

AUCKLAND REGIONAL COUNCIL

RESOURCE CONSENT

Granted pursuant to the Resource Management Act 1991

PERMIT NO. 25478

CONSENT HOLDER: Manukau City Council.

FILE REFERENCE: 15696.

CONDITIONS OF CONSENT

Duration of Consent: This consent shall expire on 31 December 2022 unless it has lapsed, been surrendered or been, cancelled at an earlier date pursuant to the Resource Management Act 1991.

Lapsing: Date:31 December 2007.

Purpose of Consent: To authorise the discharge and diversion of stormwater from and within the 1,735ha East Tamaki Catchment in accordance with Section 14(1)(a) and 15(1)(b) of the Resource Management Act 1991.

Discharge Location: Otara Creek, East Tamaki.

Map Reference: Approximate location of Town Centre NZMS 260 R11 805 690.

Approximate Catchment Discharge Points:

NZMS 260 RI 1 799 699;
NZMS 260 RI 1 798 695; and
NZMS 260 RI 1 798 694.

Territorial Authority: Manukau City Council

DEFINITIONS:

ARC: means the Auckland Regional Council.

Manager: means the Manager, Stormwater / Sediment Management, Land & Water

Quality, ARC.

TP10: means ARC - Technical Publication No. 10 "Stormwater Treatment Devices Design Guideline Manual" or subsequent updates as appropriate.

CMP: means the East Tamaki Catchment Management Plan.

FBCMIP: means Flat Bush Catchment Management Implementation Plan. (Nov 2002)

MCC: means the Manukau City Council.

GENERAL CONDITION:

1. That the consent holder shall permit the servants or agents of ARC to have access to relevant parts of the catchment for which Manukau City Council holds responsibility at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples associated with the exercise of this consent.

SPECIFIC CONDITIONS:

2. That the consent holder shall undertake development in the East Tamaki Catchment with respect to stormwater works, in accordance with proposals, priorities and design objectives as detailed in the "*Flat Bush Catchment Management Implementation Plan*" November 2002 (FBCMIP), prepared by Beca Carter Hollings & Ferner Ltd. Any amendments to the FBCMIP shall be approved in writing by the Manager prior to implementation of the specific works.
3. That the consent holder shall submit to the Manager, a Monitoring Plan for the East Tamaki catchment in accordance with the FBCMIP, which shall include, but not be limited to the following:
 - (i) Annual Reporting Process;
 - (ii) Plan Implementation, Review and Effectiveness;
 - (iii) Operation and Maintenance Plan (in accordance with Condition 5);
 - (iv) Links, to the Regional Discharge Project monitoring requirements;
 - (v) Compliance with Consent Conditions;
 - (vi) Documentation of changes associated with implementation options;
 - (vii) Identification of further consent requirements;
 - (viii) Review of Monitoring Plan; and
 - (ix) As built (in accordance with Conditions b and 7).

The Monitoring Plan shall be developed in consultation with the ARC and shall be submitted for written approval by the Manager within 6 months of commencement to this consent.

4. That the consent holder shall implement the approved Monitoring Plan as approved under Condition 3 above.

5. An operation and maintenance plan for the stormwater disposal and treatment systems which includes the vegetative filter strips, swale drains infiltration trenches and stormwater detention ponds and outfall structures shall be submitted to the Manager in accordance with the Monitoring Plan approved in Condition 3. The plan shall include, but not be limited to, operation and maintenance requirements including post storm maintenance, outfall structure maintenance, frequency of maintenance, frequency of regular inspections, inspection checklists for all aspects of the system including hazards and presence of hazardous materials.
6. That the consent holder shall retain, and supply to the Manager in accordance with the Monitoring Plan approved in Condition 3, copies of as-built plans of all new and modified flowpaths for which resource consent was required from the MCC. The as-built plans shall include but not be limited to:
 - (a) Dimensions of the flowpath including cross sections and long sections:
 - (b) Locations and elevations of all inflow and outflow structures: and
 - (c) Documentation of any discrepancies between the design plans and the as-built plans.

The surveyed location of the overland flowpaths shall all be measured to the nearest metre with co-ordinates expressed in terms of the New Zealand Map Grid. This annual report shall be approved in writing by the Manager.

7. The consent holder shall supply to the Manager, in accordance with the Monitoring Plan approved in Condition 3, as-built plans of the stormwater treatment measures and the outfall structures. The as-built plans shall include but are not limited to:
 - (a) The surveyed location of the stormwater devices and outlet structure measured to the nearest metre with co-ordinates expressed in terms of the New Zealand Map Grid;
 - (b) The surveyed volume and shape of the stormwater devices and controlled outfalls confirming design compliance or any discrepancies between the design plans and the "as built" plans with computations in explanation of any discrepancy;
 - (c) All flowpath dimensions including emergency flowpaths and the relationship to AEP;
 - (d) Details of all energy dissipation measures; and
 - (e) General structural stability.
8. The consent holder shall establish a "Project Control Group" (including representatives from the ARC and MCC) to meet and review the compliance with the FBCMIP on a minimum of a 6 monthly basis unless waived by the Manager -ARC.

This group shall establish guidelines and procedures for the implementation of catchment, subcatchment and site practices consistent with the approved FBCMIP. These guidelines shall be completed prior to the implementation of development in the CMP catchment area. Further issues for regular discussion and reporting shall include but not be limited to the following:

- (i) Review of level of subdivision and development occurring in the catchment;
 - (ii) Review of stormwater and sediment control devices in place to manage current and immediate future anticipated development;
 - (iii) Review of asset management plans, including forward planning for works, including projects to be incorporated into annual plans of either Council for the upcoming year in the context of the level, density and type of land use development occurring;
 - (iv) Review of all resource consents granted by the MCC and ARC in the catchment, including any issues of consent conditions or consistency;
 - (v) Review of monitoring information gathering and analysed in accordance with that condition, including need to gather any information arising from emerging trends;
 - (vi) Receiving annual or other reports from developers operating in the Catchment in respect of their activities;
 - (vii) Any legal issues arising in respect of compliance with the Comprehensive Discharge Consent, and where relevant any enforcement action that may be needed either by MCC in respect of land use or subdivision consents granted where non-compliance by the consent holder may impact on the FBCMIP, or by the ARC where non-compliance with the comprehensive discharge consent is impacting on the FBCMIP;
 - (viii) Review of any significant policy changes by either NICC or -ARC in relation to district or regional plans that may have an impact on the FBCMIP;
 - (ix) Review of any relevant non-statutory implementation tools (e.g. education) that may be required, or are being utilised in the catchment;
 - (x) Any other matters related to FBCMIP implementation that may arise.
9. 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 1 in 100 Annual Exceedence Probability event, to discharge with the minimum of nuisance and damage.
10. That the stormwater from each discharge point shall be treated by devices designed to remove at least 75% of total suspended solids from stormwater runoff collected by the stormwater system on a long term average basis. The design efficiencies should be evaluated in accordance with the criteria given in the TP10.
11. That the consent holder shall ensure that concentrated stormwater discharged from the catchment is managed in the following manner:
- (i) That the runoff from the first 34.5mm of rainfall is detained and released steadily over at least 24 hours; and
 - (ii) That peak flows are kept at pre-development levels for the 10, 50 and 100 year return period storms. The method given in ARC, TP108, is to be used for assessing the peak flows.

12. That the consent holder shall ensure that the base width of any swales used as part of the stormwater treatment system does not exceed 2 metres.
13. That the consent holder shall ensure that the outfalls are of such location, design and performance as to prevent erosion of the waterway and surround area.
14. That the consent holder shall ensure that, on a catchment or sub-catchment basis the stormwater management systems approved in condition 2 are constructed and operational prior to development within that specific catchment or sub-catchment being released for public sale.
15. That the consent holder shall prepare an education and awareness programme in conjunction with ARC for written approval within 24 months of the granting of this consent. This education and awareness programme could be undertaken on a district wide basis but shall contain specific actions which are relevant to the East Tamaki Catchment.
16. That the consent holder shall ensure that all relevant policy and rules for new developments allow for stormwater runoff to be managed in accordance with the FBCMIP.
17. In the event that archaeological evidence (eg. shell midden, hangi or ovens, burials, occupation evidence) is encountered during construction, all work in the immediate vicinity is to cease, and an ARC Archaeologist shall be contacted. Work shall only recommence following approval from the Manager.

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 purposes of the review shall be to:

- (i) Insert conditions, or modify existing conditions, which may be required for the Consent Holder to achieve consistency with any network system performance measures contained in any regional plan for the Auckland Region 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 consent holder is advised that they will be required to pay to the 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 this consent does not authorise earthworks, works in watercourses, or to dam and divert surface water in accordance with the Regional Plan: Sediment Control or Proposed Regional Plan: Air, Land and Water. This consent is for the diversion and discharge of stormwater only.
3. 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.
4. 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.

The consent holder is advised that, pursuant to Section 125 of the Resource Management Act 1991, this resource consent lapses on 31 December 2007 unless the consent is given effect to or other criteria contained within Section 125 are met.

6. The consent holder is advised that any filling of the flood plain unless undertaken in accordance with the FBCMIP will require resource consent from the ARC in accordance with Section 14 of the Resource Management Act 1991 and in accordance with the provisions of the Proposed Auckland Regional Plan: Air, Land & Water. Any application for filling in the flood plain shall include, but not be limited to, a catchment wide assessment including the potential impacts on the objectives of the FBCMIP with respect to the environmental corridors.
7. Prior to earthworks and streamworks commencing the consent holder is advised to become familiar with the Permitted Activity category requirements of the Regional Plan: Sediment Control and take particular note of the following:

Sediment originating from the site of a land disturbance activity shall be managed in such a way to ensure that after reasonable mixing it does not give rise to any of the following effects to the receiving waters:

- *the production of any conspicuous scums, foams or floatable suspended materials,*
- *any conspicuous change in the colour or visual clarity,*
- *any emission of objectionable odour,*
- *the rendering of freshwater unsuitable for consumption by farm animals,*
- *any significant adverse effect on aquatic life.*

Examples o methods to control the discharge of sediment are outlined in the Technical -Publication Uo.90 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, March 1999" available from the Auckland Regional Council.

8. The consent holder is advised that ongoing monitoring and maintenance of all stormwater management devices and structures should be undertaken on a regular basis, specifically the maintenance of stormwater cesspits and overland flow channels. Specific inspections should be undertaken after storm events within the catchment.
9. The consent holder should be aware of the specific provisions in the Proposed Regional Plan: Air, Land and Water relating to Industrial Sites and the requirement of these sites in accordance with Schedule 3 of the Plan,

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



Manager

Land and Water Quality

Auckland Regional Council

Date:

20th /12/2002