Report for an application for resource consent under the Resource Management Act 1991

Restricted discretionary activity

1. Application description

Application number(s):	BUN60464536 (Council Reference)
	LUC60464537 (s9 land use consent)
	WAT60464538 (etc) (s14 water permit)
Applicant:	Watercare Services Limited
Site address:	Road Reserve – Marmion Street, White Street and Queen Street
	31 Airedale Street, Auckland Central 1010
Legal description:	Marmion Street, White Street and Queen Street: Road
	31 Airedale Street Auckland Central Auckland: PT ALLOT 52 SEC 36 City Auckland, Lot 8 DP 114584, Part Lot 1 DP 39374 and Part Lot 1-2 DP 33522, Lot 1 DP 49762, PT ALLOT 49 SEC 36 City Auckland, PT ALLOT 51 SEC 36 City Auckland, Lot 2 DP 115024, Lot 3 DP 114584 and ALLT 16 SECT 37 CITY Auckland.
Site area:	N/A – Road Reserve
Lodgement date:	15 April 2026
Auckland Unitary Plan (Operative in part)	
Zoning	Road
	Open Space – Informal Recreation
	Business – City Centre Zone
Precinct:	None
Overlays:	Natural Heritage: Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay [rcp/dp] - E10, Mount Eden, Viewshafts
Controls	Macroinvertebrate Community Index – Urban
	Arterial Roads (Queen Street)
Designations:	ID 8831, Penrose to Hobson Street Tunnel and Penrose Portal, Designations, Vector Ltd
	ID 7505, ID 7507 and ID 7508 - Telecommunication and radiocommunication and ancillary purposes, Designations, Spark New Zealand Trading Limited
Plan Change 120	
Zoning:	Road
	Open Space – Informal Recreation

	Business – City Centre Zone
Management Layers	Walkable Catchments - Policy 3(c)
Qualifying Matters:	Flood Plains (i) Designation

2. Locality Plan

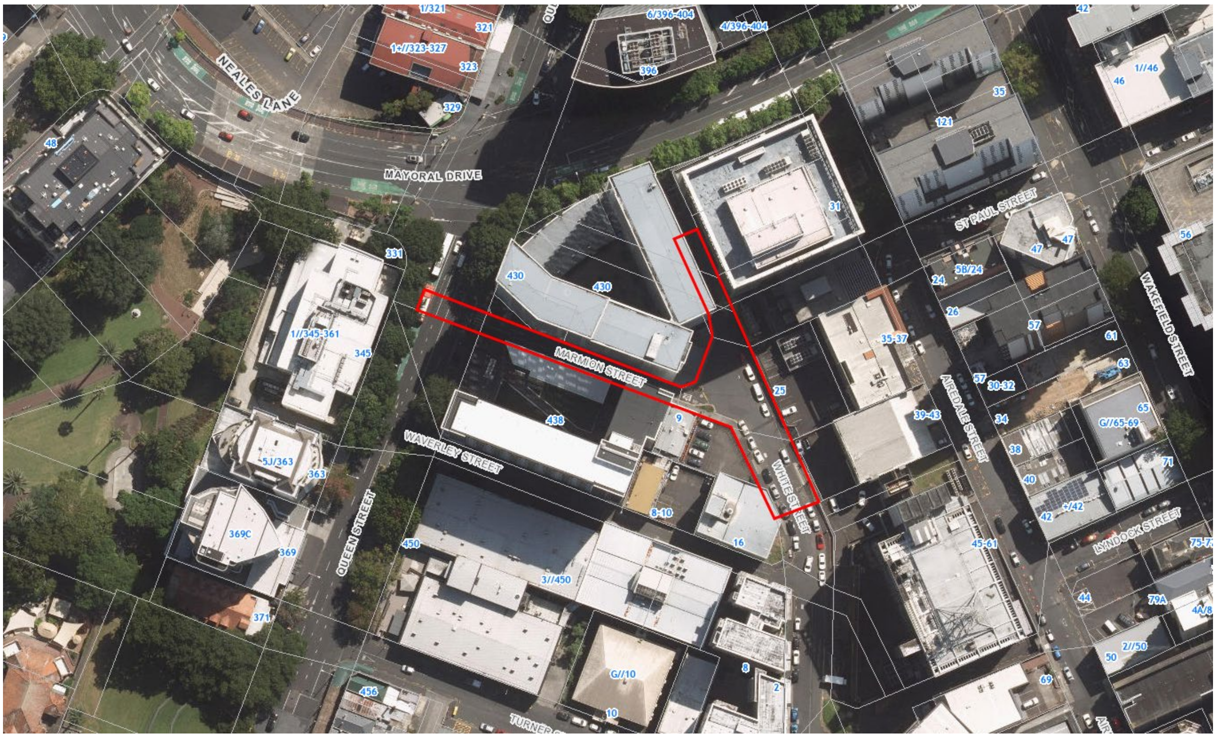

Figure 1: Locality Plan of Subject Site (Outlined in Red) and Surrounding Environment. *Source: Auckland Council GIS*

3. The proposal, site and locality description

Proposal, Site and surrounding environment description

WSP has provided a description of the proposal, subject site, and surrounding environment on pages 1-10 of the Assessment of Environmental Effects (AEE) titled: "*Watercare Services Limited Assessment of Environmental Effects Queen Street Wastewater Upgrade Programme – Part 6*" dated 7 April 2026.

Having undertaken a site visit on 30 October 2025, I concur with that description of the proposal and the site and have no further comment.

In summary, the applicant seeks land use and water permit consents to complete Part 6 of the wider Queen Street Wastewater upgrades programme. This involves the construction of two temporary construction shafts within the White Street road reserve and trenchless tunnelling works to connect the newly constructed manhole (MH-02) in White Street to the existing manhole at the Marmion Shaft (MH-01) in Queen Street. The proposal includes all other necessary construction works and network utility relining and relocations as required to facilitate the works.

4. Background

Specialist Input

The proposal has been reviewed and assessed by the following specialists:

1. Rishna Bogati, Development Engineer
2. Vaishali Sankar, Auckland Transport
3. Bin Qiu, Acoustic Specialist & Hazardous Substances
4. Fran Osten, Contaminated Land Specialist
5. Richard Simonds, Groundwater Specialist

Local Board Input

Alexandra Bonham, the Waitemata Local Board Chair, provided their input on the 27th of April 2026 as follows –

> *"The board supports the Watercare works - LUC60464537 – as long as the consent conditions restrict working hours (with the exception of dewatering) to 7am-7pm. This is a residential street."*

Iwi Consultation

Watercare has an established engagement process with mana whenua in relation to its infrastructure projects in Tāmaki Makaurau. As part of this process, iwi entities are notified of projects through Watercare's monthly Kaitiaki Project List.

In relation to the wider Queen Street project, the following iwi entities registered an interest: Ngāti Whātua Ōrākei, Ngāti Maru, Te Aakitai Waiohua, Ngāati Whanaunga, Te Rūnanga o Ngāti Whātua, and Te Patukirikiri.

The applicant has also carried out direct consultation with all iwi groups with an identified interest in this area with specific regard to the current proposal. This has been facilitated through the Kaitiaki Project List and consultation process Watercare Services Limited has with iwi groups. The Kaitiaki Project List was circulated to all iwi groups on 17 May 2026, and a follow up meeting held with all iwi groups that registered interest on 11 June 2026.

It was identified by Ngati Whanaunga at this meeting that they would like to prepare a Cultural Values Assessment.

It is understood from the provided meeting minutes and other records of consultation that no other iwi groups identified any requirements for further reporting or consultation.

Ngati Whanaunga have provided a CVA, which confirms support of the proposal subject to a number of conditions. These have all been offered by the applicant to form part of the application.

Compliance History

The applicant has not declared any previous or current abatement notices, enforcement orders, infringement orders, or convictions under the RMA.

Relevant Consenting History

WSP has provided relevant consenting history details on Sheet 3 of the lodged Assessment of Environmental Effects.

Changes since lodgement

There have been no material changes to the application since lodgement.

Sharing of Conditions

The consent conditions have been proposed by the applicant and form part of the application. They can therefore be considered as part of the notification assessment with regards to how adverse effects are avoided, remedied or mitigated.

5. Reasons for the application

The relevant operative plan and proposed plan provisions

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60464537

<u>Auckland Unitary Plan</u>

District land use (operative plan provisions)

Noise and vibration

1. **Rule E25.4.1 (A2) -** The proposed works involve construction activities that do not comply with all relevant permitted activity standards as follows and is therefore a **restricted discretionary** activity:
   - Noise from night works within the road, including dewatering, pipe relining and tie-in works (and associated over-pumping), will exceed a duration of three nights (not simultaneously) and will not comply with the requirements under Standards E25.6.28.2 and E25.6.29.
   - Daytime and night works within the Open Space – Informal Recreation zone are predicted to exceed the applicable noise limits for receivers in the Business – City Centre zone under Standard E25.6.28.2.
   - Construction vibration associated with the proposed works is predicted to exceed the vibration amenity criteria, particularly for works within the Open Space – Informal Recreation zone under Standard E25.6.30(1)(b).

Water permit (s14) – WAT60464538

Auckland Unitary Plan

District land use (operative plan provisions)

Taking, using, damming and diversion of water and drilling

2. **Rule E7.4.1 (A20) and (A28)** - The proposal involves the taking and use of groundwater for dewatering and the diversion of groundwater associated with excavation works including trenching and tunnelling that does not comply with the following permitted activity standards and is a **restricted discretionary** activity.
    - The proposed dewatering will occur for approximately 240 days at Shaft P6MH2MH3 and 150 days at Shaft P6MH2MH4, which exceeds the maximum permitted duration of 30 days for non-peat soils under Standard E7.6.1.6(2).
    - Dewatering is predicted to result in groundwater level reductions exceeding 2m at the boundary of adjoining sites, including at 16 Waverley Street, where drawdown is anticipated to exceed this threshold adjacent to Shaft P6MH2MH3 and Shaft P6MH4 under Standard E7.6.1.10(3).
    - Excavations extending below groundwater level will infringe the required separation distance from adjoining structures, including at 16 Waverley Street, where the depth of excavation exceeds the setback distance adjacent to Shaft P6MH2MH3 and Shaft P6MH4 under Standard E7.6.1.10(5)(a).

Permitted Activity Notes

1. Contaminated Land Specialist, Fran Osten, has reviewed the application and supporting documentation, including the AEE and PSI, and confirms that no consents are required under the NES:CS or AUP Chapter E30, as the works are not located on land meeting the definition of a contaminated “piece of land” and no hazardous activities are likely to have occurred. Accordingly, consent is not required.
2. Mr. Bin Qiu, Council’s Hazardous Substances Expert, has reviewed the submitted information pertaining to the on-site hazardous substances storage, and is satisfied that the proposal complies with the relevant permitted activity standards. I rely on the expert comments of Mr. Qiu and therefore conclude that no consents are required.
3. The applicant has provided a landslide hazard risk assessment that confirms the landslide hazard risk as “Low – Acceptable.” The applicant has also confirmed the flood hazard risk level is low, and the works comply with the relevant standards for infrastructure upgrade activities under E36, such that consent is not required. This has been reviewed by Council’s Development Engineer, who concurs with this conclusion. Consent is therefore not required with respect to natural hazards under either the AUP or PC120.

6. Status of the resource consents

Where a proposal:

- consists of more than one activity specified in the plan(s); and

- involves more than one type of resource consent or requires more than one resource consent; and
- the effects of the activities overlap;

the activities may be considered together.

Where different activities within a proposal have effects which do not overlap, the activities will be considered separately.

In the instance, the effects of the proposed resource consents will overlap and thus they are considered together as a **restricted discretionary** activity overall.

7. Public notification assessment (sections 95A, 95C-95D)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

Step 1: mandatory public notification in certain circumstances

No mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a));
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)); and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

Step 2: if not required by step 1, public notification precluded in certain circumstances

The application is not precluded from public notification as:

- the activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
- the application does not exclusively involve one or more of the activities described in s95A(5)(b).

Step 3: if not precluded by step 2, public notification required in certain circumstances

The application is not required to be publicly notified as the activities are not subject to any rule or a NES that requires public notification (s95A(8)(a)).

The following assessment addresses the adverse effects of the activities on the environment, as public notification is required if the activities will have or are likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Only those effects that relate to matters that are within the council's discretion under the rules are considered in this assessment. These matters are:

- E7.8.1 (1) – for take use and diversion of water.

- E7.8.1 (4) – for take and use of groundwater for dewatering or groundwater level control associated with groundwater diversion.
- E7.8.1 (6) – for diversion of groundwater.
- E25.8.1 (1) – for noise and vibration.

No other effects have been taken into account in this assessment.

Adverse effects assessment (sections 95A(8)(b) and 95D)

The applicant has provided, in accordance with schedule 4 of the RMA, an assessment of adverse environmental effects in such detail as corresponds with the scale and significance of the effects that the activities may have on the environment. This can be found within the AEE prepared by WSP dated 7 April 2026.

The AEE concludes that:

Construction Noise and Vibration

Temporary construction noise and vibration will occur, including some exceedances of AUP standards, particularly for night works and activities within the Open Space – Informal Recreation zone. Daytime noise may affect nearby receivers through reduced amenity and concentration, while night works have the potential to cause sleep disturbance for the closest residential properties. Vibration may be perceptible and result in short-term annoyance, although levels are not predicted to exceed building damage criteria. Overall, effects will be localised, intermittent, and of short duration, with conservative worst-case predictions. With the implementation of mitigation measures including a CNVMP, acoustic barriers, equipment controls, construction scheduling, and stakeholder communication, the resulting adverse effects are assessed as less than minor.

Groundwater

Dewatering will create a temporary cone of groundwater drawdown around the excavation shafts, with drawdown locally exceeding 2m but progressively reducing with distance and ceasing following completion of the works. The maximum predicted settlement is approximately 14mm, with only one nearby building (16 Waverley Street) predicted to experience “very slight” effects of around 12mm. Effects on services, pavements and surface flooding are anticipated to be negligible or minor, and no significant adverse effects on groundwater systems or aquifers are expected. With the implementation of mitigation measures, including groundwater and settlement monitoring, staged excavation, contingency responses and building condition surveys, the resulting adverse effects are assessed as less than minor.

I concur with this assessment, and have the following additional comments:

Construction Noise and Vibration

The proposed development has been reviewed by Mr. Bin Qiu, Council’s Noise and Vibration specialist. Mr. Qiu has confirmed that he concurs with the applicant’s assessment of noise and vibration outcomes and that it is an accurate representation of anticipated potential effects. Mr. Qiu concludes that “while the noise and vibration of the proposed works may be noticeable, the … effect[s] can be managed to a reasonable level.”

I rely on the expert comments of Mr. Qiu, and comment that:

- The submitted application details:
    - Noise and vibration exceedances have been identified at 12 adjacent buildings including 3 residential apartment buildings for the proposed works. The non-compliances will reach up to 99dB LA_{eq}, where the permitted level is 75dB LA_{eq}.
    - These non-compliances have been calculated on a conservative basis, assuming all work plants will be working concurrently.
    - For the majority of the time, this is unlikely to occur, and noise levels are likely to mostly reach a maximum of 85dB LA_{eq}.
    - Noise generation at these levels are likely to be of a level that may affect concentration on sensitive activities.
    - With respect to duration:
        - The highest levels predicted in the CNVA is likely to only occur at one or two periods (up to an hour each phase)
        - For utilities diversion and shaft construction, 1 to 3 part days will have excavator mounted breaking to remove road surface.
        - The remainder of the duration of each stage will be more typical noise levels.
        - Noise levels will vary across the day, being quieter at periods such as people come to work and do site safety talks, set up and pack down for the day, have breaks and louder when work occurs on site.
    - Vibration levels are all anticipated to comply with the permitted limits of the AUP.
- The applicant has offered a comprehensive management plan to manage and mitigate the potential adverse effects of all construction noise and vibration activities. This includes BPO measures, including prior engagement and consultation with neighbours, equipment selection, scheduling of noisy works to least sensitive times as far as is practicable, noise barriers and enclosures, noise monitoring, complaint handling, and offering of temporary relocation. Taking into account Mr. Qiu's assessment that these measures are the BPO(s) and will ensure the potential effects can be managed to a reasonable level, and noting that appropriate measures have been incorporated and offered to eliminate effects if they become untenable for receivers as a result of the duration of works (i.e.: complaints processes and temporary relocation), I am satisfied that potential effects will be suitably mitigated to ensure they are less than minor in nature.

Groundwater

- The application has been reviewed by Mr. Richard Simonds, Council's consultant groundwater specialist, who concurs with the comprehensive assessment undertaken by the applicant's specialist and is satisfied that the proposal accommodates appropriate construction methodologies and management measures via the various management plans and offered conditions of consent to appropriately manage potential adverse effects on the surrounding environment.

- In particular, Mr. Simonds comments:
  - *The scope of geotechnical investigation is satisfactory for the proposed works and the risk of encountering unforeseen ground conditions is low. Sufficient geotechnical investigation data is available for groundwater and geotechnical modelling purposes in order to determine the likely ground movement adjacent to the proposed shafts.*
  - *Undertaking the proposed activities in accordance with the application should ensure any actual adverse effects remain within the consented envelope and the risks to buildings, structures, infrastructure and public services are less than minor.*
  - *The conditions outline a robust monitoring regime … Though the risk of greater than negligible damage to neighbouring buildings, structures, infrastructure and public services is low, we consider that the proposed level of monitoring is appropriate, due to the proximity of the nearby buildings, structures and services.*
  - *There can, however, be some unforeseen settlement risk (outside the envelope presented in the application documentation) due to the uncertainty of geology and related groundwater flows, and actual retaining wall performance. This settlement risk, while unlikely, cannot be ruled out and this is addressed by Take (Dewatering) and Groundwater Diversion Conditions 6 and 19 that require actions should any damage be caused by the exercise of this consent. This effects assessment conditions should be reviewed at final design and building consent stage.*
  - *Provided the take and diversion of groundwater are undertaken in the manner described in the application material and summarised above, and subject to the proposed conditions, the potential adverse effects of the activity on the environment and on neighbouring properties are considered likely to be less than minor.*
- I rely on the expert comments of Mr. Simonds in this regard and therefore conclude that the proposal will generate less than minor adverse effects on the surrounding environment provided the offered management and mitigation measures are implemented throughout works.

Overall I conclude that the adverse effects of the proposal on the environment will be localised, temporary, appropriately mitigated, and will be less than minor on the surrounding environment

Step 4: public notification in special circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or

- circumstances which make notification desirable, notwithstanding the conclusion that the activities will not have adverse effects on the environment that are more than minor.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

Public notification conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).
- Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

8. Limited notification assessment (sections 95B, 95E-95G)

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

Step 1: certain affected protected customary rights groups must be notified

There are no protected customary rights groups or customary marine title groups affected by the proposed activities (s95B(2)).

In addition, the council must determine whether the proposed activities are on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)). Within the Auckland region the following statutory acknowledgements are relevant:

- Te Uri o Hau Claims Settlement Act 2002
- Ngāti Manuhiri Claims Settlement Act 2012
- Ngāti Whātua Ōrākei Claims Settlement Act 2012
- Ngāti Whātua o Kaipara Claims Settlement Act 2013
- Te Kawerau ā Maki Claims Settlement Act 2015
- Ngāti Tamaoho Claims Settlement Act 2018
- Ngāi Tai Ki Tāmaki Claims Settlement Act 2018

In this instance, the proposal is not on or adjacent to and will not affect land that is subject to a statutory acknowledgement, and will not result in adversely affected persons in this regard.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

The application is not precluded from limited notification as:

- the application is not for one or more activities that are exclusively subject to a rule or NES which preclude limited notification (s95B(6)(a)); and
- the application is not exclusively for a controlled activity, other than a subdivision, that requires consent under a district plan (s95B(6)(b)).

Step 3: if not precluded by step 2, certain other affected persons must be notified

As this application is not for a boundary activity, there are no affected persons related to that type of activity (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if adverse effects on that person are minor or more than minor (but not less than minor);
- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded;
- the adverse effects on those persons who have provided their written approval must be disregarded; and
- as a restricted discretionary activity, only those effects that fall within the matters of discretion restricted under the plan can be considered. These matters are listed in the public notification assessment section of this report.

Adversely affected persons assessment (sections 95B(8) and 95E)

No persons are considered to be adversely affected by the proposal because:

- For the reasons discussed above, and for the following additional reasons, the proposed development is considered to generate less than minor adverse effects associated with construction noise and vibration on persons of the immediate environment:
    - The applied for noise exceedances are predictions for the closest receivers. As the adjacent buildings are multi-level buildings, the occupants at higher floors and rear portions of the buildings (from the works area) will be subject to lower noise levels than those predicted.
    - With respect to receivers, the applicant has confirmed that 430 and 438 Queen Street, and 2-8 White Street are residential buildings and therefore are sensitive day and night. 450 Queen Street, 9 Marmion Street, 8-10 Waverley Street, 31, 35-37, 39-43, 45-61 Airedale Street, and 10 and 16 Turner Street are commercial buildings and therefore are

sensitive only during the day. Of these, 16 Waverly Street is educational, and therefore also only sensitive during the day. 25 White Street, and portions of 8-10 and 16 Waverly Street are utilised for parking activities and as such are not sensitive receivers.

- The applicant's lodged assessment of effects was based on the worst-case noise levels occurring for durations that exceeded the exemptions at E25.6.29. As part of the s92 response, the durations were confirmed and effects reconsidered. Mr. Bin Qiu, Council's specialist has confirmed that he concurs with this assessment that concluded:
  - The predicted noise levels (and associated assessed effects) in Table 4-8 and Table 4-9 in the WSP CNVA report assume all the equipment in Table 4-2 operate concurrently for an entire 30-minute assessment period. This is unlikely to be the case apart from one or two 30-minute assessment periods.
  - Typical noise generated by the works is predicted to be at or below 75 dB $L_{Aeq,39min}$ at 1m from the façade of the building. With windows closed, while construction may be audible in these buildings, it is unlikely to be at a level that impacts activities.
  - The highest exposed façade at 16 Waverly St is predicted to still be elevated at a level that may impact concentration at receivers in this building.
- The majority of works (both daytime and nighttime works) are therefore anticipated by the applicant and Mr. Bin Qiu, Council's specialist, to be manageable to be generally consistent with that provided for by the plan in the exemptions to noise levels for works in the road reserve. While some works will occur within the open space zone, this land functions and road reserve and the effects will be indistinguishable from the permitted effects that could occur from adjacent works legally within the road reserve.
- Nevertheless, comprehensive management measures have been offered by the applicant as discussed in greater detail above. These measures will ensure that any potential adverse effects on persons of the immediate environment will be suitably mitigated and less than minor in nature.

- For the reasons discussed above, and for the following additional reasons, the proposed development is considered to generate less than minor adverse effects associated with groundwater diversion/dewatering on persons of the immediate environment:
  - Mr. Simonds, Council's consultant groundwater specialist, is satisfied that the application has appropriately considered the potential dewatering settlement and mechanical settlement effects, which have been concluded to be less than minor subject to the offered monitoring and management measures that are proposed to form conditions of consent.
  - WSP have completed a detailed assessment of potential effects on nearby buildings, structures, services and infrastructure which forms part of the application package. Mr. Simonds has reviewed this assessment and confirms that this addresses all relevant nearby structures, and that he concurs with the conclusions reached by WSP. Taking into account the monitoring and management measures proposed by the applicant, which are considered appropriate due to the proximity of nearby buildings, Mr. Simonds is satisfied that effects will be less than minor.

I rely on the expert review and comments in this regard of Mr. Simonds, and therefore conclude that adverse effects on persons of the immediate environment, asset owners, and any other persons will be less than minor in nature.

- The applicant has completed comprehensive consultation with all relevant mana whenua groups through existing Kaitiaki processes the applicant has with mana whenua. As part of this consultation process, Ngāti Whanaunga, Te Runanga o Ngāti Whātua, Ngāti Maru, Ngāti Whātua Ōrākei responded to the initial request for consultation in relation to this specific project. No opposition to the proposal has been raised through various meetings and discussions held with these groups. Ngati Whanaunga have prepared a CVA and recommended conditions of consent. These have been offered by the applicant as part of the consent application. Any effects on mana whenua and cultural values therefore are considered to be able to be appropriately managed by the offered conditions of consent, and as such will be less than minor in nature.

Step 4: further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrants it being notified to any other persons not already determined as eligible for limited notification (excluding persons assessed under section 95E as not being affected persons).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

In this instance I have turned my mind specifically to the existence of any special circumstances under s95B(10) and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

Limited notification conclusion

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than those specified in s95B(6)(b).
- Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.
- Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

It is therefore recommended that this application be processed without limited notification.

9. Notification recommendation

Non-notification

For the above reasons under section 95A this application may be processed without public notification.

In addition, under section 95B, limited notification is not required.

Accordingly, I recommend that this application is processed non-notified.

Emma Chandler
Planning Team Manager
Sentinel Planning Limited

Date: 24 August 2026

10. Notification determination

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under sections 95A and 95C to 95D, and 95B and 95E to 95G of the RMA this application shall be processed non-notified.

Warwick Pascoe
Principal Project Lead
Premium Resource Consents

Date: 24 August 2026

Decision on an application for resource consent under the Resource Management Act 1991

Restricted discretionary activity

Application number(s):	BUN60464536 (Council Reference) LUC60464537 (s9 land use consent) WAT60464538 (etc) (s14 water permit)
Applicant:	Watercare Services Limited
Site address:	Road Reserve – Marmion Street, White Street and Queen Street 31 Airedale Street, Auckland Central 1010
Legal description:	Marmion Street, White Street and Queen Street: Road 31 Airedale Street Auckland Central Auckland: PT ALLOT 52 SEC 36 City Auckland, Lot 8 DP 114584, Part Lot 1 DP 39374 and Part Lot 1-2 DP 33522, Lot 1 DP 49762, PT ALLOT 49 SEC 36 City Auckland, PT ALLOT 51 SEC 36 City Auckland, Lot 2 DP 115024, Lot 3 DP 114584 and ALLT 16 SECT 37 CITY Auckland.
Lodgement date:	15 April 2026

Proposal: To upgrade the existing wastewater network to service projected development demand within the Auckland City Centre. The works form part of a staged programme, with this stage (P6) representing the final component, and include the installation of new wastewater infrastructure within White Street, Marmion Street and Queen Street, together with associated works such as temporary shaft construction, utility diversions, and relining of existing wastewater pipes.

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60464537

<u>Auckland Unitary Plan</u>

District land use (operative plan provisions)

Noise and vibration

1. **Rule E25.4.1 (A2) -** The proposed works involve construction activities that do not comply with all relevant permitted activity standards as follows and is therefore a **restricted discretionary** activity:
    - Noise from night works within the road, including dewatering, pipe relining and tie-in works (and associated over-pumping), will exceed a duration of three nights (not

simultaneously) and will not comply with the requirements under Standards E25.6.28.2 and E25.6.29.

- Daytime and night works within the Open Space – Informal Recreation zone are predicted to exceed the applicable noise limits for receivers in the Business – City Centre zone under Standard E25.6.28.2.
- Construction vibration associated with the proposed works is predicted to exceed the vibration amenity criteria, particularly for works within the Open Space – Informal Recreation zone under Standard E25.6.30(1)(b).

Water permit (s14) – WAT60464538

Auckland Unitary Plan

District land use (operative plan provisions)

Taking, using, damming and diversion of water and drilling

2. **Rule E7.4.1 (A20) and (A28)** - The proposal involves the taking and use of groundwater for dewatering and the diversion of groundwater associated with excavation works including trenching and tunnelling that does not comply with the following permitted activity standards and is a **restricted discretionary** activity.
   - The proposed dewatering will occur for approximately 240 days at Shaft P6MH2MH3 and 150 days at Shaft P6MH2MH4, which exceeds the maximum permitted duration of 30 days for non-peat soils under Standard E7.6.1.6(2).
   - Dewatering is predicted to result in groundwater level reductions exceeding 2m at the boundary of adjoining sites, including at 16 Waverley Street, where drawdown is anticipated to exceed this threshold adjacent to Shaft P6MH2MH3 and Shaft P6MH4 under Standard E7.6.1.10(3).
   - Excavations extending below groundwater level will infringe the required separation distance from adjoining structures, including at 16 Waverley Street, where the depth of excavation exceeds the setback distance adjacent to Shaft P6MH2MH3 and Shaft P6MH4 under Standard E7.6.1.10(5)(a).

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C, 106A and Part 2 of the RMA, the resource consents are **GRANTED**.

Reasons

The reasons for this decision are:

1. The application is for restricted discretionary resource consent, and as such under s104C RMA only those matters over which Council has restricted its discretion have been considered. Those matters are:
   - E7.8.1 (1) – for take use and diversion of water.
   - E7.8.1 (4) – for take and use of groundwater for dewatering or groundwater level control associated with groundwater diversion.
   - E7.8.1 (6) – for diversion of groundwater.
   - E25.8.1 (1) – for noise and vibration.
2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be avoided, remedied or mitigated as:
   a. Appropriate construction methodologies and mitigation measures have been proposed via the Construction Noise and Vibration Management Plan to ensure that any potential associated adverse effects will be suitably managed and mitigated.

   b. Appropriate management measures have been proposed to ensure that any potential adverse effects from the proposed dewatering and groundwater diversions will be suitably avoided and mitigated.

   c. Mana whenua groups have been appropriately consulted through the process and confirmed, subject to offered conditions of consent, that the proposal will not result in adverse effects on cultural values.

   d. In terms of positive effects, the proposed development forms a critical part of the wider wastewater infrastructure project for the overall Auckland Region, and in particular the downtown Auckland City Centre area. It will contribute to improving the overall infrastructure provision and servicing of the area.

   e. With reference to s104(1)(ab) RMA, there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment and/or within the relevant matters of discretion.
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted. In particular:
   a. The relevant provisions of Chapters E7 refer back to the objectives and policies of Chapters E1 and E2. Those provisions collectively seek to ensure that the quality of freshwater is maintained or enhanced where possible or where the existing quality is poor or degraded, and that the quantity of freshwater available for use is maintained and appropriately managed to meet current and future needs. The proposal does not involve any water take and therefore will not impact upon the existing water quantities within the system, and nor does it involve any discharge of water into watercourses or onto land, such that no sedimentation effects will be generated by the proposal. The proposal is therefore consistent with the relevant provisions of Chapters E1 and E2, and in turn E7.

   b. The relevant provisions of Chapter E25 seek to ensure that people and amenity values are protected from unreasonable levels of noise and vibration. The proposal is supported by a comprehensive management plan to manage and mitigate the potential adverse effects of all construction noise and vibration activities, which will ensure appropriate management of all construction activities to suitably mitigate any potential adverse effects, including on surrounding residential properties. The proposal is therefore considered consistent with the relevant provisions of Chapter E25.

4. As a restricted discretionary activity, the other matters that can be considered under s104(1)(c) of the RMA must relate to the matters of discretion restricted under the plan. In this case no other matters are considered applicable.
5. In accordance with an assessment under s106A of the RMA, there is no reason to either withhold grant of consent or impose conditions as there is no known significant risk from natural hazards.
6. In the context of this restricted discretionary activity application for land use consent and a water permit, where the relevant objectives and policies and other relevant provisions in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
7. Overall, the proposal is considered to result in acceptable actual and potential effects, and is consistent with the relevant provisions of the Plan, other relevant legislation, and with Part 2 of the Act.

Conditions

Under sections 108 and 108AA of the RMA, this consent these consents are subject to the following conditions:

General conditions

These conditions apply to all resource consents.

1. This consent must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application detailed below, and all referenced by the Council as resource consent number BUN60464536

   - Application form and Assessment of Environmental Effects Report prepared by WSP New Zealand and dated 7th April 2026.

Report title and reference	Author	Rev	Dated
Statutory Assessment	WSP	2	28/05/2026
Records of Title	WSP	1	13/03/2026
Construction Methodology	WSP	1	29/05/2026
Application Plans	WSP	3	20/03/2026

Erosion and Sediment Control Plan (ESCP)	WSP	1	12/03/2026
Archaeological Assessment	Clough & Associates	1	01/10/2024
Flood Hazard Assessment (FHA)	WSP	1	22/01/2026
Assessment of Dewatering and Settlement Effects	WSP	5	01/07/2026
Landslide Risk Assessment	WSP	1	04/03/2026
Preliminary Site Investigation (PSI)	WSP	2	06/12/2024
AUP Maps	WSP	1	12/03/2026
Construction Noise and Vibration Assessment (CNVA)	WSP	4	20/02/2026
Construction Noise and Vibration Management Plan (CNVMP)	WSP	1	12/03/2026
GSCMP	WSP	4	1/07/2026

Advice note:

The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.

2. Under section 125 of the RMA, this consent lapses ten years after the date it is granted unless:

   a. The consent is given effect to; or

   b. The council extends the period after which the consent lapses.

3. The consent holder must pay the council an initial consent compliance monitoring charge of $1194 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.

   Advice note:

   The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.

Modifications Approval

4. If any modifications to the preliminary design are required that will not result in an application under section 127 of the RMA, the following information must be provided at least five working days prior to implementation:

   a. Plans and drawings outlining the details of the modifications; and

   b. any necessary supporting information.

   All information must be submitted to Council for certification prior to implementation.

   Advice note:

   All proposed changes must be discussed with council, prior to implementation.

Specific conditions – Land Use Consent LUC60464537

PRE-COMMENCEMENT CONDITIONS

Construction Management Plan (CMP)

5. The Consent Holder must prepare a Construction Management Plan (CMP) for the Project or for each stage of the Project (e.g. tunnelling works, shaft construction). The purpose of the CMP is to set out the detailed management procedures and construction methods to be undertaken in order to avoid, remedy or mitigate potential adverse effects arising from construction activities and to achieve compliance with the specific conditions of this consent that relate to the matters referred to in Condition 7 (a) to (l) below.

6. The CMP must be submitted to Auckland Council no less than twenty (20) working days prior to works commencing on the Project or stage of the Project (as relevant) for certification that the CMP complies with the requirements of Condition 7 as applicable.

7. The CMP required by Condition 5 above must include specific details relating to the management of all construction activities associated with the relevant Project stage, including:

   a. Details of the site or project manager including their contact details (phone, postal address, email address);

   b. An outline construction programme;

   c. The proposed hours of work;

   d. Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal / storage of rubbish, storage and unloading of construction materials and similar construction activities;

   e. Location of site infrastructure including site offices, site amenities, contractor's yards site access, equipment unloading and storage areas, contractor car parking, and security;

   f. Procedures for controlling sediment run-off, dust and the removal of soil, debris, demolition and construction materials (if any) from public roads and / or other places adjacent to the work site;

g. Procedures for ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of construction activities and are informed about the expected duration and effects of the works;

h. Means of providing for the health and safety of the general public and for pedestrian management;

i. Procedures for the management of works which directly affect or are located in close proximity to existing network utility services (note: this requirement does not apply to the Consent Holder's infrastructure or where written approval has been obtained from the relevant network utility operator);

j. A mechanism and nominated stakeholder manager responsible for receiving, addressing and monitoring queries and responding to complaints in relation to the construction works;

k. Procedures for the refueling of plant and equipment;

l. Spill management procedures for the storage of hazardous substances.

8. The CMP must be implemented and maintained by the Consent Holder throughout the entire construction period for the Project or relevant Project stage to manage potential adverse effects arising from construction activities. The CMP or any specific component of the CMP must be updated as necessary and provided to the Council for certification prior to being implemented.

Site Management Plan

9. At least 10 working days prior to the commencement of earthworks, a Site Management Plan (SMP) must be submitted to the Council for review and certification. The SMP must:

a. Detail the procedures and controls required during and following the works to minimise potential effects on human health and the environment as a result of actual and potential soil contamination;

b. Be prepared in accordance with the Contaminated Land Management Guidelines No.1 (Ministry for the Environment, revised 2021);

c. Detail any further soil sampling to be undertaken prior to the commencement of earthworks or during earthworks, validation sampling or other verification to be undertaken following completion of earthworks and;

d. Be prepared by a Suitably Qualified and Experienced contaminated land Practitioner (SQEP).

All works must then be undertaken in accordance with the certified SMP.

Advice Note:

The Council acknowledges that the SMP is intended to provide flexibility of the management of the works. Accordingly, the SMP may need to be updated. Any updates should be limited to the scope of this consent and be consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact the Council. The Council's certification of the SMP relates only to those aspects of the plans that are relevant under the RMA. The certification does not amount to an approval or acceptance of suitability *by the Council of any elements of the management plan that relate to other legislation, for example, the Building Act 2004 or the Health and Safety at work Act 2015.*

Construction Noise and Vibration Management Plan (CNVMP)

10. The consent holder must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the project, or each stage of the project, that addresses the management of construction noise and vibration from the works. The CNVMP must be in accordance with the requirements set out in the Construction Noise and Vibration Assessment Report and Framework Construction Noise and Vibration Management Plan referenced in Condition 1. The CNVMP must be submitted to the Council no less than 20 working days prior to works on that stage commencing for certification by the Council that the CNVMP complies with the requirements in Condition 11 below, as applicable. Construction works must not commence until certification has been received in writing from the Council.

11. The objectives of the CNVMP are to:

    a. Identify and adopt the Best Practicable Option (BPO) for the management and mitigation of construction noise and vibration effects.

    b. Identify how Project noise and vibration limits will be met and set out the methods for scheduling and undertaking works to manage disruption.

    c. Ensure engagement with affected receivers and timely management of complaints.

    The CNVMP must be prepared by a suitably qualified and experienced practitioner and must set out, as a minimum:

    d. The relevant construction noise and vibration criteria from NZS 6803:1999 “Acoustics – Construction Noise”, Annex E2 “Noise management plans” and DIN 4150-3:2016 “Vibrations in buildings – Part 3: Effects of vibration on structures”, Appendix E “Minimizing the effects of vibration”;

    e. Description and duration of the works, predicted construction noise and vibration levels, anticipated equipment and hours of operation (including specific times, frequency and days when construction activities causing noise/vibration would occur);

    f. The processes to be undertaken including general acoustic management and mitigation measures proposed to be implemented throughout the course of the project consistent with best practice and the triggers or thresholds for implementing them (if relevant);

    g. Physical noise mitigation measures, including reducing the use of tonal reverse alarms where possible, plant selection and maintenance procedures, orientation of plant and machinery, and site layout. Physical noise mitigation measures must also include the following, as required to ensure a BPO approach to the management of noise: setting minimum setback distances from sensitive receivers (dwellings); acoustic screening of the shaft site construction areas; and/or open trenching;

    h. Identification of any buildings particularly sensitive to vibration and noise in the vicinity of the proposed works along with the details of consultation with the land owner(s) of the sites where the sensitive activities are located and any management measures that will be adopted, where practicable, based on this consultation;

    i. Details of noise and vibration monitoring to be undertaken and reporting requirements;

j. The process for changing, updating, and certifying any changes to the CNVMP;

k. A complaint procedure;

l. Training procedures for construction personnel; and

m. The process for temporary relocation of neighbouring residents affected by night works, according to the prescribed threshold triggers

The CNVMP must be implemented and maintained by the consent holder throughout the construction period for the project or relevant Project stage to manage potential adverse noise and vibration effects arising from construction activities. The CNVMP or any specific component of the CNVMP must be updated as necessary and provided to the Council for certification prior to being implemented.

Notice to neighbours

12. Consultation regarding daytime construction noise must be undertaken with the owners and occupiers of all properties within 100 metres of the proposed works (as required by Section E25.6.29(5) of the AUP). Consultation regarding nighttime construction noise (10pm to 7am) must be undertaken with the Noise and Vibration Sensitive Receivers (NSRs) identified within Table 4-9 of the CNVMP according to Section E25.6.29(5)(a) of the AUP, as these are the specific NSRs identified within the CNVMP. The following procedure to notify these property owners and occupiers is to be undertaken:

    a. A minimum of 10 working days prior to any noise or vibration equipment being used that would lead to potential exceedances, communication must be undertaken with the owners and occupiers of the buildings identified in (a) to notify them of upcoming high noise and/or vibration works.

    b. Confirmation of the BPO mitigation that will be implemented to reduce the impacts of any potential exceedances.

DURING WORKS

Construction Hours, Noise and Vibration

13. Construction noise must be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of environmental sound.

14. Construction works must be restricted to between 7.00am and 7.00pm from Monday to Saturday, apart from where provided in the resource consent application, where outlined in the certified CNVMP, or operationally required to occur outside of these hours. Direct drilling works are permitted to occur between 7.00am and 7.00pm from Monday to Saturday.

    <u>*Advice Note:*</u>

    Notification of works outside of hours will be advised to Council prior to the works commencing, if possible (i.e. if not an emergency or unforeseen). Approval is not required from Council if the works can be undertaken as a permitted activity in relation to noise or vibration. The restriction on hours of works shall not apply to low noise generating activities or activities that meet permitted activity standards, which may occur outside of these hours.

Construction Noise Limits

15. Where noise levels from construction are predicted to exceed the specified City limits within E25.6.27.1 and E25.6.28.2, provided for within the Auckland Unitary Plan, and as noted within the Construction Noise Vibration Assessment (CNVA), the specific mitigation measures detailed in the certified CNVMP must be undertaken to mitigate excess noise where possible.

Construction Vibration – Structural

16. All tunnelling and construction works must be designed and undertaken to ensure that vibration from the Project does not exceed the guideline vibration limits as set out in the DIN 4150-3:1999 Standard: Structural vibration – Part 3 Effects of vibration.

17. Specific vibration management measures must be followed to reduce the likelihood of high vibration levels, including providing excavator operator training on specific measures to reduce vibration (such as slowly lowering the bucket onto the ground).

Noise and Vibration monitoring

18. The consent holder must engage a suitably qualified and experienced acoustic expert or have suitably trained personnel to carry out noise and vibration monitoring:

    a. At the first commencement of vibratory piling, concrete cutting or breaking, compacting, road reinstatement, night time (8pm – 7.30am) works, and any other activities with potential to infringe the noise and vibration limits;

    b. When a complaint is received, or monitoring is requested by Auckland Council; and

    c. In accordance with New Zealand Standards NZS 6801:2008 Acoustics – Measurement of environmental sound and German Industrial Standard DIN 4150-3 (1999) Structural Vibration – Part 3 Effects of Vibration on Structures for vibration.

    Any noise and/or vibration monitoring must be undertaken during activities where practicable to confirm the received levels and to determine future mitigation for the equipment. If noise and or vibration levels are found to exceed the relevant limits of this consent, then the work causing the exceedance must stop when safe to do so until mitigation is implemented to ensure the noise and or vibration limits are met.

Earthworks

19. Earthworks must be undertaken in accordance with the Construction Management Plan to be prepared by the Consent Holder as per Condition 5 above, alongside the ESCP and the GSMCP. Any variations to the CMP must be submitted to the Council for certification that it appropriately manages actual and potential soil contamination effects and is within the scope of this consent, prior to implementation.

Discovery of unexpected contamination

20. In the event of the accidental discovery of contamination during earthworks that has not been previously identified, including asbestos material, the consent holder must immediately cease the works in the vicinity of the contamination, notify the Council, and engage a Suitably Qualified and Experienced contaminated land Practitioner (SQEP) to assess the situation (including possible sampling) and decide on the best option for managing the material.

Avoid Damaging Assets

21. Unless specifically provided for by this consent approval, there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public asset as a result of the earthworks and construction activity. In the event that such damage does occur, the Council must be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition must be met by the Consent Holder. A pre-construction meeting must be held with asset owners to discuss the appropriate protection measures focused on the detailed construction methodology that will be developed prior to commencement of the works.

<u>*Advice Notes:*</u>

a. *Trench reinstatement review is only required if the cover / clearance between the underground service and finished surface is less than 1m. Generally, reinstatement of trenching to be done properly compacting a thin layer of hardfill materials up to 200mm each checking compaction and finally reinstating the road pavement top 400mm to 600mm matching to existing layers and finished surface.*

b. *The Consent Holder / their designer should carry out a joint pre-construction inspection of the existing pavement/ footpath, vehicle crossings berms etc. with representative of asset management team and record the condition of the pavement prior to commencement of works on site. Post inspection will be carried out by asset acceptance team or nominated Council engineer with the Contractor before under asset hand-over / vesting process.*

c. *The Consent Holder and their Contractor shall protect and maintain all affected public roads, footpath and all other assets in the road corridor including any privately own assets at their own cost until the project is finished.*

CULTURAL VALUES MONITORING

Pre-Construction Requirements

22. Prior to the commencement of works, a suitably qualified and experienced archaeologist (the “project archaeologist) must be engaged to undertake archaeological monitoring in accordance with any Authority conditions and the requirements of this plan.

23. Ngāti Whanaunga must be provided with reasonable opportunity to participate in cultural monitoring and engagement processes. Ongoing communication between Watercare and Ngāti Whanaunga must be maintained throughout the duration of construction. Prior to the commencement of works all construction personnel must attend a cultural induction that includes information regarding archaeological values, statutory obligations, cultural awareness, and procedures to be followed in the event of an accidental discovery.

Archaeological monitoring during construction

24. The project archaeologist engaged for the pre-construction phase, or someone similarly qualified and experienced, must be present during ground-disturbing activities assessed as having archaeological potential.

25. Monitoring must include, but not necessarily be limited to:

    a. Potholing investigations;

b. Open-trench excavations;

c. Shaft excavations;

d. Manhole construction;

e. Pipeline installation works; and

f. Other earthworks identified by the project archaeologist as requiring observation.

26. Monitoring must involve inspection of exposed stratigraphy, assessment of any archaeological features or deposits encountered, and recording of archaeological evidence where required.

27. Particular attention must be given to areas where existing underground infrastructure is intercepted or altered, and where previously undisturbed soils may be exposed. Archaeological recording and documentation

Advice Note:

If someone other than the original project archaeologist is to be appointed, Ngāti Whanaunga requests to be consulted over this new engagement.

Archaeological Recording and Reporting

28. Any archaeological features, deposits, artefacts, or cultural material identified during construction must be recorded by the project archaeologist in accordance with accepted archaeological standards and the conditions of any Authority issued by Heritage New Zealand Pouhere Taonga.

29. Recording must be commensurate with the nature, extent, and significance of the discovery and may include written descriptions, plans, photographs, location surveys, context records, artefact cataloguing, and monitoring records, as appropriate.

30. Where archaeological material is identified, the project archaeologist must assess its significance and determine whether further investigation, excavation, sampling, preservation, or management measures are required in accordance with the Heritage New Zealand Pouhere Taonga Act 2014 and any archaeological Authority.

31. All archaeological records must be retained as part of the project archive and incorporated into a Final Archaeological Monitoring Report prepared by Watercare. The report must summarise monitoring activities and findings, including any discoveries, investigations, analyses, and recommendations, and must be provided to Ngāti Whanaunga for their information and records.

Specific conditions – Water Permit WAT60464538

Duration

32. This water permit (WAT60464538) expires 15 years after the date it is issued unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Definitions

Alarm level	Specific levels at which actions are required as described in the relevant conditions
Alert level	Specific levels at which actions are required as described in the relevant conditions
Bulk Excavation	Includes all excavation that affects groundwater excluding minor enabling works and piling less than 1.5m in diameter
Commencement of Dewatering	Means commencement of Bulk Excavation and/or the commencement of the taking or diversion of groundwater, other than for initial state monitoring purposes
Completion of Dewatering	Means, in the case of tunnels and shafts, when the tunnel and shafts have been constructed and effectively no further groundwater is being taken/diverted for the construction of the tunnel and shafts in accordance with the design
Commencement of Excavation	Means commencement of Bulk Excavation or excavation to create shafts
Completion of Excavation	Means the stage when all Bulk Excavation has been completed and all foundation/footing excavations within 10 meters of the perimeter retaining wall have been completed.
Condition Survey	Means an external visual inspection or a detailed condition survey (as defined in the relevant conditions
Damage	Includes Aesthetic, Serviceability, Stability, but does not include Negligible Damage. Damage as described in the table below
External visual inspection	A condition survey undertaken for the purpose of detecting any new external Damage or deterioration of existing external Damage. Includes as a minimum a visual inspection of the exterior and a dated photographic record of all observable exterior Damage
GSMCP	Means Groundwater and Settlement Monitoring and Contingency Plan
Monitoring Station	Means any monitoring instrument including a ground or building deformation station, groundwater monitoring bore, retaining wall deflection station, or other monitoring device required by this consent
RL	Means Reduced Level
Season Low Groundwater Level	Means the annual lowest groundwater level – which typically occurs in summer
Services	Include fibre optic cables, sanitary drainage, stormwater drainage, gas and water mains, power and telephone installations and infrastructure, road infrastructure assets such as footpaths, kerbs, catch-pits, pavements and street furniture
SQEP	Means Suitably Qualified Engineering Professional
SQBS	Means Suitably Qualified Building Surveyor

Building Damage Classification

Note: In the table below, the column headed "Description of Typical Damage" applies to masonry buildings only and the column headed "General Category" applies to all buildings.

Category of Damage	Normal Degree of Severity	Description of Typical Damage (Building Damage Classification after Burland (1995), and Mair et al (1996))	General Category (after Burland – 1995)
0	Negligible	Hairline Cracks	Aesthetic Damage
1	Very Slight	Fine cracks easily treated during normal redecoration. Damage Perhaps isolated slight fracture in building. Cracks in exterior visible upon close inspection. Typical crack widths up to 1mm.	

2	Slight	Cracks easily filled. Redecoration probably required. Several slight fractures inside building. Exterior cracks visible, some repainting may be required for weather-tightness. Doors and windows may stick slightly. Typically crack widths up to 5mm.	
3	Moderate	Cracks may require cutting out and patching. Recurrent cracks can be masked by suitable linings. Brick pointing and possible replacement of a small amount of exterior brickwork may be required. Doors and windows sticking. Utility services may be interrupted. Weather tightness often impaired. Typical crack widths are 5mm to 15mm or several greater than 3mm.	Serviceability Damage
4	Severe	Extensive repair involving removal and replacement of walls especially over door and windows required. Window and door frames distorted. Floor slopes noticeably. Walls lean or bulge noticeably. Some loss of bearing in beams. Utility services disrupted. Typical crack widths are 15mm to 25mm but also depend on the number of cracks.	
5	Very Severe	Major repair required involving partial or complete reconstruction. Beams lose bearing, walls lean badly and require shoring. Windows broken by distortion. Danger of instability. Typical crack widths are greater than 25mm but depend on the number of cracks.	Stability Damage

Notice of Commencement of Excavation

33. The Council must be advised in writing at least 10 working days prior to the date of the Commencement of Excavation .

Design of Dewatering and Retention Systems

34. The design and construction of the dewatering and retention systems for the shaft must be undertaken in accordance with the specifications contained in the reports referenced in Condition 1.

Groundwater and Settlement Monitoring and Contingency Plan (GSMCP)

35. At least 20 working days prior to the Commencement of Dewatering, a Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) prepared by a SQEP, must be submitted to the Council for certification. Any later proposed amendment of the GSMCP must also be submitted to the Council for certification.

36. The overall objective of the GSMCP must be to set out the practices and procedures to be adopted to ensure compliance with the consent conditions and must include, at a minimum, the following information:

    a. A monitoring location plan, showing the location and type of all Monitoring Stations. The monitoring plan must be based on the plan titled "*Monitoring Site Plan - P6MH2MH3 – P6MH4 Shafts*" contained in Appendix A of the approved GSMCP referenced in Condition 1, or in the certified GSMCP. Where the location of a Monitoring Station differs substantively from that shown on the plans referenced above, a written explanation for the difference must be provided at the same time that the GSMCP is provided.

    b. Final completed **Schedules B to F** (as per the conditions below) for monitoring of groundwater, ground surface and building settlement (including any proposed changes to the monitoring frequency) as required by conditions below.

c. All monitoring data, the identification of Services susceptible to Damage and all building/Service condition surveys undertaken to date and required by conditions below.

d. A bar chart or a schedule, showing the timing and frequency of condition surveys, visual inspections and all other monitoring required by this consent, and a sample report template for the required two monthly monitoring.

e. All Alert and Alarm Level Triggers (see **Schedule A** below) (including reasons if changes to such are proposed).

f. Details of the contingency actions to be implemented if Alert or Alarm Levels are exceeded.

37. All construction, dewatering, monitoring and contingency actions must be carried out in accordance with the certified GSMCP. No Bulk Excavation (that may affect groundwater levels) or other dewatering activities must commence until the GSMCP is certified in writing by the Council.

Performance Standards

Damage Avoidance

38. All dewatering systems, retention measures and works associated with the diversion or taking of groundwater, must be designed, constructed and maintained so as to avoid damage to land, buildings, structures and services on the site or adjacent properties.

Alert and Alarm Level Actions

39. The activity must not cause any settlement or movement greater than the Alarm Level thresholds specified in **Schedule A** below. Alert and Alarm Levels are triggered when the following Alert and Alarm Trigger thresholds are exceeded:

Schedule A: Alarm and Alert Levels			
Movement		**Trigger Thresholds (+/-)**	
		Alarm	**Alert**
a)	Differential vertical settlement between any two Ground Surface Deformation Stations (the **Differential Ground Surface Settlement Alarm or Alert Level**) • G1 to G4 • G5 and G6	1:600 1:550	1:850 1:800
b)	Total vertical settlement from the pre-excavation baseline level at any Ground Surface Deformation Station (the **Total Ground Surface Settlement Alarm or Alert Level):**	14 mm	10mm

	• G1 & G3 • G2 • G4 & G6 • G5	11mm 10 mm 13mm	8mm 7mm 9mm
c)	Differential vertical settlement between any two adjacent Building Deformation Stations (the **Differential Building Settlement Alarm or Alert Level**) • B1 to B4	1:700	1:1,000
d)	Total vertical settlement from the pre-excavation baseline level at any Building Deformation Station (the **Total Building Settlement Alarm or Alert Level)** • B1 to B4	10mm	7mm
e)	Total lateral deflection from the pre-excavation baseline level at any retaining wall deflection station (**the Retaining Wall Deflection Alarm or Alert Level**): • RW1 to RW8	15mm	10mm
f to j)	Total vertical settlement from the pre-excavation baseline level at any Deflection Marker on Stone Wall • SW1 to SW4 Total lateral deflection from the pre-excavation baseline level at any Deflection Marker on Stone Wall • SW1 to SW4 Total vertical settlement from the pre-excavation baseline level at any Deflection Marker on Stormwater Pipe • SW-P1 to SW-P6 Differential vertical settlement between any two adjacent Markers on Stormwater Pipe • SW-P1 to SW-P4	10mm 20mm 70mm 1:200	7mm 5mm 50mm 1:300

	Distance below the pre-dewatering Seasonal Low Groundwater Level and any subsequent groundwater reading at any groundwater monitoring bore (the Groundwater Alert Levels 1 & 2): • PZ2501	N/A	(1) 0.5m (2)1.0m

Advice Notes:

a. *The locations of the Monitoring Stations listed in **Schedule A** are in Appendix A (Monitoring Site Plan - P6MH2MH3 – P6MH4 Shafts) of the approved GSMCP referenced in Condition 1, or in the certified GSMCP.*

b. *These levels may be amended subject to approval by the Council as part of the Groundwater Settlement Monitoring and Contingency Plan (GSMCP) approval process, and, after the receipt of pre-dewatering monitoring data, building condition surveys and recommendations from a suitably qualified engineering professional (SQEP), but only to the extent that avoidance of Damage to building, structures and Services can still be achieved.*

c. *There are conditions below that must be complied with when the Alert and Alarm Level triggers are exceeded. These include actions that must be taken immediately including seeking the advice of a SQEP.*

Alert Level Actions

40. In the event of any Alert Level being exceeded at any ground, structure or building deformation Monitoring Stations or retaining wall deflection Monitoring Stations the consent holder must:

a. Notify the Council within 24 hours of the exceedance.

b. Re-measure all Monitoring Stations within 20 metres of the affected monitoring location(s) to confirm the extent of apparent movement

c. Ensure the data is reviewed, and advice provided, by a SQEP on the need for mitigation measures or other actions necessary to avoid further deformation. Where mitigation measures or other actions are recommended those measures must be implemented.

d. Submit a written report, prepared by the SQEP responsible for overviewing the monitoring, to the Council within 5 working days of Alert Level exceedance. The report must provide an analysis of all monitoring data (including wall deflection) relating to the exceedance, actions taken to date to address the issue, recommendations for additional monitoring (i.e., the need for increased frequency or repeat condition survey(s) of building or structures) and recommendations for future remedial actions necessary to prevent Alarm Levels being exceeded.

e. Measure and record all Monitoring Stations within 20 metres of the location of any Alert Level exceedance every two days until such time the written report referred to above has been submitted to the Council.

Alarm Level Actions

41. In the event of any Alarm Level being exceeded at any ground, structure or building deformation Monitoring Station the consent holder must:

    a. Immediately halt construction activity, including excavation, dewatering or any other works that may result in increased deformation, unless halting the activity is considered by a SQEP to likely be more harmful (in terms of effects on the environment) than continuing to carry out the activity.

    b. Notify the Council within 24 hours of the Alarm Level exceedance being detected and provide details of the measurements taken.

    c. Take advice from the author of the Alert Level exceedance report (if there was one) on actions required to avoid, remedy or mitigate adverse effects on ground, buildings or structures that may occur as a result of the exceedance.

    d. Not resume construction activities (or any associated activities), halted in accordance with paragraph (a) above, until any mitigation measures (recommended in accordance with paragraphs (d) above) have been implemented to the satisfaction of a SQEP.

42. Submit a written report, prepared by the SQEP responsible for overviewing the monitoring, to the Council, on the results of the visual inspections, the mitigation measures implemented and any remedial works and/or agreements with affected parties within 5 working days of recommencement of works

Pre-dewatering Building and Structure Survey

43. No more than 6 months prior to the Commencement of Dewatering, a detailed condition survey of buildings and structures as specified in **Schedule B** must be undertaken by a SQEP or SQBS and a written report must be prepared and reviewed by the SQEP responsible for overviewing the monitoring. The report must be submitted for certification by the Council.

    This condition does not apply where written evidence is provided to the Council that the owner of a property has confirmed they do not require a detailed condition survey.

44. The detailed condition survey must include:

    a. Confirmation of the installation of building deformation stations as required in the locations shown on the plans titled "Monitoring Site Plans - *P6MH2MH3 – P6MH4 Shafts*" contained in Appendix A of the approved GSMCP referenced in Condition 1, or in the certified GSMCP.

    b. A description of the type and arrangement of foundations.

    c. A description of existing levels of Damage considered to be of an aesthetic or superficial nature.

    d. A description of existing levels of Damage considered to affect the serviceability of the building where visually apparent without recourse to intrusive or destructive investigation.

    e. Photographic evidence of existing observable Damage.

f. An assessment as to whether existing Damage may or may not be associated with actual structural Damage and an assessment of the susceptibility of buildings/structures to further movement and Damage.

g. A review of proposed Alarm and Alert Levels to confirm they are appropriately set and confirmation that any ground settlement less than the Alarm Level will not cause Damage.

h. An assessment of whether the monitoring frequency is appropriate.

i. An assessment of whether the locations and density of existing building deformation stations are adequate and appropriate for the effective detection of change to building and structure condition.

Schedule B: Buildings that Require Detailed Condition Survey and Installation of Deformation Stations External building fronts facing the excavation, as indicated in Appendix A (Monitoring Site Plan *- P6MH2MH3 – P6MH4 Shafts*) of the approved GSMCP referenced in Condition 1, or in the certified GSMCP			
Address	**Legal Description**	**Detailed Condition Survey**	**Number of building /structure deformation stations required**
The garage (including walls, garage doors and garage floor slab) of the garage building at 16 Waverley Street	Lot 2 DP 94228 NA50D/151	Yes	4 No. (B1, B2, B3 & B4)
Schedule C: Buildings and Structures that Require Monitoring of Settlement and Deflection via Monitoring Stations, as indicated in Appendix A (Monitoring Site Plan*- P6MH2MH3 – P6MH4 Shafts*) of the approved GSMCP referenced in Condition 1, or in the certified GSMCP			
Address	**Legal Description**	**Detailed Condition Survey**	**Number of settlement and deflection stations required**
The basalt retaining wall at 25 White street	Lot 1 DP 54953 ROT NA6C/1217	Yes	4 No. (SW1, SW2, SW3 & SW4)

Pre-dewatering services condition survey

45. Prior to the Commencement of Dewatering, a condition survey of the identified affected stormwater services that can be accessed, must be undertaken in consultation with the relevant service provider. This condition does not apply to any service where written evidence is provided to the Council that the owner of that service has confirmed they do not require a condition survey.

External Visual Inspections

46. Unless otherwise amended as part of the GSMCP approval process, visual inspections of the external building fronts facing the excavation, 10 m on either side of the excavation, must

be undertaken for the purpose of detecting any existing external Damage or new external Damage or deterioration of building fronts. The sites to be inspected must include:

a. The garage (including walls, garage doors and garage floor slab) of the garage building at 16 Waverley Street

b. The basalt retaining wall at 25 White Street

Inspections must be carried out prior to, and then monthly from, the Commencement to Completion of Dewatering. A photographic record must be kept, including time and date of each inspection and all observations made during the inspection, and must be of a quality that is fit for purpose.

The results of the external visual inspections and an assessment of the results must be reviewed by the SQEP responsible for overviewing the monitoring and must be included in the bimonthly monitoring report for the relevant monitoring period.

This condition does not apply to any land, building or structure where written evidence is provided to the Council confirming that the owner of the land, building or structure does not require visual inspections to be carried out.

Completion of dewatering – building, structure and service condition surveys

47. Six (6) and twelve (12) months after Completion of Dewatering, a detailed condition survey of all previously surveyed buildings, structures and stormwater pipes must be undertaken and a written report must be prepared. The report is to be reviewed by the SQEP responsible for overviewing the monitoring and then submitted to the Council, within one month of completion of the survey.

The condition survey report must make specific comment on those matters identified in the pre-dewatering condition survey. It must also identify any new Damage that has occurred since the pre-dewatering condition survey was undertaken and provide an assessment of the likely cause of any such Damage.

This condition does not apply to any building, structure or service where written evidence is provided to the Council confirming that the owner of that building, structure, or service does not require a condition survey to be undertaken.

Additional surveys

48. Additional condition surveys of any building, structure or service within the area defined by the extent of groundwater drawdown or ground movement (as defined in the WSP New Zealand Limited reports referenced in Condition 1), must be undertaken, if requested by the Council, for the purpose of investigating any Damage potentially caused by ground movement resulting from dewatering or retaining wall deflection. A written report of the results of the survey must be prepared and/or reviewed by the SQEP responsible for overviewing the monitoring. The report must be submitted to the Council within one month of the request from Council, unless otherwise agreed with Council.

During construction, two settlement monitoring markers must be used to monitor settlement of the 525mm concrete stormwater pipe in shaft P6MH2MH3 and the 825mm concrete pipe in shaft P6MH4 respectively, to ensure movement does not exceed damage criteria.

The requirement for any such additional condition survey must cease 6 months after the completion of dewatering unless ground settlement monitoring indicates movement is still occurring at a level that may result in Damage to buildings, structures, or services. In such circumstances, the period where additional condition surveys may be required will be extended until monitoring shows that movement has stabilised and the risk of Damage to buildings, structures and Services as a result of the dewatering is no longer present.

Advice Note:

This monitoring is detailed within the GSMCP according to the Pre-Application response from Auckland Council.

Groundwater monitoring

49. Groundwater monitoring must be undertaken at the groundwater monitoring bore location (PZ2501) shown on the plan titled "Monitoring Site Plan- *P6MH2MH3 – P6MH4 Shafts*" contained in Appendix A of the approved GSMCP referenced in Condition 1, or in the certified GSMCP. Groundwater level monitoring is to be undertaken in accordance with **Schedule D** below.

Schedule D: Groundwater Monitoring Frequency					
Bore name	**Location (NZTM)**		**Groundwater level reporting frequency (to an accuracy of 10mm)**		
			From bore construction until before Commencement of Dewatering	Commencement of Dewatering to Completion of Dewatering	From Completion of Dewatering until 3 months later
PZ2501 (For shafts P6MH2MH3-P6MH4)	1757261.7	5919793.7	Twice weekly for a four-week period before commencing dewatering	At least twice weekly until completion of dewatering.	Once a month for three months after the completion of dewatering

The monitoring frequency may be changed if approved by the Council. Any change must be specified in the GSMCP. The consent holder must request termination of groundwater level monitoring from Council, supported with a letter of justification for the termination, prepared by a SQEP.

Advice Note:

If groundwater level measurements show an inconsistent pattern immediately prior to the Commencement of Dewatering (for example varying more than +/-200mm during a month), *then further readings may be required to ensure that an accurate groundwater level baseline is established before dewatering commences.*

Ground Surface and Building Deformation Monitoring

50. Ground surface markers and building settlement pins must be established and maintained at the locations shown on the plan titled "*Monitoring Site Plan- P6MH2MH3 – P6MH4 Shafts*" contained in Appendix A of the approved GSMCP referenced in Condition 1, or in the certified GSMCP. The Monitoring Stations must be monitored at the frequency set out in Schedule E. The purpose of the Monitoring Stations is to record any vertical or horizontal movement. Benchmark positions must be established no less than 20 metres away from the excavated area.

Schedule E: Ground Surface and Building Monitoring			
Monitoring Station and Type:	**Frequency**		
	Pre Commencement of Dewatering	**Commencement to Completion of Dewatering**	**Post- Completion of Dewatering**
Ground and Buildings	Three times to a horizontal and vertical accuracy of +/-2 mm (achieved by precise levelling)	Weekly	Monthly for 6 months

The monitoring frequency may be changed if approved by the Council. The consent holder must request termination of ground surface settlement and building settlement monitoring from Council, supported with a letter of justification for the termination, prepared by a SQEP

Retaining wall monitoring

51. Four retaining wall deflection stations per shaft (RW1 to RW8), for the measurement of lateral wall movement, must be installed along the top of the retaining walls, as shown on the plans titled "Monitoring Site Plan- *P6MH2MH3 – P6MH4 Shafts*" contained in Appendix A of the approved GSMCP referenced in Condition 1. Monitoring of the retaining wall deflection stations must be undertaken and recorded in accordance with **Schedule F** below and must be carried out using precise levelling.

Schedule F: Retaining Wall Monitoring		
Pre-Commencement of Construction Phase Dewatering	**Frequency**	
	Commencement of Construction Phase Dewatering to one month after Completion of Excavation	**One month after Completion of Excavation to Completion of Construction Phase Dewatering**

Retaining Wall Deflection Stations	Retaining Wall Deflection	Retaining Wall Deflection
Twice within 1 month prior to the commencement of dewatering (to a horizontal and vertical accuracy of +/- 2mm)	Retaining wall survey markers shall be surveyed and recorded at: • An average of each 2 metres depth excavation, at a minimum of once weekly; or • When changes to the propping system are being carried out; and • At a minimum frequency of weekly intervals from the commencement of dewatering.	Fortnightly

The monitoring frequency may be changed if approved by the Council through the GSMCP. The consent holder must request termination of retaining wall monitoring from Council, supported with a letter of justification for the termination, prepared by a SQEP.

Access to third-party property

52. Where any monitoring, inspection or condition survey in this consent requires access to property(ies) owned by a third party, and access is declined or subject to what the consent holder considers to be unreasonable terms, the consent holder must provide a report to the Council prepared by a SQEP identifying an alternative monitoring programme. The report must describe how the monitoring will provide sufficient early detection of deformation to enable measures to be implemented to prevent Damage to buildings, structures or Services. Written certification from the Council must be obtained before an alternative monitoring option is implemented.

Contingency actions

53. If the consent holder becomes aware of any Damage to buildings, structures or Services potentially caused wholly, or in part, by the exercise of this consent, the consent holder must:

   a. Notify the Council and the asset owner within 24 hours of the consent holder becoming aware of the Damage.

   b. Provide a report prepared by a SQEP (engaged by the consent holder at their cost) that describes the Damage; identifies the cause of the Damage; identifies methods to remedy and/or mitigate the Damage that has been caused; identifies the potential for further Damage to occur and describes actions that must be taken to avoid further Damage.

   c. Provide a copy of the report prepared under (b) above, to the Council and the asset owner within 10 working days of notification under (a) above.

Advice Note:

It is anticipated the Consent Holder will seek the permission of the damaged asset owner to access the property and asset to enable the inspection/investigation. It is understood that if access is denied the report will be of limited extent.

Building, Structure, and Services Surveys and Inspections

54. A copy of all pre-dewatering building and structure condition surveys, and Service condition surveys and photographic records of external visual inspections required by this consent must be submitted to the Council prior to the commencement of dewatering. All other condition surveys and photographic records required by this consent must be provided to the Council upon request.

Reporting of monitoring data

55. At two monthly intervals, a report containing all monitoring data required by conditions of this consent must be submitted to the Council. This report must include a construction progress timeline, the monitoring data (including the results of condition surveys) recorded in that period, and a comparison of that data with previously recorded data and with the Alert and Alarm Levels for each Monitoring Station.

56. Upon Completion of Construction, one electronic data file (excel workbook) containing digital data for the groundwater monitoring bores listed in **Schedule D** (or any replacement bore) must be provided to the Council. Data should include the monitoring bore name, type (monitoring piezometer), location, (NZTM) elevation (m RL), screened depth (m RL) and absolute and relative readings (and their units of measure) and the date/time of each reading. The worksheets should contain data values only (no formulas, circular references or links to other sheets).

Requirement for close-out report

57. The final post-construction report must constitute a close-out report and present a summary of overall trends observed on the project and confirmation that monitored readings post-construction (ground movement) have reached steady-state conditions (accounting for seasonal variation).

Notice of Completion

58. The Council must be advised in writing within 10 working days of when dewatering has been completed.

Advice Notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, "the council" or "the Council" refers to the council's monitoring officer unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource*

consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.

4. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*

5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

Accidental Discovery

6. *If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a Māori cultural artefact, a protected NZ object, contamination or a lava cave greater than 1m in diameter) are discovered, then the protocol set out in standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan (Operative in Part) must be followed. In summary these are:*

   a) *All works must cease in the immediate vicinity (at least 20m from the site of the discovery) and the area of the discovery must be secured including a buffer to ensure all sensitive material remains undisturbed.*

   b) *The consent holder must immediately advise Council, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.*

   c) *If the discovery contains koiwi, archaeology or artefacts of Māori origin, representatives from those Iwi groups with mana whenua interest in the area are to be provided information on the nature and location of the discovery.*

   d) *The consent holder must not recommence works until the steps set out in the above-mentioned standards have been followed and commencement of works approved by Council.*

7. *Should the proposed enabling works result in the identification of any previously unknown sensitive materials (i.e., archaeological sites), the requirements of the Accidental Discovery rule [E26.5.5.1.] set out in the Auckland Unitary Plan Operative in part (updated 10 December 2021)) shall be complied with.*

Unrecorded Archaeological Sites within the Cultural Heritage Inventory

8. *If any unrecorded archaeological sites are exposed because of the consented work, then these sites should be recorded by the consent holder for inclusion within the Auckland Council Cultural Heritage Inventory. The consent holder must prepare documentation suitable for inclusion in the Cultural Heritage Inventory and forward the information to the Council within one (1) calendar month of the completion of work on the site.*

Heritage New Zealand Pouhere Taonga Act 2014

9. *The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under Unitary, District or Regional Plans.*

10. *According to the Act (section 6), archaeological site means, subject to section 42(3) – any place in New Zealand, including any building or structure (or part of a building or structure), that –*

    - *was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and*
    - *provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and*
    - *includes a site for which a declaration is made under section 43(1).*

11. *The Consent Holder has already acquired the necessary Archaeological Authority (ID 2025-557, Granted 11/06/2025, Expiring 11/06/2030) from Heritage New Zealand Pouhere Taonga for the activities as part of the consented works.*mailto:protected-objects@mch.govt.nz

Protected Objects Act 1975

12. *Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act).*

    According to the Act (section 2), taonga tūturu means an object that –

    a. *relates to Māori culture, history, or society; and*
    b. *was, or appears to have been –*
        - *manufactured or modified in New Zealand by Māori; or*
        - *brought into New Zealand by Māori; or*
        - *used by Māori; and*
    c. *is more than 50 years old.*

13. *The Ministry of Culture and Heritage administers the Act. Tāonga may be discovered in isolated contexts but is generally found in archaeological sites. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 about modifying an archaeological site should be considered by the consent holder if Tāonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014.*

14. *It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum, which must notify the*

chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu; alternatively provided that in the case of any taonga tūturu found during an archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification must be made within 28 days of the completion of the fieldwork undertaken in connection with the investigation.

15. *Under section 11 of the Act, newly found taonga tūturu are Crown-owned in the first instance until the Māori Land Court determines ownership. Contact the Ministry of Culture and Heritage – 04 499 4229 / protected-objects@mch.govt.nz.*

Corridor Access Request

16. *The consent holder will be responsible for ensuring all necessary permits, such as Corridor Access Requests (CAR) permits for establishing the construction area, are obtained from Auckland Transport. See Auckland Transport's website www.aucklandtransport.govt.nz for more information.*

Construction Traffic Management Plan

17. *The consent holder is advised that prior to the commencement of works a Construction Traffic Management Plan (CTMP) will be required to be prepared as part of the application for a Corridor Access Request. The CTMP should be prepared in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 3: Transport or CTMPs (as applicable) and New Zealand guide to temporary traffic management (NZGTTM) and must address the surrounding environment including pedestrian and bicycle traffic as well as public transport. No construction activity should commence until the CTMP has been certified by the Council and all construction traffic should be managed at all times in accordance with the approved CTMP.*

Electrical Code of Practice

18. *The consent holder is responsible for ensuring that all development and associated works (including mobile plant and scaffolding) complies with the minimum safe distances from overhead electric lines in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) (NZECP34). Resource consent does not confirm compliance with NZECP34. The consent holder should ensure that minimum safe distances are achieved before commencing construction where there are overhead electrical lines nearby.*

Earthworks

19. *During earthworks all necessary action should be taken to prevent dust generation and water must be available to dampen exposed soil, and/or other dust suppressing measures must be available to avoid dust formation. The consent holder should ensure that dust management during the excavation works generally complies with the Good Practice Guide for Assessing and Managing Dust (Ministry for the Environment, 2016).*

20. *All earthworks should be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring properties. In the event such collapse or instability does occur it should be immediately rectified.*

21. *All earthworks should be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water beyond the subject site to either land, stormwater drainage systems, watercourse or receiving waters. In the event that a discharge occurs, works should cease immediately and the discharge must be mitigated and/or rectified.*

Delegated decision maker:

Name:	Warwick Pascoe
Title:	Principal Project Lead, Premium Resource Consents
Signed:	
Date:	24 August 2026

Resource Consent Notice of Works Starting

Please email this form to **monitoring@aucklandcouncil.govt.nz** at least 5 days prior to work starting. Include your consent reference and site address in the subject line to help direct your notice.

Site address:	
Resource consent number:	**Associated building consent:**
Expected start date of work:	**Expected duration of work:**

Contacts	**Name**	**Role**	**Mobile**	**Email address**
First point of contact				
Secondary contact				

Once you have been contacted by your Monitoring Officer, all correspondence should be sent directly to them.

Monitoring Process:
Council will review your consent for start of works periodically from the date of issue. Once works have started, the frequency of monitoring will vary depending on the complexity of the consent, environmental risks and compliance history.

Monitoring Costs:
Council recovers all costs for monitoring of resource consents in accordance with section 36(1)(c) of the Resource Management Act 1991 (RMA). An initial deposit will have been paid when the resource consent was granted. Any monitoring costs that exceed the deposit will be charged at an hourly rate and invoiced.
Monitoring work may include such activities as conducting site inspections, reviewing consent conditions, updating compliance files and carrying out tests.

Noncompliance with your consent:
Please read the conditions of your consent carefully. Breaches of the conditions of a consent can result in enforcement action under the Resource Management Act 1991 (RMA) in the form of infringements, abatement notices, and/or criminal prosecution.

For further information on any of these topics, please click the link below:
[Resource Consent Monitoring]

Name and Signature:	**Date:**