

1 Susan Young, 17 London Street

Submission on Resource Consent Application proposed by Auckland Council Healthy Waters on:

1. Installation of a new conveyance and storage pipeline connecting from New Street/London Street through to Point Erin Park;
2. A Weir structure pump station and odor control within Point Erin Park;
3. A smaller structure and odor control within St Mary's Road park and
4. Four Odor Control Air Ventilation Shafts on New Street/London Street.

Local Government Act –

Submitter: Property Owner of 17 London Street.

I strongly oppose to the resource Consent Application proposed by Auckland Healthy Waters stated above for the following reasons:

1. **Stability of the cliff.** The proposed Storage Tunnel will pass directly under the cliffs in several locations. 17 London Street is one of the locations. According to Auckland Council Healthy Water's Application, because ground water is unlikely to be affected by the tunneling methodology and they believe the vibration during tunneling is of a low level because the tunnel is located within ECBF rocks. Base on these two findings, Auckland Council Healthy Water concluded that the construction would have little effect to the cliff in terms of potential cliff instability.

As per the application report, Appendix F, Report by Aurecon, on the Summary of Rock Strength Testing - BH01(situated outside #10 London Street) indicated the ECBF rocks are consisted of siltstone, sandstone, unweather grey silty fine grained sandstone, it is weak, very weak and weak+ at varying levels from 15 meters to 34 meters deep.

17 London Street is situated on the cliff edge and 10 London Street is not. I find it difficult to accept that tunneling and the vibration during the drilling of the tunnel will have no effect on the stability of the cliff and the foundation of the house perched on the face of the cliff. Perhaps the house may not fall down during the drilling process, but if the vibration caused by drilling and earth works below disturbs the foundation of the house, cracking on internal and external walls, settlements on the side and erosion are just some of the problems that can happen to the house. The cost to repair these kinds of damages can be quite substantial. I doubt insurance companies will accept claims on fixing the house if the Council's earth works caused the damage. I need assurance from the Council that it is their responsibility to repair any damage to the house that is caused by the disturbance and vibration to the earth and house foundation during the tunnel construction.

On my property, I have a very tall flagpole situated at the bottom of the cliff. Because of its height, I believe it has a very deep foundation. Because it is very close to the tunnel excavation level, I believe any disturbances to the ground will endanger its stability. Again, I need

assurance from the council that the repair for any damage to the stability of the flagpole caused by drilling will be the responsibility of the Council.

I strongly object to having the earth work done under 17 London Street based on the information provided by Auckland Council Healthy Waters at this present time and the possible damage that may happen to the house and flagpole and the grounds of 17 London Street.

2. **A Sewer Storage Tunnel.** The project was presented to the residence that there would just be a pipe under our property and it is a permitted activity. A normal service pipe is around 150mm like the one proposed to be constructed in Sarsfield Road. The proposed Sewer Storage Tunnel under 17 London Street however, is actually an elongated Sewer Storage Tank, 1 meter long with an internal diameter of 1.8meters. According to the application report, the sewer/storm water will be captured and stored within the pipeline and return to the central sewer system WHEN IT HAS CAPACITY. With more houses, units and apartment being built in Auckland, I find it difficult to imagine that the main sewer line will have the capacity to accommodate and able to empty the tank as anticipated.

According to the Auckland Council Healthy Water Application, construction of underground pipeline and ancillary structures for the conveyances of waste water and storm water is a permitted activity.. However, this application is not just a construction of a pipeline, it is constructing a Sewer Storage Tunnel equivalent to the capacity of a Sewer Storage Tank. It should not be under the same category. I am worried that future sewer seepage into the ground may occur due to lack of maintenance. In fact, if problems arise to the Sewer Storage Tunnel after its in operation, it is almost impossible to get access to do repair works. Serious health issues may happen.

I do not give approval and strongly object to have a septic tank built directly under my property. I am worried about possible future sewer seepage into the ground due to lack of maintenance and natural disasters. Also, there is no mentioned of any long-term maintenance plan for this Sewer Storage Tunnel written in the report. Maintenance plan has been mentioned only for the pump at Point Erin Park and St Mary's Park.

3. **Odor Control and Air Exchange Points.** As indicated in the report that the combined waste water/storm water has the potential to become anaerobic (septic) if stored for more than 12 hours. The character of odor emitted from anaerobic wastewater is commonly described as having a "Rotten Egg", "Rotten Cabbage" or "Sewer" like character. It is considered to be unpleasant and often offensive.

As per Appendix P, air quality contaminant level will be controlled by Phase 1 - "Forced Ventilation" in Point Erin Park. However, if the Sewer Storage Tunnel continued to fill with combine Sewer Overflows, it will create a seal and "forced ventilation" will stop, air will be discharged

through the Air Ventilation shafts in St Mary's Park and New Street/London Street shafts. If the Sewer Storage Tunnel continues to fill, the St Mary's road shaft will be seal off by the inflowing Combined Sewer Overflows. The air/odor in the Sewer Storage Tunnel will then only be discharged through the New Street/London Street Air Exchange. This means New Street/London Street at this point will be the only outlet for the odor.

According to the proposal, there appeared to be one air ventilation shaft at Point Erin Park, one at St Mary's Road and FOUR 10 METER HIGH VENTILATION SHAFTS at New Street/London Street. The proximity of the New Street/London Street shafts to the residential living quarters and St Mary's College is ONLY 5-7 METERS. When it is so close to the residential area, no matter which direction the wind or breeze is blowing, no one in New Street/London Street and in fact the whole St Mary's Bay Suburb can be exempted from this polluted air.

I have young grandchildren and they come to visit me often. I do not wish to see that their visits will cause them serious health issues. I also do not wish to ask them not to come because I so look forward to their visits. Their visits are very important to my life and my well being.

I strongly object to allowing the erection of Air Ventilation shaft for the discharge of offensive septic air/smell from the Sewer Storage Tunnel because of possible long-term health issues to the residents and their visitors.

4. **Physical Impact. Short Term** - if this project is permitted to go ahead, the disruptions to London Street is huge and can last for months. The traffic, the noise, the vibration can be unbearable for residence especially residents like myself who is retired and spend majority of the day at home. My enjoyment in life is to have my children and grandchild coming to visit me on regular bases. When construction begins, a large part of London Street will become a construction site and it will be dangerous and inconvenience for my children and grandchildren to come and visit me.
5. **Psychological Impact on personal health.** The worry over the stability of the cliff; the potential collapse of the property; the construction of a Sewer Storage Tank under the house; the vibration, the noise during the construction period; the possibility of leakage from the Sewer Storage Tank due to unforeseen earth movements, minor earthquake or lack of maintenance; the septic odor released from the Sewer Storage Tunnel all year round; even by looking at the pictures of the Air Ventilation shaft in the report has given me nauseated feelings.

I purchase this property with a vision to have a happy retirement. But now, I have nothing but stress and worry. I worry that I cannot afford to fix the house or the flagpole when they get damaged; I worry that I will

not be able to enjoy the regular walks I have doing in the surrounding areas. I may not have too many years to enjoy that. I worry that the value of the house will drop and my retirement fund, which is the house would diminish substantially.

I strongly object to the construction of the Sewer Storage Tunnel underneath 17 London Street because I am worry about the long-term impact on my health, from psychological to physical. Depression cause by stress can be serious and should not be taken lightly.

6. **Impact on Future Development.** If this house, due to some unexpected or unforeseen circumstances, partially collapsed, fall down or burnt down, the possibility to rebuild will be very difficult if it has a Sewer Storage Tunnel in its foundation. No one can predict the future, but no one can denial this can be a possibility.

I have been involved in a property in Hillsborough, Auckland. The property is adjacent to a large storm water pipe. We have plans to construct a new house on the site. Unfortunately, the cost for professional consultancy fees for the different technical reports required by the Council and other Government Department is enormous. The amount of red tapes we need to go through when applying for Council Approval for the new house build over part of the large storm water pipe is beyond anyone's imagination. The time, the energy and the cost required by the Council for the application and construction was so significant and impossible that in the end, it was necessary for us to put the whole project on hold.

This proposed Combined Sewer/Storm Water Storage Tunnel is much bigger than the storm water pipe in Hillsborough. I cannot even begin to imagine how anyone could put a building over it if the existing house has fallen down. Any future development on this property can almost be discounted. The value of the property with no future potential will certainly drop accordingly.

I strongly oppose to the construction of a Sewer Storage tunnel under 17 London Street as it will greatly affect its impact on future redevelopment potentials.

7. **Impact on Present and Future Value.** I would never purchase a property with a Sewer Storage Tunnel under it. I anticipated the value of any property would be affected if there is a Sewer Storage Tunnel under its foundation and that the property has no potential for any future development. I have no choice at present because I already owned this property. I bought this property at a price that is not affected by the Sewer Storage Tunnel. It is UNFAIR that I should have to sell at a price that is affected by the presence of the Sewer Storage Tunnel.

I strongly object to the construction of a Sewer Storage Tunnel under 17 London Street. However, if for some reason the council ignored all submissions and all potential risks to individuals and decided to go ahead with the project, for fairness to all affected property owners, appropriate compensation should be awarded to those property owners.

Submission on Resource Consent Application proposed by Auckland Council Healthy Waters on:

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Resource Management Act -

Introduction

I have been a resident of St Mary's Bay for a number of years. I am fully aware of the water quality problem in St Mary's Bay and certainly would like to have a clean and safe beach in our backyard where everyone, old and young, could come to enjoy.

Projects to improve the water quality in our harbor are certainly a worthwhile, complex and expensive exercise. I fully understand that any improvements in the quality of water will come at a cost or may involve some sacrifices by some. However, I do not wish to see residents at St Mary's Bay, because of the Project, were put into an unfair and adversely affected situation. I hope to see long-term solutions rather than spending huge amount on money on short-term quick fix Band-Aid type of solution.

I oppose strongly to the Auckland Council Healthy Water Project. The reasons for my opposition to the Application of this Project are as follows:

1. **Concern over the stability of the cliff and the properties directly on the cliff face.** After reading the report, I am not 100% convinced that the cliff and properties on the cliff face will not be affected during the drilling of the tunnel.
2. **Concern over the Sewer Storage Tunnel.** The "pipeline" presented to us is actually a Sewer Storage Tunnel. It collects and stores the combine waste/storm water inside the Sewer Storage Tunnel. The content will only return to the main sewer line WHEN IT HAS CAPACITY. In view of the Auckland housing situation, more houses, units and apartments are being built every day, the capacity of the sewer line may always be in full capacity and may not able to carry and empty the Sewer Storage Tunnel contents as predicted. Thus, the content will remain in the tunnel and when overflows, will discharge into the harbor similar to the situation we are having right now.
3. **Concern over the contaminated air discharged via the Odor/Air ventilation shafts** at Point Erin Park, St Mary's Park and most importantly the FOUR 10 meter tall shafts on New Street/London Street. These 4 shafts are only 5-7 meters away from the residential dwellings and St Mary's College. Because of the close proximity to the residential

dwelling, no matter which direction the wind and breeze are blowing, residents residing in the suburb will all be affected. This air that is discharged from the shafts will be affecting residents of St Mary's Bay 365 days a year. We support and keen to clean up the water for the wider community to use but not at the expenses of us residents breathing and surrounded by contaminated air everyday of the year. Information on this Odor/Air ventilation shafts has never been mentioned in any of the information literatures distributed to the residents or the public prior to this application. If it had been released early, more inputs would have been given to the Auckland Council Healthy Water team.

4. **Concerns over the Weir Structures on St Mary's Park and the Odor/Air Ventilation Shafts on New Street and London Street.** These structures are intrusive and a constant reminder that we are in an Air Contaminated Zone. With the construction of the weir structure in Point Erin Park and St Mary's Park, the open space for recreation use for the residents and public will also be reduced
5. **Concern over the cost of the Project and its effectiveness.** After reading the report, I am not convinced that the construction of the Sewer Storage Tunnel, especially at its chosen location (no alternative site were considered), and the construction of the Odor /Air Ventilation shaft at its chosen location is the only solution to resolve the water quality situation. Money spent on this project may not provide the most effective solution. Auckland Council Healthy Water indicated to us at our meeting that if we wish to engage or seek independent advice on this issue, individual residents would have to pay for it. Any lawyer fees for the submission also are the responsibility of the individual. This, to me, is completely unfair and unacceptable. There is no way an individual can afford to absorb this kind of expenses. In fact, we are ratepayers, we contribute money to the council for any infrastructure development, and we should also have the right to use some of the money to engage consultants to carry out studies for the benefits of the city.
6. **Concern over long-term physical and mental health and the well being of residents directly affected.** It is easy for project managers to say the construction of a tunnel under a property or a shaft outside a living area will not affect people's health. The Auckland Council Healthy Water Team members are not the ones who are living there. Consideration should be given to residents who cannot cope with the new situation and developed subsequent psychological issues.
7. **Concern over the short term disturbances during the construction period.**
8. **Concern over the value of the properties.** When we purchase the property, there were no Sewer Storage Tunnel under the house, there were no Odor/Air Ventilation shaft outside the kitchen and living space. If we were to sell, these factors no doubt will affect the value of the

property. St Mary's Bay has been a very desirable suburb for all residents to enjoy for many years; I do not wish to see it turn into a suburb where people tried to avoid.

Conclusion

I am in favor of improving water quality in St Mary's Bay.

I do not wish to see that the goal of improving water quality can only be achieved at the expenses of the health and well being of the residents of St Mary's Bay.

I like to see alternative solutions.

If constructing a Sewer Storage Tunnel is the only solution, can there be an alternative site?

Auckland Council Healthy Water mentioned that a straight-line construction is the most cost effective way for tunneling construction; therefore they **have not** look into any other alternative locations or sites. But if this location could affect individual's health, then, may be it is necessary for them to look into a slightly more expensive alternatives.

The Odor/Air Ventilation shaft has to be moved.

There is no way the 10-meter shafts should be allowed to be constructed on New Street/London Street – only 5-7 meters from St Mary's Collage and residential properties.

May be the tunnel should be built along side the motorway on the reserve with the shaft pointing towards the motorway or to the harbor. May be a Sewer Storage Tank should be built on the seabed or on the shoreline where there is no properties above it or right next to it.

2 Trevor & Ann Hackett, 19 London Street

Further to your advice to us of 21 May 2017 re S.181 of LGA (2002), we object to the installation by the tunnelling of a sewer storage pipe under our property 19 London St. St Marys Bay. We have lived in London Street for over 26 years.

Our grounds for objection include:

1/ Diminution of Value of Property.

Potential purchasers would be cognizant of the fact that a sewerage storage unit with all its potential negatives traverses the centre of the property from eastern to western boundaries. Any future development of the site, including building extensions or complete rebuild on the site would have significant limitations and additional engineering costs to satisfy the Councils requirements when building over a known service line.

2/ Noise and vibration levels during construction are not acceptable.

The indicative noise and vibration data during construction is stated as can comply with recognised levels. This is not a satisfactory assurance.

We have been advised by our own insurer that we do not have cover for any loss or damage caused by vibration.

3/ Stability of land form on the St Marys Bay cliff zone. (where our property is sighted) is known by the Council to be problematic. Such an engineering undertaking as proposed could cause substantial ground movement.

4/ Although not immediately on our property the negative visual effects of the 4 air exchange points which are seen when travelling to or from our house are contrary to the surroundings topography. Albeit filter units are installed, the Council must admit these eyesores have the potential to release significant odour. There is no olfactory pollution currently and we don't want it to be introduced.

5/ Again not immediately on our property, however in a zone we utilise often the weir structure in St Marys Park destroys the eastern end.

We strenuously oppose the storage pipe in its current form.

Ann & Trevor Hackett

19 London St

St Marys Bay 1011

3 Julia Winterbottom, 21a London Street

From: [Caroline Crosby](#)
To: [Julia Winterbottom](#)
Cc: [StMarysBay](#)
Subject: Re: Local Government Act Notification Documents- 21a London Street
Date: Tuesday, 5 June 2018 2:14:31 PM

Hi Julia

1. We receive and acknowledge your formal objection to this project under the LGA process. We will now start formal negotiation regarding your concerns.
2. I believe Jess will contact you about the drawing and will follow up with a correction - apologies for this mistake.
3. As per my previous email, Council will not be paying for specialists that you have engaged unless for the reasons I outlined in that email.
4. I appreciate that the process is not moving as quickly as you would like. Please be assured we are not 'unwilling' to provide information to you.
5. We do not need to conclude negotiations with you immediately and as you have significant concerns, I do anticipate working through these will take some time. This process will involve a more detailed response from the engineers.
6. We will be in touch in the next few weeks to requests approval for the ground survey outlined in the information you have already received and to address your specific concerns.
7. As per the information you have received, if your concerns are unable to be addressed, a Council hearing will be convened to make a decision. This is likely to need to involve everyone who objects to the project under the LGA and will not occur for several months (e.g. Trevor has also indicated his objection and is currently overseas until September).

Warm Regards,
Caroline

From: Julia Winterbottom
Sent: 05 June 2018 13:03
To: Caroline Crosby
Cc: StMarysBay
Subject: RE: Local Government Act Notification Documents- 21a London Street

Hi Caroline

Sorry for the delay in coming back to you.

Caroline, we are objecting to the LGA but this email did not cover the full basis of our objection, as you are aware as we have had several discussion with you around the effect this pipe will have on our development of this property! My initial email was only seeking clarification on some of the information that we have still not received.

In regards to the details being for our property I would have suggested that having our correct address on the information would have helped given that it does not state our property?? Doesn't help us gain a level of comfort that the project has full attention to detail when the information provided to us relates to a property in Ring Terrace?

We believe that we will be injuriously affected by the construction of the pipeline as discussed both at our site visit with yourself and your engineer and the joint meeting with other residents and yourself at the Hackett's property. We intend to do major renovations to our property in the coming years and the pipeline that will be at a debt of between 8 to 14 meters across our property will significantly affect what we are able to do with the property and or significantly increase costs associated with trying to gain consent to build over the pipe (which crosses a significant amount of our land). The dept. of the pipe is also at its shallowest from what we can see of any other residential property and comes very close to our homes foundations(still to be confirmed as you have been unwilling to share this information to date).

The land has also had geotech reports conducted some time ago pending construction of the home, which detail that there had been slips from 23 London street in the past and that the land behind 23 London street (were the pipe crosses) could have stability issues. We have severe concerns that a 2 meter diameter pipe constructed as low as 8 meters in this area will destabilize our land and to date there have been no specific tests by the project of this piece of land only land at the top of London street and on the flat in the reserve at the front of the property.

As we will be injuriously affected in regards to any future development potential of our property we expect that our legal and specialist costs will be paid by council please confirm by close of business today.

Caroline we will also be objecting the resource application for a range of reasons including environmental impacts, band aide nature of

this project, significant funds would be better used toward the water/sewage separation in this area. This was also the unanimous decision of both the St Marys Bay and Herne Bay association meetings I would expect a number of objections to be forthcoming.

Julia Winterbottom

From: Caroline Crosby
Sent: Friday, 25 May 2018 9:39 a.m.
To: Julia Winterbottom
Cc: StMarysBay
Subject: Re: Local Government Act Notification Documents- 21a London Street

Good Morning Julia

This second email is in response to the following query you have raised:

"As the LGA process has now started please confirm that our legal / engineering / consultant costs will be covered by council as we wish to engage a solicitor and also engineering/geotechnical specialist".

The short answer is no, Council will not be covering any of these costs. Based the information we have, we do not currently believe that injurious affection will be caused by construction or operation of the new pipeline under your property or that any damage will be caused to your property. If you believe there is a case for injurious affection, please outline the reasons for this (the reasons you have given below relate to potential damage caused by construction of the project and we will provide you with more information in response to this). We are happy to enter less formal negotiations around this in the coming months or to work with your specialists and legal representative.

A longer response from the legal team by way of explanation is copied below. Please note - as per the information provided to you - Council via its Contractor is responsible for remediation of any damage caused during construction. This is why we wish to carry out the detailed ground survey, pre-condition survey and monitoring.

"If a person objected (under Schedule 12) and their objection was not sustained at a council hearing and they then appealed to the District Court and were successful then the Court would, in the normal course of things, make a costs award in favour of the winning party (that is against the council). An award after the fact is not the same as paying up front. In cases where there is injurious affection payable then there may be some justification for covering a claimants reasonable costs, but the information you have provided to date suggests that there is no injurious affection associated with the project".

Warm Regards,
Caroline

From: Julia Winterbottom
Sent: 23 May 2018 16:30
To: StMarysBay

Cc: Caroline Crosby

Subject: RE: Local Government Act Notification Documents- 21a London Street

Hi Jess/Caroline

Thank you for this email.

We are very surprised that the name attached to this project "St Marys's Bay and Masefield Beach Water Quality Improvement Project" bears no relationship with the Public Notice for the Resource Consent which just refers to 94 Shelley Beach Road. In the interests of gaining appropriate public feedback on the Resource Consent then surely these should be aligned and the Public Notices be amended. Many people will not put two and two together and realise that these are the same project.

Also the material refers to 1.8m pipe whereas we understand that this is the internal size and also doesn't take into account the material that is required surrounding the pipe - why is this information not in this notice as from a lay persons views it appears that the notice is misleading as to size and effect.

Can you please confirm that the attachment 2 relates to our actual property at 21a London Street?

As the LGA process has now started please confirm that our legal / engineering / consultant costs will be covered by council as we wish to engage a solicitor and also engineering/geotechnical specialist.

We have asked multiple times to know the depth of the pipe under our buildings, which you have stated will be detailed in the LGA which it is not. We have also asked if the pipe will impact on our water and sewer retention tanks this is also not detailed.

Our building platform is retained where the pipeline is proposed with our foundations (piles) then driven into the ground - Council unfortunately have provided no information as to how close your pipeline will be to our structures / piles. Please provide this information ASAP.

Julia Winterbottom

4 Candy Tauber, 25e Ring Terrace

From: [Candy](#)
To: [Jess Brooks](#)
Subject: Objection to St Marys Bay Masefield Beach Water Quality Improvement Project
Date: Thursday, 21 June 2018 11:05:59 AM

To Jess And Whomever Else It May Concern:

I object to the St Marys Bay and Masefield Beach Water Quality Improvement Project as the council has not satisfied my reasonable requests in respect to:

1. I live on top of a cliff which has already partially collapsed as a result of road works carried out at the base. Any further civil works could exacerbate this issue. I have asked Auckland Council for assurances in respect to this and have received none. This application should be rejected until Auckland Council has carried out a full geotechnical investigation into the risks their proposal threatens the cliff and my property.
2. I am further concerned about the large trees on the cliff which are unusually stressed. An arborist needs to examine and report on those trees prior to the submission being approved.

Candy

25E Ring Terrace
Ponsonby 1011

5 Liza Jones & Sue Mihakis-Tierney, 25c, 25g & 25d Ring Terrace



12 June 2018

Infrastructure and Environmental Services
Auckland Council
135 Albert Street
Auckland 1010

For: Jess Brooks & Caroline Crosby

E-mail:

Dear Jess & Caroline

St Marys Bay and Masefield Beach Water Quality Improvement Project

1. I act for Liza Jones and Sue Mihakis-Tierney. Ms Jones is the owner and occupier of Units C and G at 25 Ring Terrace, St Marys Bay, Auckland. Ms Mihakis-Tierney through her family trust is the owner and occupier Unit D.
2. My clients have received Auckland Council's notice under s 181 of the Local Government Act 2002 dated 21 May 2018.
3. My clients **OBJECT TO THE PROPOSED WORK** set out in the notice.
4. My clients' object because they harbour fundamental and unresolved concerns in relation to the ground stability at the front of their homes near the cliff edge. These concerns have been heightened in recent times by a discovery that their homes were not constructed by the original developer in accordance with the geotechnical advice and the building consents issued at the time. I am instructed that all of this was approved by Auckland Council.
5. Of more concern is a discovery only recently that my clients neighbour at 25E and Auckland Council have been aware of these underlying issues since at least 2008 when that neighbour suffered a land slip to the south eastern side of the property. I am instructed that the defective construction work was discovered at that time. Neither the neighbour, nor Auckland Council saw fit to contact my clients about the discoveries made as to the construction at that time. Quite why this was the case, I am not presently sure.
6. Engineers' reports obtained by the body corporate responsible for the overall property in mid-2017 are **attached** to this letter. Council should already be on notice of the underlying issues from its prior involvement with the other neighbour.
7. Council is asked to pay special and careful attention to the conclusions reached about the initial construction work in those reports. The concerns



harboured about the stability of the existing buildings ought to be considered in relation to the proposed works to be undertaken underneath my clients' property as part of the Improvement Project. If it has not been then Council should immediately bring this information to the attention of its own experts. My clients do not want an already difficult and precarious situation made worse by the proposed works.

8. My clients are involving their insurers in these matters and are intending to convene a meeting of wider stakeholders to discuss and (hopefully) resolve a way forward. Can you please let me know who in Council is to be given oversight and responsibility of these matters? It seems to be important that there is co-ordination and communication between Auckland Council officers involved in the improvement project, as well as those who are or will be dealing with the issues faced by the body corporate and Units D and E relating to ground stability and the remediation work needed to ensure the building structures are made secure and safe. For instance, would I approach:
 - (a) James Hassall – heading up the legal department; and/or
 - (b) Ian McCormick – heading up building controls?
9. My clients would be happy to discuss the issues that underlie their objections with the Council to explore if there are ways in which the concerns they harbour can be overcome or resolved.

Yours faithfully

DOUG COWAN BARRISTERS & SOLICITORS

Doug Cowan
Partner

Cc: Julian Long, barrister, Shortland Chambers, by email:

6 Darrin Johannink & Anjala Natali, 23 London Street

From: [Darrin Johannink](#)
To: [StMarysBay](#)
Subject: re proposed wastewater project
Date: Wednesday, 13 June 2018 7:51:56 AM

Re 23 London St

I am strongly opposed to this project proceeding in current format

It is clear full and due consideration, let alone consultation, has not taken place re other possibilities, especially in regards to a system more designed around proper separation of waters

Also our property will be tunnelled under, and our strongest of opposition here, as require a lot more details about works that are proposed, in regards to stability both immediately close to pipeline and surrounding areas

We would require firm guarantees from council (not only from its contractors) if such a scheme progressed that full liability would be taken care of by council on any land movement issues that, many years down the track, could be attributed in full or part to these works

Darrin Johannink

7 Leo van Veenendal, 111 Shelly Bach Road

L. T. van Veenendaal & B.Y. Deveine
111 Shelly Beach Road
St Marys Bay
Auckland.

Auckland Council
Attention: Jess Brooks
Email:

Regarding:

Proposed St. Marys Bay Masefield Beach Water Quality Improvement Project.

Dear Jess,

As the executors and owners of the estate of Maria van Veenendaal, we wish to formally object under the 12th Schedule of the LGA, and the Resource Management Act application, to the combined waste and stormwater tunnel that proposed runs beneath our property at 111 Shely Beach Rd..

Our objection is at two levels.

1.0 Concept of System as Designed.

1.1 The first level of objection is at a fundamental level. This is on the basis that we believe that design of the works are at odds with a long term sustainable solution by maintaining a combined system approach for holding and detaining storm and waste water (versus separation), with overflows still to be discharged into the harbour.

While we accept that the number of overflow outfalls are likely to reduced by the proposed system into the harbour, it is not an acceptable solution, where separation of both wastewater and stormwater will achieve this.

We understand that stormwater and wastewater separation infrastructure has been started in the local area but has been stopped some years ago. We believe that the \$45m costs for the proposed detention tank tunnel system, is wasteful and be put toward the cost of separating the wastewater from stormwater, providing a clean harbour for current and future generations of Aucklanders, and those who visit our city.

1.2 That the proposed system may produce odours which would spoil the amenity of Point Erin Park and adjacent properties.

1.3 That the overflow outfall will still affect inner city beach water quality and safety.

2.0 Effects on 111 Shelly Beach Rd.

2.1 That the effects of the works may cause damage to the land and buildings on the property due to vibration.

2.2 That the position of the proposed pipe may affect future building works, requiring design and construction mitigation to avoid placing loads on the new pipe. This can be regarded as injurious affection.

Yours Faithfully,



Leo van Veenendaal.
(for the estate of Maria van Veenendaal).

8 Sheryl Glasse, 85a Shelly Beach Road

From: [Sheryl Glasse](#)
To: [StMarysBay](#)
Subject: Attn Jess Brooks
Date: Monday, 18 June 2018 3:56:57 PM
Attachments: [CCE18062018_00000.pdf](#)
Importance: High

Hi Jess

I met with you and Caroline and my neighbours on 18 May to outline my concerns about this project and have made a submission to the council.

I'm guessing you have access to these but I am confused the submissions close tomorrow but your letter states any concerns to you by Friday 22 June.

You are well aware of my concerns so assume I don't need to do anymore as I am certainly not in the camp if you don't hear from me it constitutes approval.

Please advise.

Sheryl Glasse
85A Shelly Beach Road
St Marys Bay

9 Russ & Lynda Bowler, 2/17 Ring Terrace

IN THE MATTER of Schedule 12 and s181(3)(b) of the Local Government Act 2002

AND

IN THE MATTER of a proposal by Auckland Council for the St Mary's Bay and Masefield Beach Water Quality Improvement Project

**OBJECTION BY LAKE LTD IN RELATION TO THE PROPOSED ST MARY'S BAY
AND MASEFIELD BEACH WATER QUALITY IMPROVEMENT PROJECT**

19 June 2018

To: Auckland Council

Name of objector: Lake Ltd (owner of 2/17 Ring Terrace, St Mary's Bay)

Address for service: c/- ChanceryGreen
PO Box 47516
Ponsonby 1144
Attention: Jason Welsh / Steve Mutch

Telephone: 09 357 0600

Email: jason.welsh@chancerygreen.com
steve.mutch@chancerygreen.com

1. INTRODUCTION AND BACKGROUND

1.1 This objection is made on behalf of Lake Ltd, who owns the property at 2/17 Ring Terrace, St Mary's Bay (the "Property"). The storage pipeline associated with the St Mary's Bay and Masefield Beach Water Quality Improvement Project (the "Project") is proposed to traverse the Property and the neighbouring property at 19 Ring Terrace. As shown in **Figure One** below, the pipeline traverses part of the Property that directly abuts structures on the neighbouring property at 19 Ring Terrace.

Figure One:¹ plan showing Project route in relation to the Property and neighbours



¹ **Figure One** is reproduced from the plans attached to the Council's "Local Government Act Notification" letter dated 21 May 2018.

1.2 Lake Ltd supports the overall aims of the Project. However, Lake Ltd has significant concerns with the Project as currently proposed, such that it **objects** to the Project pending satisfaction of its concerns by Auckland Council. Reasons for Lake Ltd's objection are outlined below.

2. REASONS FOR OBJECTION

2.1 In April 2018, Lake Ltd met with Auckland Council representatives to discuss its concerns with the Project and how they may be addressed. To date, Auckland Council has taken no material steps to address Lake Ltd's concerns. Lake Ltd remains willing to explore potential avenues to satisfy its concerns, outlined below:

Geotechnical: stability, settlement, ground movement etc, including potential damage to land and structures

2.2 As shown in **Figure One** and the application documents, tunnelling for the storage pipeline will take place under a steep cliff face at/near the Property, and will be close to structures on the Property and the neighbouring property at 19 Ring Terrace. Lake Ltd has concerns regarding the Project's potential effects on the geotechnical integrity of the Property and neighbouring property, and potential damage to structures located on those properties, both during and after construction.²

2.3 While the Project application documents address the potential for such effects, and conditions of consent and management plans³ have been recommended by the applicant's consultants in relation to such effects, considerable uncertainty remains regarding the level of effects, monitoring, and the Council's mitigation/repair obligations with respect to land and structures.

2.4 Lake Ltd has not identified in the application documents a suite of consent conditions proposed by the Council, which prevents an understanding of the Project's adverse effects, and of how such effects will be managed. Of particular relevance to the Property, while one diagram included with the original AEE showed ground *and* building monitoring stations at and around the Property,⁴ other diagrams submitted with the application did not.⁵ In addition, the Council's obligations/undertakings with respect to

² The properties at 1/17, 2/17 and 19 Ring Terrace are separated by party walls, so damage to one structure could risk damage to other adjoining structures.

³ See in particular the proposed *Groundwater and Settlement Monitoring and Contingency Plan*.

⁴ See page 25 of the AEE Appendix R: *Groundwater and Settlement Monitoring and Contingency Plan - Aurecon and PDP* (Drawing No. 1011; Rev. B).

⁵ See page 45 of the AEE Appendix Q: *Assessment of Effects on Ground Settlement – Aurecon* (Drawing No. 1029; Rev. B); and the final concept design drawing (Drawing No. 1011; Rev. A).

repair/remediation of any damage remain entirely unclear (including, for example, how long after construction the Council is proposing monitoring and repair obligations extend). The application states that pre-condition property/land surveys are not proposed,⁶ meaning that identifying damage from the Project and determining causation will be very difficult. (Lake Ltd considers that pre and post construction surveys for both buildings and ground/property are essential). Lake Ltd has also not identified any assessment in the application documents of the potential for planting on or near the cliff for stability, as a mitigation measure.

- 2.5 In the above context, Lake Ltd remains concerned with geotechnical effects from tunnelling associated with the Project. Proposed monitoring and response mechanisms are inadequate, uncertain, and are subject to change through the resource consent process.

Ground-borne noise and vibration from tunnelling, including potential damage to land and structures

- 2.6 Tunnelling is proposed to be undertaken on a 24/7 basis, and the application documents state that proposed ground-borne noise and vibration levels at the Property and neighbouring property will both exceed relevant limits.⁷
- 2.7 From the tunnelling vibration contours provided with the application, the Property and neighbouring property (and the houses on the properties) are amongst the worst affected, if not the worst affected, residential properties in terms of vibration from tunnelling, being subject to – or very near to land subject to – the 1mm/s tunnelling vibration level.⁸ The Property appears to be potentially the only residential property subject to the 1mm/s contour, with the other land subject to the contour being Council/NZ Transport Agency land near Point Erin Park and St Mary’s Road Park. With respect to vibration, Lake Ltd’s key concern is the potential for damage to land and structures on the Property and the neighbouring property.
- 2.8 In terms of ground-borne noise, part of the Property (and neighbouring property) is within the highest 55 dB LAeq noise contour for ground-borne noise; and the house on the

Drawing No. 1011; Rev. C, provided as part of a s92 response dated 23 May 2018, indicates that both ground and building monitoring stations are proposed at/near the Property.

⁶ AEE page 83.

⁷ See the AEE, section 8; and the *Noise and Vibration Assessment – Aurecon*, for example the Executive Summary (Section 1, pages 6 and 7).

⁸ See Appendix D of the *Noise and Vibration Assessment – Aurecon*. The house on the Property is not shown as being subject to the 1mm/s tunnelling vibration level, but is well within the 0.3mm/s tunnelling vibration level.

Property is primarily within the 45 dB LAeq noise contour.⁹ Lake Ltd considers that the Council's proposal to apply a night-time noise limit of 35 dB LAeq(15min) (which the Council's noise expert considers is appropriate) only in response to complaints by landowners is not best practice and is inappropriate.¹⁰ The onus should be on the applicant to comply with the appropriate standards, and to monitor for such compliance.

- 2.9 In the above context, Lake Ltd remains concerned with ground-borne noise and vibration effects from tunnelling associated with the Project. Proposed monitoring and response mechanisms are inadequate, uncertain, and are subject to change through the resource consent process.

Conclusion

- 2.10 In the absence of side-agreements between property owners and the Council, the Council's obligations with respect to the above potential effects (proposed by the Council through as-yet-unknown resource consent conditions only, including management plans which are in draft form) remain entirely uncertain and subject to change through the resource consent process. This creates unnecessary and inappropriate uncertainty for landowners whose properties the Project will be located within, and requires their continued involvement in the Resource Management Act 1991 and Local Government Act 2002 processes.

3. RELIEF SOUGHT

- 3.1 Lake Limited seeks:

- (a) that the Project be abandoned; **OR**
- (b) other relief satisfying Lake Ltd's concerns outlined above, including (without limitation):
 - (i) Auckland Council providing certain and detailed undertakings by way of resource consent conditions (and/or private agreement) with respect to potential damage to the Property (and neighbouring property) and structures on the Property (and neighbouring property), including regarding: ground monitoring and building monitoring station(s) at or near the Property (and neighbouring property) and an appropriate monitoring regime; pre and post-condition land/property and building surveys; appropriate remediation/repair

⁹ See Appendix C of the *Noise and Vibration Assessment – Aurecon*.

¹⁰ See recommended condition 5 at section 9.1 of the *Noise and Vibration Assessment – Aurecon*.

undertakings from the Council; formal indemnification for any damage to the Property (and neighbouring property) caused by the Project; and formal indemnification against any third-party claims against Lake Ltd for damage to other properties caused by the Project; and/or

(ii) realignment of the storage pipeline to avoid the Property and neighbouring properties, or other Project design and/or management changes; and/or

(iii) Auckland Council acquiring the northern “finger” portion of the Property through which the Project traverses; and/or

(c) such consequential and/or related relief as may be necessary or appropriate to give effect to Lake Ltd’s concerns.

4. GENERAL

4.1 Lake Ltd wishes to be heard in support of its objection.

4.2 Lake Ltd requests that – to the extent practicable – the Local Government Act 2002 and Resource Management Act 1991 processes associated with the Project, including any hearings, be coordinated for efficiency.

4.3 If others make a similar objection, Lake Ltd may consider presenting a joint case with them at any hearing.

Lake Ltd

by its solicitors and duly authorised agent
ChanceryGreen:



Jason Welsh and Steve Mutch

19 June 2018

10 Christine Heather, 3/99 Shelly Beach Road

From: [Christine Heather](#)
To: [StMarysBay](#)
Subject: Re: St Marys Bay and Masefield Beach Water Quality Improvement Project
Date: Tuesday, 19 June 2018 2:04:25 PM

Thanks Jess.

I would like to also make a submission under the LGA.

I have real concerns in regards to the stability of the cliff at the front of my driveway and damage to my property and properties on either side that are joined as an apartment block.

Christine Heather
3/99 Shelly Beach Road
St Marys Bay
Auckland 1011

From: Jess Brooks

Sent: Tuesday, June 19, 2018 1:38:27 PM

To: Christine Heather

Subject: RE: St Marys Bay and Masefield Beach Water Quality Improvement Project

Hi Christine,

Thank you for your email. Just to confirm you are opposing the project under the Resource Consent Application?

The submission you have made below comes under the Resource Consent (Resource Management Act Process) which is about the over all project, specifically:

- The purpose of this process is to seek consents to construct the project.
- This process is concerned with the overall environmental impacts of the project (some of these impacts, for example stability of the cliff, will also relate to your property)

We have received your Resource Consent Submission- thank you

The other submission you are able to make is the Local Government Act (LGA) submission. This submission

- Is to seek your approval to construct the new pipeline under your property
- This process is only concerned with the specific impacts of the project on your individual property (it is not about wider effects such as the ventilation poles we discussed)
- The submission needs to be restricted to impacts from the project on your property

If you want to make a submission under the LGA I will just need to you note what your concerns are regarding the project in relation to your property and send them through to me- you can do this as a brief reply to this email.

Apologies if there has been any confusion about this, there are many processes running in parallel. If anything is not clear don't hesitate to call me

Hope this clarifies things

Kind regards
Jess

Jess Brooks

From: Christine Heather ·
Sent: Tuesday, 19 June 2018 1:09 PM
To: StMarysBay
Subject: St Marys Bay and Masefield Beach Water Quality Improvement Project

Attention Jess Brooks

Good Afternoon

Please see below my submission to me opposing the construction of the pipeline under my property.

Christine Heather
3/99 Shelly Beach Road
St Marys Bay
Auckland 1011

From:
notifiedresourceconsentsubmissiononlineform@donotreply.aucklandcouncil.govt.nz
Sent: 5:18PM, Monday, 18 June
Subject: Thank you for your submission
To:

Thank you for providing your opinion on the notified resource consent for 94 Shelly Beach Road, St Marys Road Park and Pt Erin Park - St Marys Bay and Masefield Beach Improvement Project.

We have received your submission and will be in contact in due course.

If you have any queries about this request, send an email to

CentralRCSubmissions@aucklandcouncil.govt.nz.

Details of your submission

Notified resource consent application details

Property address: 94 Shelly Beach Road, St Marys Road Park and Pt Erin Park - St Marys Bay and Masefield Beach Improvement Project

Application number: BUN60319388

Applicant name: Auckland Council - Healthv Waters

Applicant email:

Application description: To install and operate a new underground stormwater and sewage conveyance and storage pipeline, via three shafts, replace and extend a marine pipeline outfall in the Waitemata Harbour, establish a weir and pump station structure and odour control in Pt Erin Park; and smaller weir structure and odour control in St Marys Road Park and install a new rising main in the road reserve along Sarsfield Street, Herne Bay

Your contact details

Full name: Christine Heather

Organisation name:

Contact phone number:

Email address:

Postal address.

3/99 Shelly Beach Road

St Marys Bay

Auckland 1011

Your submission

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The cost involved when it mightn't be solving the problem and the impact on my property

What are the reasons for your submission?

As above

What decisions and amendments would you like the council to make?

Peer review and alternative route under roads not houses.

Are you a trade competitor of the applicant? I am not a trade competitor of the applicant.

Do you want to attend a hearing and speak in support of your submission? No

If other people make a similar submission I will consider making a joint case with them at the hearing: Yes

Supporting information:

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11 Jeanette Henry, 19 Ring Terrace

Jess Brooks

From: Jeanette Henry
Sent: Tuesday, 19 June 2018 3:07 PM
To: StMarysBay
Cc: Jeanette Henry; Frank Henry
Subject: St. Marys Bay and Masefield Beach Improvement Project -Objection under the Local Government Act.

I am the owner of 19 Ring Terrace, St. Marys Bay and as per your letter to me of 11th June last and my conversation with Jess Brooks today, I am writing to register my objection to the above pipeline going under my property etc.and to the scheme generally. I am informed by you that I do not have to do anything further at this stage i.e provide written reasons, and I therefore preserve my rights to instruct my legal adviser when the time demands.

Jeanette Henry

Jess Brooks

From: Jeanette Henry
Sent: Friday, 22 June 2018 3:53 PM
To: StMarysBay
Cc:
Subject: Objection to the St Marys Bay and Masefield Beach Water Quality Improvement Project on property at 19/17a Ring Terrace

Attention Jess Brooks Council Representative attention Caroline Crosby Council Project Manager

I Jeanette Henry of 36 Saltburn Road, Milford, Auckland 0620 confirm my objections to the impact of the above project on my property at 19 Ring Terrace, St Marys Bay and also object to effects on my land, structures and retaining wall from any effects of the project on 17a Ring Terrace which affect my land, structures retaining wall, foundations etc.

1. I object to the effects that the proposed alignment of the pipeline and its construction will have, short term and ongoing, on the stability of the steep cliff-face, my property, structures, retaining wall and adjacent property.
2. I have the same objections to the pipeline passing close to my property and possibly my foundations, by virtue of it passing through the neighbouring 17a Ring Terrace. Numbers 19, 17 and 17a are part of a cliffside complex built in the 1980s that for some obscure conveyancing reason at subdivision, apportioned land to 17a Ring Terrace that ran in front of No. 19 and straddled the cliff.
3. I object to the fact that although I received LGA notification dated 21 May 2018 containing attachment plans showing proposed work at 19 Ring Terrace, there was no notification of how the effects of the proposal on the cliff and land at 17a Ring Terrace affect my whole property.
4. The above has just occurred to me and I will need to take legal advice on this. I am aware that the owners of 17a Ring Terrace reside overseas. I have been unable to discuss this project and its affects on the cliff and land at 17a Ring Terrace with them. Nor have I seen any notification under LGA to them which would clearly show the pipeline passing close to the whole of my property on the cliff side and not just close to the section shown on the map for 19 Ring Terrace. I do not know if they are aware of the project or even put in submissions or objections.
5. I object to the fact that I am prejudiced by the above and particularly when the attachment sent to me shows the pipeline going across close to the whole of my property.
6. I believe that foundations of 19, 17a and 17 Ring Terrace are very deep and I object to the construction of the pipeline close to the deep foundations. The depth of our foundations and the closeness of the pipeline may be incompatible.

7. In relation to objection 6 I also object that the notification process dated 21 May 2018 attachment did not disclose the depth and horizontal measurements in relation to the depth of the foundations across the cliff face of 19 Ring Terrace (and as referred to above, 17a Ring Terrace where the pipeline runs almost as close to my property).

8. I object to the effects of vibration during tunnelling and also object to the effects of any ongoing vibration from the operation of the pipeline from 19, 17a and 17 Ring Terrace and adjacent properties. I have personal experience of such vibrations through a pipeline going under previously owned property and know it causes much stress. Such an occurrence here would arguably have similar effects, also resulting in possible reduction in value and future saleability of the property.

9. I object to the effects of possible sinkage caused by tunnelling on the cliff-face, on my property and on adjacent properties.

10. I object to any impact of the project construction and tunnelling on the pohutukawa trees that have roots growing into the cliff and any instability caused to the cliff and structures close by.

11. I reserve rights to obtain independent geotechnical, engineering, legal advice etc. on all aspects of the effects on the whole of my property and any effect on that adjacent part of 17a affecting me. I also reserve rights to introduce any further concerns relating to the project.

Jeanette Henry
22 June 2018

12 Margaretha & Allan Cooper, 6/79 Shelly Beach Road

From: [Allan and Margaretha Cooper](#)
To: [StMarysBay](#)
Subject: LGA submission
Date: Wednesday, 20 June 2018 8:37:48 PM

Hi Jess

Herewith our submission relating to 6/79 Shelly Beach Road, St. Mary's Bay, 1011.

Full name: Allan and Margaretha Cooper
Contact phone number:
Email:
Postal address: as above

This submission opposes the application in whole or in part.

Specify the aspects of the application you are submitting on:
Storage pipeline passing directly under our property.

What are the reasons for your submission?

Noise and vibration concerns. Your letter states noise levels are expected to be similar in nature to other construction activities around Auckland. What does that mean? Do these noise levels equate to living next door to a full construction site, hard rock breaking and earth shattering noises, much more specific detail is required please.

Whilst tunnelling under your property levels are predicted to be relatively low. Again what exactly does this mean, how long is a piece of string!! Equate this to something in our day to day lives we can relate to.

Not expected to have adverse impacts on your property or buildings, again this is a very broad general statement and isn't specific.

How do you know any potential effects will be short term. There are a lot of very general statements in your letter, where are the specifics backed up with evidence.

Concern that the cliff face will become more unstable with the proposed tunnelling.

Concern over the stability of very old trees from our neighbour.

Concern that down track we might have issues that Council will try and get out of reinstating at their cost any damage caused. Damage may not rear its head until years later.

Our property is partly built over our neighbours garage (7/79 Shelly), so this might mean that the depth of the pipeline is closer than the predicted level of 16.6m.

Concern over the hundreds of rats that will be disturbed with the tunnelling, we will suffer a rat infestation.

What decisions and amendments would you like the council to make?
Much more specific detail is required re noise and vibration levels.

Full written assessment of external and internal areas of our property by an independent surveyor, both pre and post.

Require monitoring during construction. What action will be taken if noise levels are unsatisfactory?

Letter from Council addressed to us specifically confirming they will reinstate at their cost any damage, this letter needs to cover us for the future as damage may not be evident initially.

Independent report regarding the impact on the already unstable cliff face and what danger this may present to our property.

A number of older trees may need to be removed as potentially their root structure will be

disturbed. How will this be dealt with, as the trees are in neighbouring properties, what if the owners object to removal?

Stability issues re garage of 7/79 Shelly Beach over which we partly are built.

We don't want any vermin, what solution will you provide?

Regards Margaretha and Allan

Sent from my iPad

13 Kevin Pollock, 25a Ring Terrace

Jess Brooks

From: Kevin Pollock
Sent: Friday, 22 June 2018 9:39 AM
To: StMarysBay
Cc:
Subject: St Marys Bay and Masefield Beach Water Quality Improvement Project

Hi Caroline and Jess and to whom this may concern,

Re: 25A Ring Terrace and LGA Notification dated 21st May 2018

We acknowledge receipt of the notification and the opportunity to meet at our residence for an overview of the project.

As with any project of this type the foreseeable complexities require intense prior investigation with a view to mitigating possible construction variations and damage to environment or property. The issues concerning us at 25 Ring Terrace are significant due to the potential unstable nature of the cliff.

The following are key areas of concern :

- The trees have continued to grow over many years and sub terrain vibration could cause them to become unstable
- The pipeline is to be created within an excavated tunnel and whilst precautions would be taken there is possibility of the terrain “shrinking” around the pipeline resulting in ground movement
- The pipeline does not appear to be at a depth in parts of St Marys Bay Reserve that would satisfactorily permit tunnelling.

Earlier correspondence between our neighbour, Candy, and yourselves indicates that a “survey” of the trees will be co-ordinated and that a geotech engineer would also be available. This is a minimum procedure prior and post construction that should be granted to all implicated property owners. The documenting of these inspections, tests and findings should also be mandatory so that highest possible safety assurances, including appropriate preventative actions, are provided for the property owners in the area

Although the foregoing concerns and requests do not constitute an objection to the scheme, please note that these, in conjunction with prior discussion and correspondence, illustrate significant concern in respect of our property at 25 Ring Terrace. We seek your assistance with these matters

Kind regards,

Kevin Pollock

14 Brian Putt & Suzanne Ashmore

Jess Brooks

From: Brian Putt
Sent: Friday, 22 June 2018 12:34 PM
To: StMarysBay
Subject: Saint Marys Bay / Masefield project

Hi Jess Brooks and Caroline Crosby,

Please take notice that Brian William Putt and Suzanne Linda Ashmore object to the Local Government Act 2002 notification that the subsurface of our property at **27 Ring Terrace St Marys Bay** is the subject of proposed works for water quality improvement in our area.

The proposed works include tunnelling and pipeline thrusting under our property.

We oppose these works until such time as the council provides an appropriate indemnification against damage or any form of loss or inconvenience to our property. We would be satisfied if before work commences:

- a) A structural report covering our land and buildings in relation to the proposed tunnelling works is provided. Such a report shall identify any risks or potential damage to our property likely to arise from the proposed works.
- b) A full damage and risk indemnification covered by Auckland Council as the party responsible for the works.

This **objection** is provided to you under the provisions of **Schedule 12, Local Government Act 2002**. Notification of these works failed to provide any link to a formal objection notice to be used. Accordingly this email will serve as our objection.

Our address for service is set out below:

Regards,

Brian Putt

15 Allan Tyler 21 Ring Terrace

From: [Allan Tyler](#)
To: [Caroline Crosby](#); [Jess Brooks](#); [StMarysBay](#)
Subject: Objection
Date: Thursday, 21 June 2018 1:56:37 PM

To Caroline Crosby Jess Brooks and others
Re Schedule 12 Of the LGA

We wish to advise of our objection to the proposed work under our property at 21 Ring Terrace St Marys Bay for the **St Marys Bay and Masefield Beach Water Quality Improvement Project**

Although we approve the general intent of the project our objection covers, in part, the following aspects-:

- 1/ The effects, both short term and long term, that prolonged vibration for up to two weeks while tunnelling under our very steep cliff face will have on the stability of our property the associated trees and the other properties nearby
- 2/ The uncertain effects that the inevitable sinkage caused by the tunnelling will have on the whole cliff face and all the properties nearby
- 3/ The choice of this option and the alignment of the tunnel that may seriously affect our property when other solutions are clearly superior
- 4/ We are in the process of obtaining an Independent Geotechnical Engineers report on all aspects of the effect on our property and reserve the right to add to these concerns should they be relevant

Allan Tyler
