

Permitted Activities

Queen Street Wastewater Diversion Project – Part 3

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The following sets out the permitted activity provisions of the Auckland Unitary Plan (AUP) that are relied upon to undertake Part 3 of the Queen Street Wastewater Diversion Project (the Project).

Auckland Unitary Plan Permitted Activities		
Activity	Standard	Comment
Other discharges of contaminants E4.4.1 (A5) Discharge onto or into land and/or into water for the purpose of dewatering trenches or other excavations	E4.6.1 General Standards for all permitted activities, controlled activities and restricted discretionary activities (1) The discharge must not, after reasonable mixing, give rise to any of the following: (a) the production of any conspicuous oil or grease film, scum or foam, or floatable or suspended materials; (b) any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of freshwater unsuitable for consumption by farm animals; (e) a change to the natural temperature of the receiving water by more than 3 degrees celsius; (f) a change in the natural pH of the water by more than 1pH unit; and	The groundwater extracted from dewatering during the construction works will be clarified before it is discharged to ensure it meets the contaminant thresholds of E4, as detailed in the Design and Construction Statement (Appendix D).

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- (g) any significant adverse effect on aquatic life.
- (2) The discharge must not enter into any water supply catchment, or any areas identified in D8 Wetland Management Areas Overlay (excluding Wetland Management Area Number 450 Lake Pupuke), D5 Natural Lake Management Areas Overlay or D4Natural Stream Management Areas Overlay except in the case of a discharge by a network utility operator carried out for maintenance, routine operations, or emergency works, provided there are no adverse effects on a Wetland Management Area, Natural Lake Management Area or Natural Stream Management Area.
- (3) The discharge must not cause erosion or scouring at the point of discharge or alter the natural course of the water body
- (4) The discharge must not include washwater used for the external cleaning of a reticulated water supply system.
- (5) The discharge must be in accordance with best management practice to minimise the contaminants to the extent practicable.

E4.6.2.3

Discharge of water onto or into land and/or into water from temporary or permanent discharge of diverted uncontaminated groundwater; or Discharge of water onto or into land and/or into water from water used for freshwater fish farming ponds, tanks or other containment structures operating without chemical additives on a continuous flow-through basis

(1) The discharge must not either by itself or in combination with other contaminants after reasonable mixing exceed the greater of the 95 per cent trigger values for freshwater (groundwater) specified in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC 2000 Guidelines), or the natural background level.

E4.6.2.5

Discharge onto or into land and/or into water for the purpose of dewatering trenches or other excavations

- (1) The origin of the discharge must be limited to surface water and/or groundwater
- (2) Appropriate sediment control measures must be implemented to ensure that the discharge does not result in any of the following



	(a) the production of any conspicuous oil or grease film, scum or foam, or floatable or suspended materials;	
	(b) any conspicuous change in the colour or visual clarity	
	(c) any emission of objectionable odour;	
	(d) the rendering of freshwater unsuitable for consumption by farm animals;	
	(e) a change in the natural temperature of the receiving water by more than 3 degrees celsius;	
	(f) a change in the natural pH of the water by more than 1pH unit; and	
	(g) any significant adverse effect on aquatic life.	
E24.4.1 (A1) Activities that comply with	E25.6.29. Construction noise and vibration levels for work within the road	The CNVMP attached in Appendix G details how the works will be
all the relevant permitted activity standards	(3) The noise levels specified in Standard E25.6.29(1) above do not apply to unplanned repair or maintenance works or planned works in the road corridor between the hours of 7am and 10pm where:	managed to meet all of the relevant required standards outlined in Chapter E25.
	(b) because of the nature of the works and the proximity of receivers the noise generated cannot be practicably made to comply with the relevant noise levels of the following tables:	
	(i) Table E26.6.27.1 Construction noise limits for activities sensitive to noise in all zones except the Business - City Centre Zone and the Business - Metropolitan Centre Zone;	
	(ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or	
	(iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or	
	(iv) Table E25.6.28.2 Construction Noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or	
	(c) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; or	
	(d) for planned works where the works will take more than 8 hours to complete a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below	



- (4A) The vibration levels specified in E25.6.29(1A)(b) do not apply to works within the road where:
- (b) a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29.(5) below.
- (5) construction noise and vibration management plan must be prepared by a suitably qualified and experienced person and include the following:
- (a) details of the community consultation to be undertaken to advise the occupiers of properties located within 100m of the proposed works of all of the following:
- (i) the area affected by the work;
- (ii) why the work is required to be undertaken at night (where relevant);
- (iii) the times and days when the noise and vibration is likely to be generated;
- (iv) a contact name and number of the works supervisor who can be contacted if any issues arise and
- (v) how noise and vibration complaints will be managed and responded to;
- (b) a description of the works and its duration, anticipated equipment to be used, the processes to be undertaken, and the predicted noise and vibration levels: and
- (c) identification of the best practicable options that will be undertaken to mitigate and minimise any noise and vibration being produced that is likely to exceed the relevant levels of the following tables:
- (i) Table E26.6.27.1 Construction noise limits for activities sensitive to noise in all zones except the Business City Centre Zone and the Business Metropolitan Centre Zone;
- (6) For the purpose of Standards E25.6.29(1) to E25.6.29(4A) above:
- (a) planned work means work that has been planned to take place at least seven days before the work commences;
- (b) the measurement and assessment of all construction noise must be in accordance with New Zealand Standard NZS 6803:1999 Acoustics Construction noise: and
- (c) the measurement of all vibration must be in accordance with E25.6.30 Vibration.

The removal of noise limits for works in the road reserve, as per item 3(d), allows for potentially disruptive road corridor works to be completed efficiently to minimise road closures and subsequent disruptions.



However, under Section 16 of the RMA, there is still a requirement for construction noise (and vibration) to not exceed a reasonable level. There is also a requirement for the CNVMP to indicate the area impacted by the works. Therefore, we have predicted noise generated by the construction activities regardless of where the works occur.

E25.6.28. Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone

Construction activities in the Business – City Centre Zone and the Business – Metropolitan Centre Zone must comply with Standard E25.6.27(1) above for any receiver not in a Business – City Centre Zone or a Business – Metropolitan Centre Zone and must not exceed the levels in Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone when measured for any 30 minute period 1m from the façade of any building in the Business – City Centre Zone or the Business – Metropolitan Centre Zone that is occupied during the work.

Where external measurement of construction noise is impractical or inappropriate, the upper limits for the noise measured inside the building will be 20dB less than the relevant levels.

Whilst construction works are only proposed on Monday to Saturday, and therefore will always be less than 15 consecutive calendar days in duration, we have conservatively applied the noise limits in Table E25.6.28.2 (for works that occur for more than 15 consecutive days), which are reproduced below. Table 1 AUP Construction noise limits in the Business – City Centre Zone

Construction Noise Assessment Criteria AUP Construction noise limits in the Business – Metropolitan Centre Zone, assessed 1m from the facade			
Time	L _{Aeq,30 min} (dB)	L _{AFmax} (dB)	
Monday to Friday 6.30am – 10.30pm	75	90	
Saturday 7am-11pm	80	90	



The most stringent noise limit during this time is 75 dB $L_{Aeq(30min)}$ / 90 dB L_{AFmax} from construction activities. We have therefore assessed noise against these criteria.

E25.6.27. Construction noise levels in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone

(1) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone when measured 1 m from the façade of any building that contains an activity sensitive to noise that is occupied during the works.

(4) For a project involving a total duration of construction work that is more than 20 weeks the noise limits in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be decreased by 5 dB in all cases.

Based on the proposed construction methodology, the construction works will occur for 6 – 8 months, as outlined in Error! Reference source not found.

This rule applies to all properties that are not zoned City Centre. Specifically for this project, the buildings within Aotea Square are outside of the City Centre zone, and therefore the construction noise limits in Rule E25.6.27 of the AUP apply. These levels (including the adjustment for works greater than 20 weeks) are provided in Table 2.

Table 2 Construction noise limits outside the city centre

Construction Noise Assessment Criteria

AUP Construction noise limits for sites outside of the Business – Metropolitan Centre Zone or Business – Metropolitan Centre Zone, assessed 1m from the facade

Day	Time	L _{Aeq,30min} (dB)	L _{AFmax} (dB)
Monday to Friday	6:30am – 7:30am	55	70
	7:30am – 6pm	70	85
	6pm – 8pm	65	80



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		6:30am – 7:30am	40	70	
	Saturdays	7:30am – 6pm	70	85	
		6pm – 8pm	40	70	
	Sundays and	6:30am – 7:30am	40	70	
	public holidays	7:30am – 6pm	50	80	
		6pm – 8pm	40	70	
	Night-time	8pm – 6:30am	40	70	
	Source: Auckland	Unitary Plan – Tabl	e E25.6.27.1		
				netre away from the	
	façade of a resident				
	assessment has bee			struction noise in this	
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Network utilities and electricity generation – all zones and roads	No relevant standa	rds			The Project proposed a new underground wastewater main sewer line. Accessory activities include service connections to the existing wastewater network and the installation of three manholes in the
General					shaft locations.
E26.2.3.1 (A3)					
Service connections					
E26.2.3.1 (A4)					
Minor utility structure					
E26.2.3.1 (A9)					
Pipes and cables for the conveyance					
of water, wastewater, stormwater,					
electricity, gas, and					
telecommunications					
E26.2.3.1 (A12)					
Temporary signage during the					
construction of network utilities and					



electricity generation facilities, which is in place for no longer than 12 months

Water, wastewater and stormwater structures E26.2.3.1 (A49)

Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines)

E26.4 Network utilities and electricity generation – Trees in roads and open space zones

Rule E26.4.3.1. (A83): Tree trimming or alteration in road and public open spaces that comply with Standard E26.4.5.1.

Rule E26.4.3.1. (A87): Works within the protected root zone in road and public open spaces that comply with Standard E26.4.5.2

E26.4.5. General Standards

District

E26.4.5.3. Notable trees - tree trimming or alteration.

- (1) Tree trimming or alteration of notable trees must meet the following standards:
 - a) the maximum branch diameter must not exceed 50mm at severance;
 - b) must not result in the removal of more than 10 per cent of live growth of the tree in any one calendar year;
 - c) the trimming must retain the natural shape, form and branch habit of the tree.
 - d) The works must meet best arboricultural practice

E26.4.5.4. Notable trees - works within the protected root zone to enable trenchless methods at a depth greater than 1m below ground level.

- Excavation must be undertaken by hand-digging, air spade, hydro vac or drilling machine, within the protected root zone at a depth of 1m or greater.
- 2) The surface area of a single excavation must not exceed 1m².
- 3) Works involving root pruning must not be on roots greater than 35mm in diameter at severance.

Tree Trimming

(1) No branches greater than 50mm in diameter will be trimmed and less than 10% of the tree canopy will be trimmed. All pruning works are to be undertaken by a suitably qualified arborist under the direction of a works arborist

Works within the Protected Root Zone

(1) – (7) No direct excavations are proposed near the subject tree, with the only works likely to be material delivery and machinery operation and delivery. The tree will be fenced off and excluded from the works area by way of protective fencing at the edge of the buildout kerb line.



	 4) Works must not disturb more than 10 per cent of the protected root zone. 5) Any machines must operate on top of paved surfaces and/or ground protection measures. 6) Any machines used must be fitted with a straight blade bucket. 7) All works must be undertaken under the direction of a qualified arborist. 	
E26.5 Network Utilities and electricity generation – Earthworks all zones and roads E26.5.3.1 (A95) Earthworks up to 2500m² other than for maintenance, repair, renewal, minor infrastructure upgrading E26.5.3.1 (A96) Earthworks up to 2500m³ other than for maintenance, repair, renewal, minor infrastructure upgrading	E25.5.2 General Standards District (9) Earthworks associated with the operation, repair, renewal, upgrading and maintenance of existing roads, will be undertaken within the legal road or the formation width of existing roads if this extends beyond the legal road width. (10) Land disturbed for the operation, renewal, repair, upgrading or maintenance of utilities outside the formation width of existing roads or abutments, or within an overland flow path, will be reinstated to the ground level prior to the works being undertaken as soon as practicable after completion of the works. (11) Land disturbed for the operation, repair, renewal, upgrading or maintenance of utilities will be stabilised by re-vegetation, grassing or other suitable means as soon as practicable after completion of the works to avoid erosion and scouring. (12) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to: (a) operation, maintenance and repair (including network utilities); (b) less than 5m² or 5m³ for general earthworks; (c) less than 10m² or 5m³ for the installation of new network utilities; (d) installation of fences and walking tracks; (e) burial of marine mammals. (13) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs. (14) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction. (15) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.	(9) N/A (10) N/A (11) N/A (12) N/A (13) The proposal Complies, refer to the construction methodology and geotechnical assessment (14) All network utilities that are affected by the proposal will be relocated prior to works commencing to ensure damage is avoided. Complies (15) Access to footpaths around the CSAs need to be restricted to ensure the works can be undertaken and to maintain public safety. No access to private property will be restricted Complies (16) No cleanfill material is required to be imported. This will be addressed in further detail in the Construction Management Plan Complies (17) Measures to ensure that the discharge of dust beyond the boundaries of the site are outlined in the draft ESCP. These will be addressed in further detail in the Construction Management Plan, to be supplied to Council before works commence. Complies (18) No filling is proposed within 1% floodplains, ensuring that there will be no changes in flood hazards beyond the site. Complies (19) No changes will be made to the entry and exit points of overland flowpaths throughout the alignment. Any diversions will be temporary and will ensure that any overland flows are conveyed as existing Complies (20) Stockpiling within the CSA at Greys Avenue will occur outside of the 1% AEP floodplain Complies (21) N/A (22) N/A



(16) Only cleanfill material may be imported and utilised as part of the land	(24) N/A
disturbance.	(27) N/A
(17) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.	
(18) Earthworks (including filling) within a 1% AEP flood plain (excluding road network activities):	
(a) must not raise ground levels more than 300mm, to a total fill volume up to 10m³ which must not be exceeded through multiple filling operations; and	
(b) must not result in any adverse changes in flood hazard beyond the site.	
Note 1 This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.	
(19) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource	
consent.	
(20) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.	
(21) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.	
(22) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:	
(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and	
(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:	
(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.5.5.2(22)(a) and (b) above.	
(23) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:	
(a) be no deeper than 300mm within 6m of the outer visible edge of a	

transmission tower support structure; and



Network utilities and electricity generation – Historic Heritage Overlay E26.8.3.1 (A129) Temporary buildings, structures and signs	(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure. (24) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not: (a)create an unstable batter that will affect a transmission support structure; or (b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001. E26.8.5.1 Permitted Activity Standards (10) Temporary buildings, structures and signs must: (a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area; and (b) not be in place longer than either: (i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or (ii) 21 consecutive days in any 60 day period.	No temporary buildings or structures are proposed within the Historic Heritage overlay. Any temporary signage will only be in place during construction and will not be affixed to a historic heritage place.
Natural Hazards E36.4.1 (A28) Storage of goods and material in the 1 per cent annual exceedance probability (AEP) floodplain E36.4.1 (A54) Infrastructure within roads or the Strategic Transport Corridor Zone in: - Coastal erosion hazard area - Coastal storm inundation 1% annual exceedance probability (AEP) area - coastal storm inundation 1 per cent annual exceedance	E36.6.1.6 Storage of goods and materials in the 1 per cent annual exceedance probability (AEP) floodplain (1) Goods and materials stored in the 1 per cent annual exceedance probability (AEP) floodplain for longer than 28 consecutive days must: (a) not impede flood flows; and (b) where capable of creating a safety hazard by being shifted by floodwaters, be contained and secured in order to minimise movement in times of floods; and (c) be stored in watertight containers if they are hazardous substances.	The final layout of the CSA demonstrating compliance with this standard will be provided within the Construction Management Plan, as discussed in Appendix I.



probability (AEP) plus 1m sea level rise area in the 1 per cent annual exceedance probability (AEP) floodplain; in overland flow paths on land which may be subject to land instability		
Temporary Activities E40.4.1 (A20) Temporary activities associated with building or construction, (including structures and buildings that are accessory activities), for the duration of the project, or up to 24 months, whichever is the lesser	Permitted standards not provided in relation to Activity Rule E40.4.1 (A20).	Temporary structures / buildings are proposed within the Greys Avenue CSA to support the construction activities, which will be in place for less than 24 months.
Hazardous Substances E31.4.3 (A73) Hazardous facilities that store or use the listed hazardous substances (Toxic Class 6 Sub-class 6.1 C and 6.3-6.9) in the Business City Centre Zone less than 6t.	E31.6.1. Hazardous facilities site design Any part of a hazardous facility involved in the manufacture, mixing, packaging, storage, loading, transfer, usage or handling of hazardous substances must be located designed, constructed and operated to ensure that: (a) on-site facilities are set back from the more sensitive uses and watercourses to comply with the distances specified in the activity tables above; and (b) hazardous substances are stored to: (i) ensure that in the event of an unintended spill or release substances are contained within the intended areas of the site; and (ii) prevent the accumulation of any solid, liquid, gas or vapour outside of the site area. E31.6.2. Site drainage systems The site drainage systems (including for washwater) must be designed, constructed and operated to prevent the entry or discharge of hazardous substances into: (a) the stormwater or sewerage systems unless authorised by the relevant network utility operator; and	If a connection can not be attained to the power grid, diesel generators will be needed to power tunnelling equipment and the site offices, To fuel the generators, up to 2.55t of diesel will be stored on site in the Greys Avenue CSA. The diesel will be stored in a sealed container on the site, with bunding surrounding the tank to ensure that spills are contained and not discharged to the environment. Flames and flammable materials will be appropriately setback from the storage container to reduce the risk of fires. Spill containment procedures be provided within the CMP, to be certified by Council before works commence.



(b) air, land or water, including groundwater and potable water supplies, unless authorised by a resource consent or another rule in the Plan.

E31.6.3. Hazardous facilities spill containment system

Any part of the hazardous facility site where a hazardous substance spill may occur must be serviced by a suitable spill containment system that is: (a) constructed from impervious materials resistant to all hazardous substances on-site; and (b) for liquid hazardous substances:

- (i) able to contain the maximum volume of the largest tank present plus an allowance for stormwater or fire water;
- (ii) for drums or other smaller containers, able to contain half of the maximum volume of substances stored, plus an allowance for stormwater or fire water;
- (iii) able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from entering the stormwater drainage system, unless authorised by the relevant network utility; and
- (iv) able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from discharging into air, land or water, including groundwater and potable water supplies, unless authorised by a resource consent or another rule in the Plan.

E31.6.4. Hazardous facilities waste management

Any hazardous facility generating waste containing hazardous substances must dispose of these wastes to lawfully operated facilities or be serviced by a Council approved waste disposal contractor.