

compliance with all of the consent conditions once the land use has been established, or

- b. An application is made and granted prior to the expiry of that period for a time extension. The statutory considerations that apply to extensions are set out in Section 125 of the RMA.
3. Pursuant to Section 126 of the Resource Management Act 1991, which provides for Auckland Council to cancel a resource consent by written notice, if this resource consent has been exercised, but is not subsequently exercised for a continuous period of five years, the consent may be cancelled by the Council unless other criteria contained within Section 126 are met.
4. The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), regulations, relevant Bylaws, and rules of law.
5. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required. If not all resource consents have been applied for, it remains the responsibility of the consent holder to obtain any and all necessary resource consents required under the relevant requirements of the Resource Management Act 1991.
6. If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to Sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.
7. Compliance with the consent conditions will be monitored by Council in accordance with Section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time.

DEFINITIONS

| | |
|---------------|--|
| ARPS: | means Auckland Regional Policy Statement |
| Council: | means The Auckland Council |
| NPS | means National Policy Statement |
| NZCPS: | means New Zealand Coastal Policy Statement 2010 |
| Regional Plan | Auckland Council Regional Plan (Air, Land and Water) |
| RMA: | means Resource Management Act 1991 and all amendments |
| Team Leader: | means an Auckland Council Team Leader as specified in text / condition or nominated Auckland Council staff acting on the relevant Team Leader's behalf |
| TP10 | Auckland Council Technical Publication 10: Stormwater Management Devices: Design Guidelines Manual 2003 |

AUCKLAND REGIONAL COUNCIL

RESOURCE CONSENT

Granted pursuant to the Resource Management Act 1991

PERMIT NO. 21577

CONSENT HOLDER: BHP New Zealand Steel Limited

FILE REFERENCE: 4086

CONDITIONS OF CONSENT:

Date of Commencement of Consent: 15 April 2003

Duration of Consent: This consent shall expire on 31 December 2021 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.

Date of Lapsing of Consent: Not applicable.

Purpose of Consent: To authorise the discharge of clarified wastewater from the ironsand slurry dewatering plant to the Northside stream, in accordance with Section 15 (1)(a) of the Resource Management Act 1991.

Works: Not applicable

Site Location: Mission Bush Rd. Glenbrook

Legal Description of Land: Part Allotments 318 and 319 Parish of Waiuku, being part of land described in C.T. 31A/1099

Territorial Authority: Franklin District Council

Approximate Map Reference: NZMS 260 Q12-R12 638428

DEFINITIONS:

ARC: means the Auckland Regional Council.

Council: means the Auckland Regional Council.

Manager: means the Manager, Land and Water Quality, Auckland Regional Council.

1 GENERAL CONDITIONS:

- 1.1 The servants or agents of the Council shall be permitted access to the relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- 1.2 Servants or agents of the Council performing work specified in section 1.1 will carry out their operations in accordance with the Health and Safety requirements of NZ Steel. Where required, NZ Steel shall provide a specific safety induction to familiarise personnel with safety requirements for working on the site and to highlight potential safety hazards.
- 1.3 The Consent Holder shall, as far as practicable, operate the plant and associated processes in accordance with the documentation submitted to the Council as part of application number 984086. No alterations shall be made to the plant or processes that do not, or are not likely to, comply with the provisions of this consent, a regional rule, or regulations under the Resource Management Act 1991.

2 LIMIT CONDITIONS:

- 2.1 The total volume of clarified wastewater discharged shall not exceed an average of 7400m³ per day, over each calendar month.
- 2.2 The maximum rate of discharge shall not exceed 400m³ per hour.
- 2.3 The quality of wastewater discharged shall comply with the following limits:
 - (a) SUSPENDED SOLIDS:
 - (i) Not to exceed 20 g/m³ monthly flow-weighted average.
 - (ii) Not to exceed 30 g/m³ daily flow-weighted average.
 - (b) TURBIDITY:
 - (i) Not to exceed 20 NTU monthly flow-weighted average.
 - (ii) Not to exceed 30 NTU daily flow-weighted average.

3 PROCESS CONDITIONS

3.1 Turbidity

- (a) When the turbidity of the discharge from the clarifier exceeds 20NTU, the discharge will be automatically diverted through the settling ponds before discharge to the Northside stream.
- (b) If the turbidity of the discharge to the Northside Stream exceeds an average of 50 NTU for any 30 minute period, the slurry pipeline will be shut down.

3.2 Flocculants

- (a) The consent holder will provide details of all flocculant and/or coagulant chemicals used to promote the settlement of solids in the clarifier.
- (b) The consent holder will provide an assessment of the potential toxicity of any residual treatment chemicals and their by-products which could remain in the discharge to the Northside stream.
- (c) Information required under Sections 3.2 (a) and 3.2 (b) is to be provided to ARC within 2 months of the date of commencement of this consent.
- (d) Before commencing the use of flocculant and/or coagulant chemicals that have not previously been used in the slurry water treatment plant, or increasing the use of a biocide above a previously applied rate, the Consent Holder shall:
 - (i) Submit to the ARC such information as may reasonably be obtained on the toxicity and final effluent concentrations of the flocculant and/or coagulant chemicals, and their residues and by-products;
 - (ii) Provide an assessment of the potential toxicity of any residual treatment chemicals, and their by-products, which remain in the discharge to the stream.
- (e) Any flocculant and/or coagulant chemicals used shall be non-toxic to humans or the receiving environment at the concentrations present in the permitted discharge.
- (f) All flocculant and/or coagulant chemicals shall be applied in accordance with the manufacturers specifications.

3.3 POND MAINTENANCE

- (a) The sediment retained in the settling ponds shall be removed before the total combined water volume of the ponds is reduced by more than 30%.
- (b) A reliable method of assessing changes in pond water volume shall be provided in the .

4 MONITORING CONDITIONS

4.1 ENVIRONMENTAL MANAGEMENT AND MONITORING PLAN

- (a) The Consent Holder shall prepare and implement an Environmental Management and Monitoring Plan within six months of the granting of this Consent.
- (b) For the purpose of this consent the Environmental Management and Monitoring Plan shall include, but not be limited to, the following specific details:
 - (i) An Environmental Policy;
 - (ii) The identification of the specific activities and contaminants associated with industrial or trade processes on-site;

- (iii) Methods for minimising the risk of adverse environmental effects and non compliance with this consent;
 - (iv) Contingency plans for dealing with incidents that may result in non-compliance with the conditions of this consent;
 - (v) Appropriate auditing requirements to ensure performance of all components of the Environmental Management and Monitoring Plan;
 - (vi) A method by which the Environmental Management and Monitoring Plan is reviewed by management to ensure its continuing suitability, adequacy and effectiveness;
 - (vii) Methods of sample collection and analysis;
 - (viii) Requirements for the reporting of results in accordance with the conditions of this consent;
 - (ix) The responsibilities for these procedures and methods.
- (c) One Environmental Management and Monitoring Plan may be prepared covering the three treated process water and stormwater discharge consents (Permit Numbers. 983541, 983542 and 984086) for the Glenbrook Mill.
- (d) Approval for the Environmental Management and Monitoring Plan shall be obtained from the Manager.

4.2 TURBIDITY

- (a) Turbidity may be used as a surrogate for suspended solids to enable real time continuous monitoring of the discharge quality.
- (b) Turbidity meters shall be installed and operated continuously during discharge periods, both at the discharge from the clarifier and at the point of discharge of the treated water to the Northside stream.
- (c) Readings from the turbidity meters shall be displayed and alarmed, both locally at the plant, and remotely in the ironmaking control room.
- (d) A flow recorder will be installed and maintained immediately prior to the discharge point into the Northside Stream. The flow recorder shall be continuously operational during discharge periods, and will measure the rate of discharge, the daily discharge volume, and will provide the flow data required for the calculation of the flow-weighted average turbidity.
- (e) The data from the flow recorder and turbidity meter at the discharge point will be used to produce the flow-weighted average turbidity for all discharges within each 24 hour period.
- (f) Replacement turbidity meters shall be calibrated to provide a direct, linear relationship between suspended solids and NTU.

- (g) Operational turbidity meters shall be re-calibrated at intervals not exceeding 6 months, to ensure a direct, linear relationship between suspended solids and NTU is maintained.

4.3 WETLAND

- (a) The Consent holder shall maintain and protect the natural wetland in the lower reaches of the Northside stream.

5 LOGGING AND REPORTING CONDITIONS

5.1 The recorded readings from the flowmeter and the two turbidity meters shall be retained for a period of 60 days and made available to the ARC on request.

5.2 MONTHLY REPORT

- (a) The Consent Holder shall provide to the Manager a report for each calendar month that this consent is exercised. One monthly report may be prepared covering the three consents for treated process water and stormwater discharges (Permit Numbers. 983541, 983542 and 984086). The report shall include:
 - (i) All monitoring and turbidity meter calibration data required to determine compliance with the conditions of this consent;
 - (ii) A summary of compliance with all monitored parameters of this consent.
- (b) Data in the monthly report will be provided in a spreadsheet in a format agreed to with the Manager, and shall be provided to ARC on or before the 10th day of the month following data collection.
- (c) The Consent Holder shall maintain a record of all monitoring data for the term of the consent and these records shall be made available to any servant or agent of the Council upon request.

5.3 ANNUAL REPORT

- (a) The Consent Holder shall prepare an annual report on all aspects of the treated process water and stormwater discharge to the Northside stream, including but not necessarily limited to:
 - (i) A summary of trends in discharge water quality and quantity;
 - (ii) A summary of the overall environmental performance of the Glenbrook Mill in terms of treated process water and stormwater discharges to the Northside stream, including waste minimisation, and improvements in process water and stormwater treatment and recycling;
 - (iii) Other works that have been undertaken during the year to improve environmental performance, and proposed works that are intended to improve environmental performance during the next year.

- (b) The annual report is to be in a format approved by the Manager and will be provided to ARC on or before the 1st August each year.
- (c) One annual report may be prepared covering the three treated process water and stormwater discharge consents (Permit Numbers. 983541, 983542 and 984086) for the Glenbrook Mill.

5.4 INCIDENT REPORTING

- (a) The Consent Holder shall record all incidents that either results in non-compliance or presents a risk of serious non-compliance with any of the conditions of this consent. These records shall be made available to a servant or agent of the ARC upon their request and a summary shall be provided to the ARC on a monthly basis.
- (b) For any incident capable of affecting human health or the biota of the Northside stream, the Consent Holder shall:
 - (i) As soon as practicable, inform the ARC by email and/or facsimile of the time, date and nature of the incident;
 - (ii) Provide telephone numbers or other contact details of staff;
- (c) A written Preliminary Incident Report shall be prepared and provided to ARC within three working days of any incident requiring notification under Condition 5.4 (b). The Preliminary Incident Report shall provide details of:
 - (i) The time, duration, nature and cause of the incident;
 - (ii) The volume of wastewater and/or stormwater discharged that did not comply with the maximum concentration limits;
 - (iii) The actions undertaken, including any additional monitoring;
 - (iv) An initial assessment of the environmental impact of the non-complying discharge.
- (d) A written Final Incident Report will be prepared and provided to ARC by email within 15 working days of the time of the incident requiring notification under Condition 5.4 (b). The Final Incident Report shall provide full details of:
 - (i) The incident and the cause or causes;
 - (ii) The adequacy of responses by the Consent Holder in terms of its Contingency Planning;
 - (iii) The results of all relevant routine and additional monitoring;
 - (iv) An assessment of environmental consequences;
 - (v) Identification of additional safeguards that could be reasonably implemented to prevent any future recurrence;
 - (vi) A programme for implementation of safeguards referred to in Condition 5.4 d(v).

6 REVIEW CONDITION

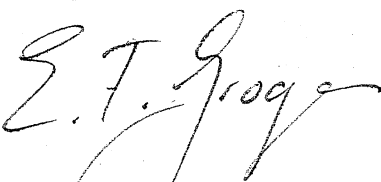
6.1 The conditions of this consent may be reviewed by the Manager pursuant to Section 128 of the Resource Management Act 1991, by the giving of notice pursuant to Section 129 of the Act, in May 2004 and every five years thereafter in order:

- (a) To review compliance with the conditions of this consent
- (b) To review the maximum permitted daily and monthly flow-weighted average suspended solid limits with a view to changing those standards as necessary to minimise adverse effects on the receiving environment.
- (c) To review progress and improvements in waste minimisation, water recycling, and stormwater control and treatment.

ADVICE NOTES:

1. The Resource Consent Holder is advised that they will be required to pay to the Council 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 Resource 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 Council unless other criteria contained within Section 126 are met.

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

Name 
Manager
CONTAMINATION CONTROL
Section

Auckland Regional Council

Date: 29/5/2003

Per:

Auckland Regional Authority

Private Bag, Auckland 1

Auckland Regional Water Board
131-139 Hobson Street, Auckland 1
Phone 794-420

REGISTERED

RIGHT IN RESPECT OF NATURAL WATER

WATER RIGHT NO....82.81269.1....

Pursuant to Section 21(3) of the Water & Soil Conservation Act 1967 a right is hereby granted by the Auckland Regional Authority acting as the Auckland Regional Water Board.

to:THE SECRETARY, N.Z. STEEL LIMITED.....
address:PRIVATE BAG, AUCKLAND.....

DETAILS OF RIGHT

Warranty:NEW ZEALAND STEEL LTD.....

Date of Expiration of Right:GRANTED IN PERPETUITY.....

Legal Description of Land: . PART ALLOTMENTS 318 & 319 OF WAIKUKU BEING PART OF AND DESCRIBED
.....IN C.T. 31A/1099 (NORTH AUCKLAND REGISTRY).....

Local Authority:FRANKLIN COUNTY COUNCIL.....

Purpose of Right: . TO DIVERT AND DISCHARGE THE TOTAL FLOW OF THE NORTHSIDE STREAM.....
.....UPSTREAM OF MAP REF N47 252175 AND TO DISCHARGE TO AN UNNAMED STREAM
.....AT MAP REF N47 252182.....

Proposed Works: . OPEN GRASSED CHANNEL APPROXIMATELY 700 METRES LONG AND 2 PIPE CULVERTS
.....ONE TO CARRY A BRANCH RAILWAY LINE AND THE SECOND CULVERT UNDER WEST ROAD

Address:BETWEEN STEEL HILL AND WEST ROAD, GLENBROOK.....

Map Reference: ...SEE PURPOSE..... Catchment No... (36711 DIVERTED TO 436812...)

Quantity: ...SEE SPECIAL CONDITIONS.....

STANDARD CONDITIONS ON REVERSE

SPECIAL CONDITIONS OF RIGHT:

- 1/ That final details of the stream diversion including drawings and hydraulic calculations of channel and culvert capacities be submitted to the Manager, Regional Water Board, for approval at least 5 weeks before works commence. ✓
2. That provision be made for the controlled discharge or ponding of stormwater exceeding the capacity of the channel and/or pipe system, including that resulting from possible culvert blockages. ✓

(STANDARD CONDITIONS APPLICABLE FROM 12.2.80)

1. This right is granted subject to the Board, by its servants or agents being permitted access to the relevant parts of the property at all reasonable times for the purpose of carrying out inspections and measurements and taking samples.
2. This right may be terminated by the Board upon not less than twelve months' notice in writing to the grantee if, in the opinion of the Board, the public interest so requires; without prejudice to the grantee to apply for a further right in respect of the same matter.
3. The design, construction and maintenance of any works relating to the right shall be to a standard adequate to meet the conditions of the right and shall be to the satisfaction of the Manager, Regional Water Board.

SIGNED AT AUCKLAND THIS 25 DAY OF January 19 84

FOR AND ON BEHALF OF THE AUCKLAND REGIONAL WATER BOARD


.....
J. H. Coulam, SECRETARY

TRANSFER OF RIGHT

Transferee

Address

Date of notice of transfer to Auckland Regional Water Board


Transferee

Address

Date of notice of transfer to Auckland Regional Water Board

3. That any new permanent buildings adjacent to the diversion, or any secondary flow or storage area, shall be constructed with 1 metre freeboard to the critical 1 in 50 year return period storm, except for minor accessory buildings where the freeboard may be reduced down to a minimum of 300mm. ✓
4. That watercourse diversion pipes be built with inlet and outlet structures of such design as to minimise:
 - a. the risk of blockage of the pipe, and
 - b. erosion of the watercourse,the designs and construction of the said structures to be to the satisfaction of the Manager, Regional Water Board. ✓
5. That every reasonable measure shall be taken during construction to control erosion of exposed earthwork areas and the discharges of silt into natural waters. Measures to prevent silt discharges shall be undertaken to the satisfaction of the Manager, Regional Water Board, and will be required to comply generally with the Auckland Regional Water Board Technical Publication No. 7 "Urban Earthworks", April 1979. ✓
6. That the grantee shall for each stage of construction, before earthworks commence, submit to the Manager, Regional Water Board, for approval, the general proposals for erosion and siltation control. ✓
7. That the grantee shall modify erosion and siltation control measures as required to suit day to day earthwork construction. Any major change from control concepts, as approved under Condition 6 shall be submitted to the Manager, Regional Water Board, for approval before construction. ✓
8. That any silt retention ponds shall, at all times, through all stages of development, satisfy the following criteria: ✓
 - a. The ponds shall be designed and constructed to the satisfaction of the Manager, Regional Water Board, and shall be operational before earthworks commence.
 - b. The available storage capacity in each pond shall retain the runoff from the estimated two year, one hour storm before any overflow.
 - c. The maximum discharge from storms not exceeding the two year, one hour storm shall be 20 litres per second per hectare of contributing catchment.
 - d. Each pond shall have an emergency spillway capable of passing the runoff from the five year storm without causing overtopping of the dam.
 - e. The pond embankments, emergency spillways, and downstream slopes shall be compacted and protected against damage by scour or erosion.

That the Grantee shall maintain all erosion and siltation control measures to a standard which, in the opinion of the Manager, Regional Water Board, ensures that the controls meet the conditions of this right.


cc. Franklin County Council

AUCKLAND REGIONAL COUNCIL

RESOURCE CONSENT

Granted Pursuant to the Resource Management Act 1991

PERMIT NO. 23877

CONSENT HOLDER: BHP New Zealand Steel Limited

FILE REFERENCE: 14811

CONDITIONS OF CONSENT

Date of Commencement of Consent: 15 April 2003

Duration of Consent: This consent shall expire on 31 December 2021 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 occupation of part of the coastal marine area with a discharge structure in accordance with Section 12(2)(a) of the Resource Management Act 1991. To use the coastal marine area with an outfall structure for the purpose of discharging treated steel mill process water and stormwater in accordance with Section 12(3) of the Resource Management Act 1991.

Site Location: Mission Bush Rd. Glenbrook

Adjacent Territorial Authority: Franklin District Council

Approximate Map Reference: NZMS 260 Q12-R12 631421

DEFINITIONS:

Council: Means the Auckland Regional Council.

Manager: Means the Manager, Coastal Environment Section, Auckland Regional Council, or nominated Council staff acting on the Manager's behalf.

GENERAL CONDITIONS

1. That the servants or agents of the Council shall be permitted access to the relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

2. The consent holder shall carry out the activities permitted by this consent generally in accordance with the documentation submitted in support of the application as identified below:
 - (a) Coastal permit application and assessment of environmental effects dated June 1998.
 - (b) Plans: BHP NZS DRG No 510/508/002/000/011 Southside Outfall Structure and Riprap Detail.
3. The consent holder shall not carry out, modify, extend, alter or reconstruct any works in the part of the coastal marine area subject to this consent without first obtaining any other resource consents for such works which are required.
4. The consent holder shall ensure that any structure permitted to occupy the coastal marine area by this consent is maintained in a good and sound condition, and shall make any repairs that are necessary, subject to obtaining any necessary resource consents.

REMEDICATION / MITIGATION CONDITION

5. The consent holder shall restore the riprap rock protection placed in the coastal marine area to prevent erosion to the original design location and dimensions as shown on BHP NZS Drawing No 510/508/002/000/011. This will require the collection of material that has been dispersed away from the original location by wave action, and replacement within the design location or removal from the coastal marine area. Consideration should be given to the use of larger rocks for protection to restrict dispersal by wave action, and reduce the requirement for future maintenance.
6. The remediation and restoration work required is to be carried out within 6 months of the date of commencement of this consent. Dispersed rock is to be collected manually and transported within the coastal marine area by hand or by use of wheel barrows. Other machines are not to be used within the coastal marine area.

EXTENT OF OCCUPATION

7. The right to occupy part of the coastal marine area, as defined by Section 12(4) of the Resource Management Act 1991, shall be limited to the area of the structures identified in the plans listed in Condition 2.
8. The right to occupy part of the coastal marine area shall not be an exclusive right, and the consent holder shall at all times, permit all persons to use the structures identified in the plans for the purpose of providing public access along the coastal marine area.

REMOVAL CONDITION

9. At the expiry or sooner termination of this coastal permit, the consent holder shall, if requested by the Council, at the consent holder's own expense remove the

structures in their entirety and restore the site to its original condition, to the satisfaction of the Manager.


REVIEW CONDITION

10. That the conditions of this consent may be reviewed by the Manager, pursuant to Section 128 of the Resource Management Act 1991, by the giving of notice pursuant to Section 129 of the Act, in June 2004 and every 2 years thereafter in order:
 - (a) To deal with 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; or
 - (b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.

ADVICE NOTES

1. The resource consent holder is advised that they will be required to pay to the Council 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 resource 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 Council unless other criteria contained within Section 126 are met.
3. The consent holder is advised that should they wish to transfer this permit to any other person they must do so by advising the Council in writing in accordance with Section 135(1)(a) of the Resource Management Act 1991. A fee is payable at the time of transfer to cover the cost of administration.
4. The consent holder is advised that they are required to comply with all relevant provisions of the Building Act 1991, prior to commencing work.

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

Name 
Manager
CONTAMINATION CONTROL
Section

Auckland Regional Council

Date: 29/5/2003

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



Discretionary activity

Application numbers:

BUN60422451(Council Reference)
LUC60422453 (s9 land use consent)
DIS60424342 (s14 and s15 stormwater permit)
DIS60422452 (s15 discharge permit)

Applicant:

New Zealand Steel Limited

Site address:

131 Mission Bush Road
Lots 1-3 DP 202203, Allotment 363-364 Parish of Waiuku East
72 Mission Bush Road
Lot 1 DP 146074
Lots 1-3 DP 29372 Brookside Road
Lots 1-3 DP 29372
Lot 1 DP 110268 Glenbrook Beach Road
Lot 1 DP 110268
Lot 2 DP 110268 Glenbrook Beach Road
Lot 2 DP 110268
35 Higgins Road
Lot 1 DP 20738
36 Higgins Road
Allotment 285 Parish of Waiuku East
64 Glenbrook Beach Road
Lot 5 DP 102560
Lot 1 DP 27248, Part Allotment 122, Part Allotment S123, and Middle Part Allotment 123 Parish of Waiuku East Glenbrook Beach Road
Lot 1 DP 27248, Part Allotment 122, Part Allotment S123, and Middle Part Allotment 123 Parish of Waiuku East
152 Brookside Road
Lot 1 DP 62129

Proposal:

To authorise the use of land and discharges from a new Industrial or Trade Activity (ITA) being proposed Scrap Yards which will be used for the storage of Ferrous Scrap (to provide sufficient quantities for a proposed Electric Arc Furnace (EAF)).

Resource consents are required for the following reasons:

Land use consent (s9) – LUC60422453

Auckland Unitary Plan (Operative in part)

Regional land use (operative plan provisions)

Industrial and Trade Activities

- Use of land for a new industrial or trade activity listed as high risk in Table E33.4.3, being the recycling, recovery, reuse or disposal – metals – crushing, grinding, sorting or storage, is a **controlled** activity under rule E33.4.1(A8).

Stormwater permit (s14 and s15) – DIS60424342

Auckland Unitary Plan (Operative in part)

Regional discharge (operative plan provisions)

Stormwater - Discharge and diversion

- Diversion and discharge of stormwater runoff from impervious areas not otherwise provided for is a **discretionary** activity under rule E8.4.1(A10).

Discharge permit (s15) – DIS60422452

Auckland Unitary Plan (Operative in part)

Regional discharge (operative plan provisions)

Industrial and Trade Activities

- Discharge of contaminants from a new industrial or trade activity area listed as high risk in Table E33.4.3, being the recycling, recovery, reuse or disposal – metals – crushing, grinding, sorting or storage, is a **discretionary** activity under rule E33.4.2(A24).

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, 107, and Part 2 of the RMA, the resource consents are **GRANTED**.

Reasons

The reasons for this decision 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 avoided, remedied, or mitigated as:
 - a. A draft Ferrous Scrap Management Plan (FSMP) was included in the application and describes and identifies areas and activities that pose the greatest potential for releasing contaminants during operation. It specifies contingency and emergency procedures including a Sediment Retention Pond for dealing with any incidents that have the potential to contaminate stormwater (e.g., spills, leaks, etc). The FSMP also includes control system procedures including scrap acceptance procedures as well as operational control measures for the drainage systems and checks for regular inspection and maintenance. Implementing the FSMP will reduce the likelihood of any environmentally hazardous substances entering stormwater from the EAF scrap yard operations.
 - b. The applicant has developed a draft discharge monitoring programme (included in the draft FSMP). The existing monitoring programme that is already undertaken at the site, as required by the existing consents, will be extended to include this new ITA and discharge point(s). The final discharge monitoring programme is yet to be developed but its requirement is acknowledged by the applicant and is to be provided on granting of consent.
 - c. As the new outlet will discharge: (1) to an existing concrete lined channel (North Drain) with low ecological value; (2) up to the 90th percentile storm event; and (3) to a receiving environment with no other downstream properties, there will be negligible water quantity effects, limited potential for erosion or scour at the outlet, and no downstream flooding effects on other properties.
 - d. An Operation and Maintenance Plan (OMP) has not been submitted and will be required as part of the FSMP. A consent condition will ensure ongoing maintenance of the devices is ongoing for optimal mitigation over the long term.
 - e. The ongoing management of the site through the implementation of the FSMP (and the site's overall EMS implemented via existing consents) will reduce the potential of contaminant discharges and the potential cumulative effects that may arise from the activities.
 - f. In terms of positive effects, the scrap yards are a key component in being able to guarantee a steady supply of feed material to the EAF. The EAF will:
 - Reduce direct greenhouse gas emissions at the Site by approximately 800,000 tonnes of CO₂e per annum, equivalent to 45 percent of the Site's greenhouse gas emissions;
 - Enable NZ Steel to produce low emissions steel, with an average embodied carbon per tonne below the world average;
 - Enable an efficient circular economy opportunity for steel scrap within New Zealand, reducing export of ferrous scrap generated in New Zealand;
 - Provide a range of other economic, social, and environmental benefits; and
 - Provide for continued steel manufacturing in New Zealand over the long term.

- g. 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

National Policy Statement for Freshwater Management 2020

Part 2.1: Objectives

Part 2.2: Policies

Auckland Unitary Plan (Operative in Part)

B7. Toitū te whenua, toitū te taiao - Natural resources

B7.3.1. Objectives – Freshwater systems

B7.3.2. Policies – Freshwater systems

B7.4.1. Objectives – Coastal water, freshwater and geothermal water

B7.4.2. Policies – Coastal water, freshwater and geothermal water

E1. Water quality and integrated management

E1.2: Objectives

E1.3: Policies

E2. Water quantity, allocation and use

E2.2: Objectives

E2.3: Policies

E33. Industrial and trade activities

E33.2: Objective

E33.3: Policies

The proposal is considered to be consistent with the relevant statutory documents as the adverse effects from the proposal on freshwater are avoided or mitigated. The proposal implements a FSMP to ensure that effects from potential contaminants are avoided or mitigated. The best practicable option for the stormwater diversion and discharge and discharges relating to Industrial and Trade activities is adopted by the applicants. Therefore the quality of freshwater is maintained. Additionally, the proposal avoids erosion and modification of streams as the existing discharge location is concrete lined.

Mana Whenua values, mātauranga and tikanga associated with freshwater are recognised and provided for, including their traditional and cultural uses and values. Adverse effects on Mana Whenua values associated with freshwater, including wāhi tapu, wāhi taonga and mahinga kai, are avoided or mitigated.

3. In accordance with an assessment under s104(1)(c) of the RMA, no other matters are considered relevant.
4. The provisions of Section 105 have been met as it has been determined that there are no significant effects on the receiving environment as concluded in Section 4 of this memo. It has been assessed that the applicant's reasons for the proposed choice of stormwater management are appropriate in the circumstances and regard has been had to alternative methods of discharge applicable in this case.

5. Section 107(1) of the RMA places restrictions on the granting of certain discharge permits that would contravene Sections 15 or 15A of the RMA. The proposal will not give rise to any of the effects listed in Section 107(1).
6. In the context of this discretionary activity application for land use and discharges, 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.
7. Overall, the proposal is considered to adequately avoid or mitigate adverse effects on the environment. The implementation of the FSMP and ongoing maintenance will ensure maximum efficiency of mitigation devices. The proposal is consistent with the relevant statutory documents and overall, will have positive effects on the environment. The application is granted subject to conditions.

Conditions

Under sections 108 and 108AA of the RMA, 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 BUN60422451 (LUC60422453, DIS60424342, and DIS60422452).
 - Application Form and Assessment of Environmental Effects prepared by Mikayla Woods (Tonkin and Taylor), dated August 2023.

| Report title and reference | Author | Rev | Dated |
|--|---------------|-----|-------------------|
| Draft Ferrous Scrap Management Plan | NZ Steel | 1 | August 2023 |
| Drawing title and reference | Author | Rev | Dated |
| Potential Scrap Yard Catchments | Tonkin+Taylor | 0 | 18/07/2023 |
| Other additional information | Author | Rev | Dated |
| Activity Standard Assessment | Tonkin+Taylor | - | August 2023 |
| New Zealand Steel – Glenbrook Steel Mill – ITA Scrap Yards for EAF: Response to Request for Further Information (Council Ref: BUN60422451) | Tonkin+Taylor | - | 29 September 2023 |

2. Under section 125 of the RMA, these consents lapse five years after the date they are granted unless:
 - a. The consents are given effect to; or
 - b. The council extends the period after which the consents lapse.
3. The consent holder must pay the council an initial consent compliance monitoring charge of \$1116 (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(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, should 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(s) have been met, will the council issue a letter confirming compliance on request of the consent holder.

Expiry

4. Industrial or trade activity permit (DIS60422452) and stormwater diversion and discharge permit (DIS60424342) must expire 5 years after the date the consent has been granted unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Advice Note:

Land use consent LUC60422453 does not have a maximum term of consent.

Ferrous Scrap Management Plan (FSMP)

5. At least 30 working days prior to the commencement of EAF scrap yard storage operations on site, a final updated FSMP must be submitted to Council for confirmation.

Advice Note:

The FSMP outlines the practices and procedures to be adopted to ensure compliance with these consent conditions. The FSMP is designed to prevent, remedy, or mitigate the identified actual or potential adverse effects associated with the consented activity to ensure the risks from the site are managed appropriately.

Contents of the Ferrous Scrap Management Plan (FSMP)

6. The FSMP must include, but not be limited to:
 - a. Identification and details of the EAF scrap yard activities including:
 - (i) Locations and catchment areas of the scrap yards, and;
 - (ii) Locations and calculations of associated treatment devices.

- b. An up-to date and accurate drainage plan showing the location of all discharge points.
- c. Identification of employee roles and responsibilities in relation to the FSMP and a description of how training and competency checks are to be provided for personnel undertaking activities and tasks referenced or referred to in the FSMP.
- d. Description of the external scrap acceptance procedures and protocols.
- e. Description of the procedural and structural controls, relating to EAF scrap yard management including discharge management and treatment, used to prevent, as far as practicable, identified contaminants contacting stormwater runoff and methods to manage environmental risks associated with the EAF scrap yard activities;

Advice Note:

For the FSMP submitted in accordance with Condition 5, this condition can be met by inclusion of Table 3.1 of the AEE with any necessary amendments. This table can be amended during reviews of the FSMP under Conditions 8A and 9 to allow for additions / changes to controls to improve operations.

- f. A discharge monitoring programme as outlined in Condition 19;
- g. Specify the methods for the operation and maintenance of any treatment devices specific to this consent;
- h. A Spill Response Plan (which includes the provision that all spills over 20 litres, or any spill of Environmentally Hazardous Substances that has entered the receiving environment, must be reported immediately to the Council's 24-Hour Pollution Hotline (09-377-3107));
- i. Incident response procedure relating to non-compliance and Trigger Investigation Levels;
- j. An appropriate auditing programme to ensure site performance with all components of the FSMP.

Location of FSMP

- 7. The FSMP must be kept on site and accessible at all times.

Site Management

- 8. The Electric Arc Furnace (EAF) scrap yards must be operated and managed in accordance with the activity specific Ferrous Scrap Management Plan (FSMP) as confirmed by Council.
- 8A. The FSMP must be reviewed within 60 days of commencement of EAF scrap yard storage operations on site. Should any material changes or amendments be required an updated FSMP must be submitted to Council for certification.

FSMP review

- 9. The FSMP must be reviewed and updated at least every two years to ensure all components of the FSMP are still relevant.

Advice Note:

A summary of all revisions and the revised sections shall be submitted to Council as part of the Annual Report required by Condition 23.

Structural controls and treatment system

10. The following structural controls and treatment devices are to be constructed prior to acceptance of external scrap to each ITA catchment area and are to be in accordance with the design standards below:

| Structural control works | Device catchment area / Minimum capacity | Design standard |
|---|---|---|
| <i>Gross Pollutant Trap (GPT)</i> | Local Yard – North (4,959m ²) | As per manufacturer's design specifications |
| | Local Yard – South (11,260m ²) | Up to 90th percentile rain event (WQV) |
| <i>Oil and Water Separator</i> | Yard A (21,392m ²) | As per manufacturer's design specifications |
| | | Up to 90th percentile rain event (WGV) |
| <i>Wetland (Option A)</i> | | In accordance with GD01 including planting plan. |
| | | Up to 90th percentile rain event (WQV) |
| <i>Sandfilter (organic media) with sedimentation chamber (Option B)</i> | | In accordance with TP10 and as per the manufacturer's design specifications |
| | | Up to 90th percentile rain event (WQV) |
| <i>Hydrocarbon Booms</i> | CY19 (Option 1) (10,259 m ²) | BPO |
| | <u>OR</u> | Up to 90th percentile rain event (WQV) |
| <i>Sediment Pond & Wetland</i> | CY5/6 (Option 2) (18,000m ²) | In accordance with GD01 and GD05 |
| | | Up to 90th percentile rain event (WQV) |
| <i>Outlets (new)</i> | | Erosion protection measures to minimise scour and erosion potential in accordance with BPO. |

Advice Note:

For the Local Yards and Yard A either Option A (wetland) or Option B (sandfilter with organic media) will be constructed. For buffer scrap yard ITA either Option 1 or Option 2 will be constructed i.e., conversion of existing CY19 coal yard or conversion of existing CY5/6 coal yard.

Minor modifications

11. In the event that any minor modifications to the structural controls and/or treatment device(s) are required, the following information must be provided:
 - a. Plans and drawings outlining the details of the minor modifications; and
 - b. Supporting information that details how the proposal does not affect the capacity or performance of stormwater management system.

All information must be submitted to, and confirmed by Council, prior to implementation.

Advice Note:

All proposed changes must be discussed with Auckland Council, prior to implementation. Any changes to the proposal which will affect the capacity or performance of the structural control and treatment system or will result in a change to the conditions of this consent will require an application to be made in accordance with Section 127 of the RMA. An example of a minor modification can be a change to the location of a pipe or slight changes to the site layout. If there is a change of device type the consent will have to be varied (s127 under the RMA).

Pre-construction meeting

12. A pre-construction meeting must be held by the consent holder, prior to commencement of the construction of any structural control works, that:
 - a. is arranged five working days prior to initiation of the construction of any treatment devices;
 - b. is located on the subject area;
 - c. includes representation from council; and
 - d. includes representation from the site stormwater engineer and contractor who will undertake the works and any other relevant parties.

Advice Note:

To arrange the pre-construction meeting required by this consent, please contact council on phone 09 301 0101 or monitoring@aucklandcouncil.govt.nz.

Information required for preconstruction meeting

13. The following information must be made available prior to, or at the pre-construction meeting:
 - a. timeframes for key stages of the works authorised under this consent;
 - b. contact details of the site contractor and site stormwater engineer;
 - c. preliminary drainage plans; and

- d. planting plan for bioretention devices in accordance with GD01.

Post-construction meeting

14. A post-construction meeting shall be held by the consent holder within 20 working days of completion of the structural works for the EAF scrap yards that:
 - a. is located on the subject area;
 - b. includes representation from the council; and
 - c. includes representation from the site stormwater engineer who has supervised the works and any other relevant parties.

Advice Note:

To arrange the pre-construction meeting required by this consent, please contact council on phone 09 301 0101 or monitoring@aucklandcouncil.govt.nz.

Certification of As-Built Plans

15. Within 30 working days of completion of the structural works for the EAF scrap yards, As-Built certification and plans of the structural controls, which are certified (signed) by a suitably qualified person as a true record of the structural controls, must be provided to the Council.

Contents of the As-Built Plans

16. The As-Built plans must include, but not be limited to:
 - a. The surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge structure(s), with co-ordinates expressed in terms of NZTM and LINZ datum;
 - b. Plans and cross sections of all structural controls, including confirmation of the Water Quality Volume (WQV), storage volumes and levels of any outflow control structure; and
 - c. Documentation of any discrepancies between the design plans and the As-Built plans.

Discharge Monitoring Programme

17. At least 30 working days prior to the commencement of EAF scrap yard operations, a final discharge monitoring programme to assess the ongoing adequacy of all treatment practices must be developed and submitted to Council.

Advice Note:

The review of the FSMP required by Condition 8A would include a review of the discharge monitoring programme within 60 days of commencement of EAF scrap yard storage operations on site.

18. The discharge monitoring programme must be implemented upon commencement of EAF scrap yard operations.

Contents of the Discharge Monitoring Programme

19. The discharge monitoring programme must include, but not be limited to:
- a. Sampling locations for final discharge from the device discharge outlet(s) and any other additional sampling locations on site (e.g., Site 1);
 - b. Methods and procedures for discharge sampling including details of sampling frequency (minimum of a monthly basis for first 2 years);
 - c. Monitoring parameters for analysis for locations as per (a) must include:

| | |
|------------------------------------|------|
| Total Suspended Solids | mg/L |
| pH | |
| Hardness | mg/L |
| Copper (total) | mg/L |
| Zinc (total) | mg/L |
| Lead (total) | mg/L |
| Chromium (total) | mg/L |
| Nickel (total) | mg/L |
| Iron | mg/L |
| Aluminium | mg/L |
| Total Petroleum Hydrocarbons (TPH) | mg/L |
| Poly Aromatic Hydrocarbons (PAH) | mg/L |
| Oil and Grease | mg/L |

- d. Identified trigger investigation levels for each of the above parameters. These trigger levels must be developed with reference to previous sampling results and the ANZDGV guidelines for water quality where applicable.
- e. The methods and procedures for investigating and reporting discharge monitoring results to Council.

Exceedance in Monitoring Results

20. Within 5 working days of receipt of sample results showing contaminants exceeding the agreed trigger investigation levels:
- a. an investigation must be undertaken to determine why exceedances were detected and to identify any additional source controls or treatment required;
 - b. the results of the investigation must be reported to Council, and;
 - c. any additional structural or procedural controls proposed by the consent holder must be confirmed by Council, in writing prior to their implementation.

Advice Note:

Monitoring result reports will form part of the overall reporting requirements to Council as per the Site's existing ITA stormwater discharge consents.

Annual Report

21. An Annual Report evaluating the EAF scrap yard's environmental performance must be forwarded to Council 12 months following the commencement of EAF scrap yard operations, and thereafter annually.

Advice Note:

The Annual Report required by this consent will form part of the overall reporting requirements to Council as per the Site's existing ITA stormwater discharge consents.

Contents of the Annual Report

22. The Annual Report must include, but not be limited to:
- a. all aspects of the performance of the FSMP relating to this consent for the preceding 12 months;
 - b. a summary of all revisions and revised sections of the FSMP for the preceding 12 months;
 - c. a summary of all inspections and maintenance of the structural controls and treatment devices for the preceding 12 months;
 - d. results and analysis of the preceding 12 months discharge monitoring, along with an interpretation of those results, comparison with the previous two years of monitoring data, where available and suggestions for any improvement to the site operations;
 - e. a summary of records of any spills or incidents which occurred within the previous 12 months and the response which was undertaken; and
 - f. a summary of actions and outcomes taken in response to any exceedances of Trigger and Investigation Levels for the preceding 12 months.

Review condition

23. The conditions of this consent may be reviewed by the Auckland Council pursuant to Section 128 of the RMA, (with the costs of the review process being borne by the consent holder), by the giving of notice pursuant to Section 129 of the RMA,
- Within one year of construction of the stormwater management works
 - And/ or at two yearly intervals (in October) after that time.

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

- a. 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:

- (i) 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 Auckland Council; and/or
 - (ii) 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 Auckland Council;
 - (iii) the conditions may relate to the matters contained in s 108(4) of the RMA or any Act in substitution thereof.
- b. Insert conditions, or modify existing conditions, 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. *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.*

Delegated decision maker:

Name: Doug Fletcher

Title: Principal Project Lead, Resource Consents

Signed:



Date: 27 November 2023

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.