

Introduction:

This proposal is for a removal of temporary building and development central area building at 11 Jervois Quay with associated earthworks.

Legislative Requirements (i.e. District Plan / Standards / RMA):

106 Consent authority may refuse subdivision consent in certain circumstances

(1) A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that—

(a) there is a significant risk from natural hazards;...

RMA 1991	Applicable
Section 106 – Right of Refusal Subdivision Consent	No

30.1.3 Earthworks in the:

(i) Central Area (excluding in Heritage Areas and sites containing listed Heritage Items) are Permitted Activities provided that they comply with the following conditions:

30.1.3.1	
(i) The cut height or fill depth does not exceed 1.5m measured vertically; and	
(ii) The cut height or fill depth does not exceed the distance from the nearest site boundary, building or structure (above or below ground) measured on a horizontal plane; and	
(iii) The cut or fill is not on an existing slope angle exceeding 34 degrees;	
OR	
(iv) The cut or fill is to be retained by a structure or building authorised by a building consent (which is obtained prior to any earthworks commencing).	Complies
30.1.3.2	
The area to be cut or filled does not exceed 250m ² .	Exceeds
30.1.3.3	
The cut or fill is no closer than 5m to the coastal marine area (except for the maintenance of reclamation facings and the maintenance of foundations which support existing equipment and structures in the Operational Port Area and the Port Redevelopment Precinct).	Complies
30.1.3.4	
There is no visible evidence of settled dust beyond the boundaries of the site.	Complies

Assessment:

Stability Assessment

No geotechnical assessment has been supplied as part of the application.

The proposed earthworks are to be stabilise with building consented structures. Therefore, stability of the earthworks is exempt from consideration as part of the earthworks assessment.

Erosion, Dust and Sediment Controls

Typically, the controls required to minimise the risk posed by erosion, sediment and dust loss from the site are documented in an Erosion and Sediment Control Plan (ESCP)

The area of earthworks does exceed the threshold of the district plan, which is a general indication that there may be adverse effects from the earthworks activity during the construction phase. As such an ESCP is considered to be required and is included as part of the conditions below. A draft construction management plan that is to form the basis for the final ESCP.

Transport Management Plan (TMP)

The volume of earthworks is expected to exceed the threshold of the district plan. Therefore, advice from a transport engineer is expected to be required.

Conclusion:

The proposal is supported from an earthworks point of view, as it is expected that standard industry methodologies will be implemented to minimise any potential earthworks effects.

The following conditions/advice notes are suggested to ensure that standard earthwork methodologies are implemented:

Recommended Conditions

Erosion and Sediment Control Plan:

(...) At least 10 working days prior to any work commencing on site, an Erosion and Sediment Control Plan (ESCP) developed by the consent holder must be submitted to the Council's Compliance Monitoring Officer for certification.

Note: The Draft Construction Management Plan (CMP) details submitted with the application has been assessed and is supported. The draft CMP is expected that it will form the basis of the final ESCP submitted for certification.

The ESCP will include, but is not limited to, the following:

Erosion and Sediment Controls

- An illustrated plan that records the key features of the ESCP including the approved area of earthworks (including the approved earthworks plan).
- A description of the broad approaches to be used to prevent erosion, and minimise problems with dust and water-borne sediment.
- Measures to limit the area of earthworks exposed to the weather at any one time (sources of dust and sediment).
- Stabilisation of the site entrance(s) to minimise the tracking of earth by vehicles onto the adjoining roads.
- The type and location of silt fences to control water-borne sediment.
- Methods for protecting stormwater sumps from the infiltration of water-borne sediment.
- Covering of soil or other material that is stockpiled on the site or transported to, or from, the site, to prevent dust nuisance or erosion by rain and stormwater (creating water-borne sediment).

Dust Controls

- Measures to ensure that the discharge of dust created by earthworks, construction and transport activities are suitably controlled to minimise dust hazard or nuisance.

Management of Controls

- The methods for managing and monitoring the ESCP controls.
 - Nomination of a site person responsible for the implementation and administration of the ESCP.
- (...) Work must not commence on site until the ESCP is certified by the Council's Compliance Monitoring Officer. The earthworks and associated work must be carried out in accordance with the certified ESCP.
- (...) The erosion, dust and sediment control measures put in place must not be removed until the site is remediated to the satisfaction of the Council's Compliance Monitoring Officer. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied.

Note: If necessary, the Compliance Monitoring Officer may require changes to the implementation of the ESCP, to address any problem that occurs during the work or before the ground surface is stabilised.

Grassing of Earthworks:

- (...) All exposed areas of earthworks, unless otherwise built on, are to be grassed or re-vegetated within 1 month of completing each stage of the earthworks, to a level of establishment satisfactory to the Council's Compliance Monitoring Officer.

The Compliance Monitoring Officer may agree to a longer period than 1 month, if appropriate, and will approve it in writing.

General Earthworks Conditions:

- (...) Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties or the legal road. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. Any material that falls on land beyond the site during work or transport must be cleaned up immediately (with the landowner's permission on land that isn't public road). The material must not be swept or washed into street channels or stormwater inlets, or dumped on the side of the road.

Note: As a minimum, 100 mm clarity is required to allow water to be discharged offsite. If clarity is less than 100mm then the water is considered to be muddy and must be captured and treated on site.

- (...) Dust created by earthworks, transport and construction activities must be controlled to minimise nuisance and hazard. The controls must be implemented for the duration of the site works and continue until the site stops producing dust.

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