

Decision on an application for resource consent under the Resource Management Act 1991



Discretionary activity

Application number(s): BUN60424241 (Council Reference)
LUC60424243 (s9 land use consent)
DIS60424242 (s15 discharge to air permit)
DIS60424543 (s15 discharge to water permit)

Applicant: Kingseat Village Limited

Site address: 956 and 1012 Linwood Road, Kingseat

Legal description: Lot 2 DP 337090 and Lot 1 DP 500236

Proposal:

To construct and operate a wastewater treatment plant (WWTP) at 956 and 1012 Linwood Road, Kingseat, consisting of a Membrane Bioreactor (MBR) treatment process before discharging through three constructed treatment wetlands to a tributary of the Te Hihi Creek. The WWTP enables the discharge of up to 885m³ per day of treated wastewater. It is proposed to establish a network utility company to own and operate the WWTP and constructed wetlands.

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60424243

Auckland Unitary Plan (Operative in part)

Regional Land use

Infrastructure (E26)

- Earthworks greater than 2500m² within the Sediment Control Protection Area (other than for maintenance, repair, renewal, minor infrastructure upgrading) are a restricted **discretionary activity** where located in a rural zone, in accordance with E26.5.3.2(A107).

District land use

Infrastructure (E26)

- Within a Rural Zone, Wastewater Treatment Plants require consent as a **restricted discretionary activity** in accordance with E26.4.1 (A54).
- Earthworks greater than 2,500m² other than for maintenance, repair, renewal, minor infrastructure upgrading require consent as a **restricted discretionary activity** in accordance with E26.5.3.1(A97).

- Earthworks greater than 2,500m³ other than for maintenance, repair, renewal, minor infrastructure upgrading require consent as a **restricted discretionary activity** in accordance with E26.5.3.1(A97A).
- All restricted discretionary activities are required to comply with the General Standards in E26.5.5.2. In this case, consent is required as **restricted discretionary activity** in accordance with general rule C.1.9(2) as the following standards are not met:
 - Standard E26.6.5.2 (18) will not be met as earthworks will be undertaken in areas subject to the 100-year flood plain and raise the ground level by more than 300mm.
 - Standard E26.6.5.2 (20) temporary land disturbance within the 1% AEP floodplain will occur for a period longer than 28 days.

Transport (E27)

- The use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1 (2) and E27.6.4.1 (3) (c), requires consent as a **restricted discretionary activity** in accordance with E27.4.1 (A6).

Natural Hazards and Flooding

- Infrastructure within the 1% AEP floodplain, not otherwise provided for, require consent as a **restricted discretionary activity** in accordance with E36.4.1(A56).

National Environmental Standard for Freshwater Management

- Under Regulation 45 (1), (2) for vegetation clearance and earthworks within, or within a 10-metre setback from a natural wetland for the purpose of constructing specified infrastructure is a **discretionary activity**.
- Under Regulation 45 (3) for earthworks within, or within a 100-metre setback from a natural wetland for the purpose of constructing specified infrastructure is a **discretionary activity**.

Discharge Permit (s15) – DIS60424242

Auckland Unitary Plan (Operative in part)

Regional land use (operative plan provisions)

E14 Air Quality

- Treatment of municipal wastewater (municipal wastewater treatment plants), where located in the medium air quality – dust and odour rural area (Rural), requires consent as a **discretionary activity** in accordance with E14.4.1 (A163).

Discharge Permit (s15) – DIS60424543

Auckland Unitary Plan (Operative in part)

Regional land use (operative plan provisions)

E6 Wastewater network management

- The discharge of treated wastewater into water from a wastewater treatment plant requires consent as a **discretionary activity** in accordance with E6.4.1 (A6).

National Environmental Standard for Freshwater Management

- Under Regulation 45 (4) for the taking, diversion, and discharge of water within, or within a 100-metre setback from a natural wetland for the purpose of constructing specified infrastructure is a **discretionary activity**.
- Under Regulation 45 (5) for the discharge of water within, or within a 100-metre setback from a natural wetland for the purpose of constructing specified infrastructure is a **discretionary activity**.

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104B, 105 and 107 and Part 2 of the RMA, the resource consents are **GRANTED**.

Reasons

The reasons for this recommendation are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
 - a. In the context of the site and surrounding environment, the proposed WWTP (including MBR plant and constructed wetlands) is not anticipated to have any adverse effects on the rural amenity or character on the surrounding environment. In particular, given the size of the site and location of the WWTP, the rural character and amenity will be retained, with existing rural production activities not impacted by the proposal. In addition, appropriate provision has been made of the long-term ownership and management of the WWTP.
 - b. With respect to the built form of the WWTP, which is similar to a container/shed, it is considered that the in the context of the scale, form and location of the plant, that any adverse effects will be less than minor and barely discernible from permitted buildings for storage or ancillary activities in the rural zones. Furthermore, in the context of the site and surrounding environment any visibility of the plant buildings will be limited.

- c. The proposed activity is appropriately located within the site to minimise the impact on productive soils, and the productive capacity of the land and rural production activities are not restricted by the proposal. In addition, the proposed activity is of a scale and nature that it is not sensitive to rural activities, and the proposal is not expected to experience any adverse reverse sensitivity effects.
- d. Land disturbance works can be managed in accordance with best practice land management to ensure that any effects associated with silt and sediment, dust, and stability, and on wetlands are less than minor.
- e. it is considered that any adverse effects associated with the discharge of wastewater from the proposed WWTP can be managed so that they are less than minor. In particular:
 - The design of the MBR plant and flow rates and loadings are adequate and achievable, and the staged construction of the WWTP is logical.
 - With respect to flow and volume, although the proposal increases the flow to the Te Hahi Creek catchment, any effect on salinity will be negligible.
 - Given the high level of treatment proposed, in terms of effects on sediment and water quality it is agreed that the risk to the freshwater and marine environment of emerging organic contaminants is very low within the freshwater environment and negligible within the marine environment.
 - Effects on freshwater ecology in terms of nutrients, suspended solids, and flow after the discharge are assessed to be low. Similarly, effects on macroinvertebrates was assessed to be very low, and the effect on fish species was also assessed as low.
 - Although under a worst-case scenario the proposal may result in a 7% increase in nitrogen loading within the estuary, this is unlikely to make any substantial change to the estuary and the magnitude of effects of nutrients on the estuary ecology and coastal saline vegetation was assessed as low.
 - That the MBR plant and UV system in combination with the management of the discharge through the constructed wetlands will achieve the reduction in viruses that the Microbial Health Risk Assessment identified as necessary to reduce the risk to a 'no observable adverse effects level.
- f. With respect to the discharge of wastewater to the freshwater receiving environment, it is concluded that the sensitivity of the receiving environment to the potential adverse effects of sediment discharges will not be compromised given the nature of the proposed works and the implementation of suitable designs, control technologies and appropriate on-site management techniques. As such any adverse effects on freshwater ecology can be managed so that they are less than minor.
- g. The discharge of wastewater to the coastal environment can be managed through the design of the WWTP and monitoring methodologies proposed to ensure that any adverse effects on the coastal environment are less than minor.
- h. In the context of the vegetation to be removed and the proposed replanting and implementation of the Fauna Management Plan, that any adverse effects on terrestrial ecology as a result of the vegetation removal will be less than minor.

- i. The mitigation built into the design of the plant (including its enclosed design, monitoring and automated control, and management in line with an Operations and Management Plan) are effective to ensure that odour emissions beyond the WWTP are unlikely to cause offensive or objectionable odour effects at any existing or potentially new sensitive receptor locations. As such, any adverse odour effects associated with the discharges to air on the surrounding environment can be managed so that they are less than minor.
 - j. Appropriate provision has been made for access to the WWTP, and with respect to the engineering design to ensure that any adverse effects associated with the risk of flooding or natural hazards are less than minor.
 - k. The construction can be undertaken in accordance with standard land management and construction methods, and in the context of the surrounding receiving environment are not anticipated to have any adverse effects on surrounding persons.
 - l. Having undertaken consultation with Mana Whenua, the applicant has made provision in the conditions of consent to deliver on the outcomes of their engagement.
 - m. In terms of positive effects, the proposal will provide essential infrastructure that supports the urbanisation of the Kingseat Precinct.
 - n. With reference to s104(1) (ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
2. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is consistent with the relevant statutory documents. In particular:
- a. The proposed construction and operation of the WWTP can be considered to be acceptable in the context of the anticipated outcomes of the NES: FW and in particular the functions of regional councils under s30 of the RMA for the management of water bodies.
 - b. The proposal is consistent with the anticipated outcomes of the NES: CS with the adverse effects of contamination able to be managed appropriately and in keeping with the permitted activities and standards.
 - c. With respect to the NPS: HPL, the proposed WWTP constitutes specified infrastructure, and the applicant has demonstrated that the location of the WWTP has both a functional and operational need to be located on the site. In addition, the WWTP has been located and designed to ensure that the remaining site continues to be available to use for rural production activities.
 - d. The land disturbance activities can be managed to ensure that the outcomes of the proposal are consistent with the anticipated outcomes of the New Zealand Coastal Policy Statement and National Policy Statement for Freshwater Management and the management of effects on water bodies is appropriate.
 - e. The proposed works are of a nature that they will not conflict with, or restrict the existing or future use of the land in accordance with the underlying rural zoning (Chapter H19).
 - f. In the context of the site and surrounding environment, the proposed WWTP (including MBR plant and constructed wetlands) would provide wastewater infrastructure that is consistent with the AUP(OP), and the outcomes anticipated for the management of infrastructure across the region (Chapter E26). In particular, the WWTP has been

appropriately designed to ensure it provides appropriate capacity for the Kingseat Precinct and that any adverse ecological effects associated with discharges of wastewater are acceptable in the context of the receiving environment. In addition, the construction works to establish the WWTP can be undertaken in a manner that is consistent best practice land and construction management, and with the anticipated outcomes with respect to the management of temporary activities, earthworks, noise, and vegetation removal associated with the delivery of infrastructure.

- g. The design and monitoring of WWTP is appropriate to ensure that any discharge of odour to air is acceptable in the context of the receiving environment, and managed to be in keeping with the anticipated outcomes of the AUP (OP) with respect to air quality (Chapter E14).
 - h. The proposed construction and operation of the WWTP can be undertaken in manner that is consistent with the permitted activities and outcomes envisaged by the AUP(OP) with respect to the provision of lighting (Chapter 24) and the management of noise and vibration (Chapter 25).
 - i. Contamination can be managed in accordance with best practice land management to ensure that it meets the permitted activities and standards and outcomes of the AUP (OP) with respect to the management of effects of contamination on the environment (Chapter E30).
 - j. Hazardous substances associated with the operation of the WWTP can be stored and uses in a manner that meets the permitted activities and standards and outcomes anticipated by the AUP (OP) Chapter E31.
 - k. Natural hazards are managed to be consistent with the outcomes anticipated AUP(OP) with respect to flooding as set out in Chapter 36 of the AUP(OP).
3. In accordance with an assessment under s104(1)(c) of the RMA, no other matters are considered relevant.
4. In accordance with s123 of the RMA
- a. Given the nature and scale of the regional land disturbance works under LUC60424243 it is appropriate that these consents have a duration of 5 years to enable the works to be completed. This is consistent with similar consents issued by the Council and provides a contingency should the works be delayed.
 - b. In the context of the surrounding environment and management of the WTTP, it is appropriate that the discharge to air (odour) under DIS60424242 have a duration of 35 years.
 - c. With respect to the discharge of wastewater under DIS60424543, as the treatment plant and method of disposal will be a centralised system serving a fair population, and as a matter of public health, it forms an essential service that is required to operate continuously, a duration of 35 years is appropriate.
5. In accordance with s128 of the RMA a review condition has been set for LUC60424243 to enable review following the completion of the WWTP to deal with any adverse effects on the wetlands which may arise at a later stage. In addition, a review condition has also been set for DIS60424543, to deal with any significant adverse effects on the environment arising from

the exercise of the consent or to vary monitoring and reporting requirements and performance standards as a result of previous monitoring and changed knowledge.

6. In accordance with an assessment under s104(1)(c) of the RMA, no other matters are considered relevant.
7. Having considered the nature and scale of the effects associated with the proposed discharges of contaminants to land, the discharges are considered appropriate with respect to s105 and in particular:
 - a. The applicant has given regard to the nature of potential discharges and sensitive areas of the receiving environment, and provided sufficient detail to confirm that the adverse effects can be managed so that they are acceptable.
 - b. The applicant has proposed best practice contamination land management to ensure that effects of contaminants are managed in the most efficient and effective way for the environment.
 - c. Given the nature of the proposal, no alternatives are practical.
8. There are no reasons with respect to the provisions of s107 that restrict the granting of consent.
9. In the context of this discretionary activity application for land use consent, discharge of wastewater, and discharge to air, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
10. Overall, the proposal is consistent with the AUP(OP), and the outcomes anticipated for the provision of wastewater infrastructure across the region. In particular, the construction works to facilitate the new WWTP can be undertaken in a manner that is consistent with the anticipated outcomes with respect to earthworks, noise, and vegetation removal associated with the delivery of infrastructure across the region, and the WWTP operated to meet the outcomes anticipated for discharges of wastewater and to air. Any actual or potential adverse effects are assessed to be acceptable in the context of the receiving environment and management techniques that form part of the application, and the proposal is considered to have positive effects in terms of providing necessary infrastructure to facilitate the future development of the Kingseat Precinct.

Furthermore, the application satisfies the relevant tests of the RMA and constitutes an efficient use of an existing land resource. For these reasons the proposal is concluded to be acceptable from a resource management perspective.

Conditions

Under sections 108 and 108AA of the RMA, I recommend that these consents are subject to the following conditions:

General conditions

These conditions apply to all resource consents.

1. These consents must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the Council as resource consent numbers LUC60424243, DIS60424242 & DIS60424543 (of BUN60424241).
 - Application Form and Assessment of Environmental Effects prepared by Tollemache Consultants Ltd, dated 1 October 2023.

Report title and reference	Author	Rev	Dated
Engineering Report: MBR Constructed Wetland Design Basis	CivilPlan	v4	June 2024
Ecological Assessment: Assessment of ecological and human health effects from the discharge of MBR and CTW treated wastewater on the receiving environment associated with the Kingseat development	Wai Kōkopu Consulting / Streamlined Environmental	F3	29-04-2023
Hydroflux MBR Report: Kingseat Village Wastewater Treatment Plan (MBR Plant)	Hydroflux	-	18 th July 2022
Kingseat MBR Tertiary Constructed Treatment Wetland Design Calculations	Wai Kōkopu Consulting	4	December 2022
Contamination Report: Preliminary Environmental Site Investigation – Kingseat Expansion Area	PDP	-	18 August 2015
Contamination Report: Preliminary Site Investigation Addendum Report: Wastewater Treatment Facility -956 Linwood Road, Papakura (V2)	PDP	V2	20/02/2024
Kingseat Structure Plan Franklin District, RUB Extension Area: Heritage Assessment Addendum Report	Clough & Associates	-	October 2014
Kingseat Village Limited MBR Plant, Air Quality Assessment	Air Quality Consulting	-	14 March 2024
Wastewater Treatment Plant Spill Management Plan	CivilPlan	Draft	9 April 2024

Drawing title and reference	Author	Rev	Dated
Topographical Plan of Part 2 LT 493851 Sheet 1 - Drawing: 150-1	CivilPlan	C2	23.08.23
Proposed Contour Plan - Drawing 200-1	CivilPlan	C2	18.08.23
Isopach Plan - Drawing 220-1	CivilPlan	C3	06.06.24
Stockpile Plan - Drawing 220-2	CivilPlan	C4	06.06.24
Sediment and Erosion Control Layout - Drawing 230-1	CivilPlan	C6	06.06.24
Typical Pond Details - Drawing 230-2	CivilPlan	C3	20.03.24
Pond Details - Drawing 230-3	CivilPlan	C3	20.3.24
Sediment and Erosion Control Standard Details Sheets 1-4 - Drawings 235-1 – 235-4	CivilPlan	C2	18.08.23
Maintenance Access Track Layout - Drawing 300-1	CivilPlan	C2	18.08.23
Typical Wetland Cross-sections - Drawing 300-2	CivilPlan	C2	18.08.23
Roading Long Section Sheets 1 & 2 - Drawings 320-1 & 320-2	CivilPlan	C2	18.08.23
Access Track Cross Sections - Drawing 321-1	CivilPlan	C2	18.08.23
Proposed Drainage Layout - Drawing 400-1	CivilPlan	C2	18.08.23
Proposed Wetland Top of Bank - Drawing 401-1	CivilPlan	C2	18.08.23
Proposed Wetland 300mm Flow Depth - Drawing 402-1	CivilPlan	C2	18.08.23
Proposed Wetland Cross section - Drawing 405-1	CivilPlan	C2	18.08.23
Proposed Wetland Cross sections Sheets 1 & 2 - Drawings 406-1 & 406-2	CivilPlan	C2	18.08.23
Outlet Details - Drawings 421-1 and 421-2	CivilPlan	C2	18.08.23
Wetland Detail Sheet - Drawing 475- 1	CivilPlan	C2	18.08.23
Proposed Works within Sediment Control Protection Area and Riparian Margins - Drawing SK005	CivilPlan	C2	06.06.24
Other additional information	Author	Rev	Dated
Further information responses	Collated by Tollemache	-	18.03.2024 24.04.2024

Consultants	09.05.2024
Ltd	04.07.2024
	25.07.2024
	22.08.2024
	18.09.2024

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The Council extends the period after which the consent lapses.
3. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$1,170.00 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

Advice note:

The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the Council issue a letter confirming compliance on request of the consent holder.

Consent Durations

4. The regional earthworks component of LUC60424243 expires on 3 March 2030 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.
5. The discharge of contaminants (air) permit DIS60424242 expires on 3 March 2060 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.
6. The discharge of contaminants (wastewater) permit DIS60424543 expires on 3 March 2060 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Pre-commencement Conditions

Pre-commencement Meeting

7. Prior to the commencement of earthworks on the site, the consent holder must hold a pre-start meeting that:
 - a. is located on the subject site;

- b. is scheduled not less than ten days before the anticipated commencement of earthworks;
- c. includes representation from the Council;
- d. includes representation from the contractors who will undertake the works;

The following information must be made available at the pre-start meeting:

- a. Timeframes for key stages of the works authorised under this consent;
- b. Resource consent conditions;
- c. The following management plans required by the conditions of this consent:
 - (i) Finalised Erosion and Sediment Control Plan (as required by the conditions of this consent)
 - (ii) Chemical Treatment Management Plan (as required by the conditions of this consent)
 - (iii) Contaminated Site Management Plan
 - (iv) Finalised Fauna Management Plan
 - (v) Construction Management Plan (as required by the conditions of this consent)
 - (vi) Details to confirm the establishment of the Utility Company (see condition 32)

All parties must be given at least ten working days' notice by the consent holder of the meeting and reasonable endeavours must be made to accommodate their attendance. The meeting must discuss the monitoring conditions, the erosion and sediment control measures, contamination management, and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

Advice Notes:

To arrange the pre-start meeting please contact Council on monitoring@aucklandcouncil.govt.nz, or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by Council should be provided 2 days prior to the meeting.

This condition does not limit the consent holder from beginning initial site works such as tree removal and the construction of erosion and sediment control measures.

Specific conditions – land use consent LUC60424243

MANAGEMENT PLANS

General Advice Notes:

The Council acknowledges that the required Management Plans are intended to provide flexibility both for the consent holder and the Council for the management of the authorised activities. Accordingly, the Management Plans may need to be reviewed over time. Any reviews should be in accordance with the stated objectives of the management plan and limited to the scope of this consent.

Finalised Erosion and Sediment Control Plan

8. Prior to the commencement of any earthworks on the subject site, a finalised Erosion and Sediment Control Plan (ESCP) for the Haul Road/Crossing Area only must be prepared in accordance with Auckland Council Guideline Document 2016/005 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 3 (GD05) and submitted to the Council. Earthworks activity on the subject site for the Haul Road/Crossing Area must not commence until written certification from Council is provided that the finalised ESCP meets the requirements of GD05 and contains sufficient detail to address the following matters:
 - a. Specific erosion and sediment control measures (location, dimensions, perimeter controls), particularly for the area outside of the designation immediately adjacent to the coastal environment.
 - b. Supporting calculations and design drawings.
 - c. Catchment boundaries and contour information.
 - d. Details of construction methods.
 - e. Timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks).
 - f. Details relating to the management of exposed areas and final stabilisation measures (e.g. grassing, mulching, aggregate); and
 - g. Monitoring and maintenance requirements

Advice Note:

In the event that minor amendments to the erosion and / or sediment controls are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the controls may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council prior to implementation to confirm that they are within the scope of this consent.

Chemical Treatment Management Plan

9. Prior to the commencement of land disturbance at the site, a Chemical Treatment Management Plan (ChTMP) must be prepared by an appropriately qualified and experienced person and submitted to Council. No earthworks activity on the subject site may commence until written certification is provided by Council that the ChTMP meets the requirements of GD05, and the measures referred to in that plan for the site's impoundment devices have been put in place. The ChTMP must include as a minimum:
 - a. Specific design details of a chemical treatment system based on a rainfall activated dosing methodology for the Sediment Retention Pond and the Decanting Earth Bund and any other approved impoundment devices;
 - b. Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
 - c. Details of optimum dosage (including assumptions);

- d. Results of initial chemical treatment trial;
- e. A spill contingency plan; and
- f. Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

Advice Note:

In the event that minor amendments to the ChTMP are required, any such amendments must be limited to the scope of this consent. Any amendments which affect the performance of the ChTMP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments must be provided to Council prior to implementation to confirm that they are within the scope of this consent. For the avoidance of doubt, chemical treatment is required for any impoundment devices except for Silt Fences.

Construction Management Plan

10. Prior to the commencement of construction, a Construction Management Plan (CMP) must be submitted to the Council. No construction activity may commence until confirmation is provided from the Council that the CMP is satisfactory and all measures identified in that plan as needing to be put in place prior to commencement of works have been.

Advice Note:

The CMP should contain sufficient detail to address the following matters:

- a. Contact details of the appointed contractor or project manager (24-hour contact details – phone number, e-mail, postal address).*
- b. The location of a large notice board on the site visible from a public place that clearly identifies the name, telephone number, email and address for service of the Site Manager.*
- c. A general outline of the construction programme.*
- d. Measures to be adopted to maintain areas of the site that are visible from public spaces and private property in a tidy condition in terms of rubbish disposal, storage and unloading of materials, etc.*
- e. Measures to stockpile unearthed debris, preferably away from public roads and reserves, and their disposal.*
- f. Plans showing areas where stockpiles, equipment (including contractor parking) will occur so that there is no obstruction of public spaces (e.g. roads).*
- g. Plans showing the location of any site offices, staff facilities and staff car parking required during the construction period.*
- h. Ingress and egress to and from the site for vehicles and construction machinery during the works period.*
- i. Proposed hours of work on the site.*

EARTHWORKS CONDITIONS

Earthworks – Specific Conditions

11. Prior to the commencement of the earthworks activity all required erosion and sediment control measures on the subject site must be constructed and carried out in accordance with the certified Finalised ESCP required by the conditions of this consent.
12. Within ten (10) working days following implementation and completion of the finalised erosion and sediment control works required by the Certified ESCP, and prior to the commencement of earthworks activity on the subject site, a suitably qualified and experienced person must provide written certification that the erosion and sediment control measures have been constructed and completed in accordance with GD05 to Council. Written certification must be in the form of a report or any other form acceptable to the Council.
13. The Sediment Retention Pond and the Decanting Earth Bund and any other authorised impoundment devices utilised as part of the earthworks, must be chemically treated in accordance with the certified ChTMP.

During Earthworks

14. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the ESCP must be maintained in accordance with GD05 throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to Council on request.
15. All perimeter controls must be operational before earthworks commence. All 'clean water' runoff from stabilised surfaces including catchment areas above the site itself must be diverted away from earthworks areas via a stabilised system, to prevent surface erosion.
16. Erosion and sediment control measures must be constructed and maintained in general accordance with GD05, except where a higher standard is detailed in the documents referred to in conditions above, in which case the higher standard must apply.
17. Earthworks must be managed to avoid deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice note:

In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*

- *silt and sediment traps*
- *catchpits or environpods*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.

It is recommended that you discuss any potential measures with Council who may be able to provide further guidance on the most appropriate approach to take. Please contact Council on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to GD05.

18. Prior to the removal of any erosion and sediment control devices specifically required as a condition of resource consent, or diversion of completed areas to a Clean Water Diversion, written certification must be provided to Council by a suitably qualified and experienced person to confirm that all areas of bare earth have been permanently stabilised against erosion in accordance with GD05.
19. The site must be progressively stabilised against erosion at all stages of the earthworks activity and must be sequenced to minimise the discharge of contaminants to groundwater or surface water in accordance with the certified ESCP.

Advice Note:

Earthworks should be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:

- *the use of waterproof covers, geotextiles, or mulching*
- *top-soiling and grassing of otherwise bare areas of earth*
- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

It is recommended that you discuss any potential measures with Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact Council for more details. Alternatively, please refer to GD05.

Seasonal Restriction

20. No earthworks on the subject site may be undertaken between 1 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

TERRESTRIAL ECOLOGY

Finalised Fauna Management Plan

21. A finalised Fauna Management Plan (FMP) prepared by a suitably qualified ecologist, for the management of effects on avifauna prior to, during, and post construction, must be submitted for certification to the Council (in consultation with Council's ecological specialist), prior to any works commencing on the site. The plan must be in general accordance with

the 'Kingseat Village MBR Fauna Management Plan', prepared by Wai Kokopu Consulting dated 25/07/2024.

Implementation of Fauna Management Plan

22. A suitably qualified and experienced ecologist approved to oversee the implementation of the FMP must certify that the works have been carried out according to the certified FMP within two weeks of completion of the works.

Pre-construction breeding survey requirement

23. As close as practicable to construction commencing, but no more than 7 days prior to construction commencing, a preconstruction avifauna breeding survey for the construction site and surrounding areas must be undertaken by a suitable qualified ecologist in accordance with the finalised FMP referenced in the conditions of this consent. Should any nesting mātuku/Australasian bittern (*Botaurus poiciloptilus*) be identified within the ML-mid wetland, all works must stop until an approved and experienced ecologist or ornithologist has confirmed that the nest has failed, or the chicks have hatched and naturally left the natal site.

For all other wetlands onsite, A 100-metre buffer for mātuku/Australasian bittern (*Botaurus poiciloptilus*) and 50-metre buffer for all other native wetland birds must be placed around the nests. No machinery operations are to be within these buffers and the buffers must remain around the nest site until an approved and experienced ecologist or ornithologist has confirmed that the nest has failed, or the chicks have hatched and naturally left the natal site.

Advice note:

Almost all native bird species are absolutely protected under the Wildlife Act 1953. It is an offence to deliberately disturb or destroy them, their eggs or nests. By restricting vegetation clearance to outside of the main native bird breeding season the risk of disturbing nesting forest birds is significantly reduced (but not entirely eliminated), therefore vegetation should still be checked for obvious signs of nesting activity prior to clearance works being undertaken.

Reporting

24. Within 30 days following inspection and confirmation of absence of nesting birds, the consent holder must submit a completion report to the Council for approval.

Advice note:

Should any works occur within the constructed wetlands that may cause waterfowl to vacate the area, Auckland Airport Wildlife Management team should be notified so that management measure can be put in place to prevent and reduce fly strike risks.

FRESHWATER ECOLOGY

Wetland Monitoring

25. The Consent Holder must undertake monitoring of Wetlands identified as WL-Mid and KVL wetland. Wetland monitoring (hydrological and ecological) must be undertaken in general accordance with:

- a. Technical standard for water-table monitoring of potential wetland sites sourced from the Corps of Engineers Wetland Delineation Manual (U.S. Army Corps of Engineers.1987)
- b. Wetland monitoring methods sourced from the Handbook for monitoring wetland condition (Revised October 2004. Clarkson B.R., Sorrell B.K., Reeves P.N., Champion P.D., Partridge T.R., Clarkson B.D)
- c. Dominance test and prevalence index from the Wetland Delineation Protocols (MfE 2022)

The monitoring must be undertaken for all stages of the wastewater treatment plant and can only conclude 5 years following the completion of construction of the final stage of the wastewater treatment plant. Monitoring results must be made available within ten (10) working days following the completion each round of monitoring and submitted to the Council.

26. To determine any marked decline in wetland hydrology, the proposed hydrology monitoring must comprise of the following:
 - a. Installation of one deep and up to three shallow monitoring wells within each wetland which must include:
 - (i) Monitoring wells installed to 1.2 m (deep) and 0.4 m (shallow) depths in general accordance with advice provided in Technical Standard for Water-Table Monitoring of Potential Wetland Sites (Condition 25a).
 - (ii) Monitoring wells to be 50 mm diameter PVC, with 200 mm stickup and cap above ground level.
 - b. Monitoring for ground water levels must be undertaken throughout construction at all monitoring wells.
 - c. Static water level measurements must be collected at each monitoring well at same time as ecological monitoring is undertaken.
27. To determine any marked decline in ecological condition, the required ecological condition monitoring at WL-Mid and KVL wetland must comprise of the following:
 - a. A transect of 1 m x 1 m vegetation plots perpendicular to the flow of water must be established in each impacted wetland over the five-year period with the number of vegetation plots within each wetland dependent on wetland size and shape;
 - b. Wetland condition assessment must use the vegetation species composition and hydrological integrity metrics as per the wetland condition monitoring handbook(Condition 11b); and
 - c. Dominance Test and Prevalence Index must be assessed for each vegetation plot using the Ministry for Environment Wetland Delineation Protocols .
 - (i) Following on from conditions 25 and 26, within 20 working days of a decline in either ecological or hydrological function being identified at WL-Mid and KVL wetland the consent holder must provide written confirmation to the Council of the decline in the form of a report prepared by a suitably qualified and experienced ecologist and hydrologist. The report must include a description of the scale of decline and the known, actual, or likely reasons for the decline

Review Condition

28. Under section 128 of the RMA the conditions of this consent may be reviewed by the Manager Resource Consents at the consent holder's cost:
- a. On an annual basis following the date of the commencement of the earthworks within the site, and within a five (5) year period following the completion of the final stage of the Wastewater plant, in order address the following:
 - (i) To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage or falls outside of the scope of the assessment of effects, in particular adverse effects on the extent and value of the Natural Inland Wetlands within 100m of the Wastewater plant boundaries (being WL-Mid and KVL wetlands).

LANDSCAPING CONDITIONS

Finalised Landscape and Maintenance Plan

29. Prior to the commencement of discharges from the Wastewater treatment plant, the consent holder must provide to the Council for certification, a set of detailed landscape design drawings and supporting written documentation which have been prepared by a landscape architect. The submitted information must include landscape design drawings, specifications and maintenance requirements including:
- a. An annotated planting plan(s) which communicate the proposed location and extent of all areas of planting.
 - b. A plant schedule which details specific plant species, spacing, the number of plants, plant sourcing and the height and grade in litres at time of planting.
 - c. details of planting for:
 - (i) those areas of the Riparian margin identified in the s.92 response for item 48 from Wai Kokopu Consulting dated 20th March 2024.
 - (ii) Each of the constructed wetlands and swales .
 - (iii) The maintenance access ways (around the constructed wetland)
 - d. The landscape plan must be supported by evidence of consultation with Ngāti Tamaoho and Te Ākitai to address matters relating to landscaping raised in the consultation with these parties, and the implementation of any matters raised which are not addressed by c.i-iii.
 - e. An annotated plan detailing any fences
 - f. A landscape maintenance plan (report) and related drawings and specifications for all aspects of the finalised landscape design covering a minimum three years, including in relation to the following requirements:
 - (i) Soil preparation, staking, watering, drainage, mulching and fertiliser requirements.
 - (ii) Weed removal and pest control.

- (iii) Plant replacement covering a minimum three years for poorly performing or dead plants, including specimen trees.
- (iv) Maintenance methodology and frequencies, inspection timeframes
- (v) Contractor responsibilities for ongoing maintenance.

Advice note:

There are planting requirements proposed by the applicant as part of the engagement and ongoing partnership with Mana Whenua and these clauses are offered on an Augier basis.

Implementation of Landscape and Maintenance Plan

- 30. Within the first planting season (1 May to 30 September) following the wastewater treatment plant becoming operational, the planting for the wetland 1 and the associated maintenance access, and any other planting as agreed through condition 29.d must be fully implemented in accordance with the finalised Landscape Plans required by the conditions of this consent. This landscaping must be maintained thereafter for the duration of the activity.
- 31. Within the first planting season (1 May to 30 September) following the staged upgrade of the wastewater treatment plant and Wetland 2 and then Wetland 3 becoming operational, the planting for the respective wetland, riparian planting required by 29(c)(i), and any extension of the maintenance access must be fully implemented in accordance with the finalised Landscape Plans required by the conditions of this consent. This landscaping must be maintained thereafter for the duration of the activity.

Advice Note:

The Council acknowledge the consent holder's intent to develop the wastewater treatment in 3 stages, with the wetlands becoming operational as flows increase with each stage.

OPERATIONAL CONDITIONS

Utility Company

- 32. Prior to any works being undertaken to implement these consents, evidence that a Utility Company to take and treat wastewater from the entire Kingseat Precinct area has been legally established must be provided to Council for certification. The evidence provided must include a copy of the company constitution. The constitution of the utility company must detail that the utility company must:
 - a. make wastewater available to the entire Kingseat Precinct with the same priority given to all persons and/or entities within the Kingseat Precinct; and
 - b. charge the same fee to connect to the wastewater treatment facility, to all persons and/or entities that connect to the public reticulated water supply; and
 - c. manage and implement the staged development of the wastewater treatment facility; and
 - d. maintain the treatment plant facility to meet the required discharge requirements of this consent; and

- e. be responsible for ensuring that any necessary future consents or alternative management of wastewater discharges are in place prior to the expiry of resource consents DIS60424242 and DIS60424543.

Noise limits

- 33. The consent holder must ensure that the plant, equipment and structures are designed, constructed and maintained to ensure the noise (rating) level and maximum noise levels arising from operation of the activity when measured within the notional boundary of any other site in the Rural – Mixed Rural Zone or within the boundary of any site zoned Residential, does not exceed the following noise limits when measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise: -

Time	Noise Level
Monday to Saturday 7am – 10pm Sunday 9am – 6pm	55 dB L _{Aeq}
All other times	45 dB L _{Aeq} 75 dB L _{AFmax}

Advice Note

The consent holder is reminded of their general obligation under section 16 of the Resource Management Act 1991 to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level.

Noise - Compliance Monitoring

- 34. The consent holder must engage a suitably qualified acoustics professional to complete one-off noise measurements within four (4) weeks of the activity commencing operation to confirm compliance with the operational noise limits specified in condition 33 and, a compliance report must be prepared and submitted to the Council within two weeks of the measurements being undertaken.
- 35. In the event that compliance is not demonstrated, the report must include identification of sources of noise leading to the non-compliance, recommended further investigations, a description of remedial works and a proposed timeframe for completing the investigations and implementing the remedial works, which must be less than four (4) weeks unless an alternative timeframe is agreed with the Council or other steps are taken to comply with the consented noise limits in the intervening period.

Specific Conditions – Discharge to Air Permit DIS60424242

General conditions

- 36. Access to the relevant parts of the property must be maintained and be available at all reasonable times to enable the servants or agents of the Council to carry out inspections, surveys, investigations, tests, measurements or take samples whilst adhering to the consent holder's health and safety policy.

Limit Conditions

37. All processes on site must be operated, maintained, supervised, monitored and controlled to ensure that all emissions authorised by this consent are maintained at the minimum practicable level.
38. Beyond the boundary of the site, there must be no dust and/or odour caused by discharges from the site, which in the opinion of the Council, is the cause of a noxious, dangerous, offensive or objectionable effect.
39. No discharges from any activity on site must give rise to visible emissions, other than water vapour, to an extent which, in the opinion of the Council, is the cause of a noxious, dangerous, offensive or objectionable effect.
40. Beyond the boundary of the site, there must be no hazardous air pollutant, caused by discharges from the site, which is present at a concentration that causes, or is likely to cause adverse effects to human health, the environment or property.

Monitoring and Reporting Conditions

41. Within three months of the date of commencement of this consent an Operations and Management Plan – Air Discharges (OMP:AD) must be submitted to the Council for certification, to confirm that the activities undertaken in accordance with the OMP will achieve compliance with the conditions of this air discharge consent. Any subsequent review of the OMP:AD must also be submitted to the Council for certification. The consent holder must meet the costs of the production, certification, monitoring and review of the OMP:AD.
42. The OMP:AD must incorporate a series of monitoring, management and operational procedures, methodologies and contingency plans relating to air discharges, and must accurately record all information required to comply with the conditions of this air discharge consent. The OMP:AD may also detail monitoring and management measures relating to other aspects of the wastewater treatment plant (i.e. the OMP:AD may be a comprehensive site-wide management plan or be specific to odour management). The OMP:AD must include the following matters relevant to air quality management:
 - a. Identification of all fugitive and point sources for discharges of contaminants into air, including a site plan showing the locations of each point source and the specifications of all odour control devices;
 - b. Procedures to minimise discharges of contaminants into air, including details of the inspection, maintenance, monitoring and contingency procedures in place;
 - c. Monitoring and maintenance requirements for odour treatment equipment;
 - d. The methodologies for the routine odour monitoring as required by Condition 43;
 - e. Procedures for the maintenance of a diesel back-up generator, if required;
 - f. Complaints investigation, monitoring and reporting in accordance with Condition 48; and
 - g. The identification of key staff and contractors' responsibilities and contact details.
43. A walkover inspection of the site must be undertaken at least once per week to identify any odours that may be originating from the site. The results must be recorded and any odour

potentially detectable off-site investigated immediately. Where necessary, remedial action must be undertaken as soon as practicable. The procedures for the walkover, recording of the results and any remedial actions taken must be as specified in the OMP:AD required by the conditions of this consent

44. The OMP:AD must be reviewed prior to any substantial alterations to the site and at least once every three years. Any subsequent changes to the certified OMP:AD must be submitted to the Council for certification prior to implementation. The Council will advise the Consent Holder in writing if any aspects of the OMP:AD are concluded to be inconsistent with achieving the provisions of this consent.
45. Details of all inspections, records, monitoring and test results that are required by the conditions of this consent must be kept for a minimum of two years from the date of each entry and must be provided to the Council on request.
46. The Council must be notified as soon as practicable in the event of any significant discharge to air, which results or has the potential to result in a breach of air quality conditions or adverse effects on the environment. The following information must be supplied:
 - a. Details of the nature of the discharge;
 - b. An explanation of the cause of the incident; and
 - c. Details of remediation action taken.
47. All air quality complaints that are received must be recorded. The complaint details must include:
 - a. The date, time, location and nature of the complaint;
 - b. The name, phone number and address of the complainant, unless the complainant elects not to supply these details;
 - c. Weather conditions, including approximate wind speed and direction, at time of the complaint;
 - d. Any remedial actions undertaken.

Details of any complaints received must be provided to the Council within one day of the complaint.

Process Conditions

48. All processes on site must be operated in accordance with the certified OMP:AD required by the conditions of this consent.
49. All processing equipment, buildings, ducting and emissions control equipment must be maintained in good condition and as far as practicable be free from leaks in order to prevent the escape of fugitive emissions.
50. The meteorological conditions and proximity of sensitive receptors must be considered prior to undertaking any potentially odorous activities at the site.

Review Condition

51. Under section 128 of the RMA, the conditions of this consent may be reviewed by the Manager Resource Consents at the consent holder's cost in the first month of June after operation of the MBR and each June annually thereafter in order to:
- a. Deal with any significant adverse effects on the environment arising from the exercise of the consent which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of the review.
 - b. With regard to (a) above, should there be complaints related to odour from the site received by the Council or unforeseen adverse odour effects, then the Council may request the installation of a meteorological monitoring station to measure wind speed, wind direction and temperature at the site.
 - c. Consider the adequacy of conditions which prevent nuisance and adverse effects beyond the boundary of the Site, particularly if regular or frequent complaints have been received and validated by an enforcement officer.
 - d. Consider developments in control technology and management practices that would enable practical reductions in the discharge of contaminants to air.
 - e. Alter the monitoring requirements, including requiring further monitoring, or increasing or reducing the frequency of monitoring.
 - f. Take into account any Act of Parliament, regulation, national policy statement, regional policy statement or relevant regional plan that relates to limiting, recording or mitigating emissions by this consent.

Or, the consent may be reviewed by the Manager Resource Consents at any time, if it is found that the information made available to the Council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.

Specific conditions – discharge permit DIS60424543 (Wastewater)

Wastewater Treatment

52. The key components of the wastewater treatment and land disposal system must be consistent with those described in the application and must comprise at least the following minimum, or additional, components, dimensions and standards:
- Equipment for raw sewage lifting station
 - Inlet works, including screening
 - Grit and grease removal through flotation and settling
 - A buffer tank
 - An emergency tank providing 24 hours storage volume (i.e. 885m³)
 - Anoxic tank
 - Aeration tank

- Membrane bioreactor filtration (3 x 300 m³/d treatment trains) with automatic backwash and chemical cleaning
- UV Disinfection
- Odour control
- Sludge treatment to dewater sludge to the point that it can be handled as a solid for removal by truck
- 3 x constructed wetlands arranged in series each with a depth of 0.45 m and areas of 6,600m², 7,400m², and 4,500m² consecutively

Advice Note:

Auckland Council acknowledge the consent holders' intent to develop the wastewater treatment in 3 stages of 300m³/d capacity each, with additional MBR capacity and wetlands constructed as flows approach the design limits of the existing units.

53. The consent holder must provide the Council with a minimum of 6 months written notice of their intention to construct a new stage of the treatment plant and wetlands.

Minor Modifications approval

54. In the event that any minor modifications to the wastewater treatment plant and constructed wetlands are required (including modifications to enable newer technologies to be installed), these will not result in an application under section 127 of the RMA or a new application, instead the following information must be provided to the Council prior to implementation:
- a. Plans and drawings outlining the details of the modifications; and
 - b. Supporting information that details how the proposal does not affect the capacity or performance of the wastewater treatment and land disposal system

As-Built Certification

55. Within three months of the completion of the new wastewater treatment plant, or at completion of any of the three stages of construction, or any modification authorised under condition 54 the consent holder must notify the Council in writing that the works are completed and must provide 'as-built certification' and as-built plans of all aspects of the wastewater treatment plant and wetlands from a suitably qualified engineer.

Post Construction Inspection

56. The consent holder must contact the Council within 3 months of the completion of works relating to the wastewater treatment plant and wetlands so that a post construction inspection can be undertaken by the Council. The post construction meeting must be:
- a. Located at the subject area;
 - b. Include representation from the Council; and
 - c. include representation from the consent holder's wastewater specialist or maintenance operator or contractors who have undertaken the works and any other relevant parties.

Discharge Volume and management

57. The total volume of treated wastewater discharged from the wastewater treatment plant must not exceed 885 m³ per day.
58. Prior to the exercise of this consent, the consent holder must install the following flow meters, at locations approved by the Council to:
 - a. Record the daily volume of raw wastewater to the wastewater treatment plant.
 - b. Record the daily volume of wastewater discharged to the constructed wetlands.
59. A record of the volume of wastewater to (a) the wastewater treatment plant, (b) from the wastewater treatment plant to the constructed wetlands, . must be kept by the consent holder at all times. The consent holder must forward the record for the previous year to the Council upon request.
60. The consent holder must, within seven days of any exceedance of the discharge limit, report the breach to the Council and outline actions being undertaken to ensure the exceedance does reoccur.

Discharge Quality Standards (Prior to Discharge to the Constructed Wetlands)

61. The treated wastewater effluent from the MBR system prior to discharge to the constructed wetlands must meet the following criteria on a 6 monthly rolling basis:

Table 1 – Required treated wastewater quality

Parameter	Units	Median	90 th percentile
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	mg/L	<2	<5
Total Suspended Solids (TSS)	mg/L	<2	<5
Ammoniacal Nitrogen (NH ₄ -N)	mg/L	<0.5	<2
Total Nitrogen (TN)	mg/L	<5	<10
Total Phosphorous (TP)	mg/L	<0.5	<1
Fats, oils, and greases (FOG)	mg/L	<2	<5
Faecal coliforms	cfu/100mL	<2	<5

62. pH of the treated wastewater discharged from the wastewater treatment plant must be in the range of 6.5 to 8.5 pH units.
63. The UV dose applied by the UV plant must be greater than 40mWs/cm² 95% of the time.

Treated Wastewater Monitoring (Prior to discharge into the Constructed Wetlands)

64. The consent holder must ensure and be able to demonstrate that a UV dose of a minimum of 40 mWs/cm² is delivered by the UV disinfection facility 95% of the time (calculated on the basis of a 15-minute average) over each calendar month.
65. The consent holder must take 24-hour flow proportioned samples on a fortnightly basis from a point immediately following the final wastewater treatment plant step prior to discharge to the constructed wetlands. The sample must be tested for the following parameters.

Table 2: Treated wastewater sampling requirements

Parameters	Unit
CBOD5	mg/L
TSS	mg/L
NH4-N	mg/L
TN	mg/L
TP	mg/L
Faecal Coliforms	cfu/100mL
Temperature	°C
pH	-

66. The location of sampling must be submitted to the Council for certification prior to any discharge occurring.
67. All sample analyses required under this consent must be undertaken at an IANZ (International Accreditation New Zealand) accredited laboratory. All methods must be appropriate for the sample analyses undertaken.

Actions if Discharge Quality Standards are Exceeded

68. If four consecutive samples of the treated effluent from the wastewater treatment system exceeds the limits set in Condition 61, the consent holder must investigate and provide an explanation to the Council of the potential causes and corrective actions of the exceedance within 15 working days of obtaining the monitoring results. A further sample must be taken and analysed for the parameter that has been exceeded once action has been taken to address the failure. The results must be forwarded to the Council within seven days of receipt of the result.
69. Should any of the samples exceed the 90th percentile value given in Table 1 (Condition 61) of this consent, the consent holder must advise Council within seven days of receipt of the

result with an explanation of why the reading was higher than normal, along with any corrective actions to be undertaken.

Performance of Constructed Wetlands

70. The constructed wetlands must be maintained in accordance with the procedures given in condition 80.
71. The consent holder must take a monthly grab sample at a point on the final constructed wetland immediately prior to discharge to the tributary of Te Hihi Creek. The sample must be tested for the following parameters:

Table 1: Constructed wetland discharge sampling requirements

Parameters	Unit
TN	mg/L
NH4-N	mg/L
NO3-N	mg/L
TP	mg/L
pH	-
Temperature	Degrees Celsius

72. The location of sampling must be submitted to the Council for certification prior to any discharge occurring.

Constructed Wetlands Performance Report

73. The consent holder must prepare a report every 12 months summarising the results of the constructed wetlands discharge monitoring, and comparing the previous 12 months against the figures below:

Table 2: Parameters constructed wetland discharge is to be compared against

Parameter	Median concentration (mg/L)	90th percentile concentration (mg/L)
TN	1.81	3.11
NH4-N	0.11	0.46
NO3-N	0.24	0.6
TP	0.16	0.31

Advice note:

the above figures are taken from Table 26 in the application document "Assessment of

ecological and human health effects from the discharge of MBR and CTW treated wastewater on the receiving environment associated with the Kingseat Development”, by Streamlined Environmental (April 2023, Report KLL2002-Stage3 FINAL version F3).

74. Should the previous 12 months data exceed the figures given above, the report must include comment on how this impacts the findings of the consent application documents, specifically any effects on water quality in the Te Hihi Creek and its tributary that the discharge takes place to. Should the report find that effects on the water quality are greater than presented in the consent application documents, it must make recommendations on whether any modifications or improvements to the wetlands are necessary.
75. The Wetlands Performance Report must also include a summary of the health of the vegetation, any issues with odour or unwanted plant growths, and a record of any maintenance that has been undertaken.
76. The Wetlands Performance report must be submitted to the Council with the Annual Report

Receiving Environment Monitoring Plan

77. Within six months of the discharge commencing, the consent holder must prepare a receiving environment monitoring plan (REMP) outlining ecological surveys to be conducted on a three yearly basis during the period of December to March at Wetland Mid and KVL Wetland, Te Hihi Creek and the tributary of Te Hihi Creek
78. The surveys must, as a minimum, meet the following requirements:
 - a. Provide an assessment of fish and macroinvertebrate communities, physical habitat quality, macrophytes and periphyton.
 - b. An assessment of any impacts the discharge may be having
 - c. Must be undertaken by person(s) suitably qualified in freshwater ecology.
 - d. Must not be undertaken within two weeks of a flood event.
 - e. Must report on any significant trends observed over time.
79. The consent holder must summarise the findings in a report and submit it with the annual report in the years in which it is undertaken.

Advice Note: The REMP replaces the DRAFT Kingseat Village MBR Discharge Draft Effects Monitoring Plan prepared by Wai Kokopu Consulting dated 26 June 2024

Operations and Management Plan – Wastewater Discharge

80. Within six months of the commencement of the discharge of treated wastewater, the consent holder must prepare an Operations and Management Plan – Wastewater Discharge (OMP:WD). The objective of the OMP:WD is to provide a framework for the operation and management of the WWTP and discharge facilities to ensure compliance with the conditions of consent. The OMP:WD must be submitted to the Council for certification that it is consistent with the requirements of this condition. The OMP:WD must be reviewed

and updated every three years by the consent holder and as required as a result of any significant changes in WWTP and discharge.

As a minimum, the OMP:WD must include:

- a. An outline of the minimum contractual responsibilities of the operations provider, with appropriate people to contact in the event of system malfunction
- b. Provision of manufacturer's specification for the key components of the MBR and UV disinfection systems, including manufacturers performance standards in terms of trans membrane pressure of the MBR units, total suspended solids, and UV transmissivity (UVT) of the treated wastewater
- c. A full description of the entire treatment and constructed wetlands system, including a site map showing the location of the treatment system, constructed wetlands, and sampling sites.
- d. A description and schedule of the routine inspection, monitoring and maintenance procedures to be undertaken to ensure compliant operation of the WWTP.
- e. A description and schedule of the routine inspection, monitoring and maintenance procedures to be undertaken to ensure compliant operation of the constructed wetlands.
- f. A description of the sampling location/s and methodology for sampling the treated wastewater discharge and constructed wetlands discharge.
- g. A description of the practices and procedures associated with the monitoring and reporting conditions of this consent including (as a minimum): (i) locations and type of monitoring equipment, (ii) maintenance and calibration of monitoring equipment, (iii) schedule and log of monitoring requirements, and (iv) field collection methodologies, protocols, data recording procedures and standards, and record keeping.
- h. A schedule of the critical aspects of the WWTP and the detailed response and contingency plans to remedy any possible variations from normal plant operation that could potentially affect discharge quality.
- i. Details of contingency plans and procedures to address a critical power or equipment failure at the WWTP.
- j. Procedures for recording routine maintenance and all major repairs that are undertaken.
- k. The consent holders' chain of command, responsibility and notification protocols.
- l. A description of odour mitigation measures at the site.
- m. The means of receiving and dealing with any complaints.
- n. Procedures for continuous reviewing and improving of the manual.

Advice note:

The consent holder may combine the OMP:AD and OMP:WD as part of the same document.

Maintenance Contract

81. A maintenance service contract, which provides for the operation and servicing of the treatment and land application systems must be entered into with an appropriately qualified contractor prior to the exercising of this consent. The contract must include a requirement to ensure that the treatment and land application system is operated and managed in accordance with the Operations and Management Manual prepared in accordance with this consent.
82. At all times the consent holder must ensure that the Council has a copy of the up- to-date Operations and Management Manual.

Reporting

83. The consent holder must forward a report every 6 months to Council, providing flow records for that period and providing an updated forecast on plans for construction of the next stage of the treatment plant, including the constructed wetlands.
84. The consent holder must forward an annual report in writing to the Council by 31 July each year. The annual report must cover the preceding 12-month period (from 1 April the preceding year until 31 March of the current year) and must report on compliance with this consent. As a minimum, the report must include:
 - a. Results of flow monitoring
 - b. Results of all sampling
 - c. Comments on compliance with this consent, and actions taken where there has been noncompliance.
 - d. The Receiving Environment Monitoring Report, in years that it has been undertaken.
 - e. The Constructed Wetlands Performance Report.
 - f. An update on planned extensions or work on next stages of the treatment plant.
 - g. A summary of any significant malfunctions or breakdowns and the corrective action taken.
 - h. Any other issues considered relevant by the consent holder.

Review

85. The conditions of this consent may be reviewed by Auckland Council pursuant to section 128 of the Resource Management Act 1991 (RMA), by giving notice pursuant to section

129, on the fifth anniversary of the commencement of these consents and subsequently at intervals of not less than five years thereafter in order to:

- a. To deal with any significant adverse effects on the environment arising from the exercise of the consent, which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of review.
- b. To consider the adequacy of conditions that prevent nuisance and adverse effects beyond the boundary of the site particularly if regular or frequent complaints have been received and validated by a Council enforcement officer.
- c. To consider developments in technology and management practices that would enable practical reductions in the discharge of contaminants.
- d. To alter the monitoring requirements, including requiring further monitoring, or increasing or reducing the frequency of monitoring.

Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, “the Council” refers to the Council’s monitoring officer unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the Council’s website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: www.mfe.govt.nz.*
4. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the Council within 15 working days of your receipt of this decision (for s357A) or receipt of the Council invoice (for s357B).*
5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
6. *Certification of the Operation and Management Plans by the Council relates only to those aspects of the management plan that are relevant under the RMA. The certification does not amount to an approval or acceptance of suitability by the Council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004 or the Health and Safety at Work Act 2015.*

7. *Accidental Discovery: Should earthworks on the site result in the identification of any previously unknown sensitive material which is not expressly provided for by any resource consent or other statutory authority, the land disturbance – District Accidental Discovery rule [E12.6.1] set out in the Auckland Unitary Plan Operative in part (July 2023) shall be applied.*

8. *Heritage New Zealand Pouhere Taonga Act 2014 – The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation, and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the Auckland Unitary Plan. According to the Act (section 6) archaeological site means, subject to section 42(3) –*

a) any place in New Zealand, including any building or structure (or part of a building or structure), that –

i. was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

b) includes a site for which a declaration is made under section 43(1)

It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary Authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals. For information please contact the Heritage New Zealand Pouhere Taonga Northern Regional Archaeologist – 09 307 0413 / archaeologistMN@historic.org.nz.

9. *Protected Objects Act 1975 – Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act). According to the Act (section 2) taonga tūturu means an object that –*

a) relates to Māori culture, history, or society; and

b) was, or appears to have been –

i. manufactured or modified in New Zealand by Māori; or

ii. brought into New Zealand by Māori; or

iii. used by Māori; and

c) is more than 50 years old

The Act is administered by the Ministry of Culture and Heritage. Tāonga may be discovered in isolated contexts, but are generally found within archaeological sites.

The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the modification of an archaeological site should be considered by the consent holder if tāonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014.

It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum (for Auckland this is the Auckland War Memorial Museum), which shall notify the chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu.

Alternatively provided that in the case of any taonga tūturu found during the course of any archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification shall be made within 28 days of the completion of the field work undertaken in connection with the investigation. Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court. For information please contact the Ministry of Culture and Heritage – 04 499 4229 / protected-objects@mch.govt.nz.

Delegated decision maker:

Name:

Title: Principal Project Lead
Premium Resource Consents

Signed:



Date: 3 March 2025

Resource Consent Notice of Works Starting

Please email this form to monitoring@aucklandcouncil.govt.nz at least **5 days** prior to **work starting** on your development or post it to the address at the bottom of the page.

Site address:				
AREA (please tick the box)	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
Resource consent number:			Associated building consent:	
Expected start date of work:			Expected duration of work:	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

Signature: Owner / Project Manager (indicate which)	Date:
--	--------------

Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

SAVE \$\$\$ minimise monitoring costs!

The Council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via monitoring@aucklandcouncil.govt.nz to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.