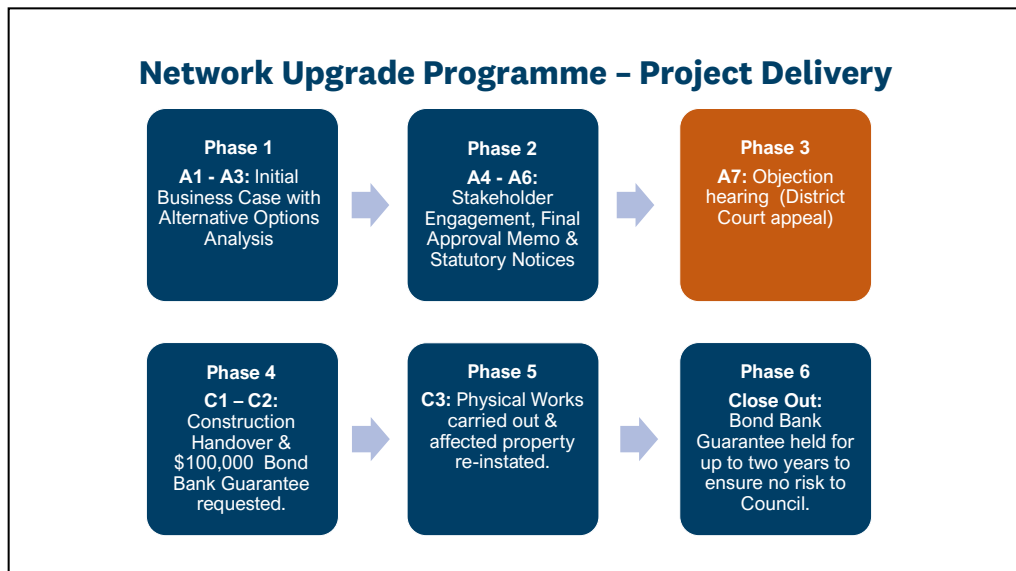
# Objection to Stormwater Works at 116A Forrest Hill Road, Forrest Hill

Shaun McAuley – Manager – Commercial & Property Team  
Yasenko Krpo – Tektus Consultants

DATE: 30 January 2025

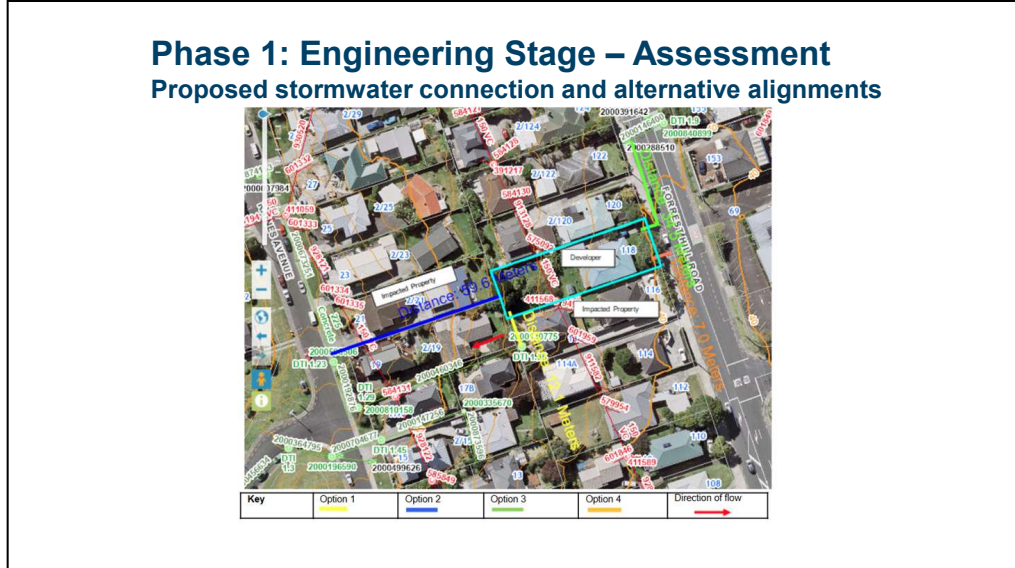


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### Connection Assessment Criteria

	Option one 116A Forrester Hill Road shown in yellow in Attachment D	Option two Raines Avenue shown in blue in Attachment D	Option three Forrester Hill Road cess pit connection shown in green in Attachment D	Option four kerb discharge shown in orange in Attachment D	Option five soakage	Option three Do nothing
Interference with existing services	None	Medium	Medium	Medium	N/A	N/A
Disruption to property owners	Minor	Major	Minor	None	N/A	N/A
Cost	\$	\$\$\$	\$\$\$	\$\$	N/A	N/A
Route to existing stormwater network	Direct approx. 10m	Least direct approx. 53.5m	Indirect Via pump Approx. 34.5m	Indirect Via pump	N/A	N/A
Ability for third-party properties to connect to proposed infrastructure	Yes	Yes	No	No	N/A	N/A
Access for future maintenance	Good	Good	N/A	N/A	N/A	N/A
Duplication of existing stormwater infrastructure	0%	80%	100%	100%	N/A	N/A
Impact on development potential	None	None	None	None	N/A	N/A
Constructability risk	Minor	Major	Medium	Medium	N/A	N/A
Compliance with Stormwater Code of Practice	Yes	Yes	No	No	N/A	N/A

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3/02/2025

Item 11

Attachment A

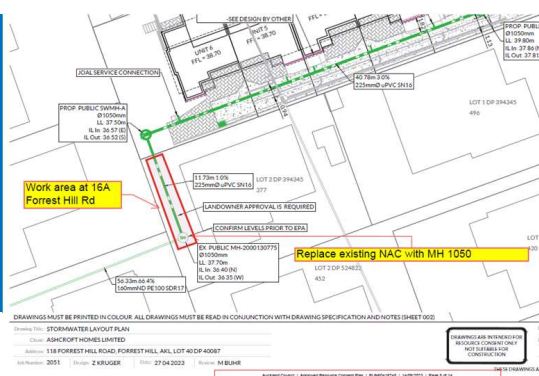
### Local Government Act 2002 – Section 181

- Section 181(2) of the Local Government Act (LGA) empowers the council to construct works on or under private land that it considers necessary for sewage and stormwater drainage
- **Two requirements for s181 of the LGA:**
  1. Written consent of the owner of the land.
  2. or s181 notices served in accordance with Section 12 of s181 of the LGA.
- **Schedule 12 requirements:**
  - **Description of the works** (including a plan which shows any affects on land or buildings) must be available to the Public.
  - **Notice in writing of the intention** to construct the works must be sent (referring to plan/description mentioned above) to both the Owner and any Occupiers of the land.
  - **One-month period** after serving notices for the Owner's/Occupiers to object. If an objection is received, a hearing must be scheduled and held, with reasonable notice given to the objector of the date and time of this hearing.

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### Construction – Recommended Option One <sup>SSO</sup>

- Works:**
- The proposed methodology for the works is by trenching
  - Pipe length on affected property is approximately 10 metres.
  - Construction timeframe is estimated to be one week



**Legend:**  
Proposed work area:

6

3

Slide 6

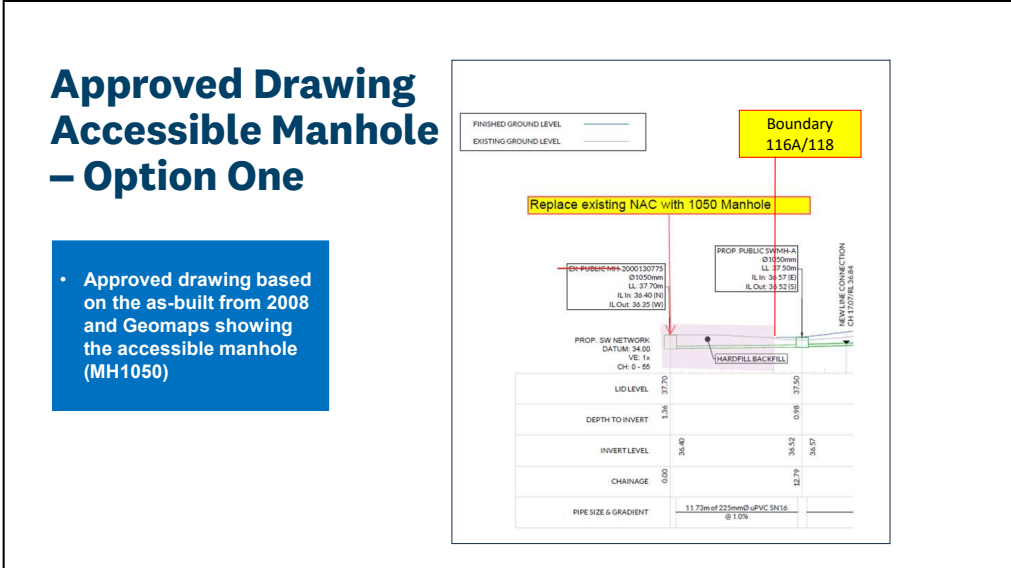
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**SSO** @hana - sometimes we say 'option one' others it is 'Option1' - can you please check for consistency in capitals and in words vs digits?

Samantha Sinton, 2025-02-02T22:12:35.762

Item 11

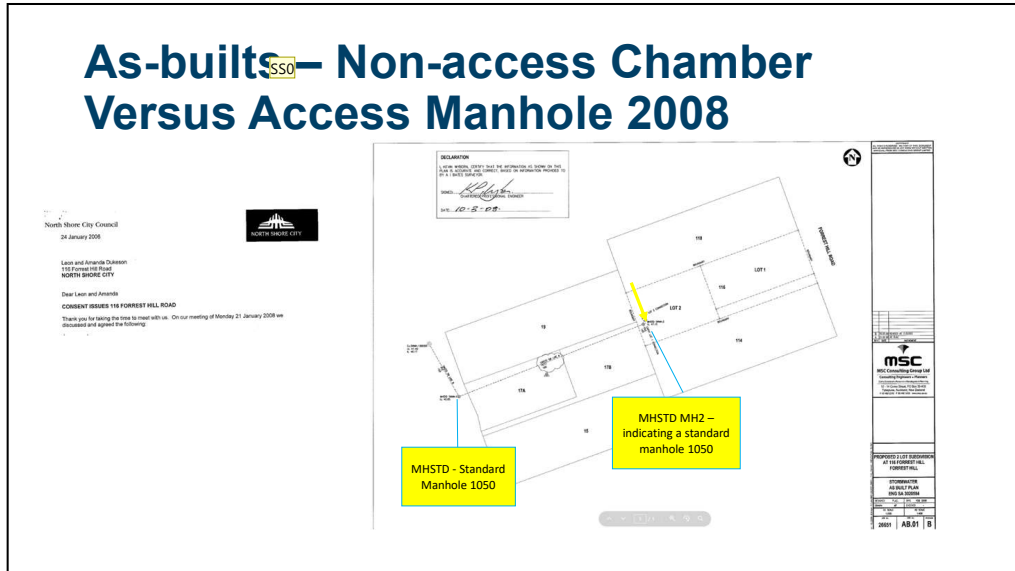
Attachment A



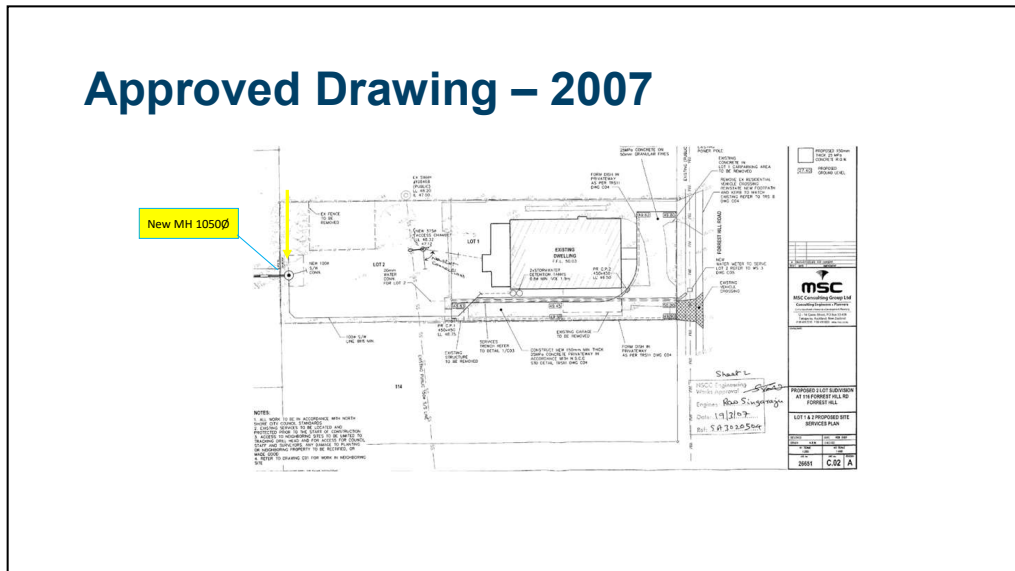
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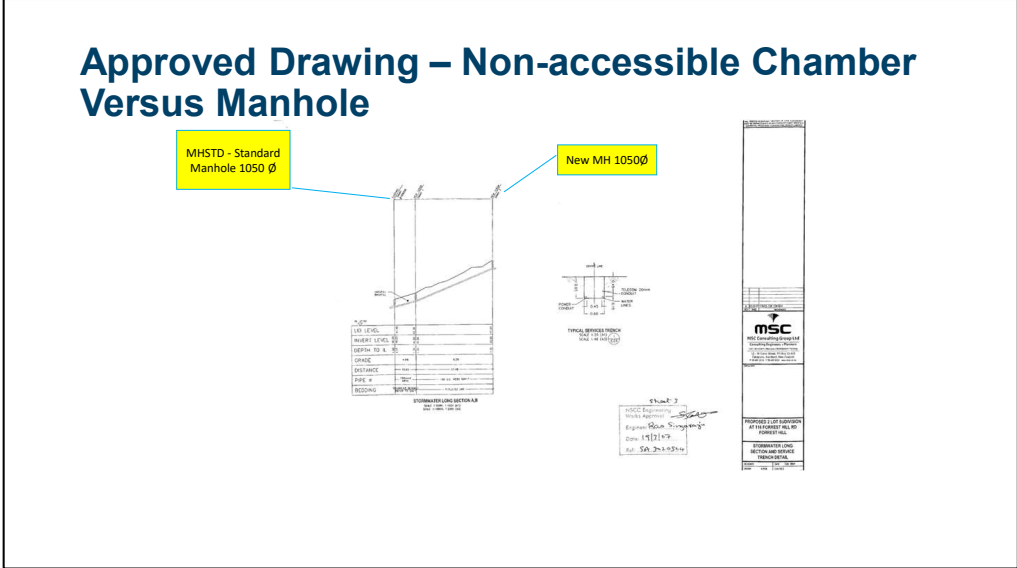
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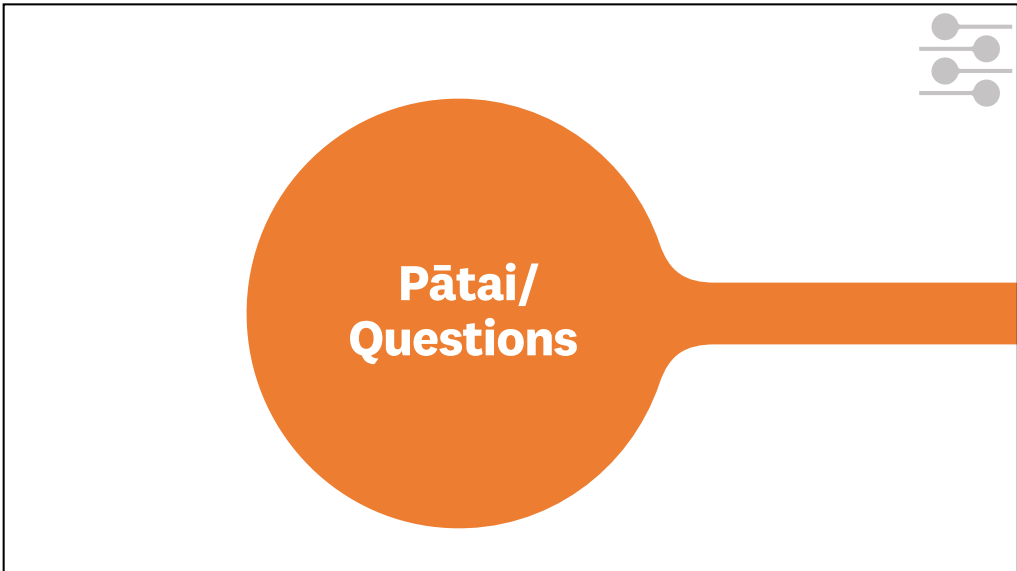
Slide 9

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**SSO** Not my area of expertise, but checking this is the correct word?  
Not As-built or As Builts?  
Samantha Sinton, 2025-02-02T22:16:12.041



11



12

# No. 116A Forrest Hill Road

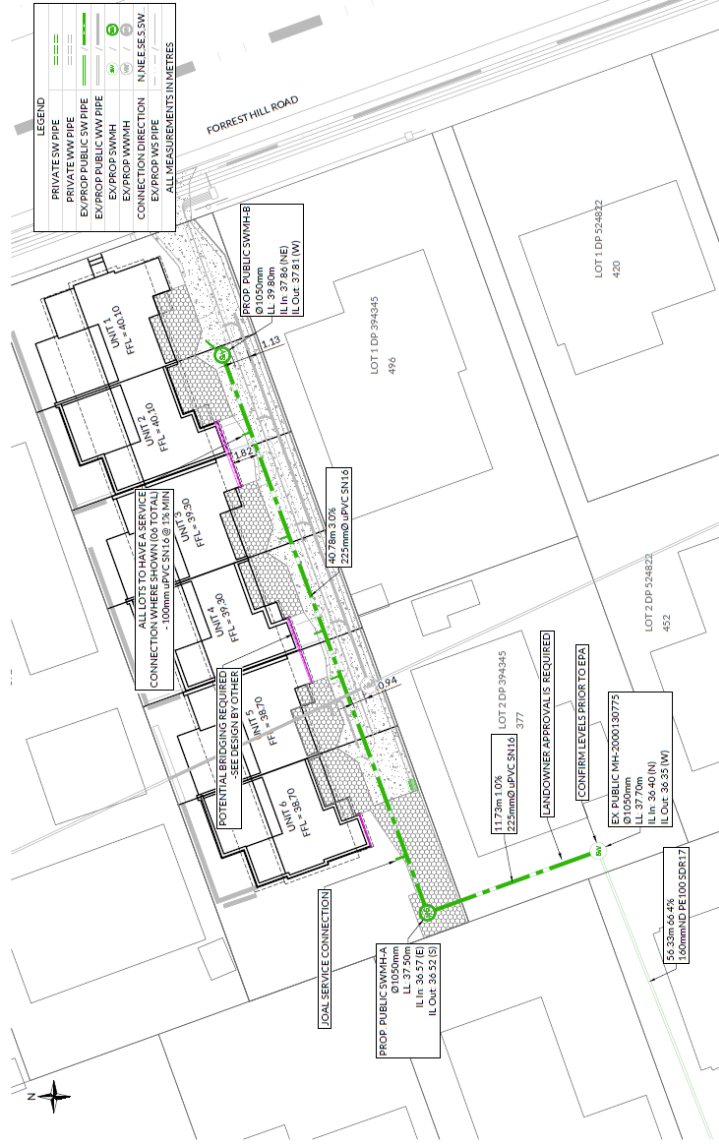
## Objection to notice issued under section 181 LGA



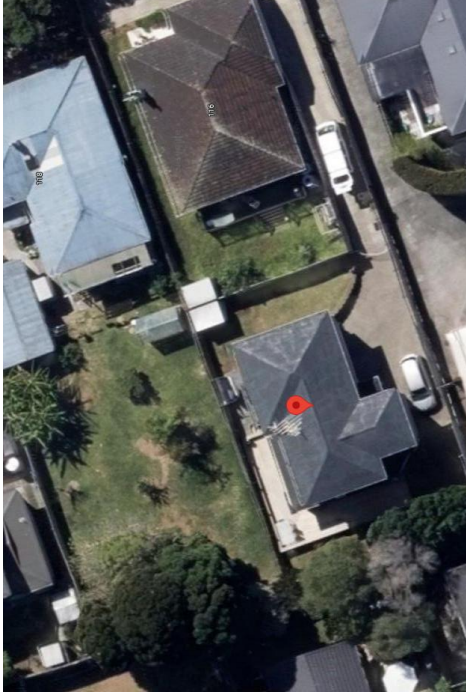
# Summary

- Mr Leon Dukeson owns and lives at No. 116A Forrest Hill Road, Forrest Hill, Auckland
- Resource consent for an 6-unit private development at No. 118 was granted on 10 August 2023
- Notice under s 181 LGA 2002 was served on Mr Dukeson on 27 February 2024
- Mr Dukeson objected on 27 March 2024
- Notice has **never** been served on No. 116, which has rights to use the existing stormwater infrastructure on No. 116A
- Mr Dukeson requests the Committee cancel the Notice

# Plan attached to resource consent / EPA



# Photos of No. 116A



# Error – capacity of existing infrastructure

- Existing infrastructure set up to service two homes
- Existing pipe from No. 116A to Raines Ave is 160mm diameter. Proposed pipe from No. 118 to No. 116A is 225mm diameter.
- Existing connection is by way of non-access chamber. Only suitable for 2 inlet pipes under Stormwater Code of Practice. Both inlets being used by No.s 116 and 116A.
- In 2007, the Council told Mr Dukeson the existing pipe from No. 116A to Raines Ave had capacity to service 2 homes **only**
- Risk of increased flooding at No. 116A as a result

# Error – capacity of existing infrastructure

**From:** "Ken Schmidt" <Ken.M.Schmidt@northshorecity.govt.nz>  
**To:** <jaydexinternational2@xtra.co.nz>  
**Cc:** "Rao Singaraju" <Rao.Singaraju@northshorecity.govt.nz>  
**Sent:** Thursday, 16 August 2007 12:15 p.m.  
**Subject:** RE: Engineering works approval - SA3020504

Good afternoon Leon.

I have discussed the project with Rao. He correctly reviewed the design in terms of the current Infrastructure Design Standards. In discussing the matter we took into account the approval you have relied upon and also satisfied ourselves that the 160 OD pipe will exceed the technical requirement of flows from the site and accordingly, in respect of this development only, we determined that you should continue your project works based on provision of a 160 OD PE stormwater line.

Would you kindly relay this determination to your Project Manager.

Yours sincerely

Ken Schmidt

Senior Advisor Engineering

Environmental Services

North Shore City Council



# Error – 1050mm SW manhole

- The Council’s report to the Committee regarding the 1050mm SW manhole is wrong:
  - There are no conditions or plans in the resource consent or building consent requiring a 1050mm stormwater manhole
  - CCC was issued in 2008 following inspection by the Council
  - The stormwater infrastructure then vested in the Council following inspection (including CCTV)
- The Council has full responsibility for the SW line and non-access chamber
- Mr Dukeson and his contractors are well beyond any limitation period
- On 31 August 2023, Mr Dukeson emailed Shaun McAuley at Healthy Waters stating there was no 1050mm SW manhole. He was ignored.
- The Council did not conduct a site visit prior to issuing the Notice
- The Notice then issued on 27 February 2024

## Error – 1050mm SW manhole

- Excavation to install new manhole is at least 1.5m deep (invert level 1.35m deep) and 2-2.5m metres in diameter
- Excavations over 1.5m deep require shielding or battering for health and safety reasons
- Proposed location of new manhole is:
  - 650mm to existing deck
  - 1170mm to existing deck footings / piles
  - 1650mm to existing underground stormwater detention tank
  - 1130mm to fence line / trees
- The total distance between the fence line and existing deck piles is 2300mm – even less taking into account trees and deck
- Excavation cannot physically fit within site dimensions

# Error – 1050mm SW manhole

