

Permit No. 27966

**AUCKLAND REGIONAL COUNCIL
RESOURCE CONSENT**

Granted pursuant to the Resource Management Act 1991

PERMIT NO. 27966

SW
Nogat

CONSENT HOLDER: Manukau City Council.

FILE REFERENCE: 16764

CONDITIONS OF CONSENT

Duration of Consent: This consent shall expire on 31 December 2037 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 and discharge of stormwater from a 5.7ha catchment to the Tamaki Estuary in accordance with Sections 14 and 15 of the Resource Management Act 1991.

Site Location: Catchment bounded by Gray Avenue, Portage and Nogat Road and Middlemore Crescent.
Approximate Map Reference NZMS 260 R11 745689

Legal Description of Land: Council Reserve.

Discharge Location: Grid Reference 2674715E 6468945N

Territorial Authority: Manukau City Council.

DEFINITIONS:

ARC: means the Auckland Regional Council

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

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. That the consent holder shall construct the stormwater management system as shown on the TSE Group Limited Plan No. 5041-53 drawing numbers 400 & 401, dated 24 March 2003 and the attached hydraulic calculations, received by ARC on 26 May 2003. 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.
3. That notwithstanding Condition 2, 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.
4. 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 system, prior to any infrastructure works commencing 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 2 above.
5. 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 1% Annual Exceedance Probability event, to discharge with the minimum of nuisance and damage.
6. That the consent holder shall implement a local Stormwater Quality Education Programme with a specific focus on stormwater quality for residential land use, at some stage during construction. The consent holder shall inform ARC of the scope and content of the Stormwater Quality Education Programme.
7. That the consent holder shall supply to the Manager **within 30 days** of work completion, As-Built plans of the stormwater management system. The As-Built plans shall also include but not be limited to:
 - i) The surveyed location of the outlet structure, and the overland flowpaths, measured to the nearest metre with co-ordinates expressed in terms of the New Zealand Map Grid.
 - ii) Dimensions of the flowpaths including cross sections and long sections.
 - iii) Elevations of all outflow structures.
 - iv) Documentation of any discrepancies between the design plans and the As Built plans.

REVIEW CONDITION:

8. 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 2004
- June 2005
- June 2006
- June 2007
- June 2008

And/or at five yearly intervals after either the date of that review (if such review occurs) or after June 2009, 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 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. For the removal of doubt, purpose (ii) of a review may include the need to:

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- i) achieve consistency with performance measures implemented on catchment wide discharge consents for the area; and,
 - ii) 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.
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.
 5. The consent holder is advised that, pursuant to Section 125 of the Resource Management Act 1991, this resource consent lapses on the expiry of two 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.
 6. 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.
 7. Form oils (separation agents) should be applied to construction shutters in an area removed from the watercourse such that any excess oil or spillage cannot be washed to the receiving environment.
 8. 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.
 9. 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 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 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.

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.

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

Earl Shaver
Acting Manager
Land & Water Quality
Auckland Regional Council

Date:

Per: Graham Macky
Stormwater Engineer / Project Leader
Land & Water Quality

