

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



Restricted Discretionary activity

Application numbers:	WAT60444605 (s14 water permit)
Applicant:	Watercare Services Limited
Site addresses:	Queen Street (Road Reserve), 329 Queen Street, and 34-38 Greys Avenue, Auckland Central
Legal description:	Queen Street: N/A – Road Reserve 329 Queen Street and 34-38 Greys Avenue: Lot 1 DP 84867, Pt Lot 2 DP 81645, Lot 1 DP 81645, Pt Allot 55 Sec 29 Auckland City, PT ALLT 6 SECT 29 CITY Auckland, PT ALLT 7 SECT 29 CITY Auckland

Proposal:

To construct, and undertake associated site works for, a new wastewater pipeline and associated connections.

Resource consents are required for the following reasons:

Water permit (s14) – WAT60444605

Auckland Unitary Plan (Operative in part)

Regional land use (operative plan provisions)

E7 Taking, using, damming and diversion of water and drilling

- To undertake dewatering or groundwater level control associated with a groundwater diversion authorised as a restricted discretionary activity that does not meet the permitted activity standards or is not otherwise listed is a **restricted discretionary activity** under Rule E7.4.1(A20). The proposal involves dewatering during excavations for the Marmion Street construction shaft and the relocation of network utilities that does not comply with Standard E7.6.1.6(2) as it will occur for more than 30 days (up to 50 days are proposed).
- To divert groundwater caused by any excavation, (including trench) or tunnel that does not meet the permitted activity standards or is not otherwise listed is a **restricted discretionary activity** under Rule E7.4.1(A28). The proposal involves groundwater diversion associated with the Marmion Street construction shaft that does not meet the following standards:
 - Standard E7.6.1.10(3) requires the natural groundwater level to not be reduced by more than 2 m on the boundary of any adjoining site. The proposed excavation will extend approximately 10.4 m below natural groundwater level and reduce the level by more than 2 m on the adjoining site boundary west of the proposed shaft.

- Standard E7.6.1.10(5)(a) requires the distance to any existing building or structure (excluding timber fences and small structures on the boundary) on an adjoining site from the edge of any trench or open excavation that extends below natural groundwater level to be at least equal to the depth of the excavation. The distance between the proposed shaft edge to the buildings at 345-361, 430 and 438 Queen Street is less than the 17 m depth of excavation, with the closest building being approximately 8 m away.

The reasons for consent are considered together as a **restricted discretionary activity** overall.

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am familiar with the location of the proposal and have made my own assessment of the proposal. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on notification.

Only those effects that relate to matters that are within the council's discretion under the rules of the AUP(OP) are considered in this assessment. These matters are contained in Sections E7.8.1(1) regarding the effects on mana whenua values and E7.8.1(6) regarding the effects of groundwater diversion and associated dewatering or groundwater level control.

No other effects have been taken into account.

Public notification

Under section 95A of the RMA, this application shall proceed without public notification because:

1. Under step 1, public notification is not mandatory as:
 - a. the applicant has not requested it;
 - b. there are no outstanding or refused requests for further information; and
 - c. the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977.
2. Under step 2, public notification is not precluded as:
 - a. there is no plan rule or regulation in an NES that specifically precludes public notification of the application; and
 - b. the application is for activities other than those specified in s95A(5)(b).
3. Under step 3, public notification is not required as:
 - a. the application is for activities that are not subject to a plan rule or regulation in an NES that specifically requires it; and
 - b. the activities will have or are likely to have adverse effects on the environment that are no more than minor because:
 - Dewatering and groundwater diversion for the construction shaft will be managed in appropriate manner that will ensure adverse effects are avoided, remedied or

mitigated. The Council's Groundwater Specialist is satisfied with the supplied groundwater assessment and supports the application subject to the implementation of the groundwater controls and consent conditions proposed as part of the application. The proposed conditions outline a monitoring programme and include contingency procedures in case of unforeseen settlement risks.

- The Applicant has engaged with mana whenua groups prior to and since the lodgement of the application. The Applicant has advised that the groups who have expressed interest in the proposal have not raised concerns or objections, nor have they provided a determination as to the preparation of a Cultural Impact Assessment.
 - Taking into account the assessments of the Applicant's and Council's specialists, my own assessments, and the consent conditions that the Applicant has proposed as part of the application to manage the proposal's adverse effects, I find that the actual and potential adverse effects on the environment will be less than minor.
4. Under step 4, there are no special circumstances that warrant the application being publicly notified because there is nothing exceptional, abnormal or unusual about the application, and the proposal has nothing out of the ordinary to suggest that public notification should occur. The works proposed are not unusual and I am not aware of any circumstances which would require notification.

Limited notification

Under section 95B of the RMA this application shall proceed without limited notification because:

1. Under step 1, limited notification is not mandatory as:
 - a. there are no protected customary rights groups or customary marine title groups affected by this proposal; and
 - b. no person to whom a statutory acknowledgement is made is adversely affected by this proposal.
2. Under step 2, limited notification is not precluded as:
 - a. there is no plan rule or regulation in an NES that specifically precludes limited notification of the application; and
 - b. the application is for activities other than that specified in s95B(6)(b).
3. Under step 3, limited notification is not required as:
 - a. this application is not for a boundary activity; and
 - b. there are no adversely affected persons because:
 - The Council's Groundwater Specialist concludes that the dewatering and groundwater diversion will be undertaken with appropriate controls and in accordance with consent conditions and that adverse effects on nearby buildings and structures will be less than minor. The Council's Groundwater Specialist also

notes the supplied groundwater assessment's conclusion that no adverse effects on neighbouring bores would arise.

- The Applicant has undertaken engagement with mana whenua and the Applicant has advised that no concerns or objections have been raised by mana whenua groups to date. As above, the activity will be undertaken in accordance with a range of appropriate controls and consent conditions such that any actual or potential adverse cultural effects will be managed to a less than minor extent.
4. Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons because there is nothing exceptional, abnormal or unusual about the application, and the proposal has nothing out of the ordinary to suggest that notification to any other persons should occur. The works proposed are not unusual and I am not aware of any circumstances which would require notification.

Accordingly, this application shall proceed on a **NON-NOTIFIED** basis.



David Wren

Duty Commissioner

17 July 2025

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 - Standard E7.6.1.10(3) requires the natural groundwater level to not be reduced by more than 2 m on the boundary of any adjoining site. The proposed excavation will extend approximately 10.4 m below natural groundwater level and reduce the level by more than 2 m on the adjoining site boundary west of the proposed shaft.

- Standard E7.6.1.10(5)(a) requires the distance to any existing building or structure (excluding timber fences and small structures on the boundary) on an adjoining site from the edge of any trench or open excavation that extends below natural groundwater level to be at least equal to the depth of the excavation. The distance between the proposed shaft edge to the buildings at 345-361, 430 and 438 Queen Street is less than the 17 m depth of excavation, with the closest building being approximately 8 m away.

The reasons for consent are considered together as a **restricted discretionary activity** overall.

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 sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Only those effects that relate to matters that are within the council's discretion under the rules of the AUP(OP) are considered in this assessment. These matters are contained in Sections E7.8.1(1) regarding the effects on mana whenua values and E7.8.1(6) regarding the effects of groundwater diversion and associated dewatering or groundwater level control.

No other effects have been taken into account.

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

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
 - a. The proposed dewatering and groundwater diversion activities for the construction shafts have been assessed by Watercare's consultants and the Council's Groundwater Specialist. The Council's Groundwater Specialist considers that the supplied investigations and assessments are adequate and concurs with the conclusions on potential effects on buildings, structures, infrastructure and public services. No adverse effects on the underlying Waitematā Aquifer and neighbouring bores are expected. The Specialist supports the application subject to the implementation of the proposed groundwater controls and Watercare's proposed consent conditions. The conditions establish what the Specialist considers to be a robust monitoring regime, including the certification of a final Groundwater and Settlement Monitoring and Contingency Plan (GSCMP) by the Council as well as Alert and Alarm Levels for the dewatering and groundwater diversion to ensure settlement effects are no worse than predicted. The conditions also specify contingency procedures in the unlikely event that unforeseen settlement risks or damage occurs.
 - b. Watercare has informed the Council's recognised mana whenua groups about the proposal and has engaged with the six groups that expressed interest. Watercare has advised that the groups have not raised concerns or objections to the proposal. The

Council has not received separate correspondence or concerns from mana whenua groups about the proposal. As Watercare's proposed groundwater related conditions will manage the potential adverse effects from the proposed dewatering and groundwater diversion activities, they will also manage the potential adverse cultural effects of these activities.

- c. In terms of positive effects, with reference to Section 9.2 of the AEE, it is concurred that the proposal will enable Watercare to provide for the safe and efficient collection and conveyance of wastewater which is key to supporting the existing and future wellbeing of communities. The proposal will contribute to the increased capacity and resilience of the wastewater network for the upper City Centre catchment and support increased development capacity in the area. Additionally, the increased capacity will decrease the occurrence of wastewater overflows into the stormwater network during wet weather. This will accordingly reduce the quantity of contaminants flowing into coastal waters during overflow events, thus improving the quality of receiving water bodies.
 - d. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
2. 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, the proposal is consistent with the relevant objectives and policies of the National Policy Statement on Urban Development (the NPS-UD) and the Auckland Unitary Plan (Operative in Part) (the AUP(OP)):
 - a. The relevant provisions of the NPS-UD are Objectives 1 and 4, and Policies 1, 6 and 10. The proposal is consistent with these provisions as it will improve the capacity and resilience of wastewater infrastructure which is essential to enable future development and intensification in the City Centre, thereby contributing to Auckland being a well-functioning Tier 1 urban environment.
 - b. The proposal is consistent with the relevant AUP(OP) provisions for water quality and integrated management (Chapter E1) and water quantity, allocation and use (Chapter E2):
 - The proposal will accordingly reduce the quantity of contaminants flowing into coastal waters during overflow events, thus improving the quality and values of receiving water bodies and minimising the potential adverse effects on human health and the environment (Chapter E1 Objectives 2 and 3; Chapter E1 Policies 19 and 21; Chapter E2 Objective 5).
 - No adverse effects on the underlying Waitematā Aquifer and neighbouring are expected (Chapter E2 Objectives 1 and 3).
 - The proposed dewatering and groundwater diversion, and associated controls and consent conditions to manage potential adverse effects, are assessed to be appropriate. The controls include a robust monitoring regime of the activities and the effects on buildings, structures, infrastructure and public services, and contingency procedures in the unlikely event that unforeseen settlement risks or damage occurs (Chapter E2 Policies 9 and 23).

3. 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, there are no other matters to consider under s104(1)(c).
4. In accordance with s125 of the RMA, a 10-year consent lapse period is appropriate for the scale of the works and the need to cater for existing and planned activities, specifically other City Centre network utility and transportation projects, that are being undertaken or are planned in the vicinity of the proposed works. For the same reasons, in accordance with s123 of the RMA, a 15-year consent duration period is considered appropriate.
5. In the context of this proposal for a restricted discretionary activity water permit, where the objectives and policies of 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.
6. Overall, the proposal will have actual and potential effects on the environment that are acceptable, and it is consistent with the objectives and policies of the AUP(OP). For the same reasons, the proposal is consistent with Part 2 of the RMA. Therefore, resource consents can be granted subject to the conditions below.

Conditions

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

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 WAT60444605.
 - Application form and Assessment of Environmental Effects Report prepared by WSP New Zealand and dated 26 February 2025.

Report title and reference	Author	Rev	Dated
Preliminary Site Investigation Report	WSP New Zealand	02	06/12/2024
Construction Methodology	WSP New Zealand	04	15/11/2024
Construction Noise and Vibration Assessment Report	WSP New Zealand	02	18/12/2024
Construction Noise and Vibration Management Plan	WSP New Zealand	01	06/12/2024
Erosion and Sediment Control Plan	WSP New Zealand	02	04/12/2024
Archaeology Assessment Report	Clough & Associates	-	10/2024
Dewatering and Settlement Assessment Report	WSP New Zealand	R2	19/02/2025
Groundwater and Settlement Monitoring and Contingency Plan	WSP New Zealand	3	11/06/2025

Drawing title and reference	Author	Rev	Dated
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QUEEN STREET WASTEWATER DIVERSION PART 6 MAIN WORKS AND CROSS SECTIONS (DRAWING 2014250.301)	Watercare	2	12/2024
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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 \$ 792 (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.

4. This water permit (WAT60444605) 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.

Modifications approval

5. In the event that 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 and certified by the Council (within five working days) prior to implementation.

Advice Note:

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

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 <i>(Building Damage Classification after Burland (1995), and Mair et al (1996))</i>	General Category <i>(after Burland – 1995)</i>
0	Negligible	Hairline cracks.	Aesthetic Damage
1	Very Slight	Fine cracks easily treated during normal redecoration. 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 Dewatering

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

Design of Dewatering and Retention Systems

- 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.

Excavation Limit

- The Bulk Excavation must not extend below 14.8 m RL.

Groundwater and Settlement Monitoring and Contingency Plan (GSMCP)

9. At least 20 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.

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 “Marmion Shaft – GSMCP monitoring locations and layout” contained in Appendix B of the approved GSMCP referenced in Condition 1, or in the certified GSMCP”. In any case 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 E (as per the conditions below) for monitoring of groundwater, ground surface and building settlement and retaining wall deflection (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 (including reasons if changes to such are proposed).
 - f. Details of the contingency actions to be implemented if Alert or Alarm Levels are exceeded.
10. 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

11. 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 buildings, structures and services on the site or adjacent properties.

Alert and Alarm Level Actions

12. 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) <ul style="list-style-type: none"> G1-G6 	1:700	1:1,000
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): <ul style="list-style-type: none"> G1 & G3 G2,G4-G6 	11 mm 10 mm	8mm 7mm
c)	Differential vertical settlement between any two adjacent Building Deformation Stations (the Differential Building Settlement Alarm or Alert Level) <ul style="list-style-type: none"> B1-B6 	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) <ul style="list-style-type: none"> B1-B6 	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): <ul style="list-style-type: none"> B-RW1 & B-RW2 	10mm	7mm
f)	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): <ul style="list-style-type: none"> PZ24/03 	N/A	1. 16.06m bgl 2. 16.56m bgl

Note: The locations of the Monitoring Stations listed in Schedule A are shown on the plan titled “Marmion Shaft – GSMCP monitoring locations and layout” contained in Appendix B of the approved GSMCP referenced in Condition 1, or in the certified GSMCP.”

Note: These levels may be amended subject to approval by the Council as part of the Groundwater Settlement Monitoring and Contingency Plan (GSMCP) certification 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.

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

13. In the event of any Alert Level being exceeded at any ground deformation pin or retaining wall deflection pin Monitoring Station 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 overseeing 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

14. In the event of any Alarm Level being exceeded at any ground deformation pin, building deformation pin or retaining wall deflection 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.
- e. Submit a written report, prepared by the SQEP responsible for overseeing 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

15. No more than 6 months prior to the Commencement of Dewatering, a detailed condition survey of buildings and structures as specified in Schedule B below must be undertaken by a SQEP or SQBS and a written report must be prepared and reviewed by the SQEP responsible for overseeing 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.

The detailed condition survey must include:

- a. Confirmation of the installation of building deformation stations as required in Schedule B below in the locations shown on the plans titled "Marmion Shaft – GSMCP monitoring locations and layout" contained in Appendix B of the approved GSMCP referenced in Condition 1, or in the certified GSMCP."
- b. A description of the type 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. 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.
- f. Photographic evidence of existing observable 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/Structures that Require Detailed Condition Survey and Installation of Deformation Stations			
Address	Legal Description	Detailed Condition Survey	Number of building /structure deformation stations required
345 - 361 Queen Street A 15m long by 10m wide portion of the basement adjacent to the Marmion Shaft	TBC	Yes	2No. (B1 & B2)
The retaining wall in front of 345-361 Queen Street	N/A	Yes	2No. (B-RW1 & B-RW2)

Pre-dewatering services condition survey

16. Prior to the Commencement of Dewatering, a condition survey of potentially 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

17. Unless otherwise amended as part of the GSMCP certification process, external visual inspections of the external building fronts facing the excavation, listed below, must be undertaken for the purpose of detecting any existing external Damage or new external Damage or deterioration.

- A 50 m portion of the building at 345-361 Queen St
- A 20 m portion of the buildings at 430 Queen Street and 438 Queen Street

Inspections are to be carried out prior to and then monthly from the Commencement to Completion of Dewatering. A photographic record is to 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 overseeing 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

18. Between 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 by a SQEP or SQBS and a written report must be prepared. The report is to be reviewed by the SQEP responsible for overseeing the monitoring and then submitted to the Council, within 1 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

19. 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 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 overseeing the monitoring. The report must be submitted to the Council.

The requirement for any such additional condition survey will 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.

Groundwater monitoring

20. Groundwater monitoring must be undertaken at the groundwater monitoring bore location shown on the plans titled “Marmion Shaft – GSMCP monitoring locations and layout” contained in Appendix B of the approved GSMCP referenced in Condition 1, or in the certified GSMCP. The monitoring frequency shall be 15 minutes using automated pressure transducers with or without telemetry systems. Groundwater level monitoring is to be undertaken in accordance with Schedule C below.

Schedule C: Groundwater Monitoring Frequency		
Bore name	Location	Groundwater level reporting frequency (to an accuracy of 10mm)

	Easting	Northing	From bore construction until before Commencement of Dewatering	Commencement of Dewatering to Completion of Dewatering	From Completion of Dewatering until 3 months later
PZ24/03	1751757	5919819	At least 4 weeks prior to dewatering commencing	Every two weeks	Once a month

The monitoring frequency may be changed if approved by the Council. Any change must be specified in the GSMCP. In addition, the three-month monitoring period post Completion of Dewatering may be extended, by the Council, if measured groundwater levels are not consistent with inferred seasonal trends or predicted groundwater movement. 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

21. Ground surface markers and building settlement pins must be established and maintained at the locations shown on the plan titled "Marmion shaft – GSMCP monitoring locations and layout", prepared by WSP, dated 24 February 2025, rev R01, contained in Appendix B of the certified GSMCP referenced in Condition 1. The Monitoring Stations must be monitored at the frequency set out in Schedule D. 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 D: 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	Weekly	Monthly for 6 months	

	(achieved by precise levelling)		
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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

22. Two retaining wall deflection stations (B-RW1 and B-RW2), for the measurement of lateral wall movement, must be installed along the top of the retaining walls, as shown on the plans titled "Marmion shaft – GSMCP monitoring locations and layout" contained in Appendix B of the approved GSMCP referenced in Condition 1. Monitoring of the retaining wall deflection stations must be undertaken and recorded in accordance with Schedule E below and must be carried out using precise levelling.

Schedule E: 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 to a horizontal and vertical accuracy of +/- 2mm	Once for every 2 metres depth (on average) of excavation, and, in any case, at a minimum of once weekly.	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

23. 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

24. 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.

Reporting of monitoring data

25. 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.

Upon Completion of Construction, one electronic data file (excel workbook) containing digital data for the groundwater monitoring bore PZ24/03 (or any replacement bore) must be provided to the Council. Data should include the monitoring bore name (PZ24/03), type (monitoring piezometer), location (NZTM 1751757E, 5919819N and ~32 m RL elevation), screened depth for the groundwater monitoring bore (14-17 m bgl) 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

26. 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

27. 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.*
6. *The consent holder is advised that the Auckland Council Community Facilities Urban Forest Specialist has delegated authority to issue a tree owner approval for removal and works to trees growing in the Council Reserve and Road Reserve. A Tree Owner Approval (TOA) from the Community Facilities Senior Urban Forest Specialist will be required prior to works commencing.*
7. *Accidental Discovery*

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.*

8. *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.*

9. *Unrecorded Archaeological Sites within the Cultural Heritage Inventory*

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.

10. *Heritage New Zealand Pouhere Taonga Act 2014*

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.

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 –

- 1) 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*
- 2) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and*
- 3) includes a site for which a declaration is made under section 43(1).*

It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and obtain the necessary Authorities under the Act should these become necessary because of any activity associated with the consented works. Contact Heritage New Zealand Pouhere Taonga – 09 307 0413 / archaeologistMN@historic.org.nz.

11. *Protected Objects Act 1975*

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 –*

- i. manufactured or modified in New Zealand by Māori; or
 - i. brought into New Zealand by Māori; or
 - ii. used by Māori; and
- (c) is more than 50 years old.

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.

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.

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.

12. 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.
13. 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.

You can search your site address at <https://www.ena.org.nz/lines-company-map/> to identify your local lines company.

Vector network: <https://www.vector.co.nz/personal/help-safety/near-our-network/building-near-overhead-lines>

Counties Energy network: <https://www.countiesenergy.co.nz/forms/close-approach-permit>



David Wren

Duty Commissioner

17 July 2025

Resource Consent Notice of Works Starting

Please email this form to **monitoring@aucklandcouncil.govt.nz** at least **5 days** prior to **work starting** on your development or post it to the address at the bottom of the page.

Site address:				
AREA (please tick the box)	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
Resource consent number:			Associated building consent:	
Expected start date of work:			Expected duration of work:	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

Signature: Owner / Project Manager (indicate which)	Date:
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Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via monitoring@aucklandcouncil.govt.nz to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.