

AUCKLAND REGIONAL COUNCIL

RESOURCE CONSENT

Granted pursuant to the Resource Management Act 1991

PERMIT NO. 29827

CONSENT HOLDER: Manukau City Council

FILE REFERENCE: 17817

CONDITIONS OF CONSENT

Duration of Consent: This consent shall expire on 31 December 2040 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.

Purpose of Consent: To authorise the diversion of stormwater in accordance with Sections 14 (1)(a) of the Resource Management Act 1991.

Site Location: Orere Point Road, Orere Point

Legal Description of Land: Lot 45 DP 914111

Territorial Authority: Manukau City Council

Approximate Map References: NZMS 260 S11 103688

DEFINITIONS:

- Act** means the Resource Management Act 1991 and further amendments
- ARC:** means the Auckland Regional Council
- ARI** means Average Recurrence Interval
- Manager:** means the Manager, Land & Water Quality Section, ARC, or nominated ARC staff acting on the Manager's behalf.
- TP10:** means ARC Technical Publication No. 10, *Stormwater Management Devices: Design Guideline Manual*, May 2003.
- TP108:** means ARC Technical Publication No. 108, *Guidelines for Stormwater Runoff Modelling in the Auckland Region*, April 1999.
- TP124** means ARC Technical Publication No. 124, *Low Impact Design Manual for the Auckland Region*, April 2000
- TP168** means ARC Technical Publication No. 168, *Blueprint for Monitoring Urban Receiving Environments*, April 2002

WQV means Water Quality Volume, being the volume of water required to be treated and for which the designs in TP10 are assumed to achieve 75% TSS removal

GENERAL CONDITION:

1. That the consent holder shall permit the servants or agents of ARC to have access to relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.

SPECIFIC CONDITIONS:

2. The proposed 900mm diameter stormwater line from MH E/7 to outlet E/1, the sealing of the existing 1050mm diameter stormwater line between MH E/7 and MH F/1 (as shown on the CLC Consulting Group Ltd Orere Point Stormwater Diversion Works drawing number 14371 sheet 22) and the road lowering works are to be carried out before redirecting the new 300mm diameter stormwater line in Orere Point Road, or other upstream upgrading works in the catchment.
3. The CLC Consulting Group Ltd Orere Point Stormwater Diversion Works drawing number 13326 – SDC sheet 2 shall be amended to show the correct flow rate in the stream at Howard Road to be $0.1\text{m}^3/\text{s}$ at existing discharge point one (i.e. delete $0.72\text{m}^3/\text{s}$).
4. That the consent holder shall construct the stormwater management system as shown on the CLC Consulting Group Ltd Orere Point Stormwater Diversion Works drawing number 14371 sheets 1 to 35 and the attached hydraulic calculations, received by ARC on 27 April 2005. Any amendments that may affect the capacity or performance of the stormwater management system shall be approved by the Manager in writing, prior to construction.
5. That notwithstanding Condition 4, that the consent holder shall ensure that the stormwater management system is constructed and maintained so as to minimise erosion, risk of obstruction of the waterway and hazards to safety.
6. That notwithstanding Condition 4, that the consent holder shall ensure that a safe a practicable entrance is provided to the properties at 45, 47 and 49 Howard Road.
7. That the consent holder or their agent shall arrange and conduct a pre-construction site meeting between ARC and all relevant parties, including the site stormwater engineer, with regard to the stormwater management works, prior to the construction of any infrastructure works on the site. Any resulting amendments to the stormwater management system may be reviewed by ARC at the time and shall be approved in accordance with Condition 4 above.
8. That the consent holder or their agent shall arrange and conduct a post construction site meeting within 30 days of completion of installation of the stormwater management works between ARC and all relevant parties, including the site stormwater engineer. As-Built Plans shall be available for this meeting, as specified in condition 166 below.

Overland Flowpaths

9. That the consent holder shall ensure that, for stormwater flows in excess of the capacity of the primary systems, secondary flow paths shall be provided and maintained to allow surplus stormwater from critical storms, up to the 100 year ARI event, to discharge with the minimum of nuisance and damage.

Advice Note: For the purposes of this Consent "major overland flow paths" are those that accompany a primary drainage system of a nominal 600 mm diameter pipe or larger or with peak overland flow exceeding 0.5 m³/s in the 100-year ARI event

10. The Consent Holder shall ensure that major secondary flow paths on land under their control are kept free from significant obstructions such as buildings, and solid fences. The Consent Holder shall encourage other land owners to similarly keep major secondary flow paths free from significant obstructions such as buildings, and solid fences.
11. Where roading kerbs and channels are constructed across secondary flow paths, the Consent Holder shall ensure that kerbs are set at a level that maximises the capture of water by road cesspits. Other than at designated overland flow paths, driveway crossings shall be constructed in order to minimise the overflow of water from the road into private properties.

Habitable Floor Levels

12. The Consent Holder shall ensure that the habitable floor levels of buildings authorised for construction after the commencement of this Consent are constructed at least 0.5 m above the 100 ARI flood levels of adjoining watercourses or major secondary flow paths, unless the relevant District Plan or Code of Subdivision establishes an alternative freeboard in which case the District Plan or Code of Subdivision freeboard requirement shall prevail.

Outfall Erosion

13. Any stormwater outfalls authorised by this Consent shall incorporate erosion protection measures to minimise the occurrence of bed scour and bank erosion for a distance of five times the pipe diameter from the outfall.

Certification of Construction Works

14. The Consent Holder shall obtain written certification from a Chartered Engineer that all individual works constructed under the programme of works specified in condition 4 have been built in a manner consistent with their approved design parameters and that those works will function as intended. The written certification shall be obtained and submitted to the Manager **within 30 days** following the Practical Completion of the construction works.

Operation and Maintenance

15. That the consent holder shall submit an Operation and Maintenance Plan for the stormwater management works to the Manager for written approval **within 30 days** of the completion of installation of the stormwater management system. If a draft Plan has been prepared prior to construction this shall be updated for the final

stormwater management system where necessary. The Operation and Maintenance Plan shall include, but not be limited to:

- i) A programme for regular maintenance and inspection of Works authorised under Condition 4 of this Consent;
- ii) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices;
- iii) A programme for inspection and maintenance of outfall erosion;
- iv) A programme for post storm maintenance.
- v) General inspection checklists for all aspects of the stormwater management system.
- vi) Details of the person or bodies whom will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process.

Any amendments to the Operation and Maintenance Plan shall be approved by the Manager in writing, prior to implementation. That the consent holder shall ensure that the stormwater management works are managed in accordance with the Operation and Maintenance Plan which has been approved by the Manager and as specified in Condition 15.

16. That the consent holder shall supply to the Manager **within 30 days** of Practical Completion, As-Built plans of the stormwater management works which are certified as a true record of the stormwater management system by a Chartered Professional Engineer or Registered Surveyor. The As-Built plans shall include, but not be limited to:

- i) The surveyed location and level of the discharge structure, measured to the nearest 0.1metre with co-ordinates expressed in terms of the New Zealand Map Grid and LINZ datum.
- ii) Location, dimensions and levels of the major overland flowpaths including cross sections and long sections.
- iii) Plans and cross sections of all stormwater management devices, including the stormwater diversion structure.
- iv) Documentation of any discrepancies between the design plans and the As Built plans.

REVIEW CONDITION:

17. The conditions of this Consent may be reviewed by the ARC pursuant to Section 128 of the Resource Management Act 1991, (with the costs of the review process being borne by the Consent Holder), by the giving of notice pursuant to Section 129 of the Act, in one of the following years:

- January 2006
- June 2007
- June 2008
- June 2009

And/or at five yearly intervals after either the date of that review (if such review occurs) or after June 2010 whichever is the earlier.

The purpose of the review may be for any of the following purposes, namely:

- i) To deal with any adverse effect on the environment which may arise from the exercise of the consent or upon which the exercise of the consent may have an influence and which becomes apparent, or is found appropriate, to deal with at a later stage, and in particular but without limiting the ambit of this clause to:
 - a) Insert conditions, or modify existing conditions, to require the Consent Holder to identify the character or nature of any discharges authorised by this Consent and to report the results of that monitoring to the ARC; and/or
 - b) Insert conditions, or modify existing conditions to require the Consent Holder to monitor the effects of any discharges authorised by this Consent on the local receiving environment and to report the results of that monitoring to the ARC; and,
 - c) The conditions may relate to the matters contained in s.108(4) of the Resource Management Act 1991 or any Act in substitution thereof.
- ii) Insert conditions, or modify existing conditions, requiring the Consent Holder to adopt the Best Practicable Option to remedy, mitigate or minimise any adverse effects on the environment resulting from the discharges authorised by this consent, including remedying or mitigating any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

Advice Note:

For removal of doubt, purpose (ii) of a review may include the need to:

- i) *achieve consistency with performance measures implemented on catchment wide discharge consents for the area; and, investigate the necessity of modifying or enhancing existing treatment or management systems should the results of receiving environment monitoring indicate that the discharges authorised by this Consent are causing or exacerbating the occurrence of adverse effects in the receiving environment.*

Exclusions

The diversion and discharge of stormwater from sites specified in Schedule 3 of the Auckland Regional Plan: Air, Land and Water as high risk sites requiring a stormwater consent under rule 5.5.21 of that Plan that are constructed after the commencement of this Consent are not authorised by this Consent. Separate consents for those activities are required from the ARC.

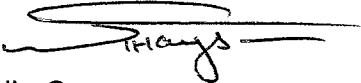
ADVICE NOTES:

1. The consent holder is advised that they will be required to pay to ARC any administrative charge fixed in accordance with Section 36(1) of the Resource Management Act 1991, or any additional charge required pursuant to Section 36(3) of the Resource Management Act 1991 in respect of this consent.
2. The consent holder is advised that the date of the commencement of this consent will be as determined by Section 116 of the Resource Management Act 1991, unless a later date is stated as a condition of consent. The provisions of Section 116 of the

Resource Management Act 1991 are summarised in the covering letter issued with this consent.

3. The consent holder is referred to Section 124 of the Resource Management Act 1991, which provides for the exercising of a consent while applying for a new consent for the same activity.
4. The consent holder is advised that, pursuant to Section 125 of the Resource Management Act 1991, this resource consent lapses on the expiry of five years after the date of commencement of this consent unless the consent is given effect to or other criteria contained within Section 125 are met.
5. The consent holder is advised that, pursuant to Section 126 of the Resource Management Act 1991, if this resource consent has been exercised, but is not subsequently exercised for a continuous period of five years, the consent may be cancelled by the ARC unless other criteria contained within Section 126 are met.
6. Form oils (separation agents) should be applied to any construction shutters in an area removed from the watercourse such that any excess oil or spillage cannot be washed to the receiving environment.
7. When using concrete retarders, hardeners or accelerators near watercourses care is required to ensure only the minimum amount of chemical is used to achieve the result required and excess chemical is not flushed to the receiving environment.
8. Prior to earthworks commencing the consent holder is advised to become familiar with the Permitted Activity category requirements of the Auckland Regional Plan: Sediment Control (dated November 2001) and examples of methods to control the discharge of sediment are outlined in the Technical Publication No.90 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999" available from the ARC.
9. The Consent Holder is reminded that where a dam is constructed as a Permitted activity under the PARP: ALW, the ARC is required to be notified 7 days prior to construction and a Permitted Activity form completed and submitted.
10. Pursuant to Section 136 and 137 of the Resource Management Act 1991, the consent holder may transfer the consent to another party by notifying ARC in writing of their intention to do so. Unless the consent has lapsed, been surrendered or cancelled, or transferred to another party, the consent holder is responsible for compliance with all conditions of the consent for the duration of the consent.

This consent has been granted by the Auckland Regional Council pursuant to the Resource Management Act 1991.


PP
Eddie Grogan
Manager
Land & Water Quality
Auckland Regional Council

Date: 29 June 2005

