

PERMIT No. 26230

AUCKLAND REGIONAL COUNCIL

RESOURCE CONSENT

Pursuant to the Resource Management Act 1991

PERMIT NO. 26230

CONSENT HOLDER: Manukau City Council and Transit New Zealand.

FILE REFERENCE: 15832

CONDITIONS OF CONSENT

Duration of Consent: This consent shall expire on 31 December 2036 unless it has lapsed, been surrendered or cancelled at an earlier date pursuant to the Resource Management Act 1991.

Lapsing Date: 31 December 2007.

Purpose of Consent: To authorise the diversion and discharge of stormwater from treatment device P3, to service part of the proposed upgrade of State Highway 1, the Waiouru Interchange and southern end of the proposed Highbrook Drive, in accordance with Sections 14(1)(a), 15(1)(a) and 15(1)(b) of the Resource Management Act 1991.

Site Location: That part of the Tamaki River catchment to be designated for Motorway Purposes between the Tamaki River Causeway to Bairds Road, the proposed Waiouru Interchange and the corridor to be designated for the Highbrook Drive arterial road, from approximate chainage 3550 to approximate chainage 3920.

Works: As detailed in the *Waiouru Peninsula to S.H.1 Connection – Assessment of Environmental Effects & Resource Consent Report, August 2001* and *Waiouru Peninsula to S.H.1 Connection – Environmental Drawings (ED), August 2001*

Territorial Authority: Manukau City Council.

PERMIT No. 26230

Legal Description: Refer to Appendix 1 – Legal Descriptions and Land Owners.

Approximate Map References NZMS 260 R11 759 709

Discharge locations:

DEFINITIONS:

ARC: means the Auckland Regional Council.

Manager: means the Manager, Land & Water Quality, ARC, or nominated ARC staff acting on the Manager's behalf.

TP10: means ARC Technical Publication No.10 *Stormwater Treatment Devices Design Guideline Manual*, November 1992

TP108: means ARC Technical Publication No 108 *Guidelines for Stormwater Runoff Modelling in the Auckland Region*, April 1999

Stormwater system: The system includes collection, conveyance, management, treatment and discharge structures constructed as part of the SH1 upgrade, Waiouru Interchange and part Highbrook Drive and used for the management of runoff generated by rain storm events.

GENERAL CONDITION:

1. 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. Prior to the commencement of construction of any particular section of the permanent stormwater system, the Consent Holder shall prepare a design details and plans for each section. Those design details and plans shall be prepared in accordance with *Waiouru Peninsula to S.H.1 Connection – Assessment of Environmental Effects & Resource Consent Report* and *Waiouru Peninsula to S.H.1 Connection – Environmental Drawings (ED) - Drawing No. 1/1027/35 5104 Rev R0 Sheets 38 and 39*, and the additional information provided in response to the ARC's Section 92 requests. Specifically, the design details and plans shall include design details of long term stormwater systems which shall include, but not be limited to, the following:
 - (i) Contributing catchment size and impervious percentage;
 - (ii) Specific design of stormwater systems, including pond orifices spillways;

PERMIT No. 26230

- (iii) Supporting calculations, including sizing capacity of stormwater system(s), suspended solid removal efficiency calculations, flow attenuation calculations and identified overland flow paths for the 1% Annual Exceedance Probability (AEP);
 - (iv) Catchment boundaries for the stormwater treatment devices;
 - (v) Location of proposed stormwater system(s);
 - (vi) Details of construction method of stormwater system(s) including timing and duration;
 - (vii) Monitoring and maintenance schedules; and
 - (viii) Confirm compliance with Conditions 8 and 9.
3. The design details and plans prepared under Condition 2 shall be submitted to the Manager, and written approval from the Manager shall be obtained prior to the construction of each section.
 4. The stormwater systems for each section of the Waiouru Peninsula to SH1 Connection, as approved under Condition 3, shall be operational prior to the practical completion of that section.
 5. Any amendments that may affect the performance of the stormwater systems approved under Condition 3 shall be approved by the Manager in writing prior to the implementation of the amendments.
 6. No significant amendments shall be made to the approved design details and plans unless prior written approval from the Manager is obtained.
 7. The Consent Holder or their agent shall arrange and conduct a pre-construction site meeting between ARC and all relevant parties, including the primary contractor, prior to any works commencing at each of the specific stormwater system(s).
 8. All stormwater systems shall be designed in accordance with TP10, except where a variation to that standard is contained in the documents approved under Condition 3 or by any other condition of this consent, in which case the varied standard shall apply.
 9. Further to Condition 8, the stormwater treatment ponds shall be designed to provide 75% suspended solid removal efficiency, based on long term average, unless prior written approval is provided by the Manager.

AS-BUILT CONDITION:

10. The Consent Holder shall supply to the Manager, within 30 days of the practical completion of each section of the Waiouru Peninsula to SH1 Connection, "as built" plans of the stormwater system for that section. These "as built" plans shall include but not be limited to:-

PERMIT No. 26230

- (i) The surveyed locations and elevations of all stormwater structures, which shall be measured to the nearest 0.1 metre with co-ordinates expressed in terms of the New Zealand Map Grid and DOSLI datum.
- (ii) Stormwater management device details including locations, dimensions, volumes, flood levels, sections, treatment efficiencies, inlet, discharge rates and outlet structures.
- (iii) Elevations of all inflow and outflow Structures.
- (iv) All flowpath dimensions including emergency flowpaths and the relationship to the Annual Exceedance Probability.
- (v) Photographs at all stormwater systems outfall locations.
- (vi) Documentation of any discrepancies between the approved design plans (Condition 3) and the "as built" plans.

MAINTENANCE CONDITIONS:

11. The Consent Holder shall ensure that all stormwater treatment device outfalls are maintained in such a manner as to prevent erosion occurring in the areas of the outfall.
12. A Maintenance and Operation Plan for the stormwater system for each section of the SH1-Waiouru Connection shall be submitted to the Manager for written approval within 30 days of the practical completion of that section. The plan shall include, but not be limited to, operation and maintenance requirements including post storm maintenance, outfall structure maintenance, frequency of regular maintenance / inspections, inspection procedures, vegetation assessment criteria, maintenance evaluation criteria, sediment measuring methods, inspection checklists for all aspects of the system, and details of the person or bodies that will hold responsibility for the long term maintenance of the stormwater management system. Any amendments to the Plan shall be approved by the Manager in writing prior to implementation.
13. The Consent Holder shall ensure that the stormwater systems are managed in accordance with the Maintenance and Operation Plan which has been approved in writing by the Manager as specified in Condition 12.
14. If the Consent Holder uses contractors or other agents to operate and maintain the stormwater systems, the Consent Holder shall ensure that such third parties have a copy of the approved Maintenance and Operation Plan as detailed in Condition 12 of this consent and that their contract requires them to comply with the conditions of the consent and the Maintenance and Operation Plan.

OFF-SETTING MITIGATION CONDITIONS

15. As Consent Holders for the Waiouru Peninsula to S.H.1 Connection project, Transit New Zealand and Manukau City Council shall provide and maintain pedestrian/two-way cycleways for the project generally along the route shown on

PERMIT No. 26230

application Alignment drawings sheets 02 – 06, and sheet 100 dated 02/05/02. The pedestrian/two-way cycleways shall have a minimum width of 3.6 metres.

16. A Coastal Landscape Plan shall be prepared during the detailed design stage by a suitably qualified landscape architect appointed by the Consent Holders for the project, Transit New Zealand and Manukau City Council. This Plan shall be submitted to the Manager and shall:
- (i) Include details of coastal restoration planting and planting of riparian margins while protecting public views of the water;
 - (ii) Include details of the integration of bridge structures and abutments with the coastal edge landform and vegetation;
 - (iii) Include provision for rehabilitation or restoration of the natural character of the coastal environment of this part of the Coastal Marine Area, including the clean-up of the concrete rubble located along the foreshore at the south bank of Otara Lake and litter and rubbish along the coastal edge of the project area;
 - (iv) Protect views of the Tamaki River Estuary, Otara Lake and the Waiouru tuff mound from the road, subject to safety requirements;
 - (v) Take into account the Landscape Concepts prepared by Opus International and attached to the evidence of Helen Preston Jones presented at the Council hearing on 30 April 2002; and
 - (vi) Ensure integration with the Landscape Plan prepared for the whole Project pursuant to the relevant designations.
17. In addition to the measures required by Conditions 15 and 16 above and to off-set the residual effects of sediment discharge authorised by Land Use Consent: Sediment Control No.s 25775, 25784 and 25830, the Consent Holder shall provide further environmentally-based off-setting mitigation to the value of \$34,000. The Consent Holder shall submit in writing to the Manager details of how this additional mitigation will be provided. These details shall include, but not be limited to:
- (i) The nature and location of mitigation:
 - (ii) A cost breakdown of the proposed mitigation:
 - For stream channel enhancement, structures or other engineering works; detailed design and plans:
 - For riparian planting programmes, detailed planting plans indicating species mix and location:
 - (iii) Timing of implementation.
18. The mitigation required by Conditions 15, 16 and 17 is subject to the written approval of the Manager. It shall be implemented as soon as practicable after the Manager's written approval has been received by the Consent Holder and works shall be completed no later than 12 months after practical completion of the

PERMIT No. 26230

Waiouru Peninsula to S.H.1 Connection. The maintenance of the pedestrian/two-way cycleway and landscape plan plantings shall be ongoing.

REVIEW CONDITION:

19. That the conditions of this consent may be reviewed by the ARC pursuant to Section 128 of the Resource Management Act 1991 (with the cost 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:

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

and at five yearly intervals thereafter.

The purpose of the review shall be to ensure that the conditions of this consent are consistent with any conditions imposed on any catchment-wide stormwater discharge consents for the area, and to consequently enable the ARC to

- (i) Insert conditions, or modify existing conditions, requiring the Consent Holder to adhere with any network system performance measures imposed on the catchment-wide stormwater discharge consents, and/or
- (ii) Insert conditions, or modify existing conditions, requiring the Consent Holder to characterise the nature of any discharges authorised by this consent and to report the results of that monitoring to the ARC; and/or
- (iii) Insert conditions, or modify existing conditions, requiring 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/or
- (iv) 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 NOTES:

1. The intent of any future review of this consent is to allow the alignment of consent conditions with those that may be imposed on any catchment-wide stormwater discharge consents for the area, processed in accordance with the ARC Regional Discharges Project.

PERMIT No. 26230

2. The intent of Clause (i) is to allow any network performance measures imposed on the catchment-wide stormwater discharge consents (with any such performance measures being derived from the Regional Plan: Air, Land and Water) to be similarly imposed on this consent.
3. The intent of Clause (ii) is to enable the characterisation of discharges that may affect degraded areas. The ARC does not intend to impose a long-term, regular frequency, discharge monitoring programme on the Consent Holder. Any discharge characterisation is envisaged as comprising a one-off exercise as opposed to regular monitoring.
4. The intent of Clause (iii) is to monitor the effects of the discharge on the local receiving environment. It is not expected that the Consent Holder will undertake widespread State of Environment monitoring. Clause (ii) reflects the ARC's interest in effects of the discharge on the Primary Deposition Area or Settling Zone in the coastal marine area, or the reach of stream immediately downstream of the discharge in freshwater.
5. Clause (iv) enables the ARC to require the Consent Holder to adopt a BPO approach or to deal with future unforeseen adverse effects.
6. All personnel entering the site, including the servants or agents of the ARC, are advised to comply with site specific requirements at all times.
7. This consent and attached conditions form part of the various contractual arrangements between the Consent Holder and its contractors with respect of the works to be carried out under this consent
8. The Stormwater Discharge Permit and associated conditions should be included with the Contract Documents.
9. The mitigation required by Condition 17 may be implemented within or outside the project area. The Consent Holder is encouraged to identify innovative solutions for the provision of the \$34,000 component of the mitigation that will provide the greatest benefit to the local Otara/Otahuhu environment and community.
10. 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.
11. 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.

PERMIT No. 26230

12. 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.
13. 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 two years, the consent may be cancelled by the ARC unless other criteria contained within Section 126 are met.
14. 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.
15. 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.
16. The Manager confirms that Condition 9 shall not apply to treatment swales where a lower standard of treatment efficiency is accepted. In this case the swales should represent a best practicable option for stormwater treatment.

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

Graeme Ridley
Acting Manager
Land & Water Quality

Date: