

Consent No. WGN070242 [26052]**Category: Land use consent**

Pursuant to sections 104B and 108, and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a consent in respect of a natural resource is hereby granted to:

Name	Wellington Regional Council (Flood Protection Department)		
Address	PO Box 11646, Manners Street, Wellington 6142		
Duration of consent	Effective: 5 September 2008	Expires: 5 September 2043	
Purpose for which right is granted	<p>To undertake the following stream operations and maintenance activities within the Waitohu Stream, including the associated disturbance of the bed of the stream:</p> <ul style="list-style-type: none"> • placement of impermeable erosion protection structures, • maintenance of existing structures; • cross-blading and stream re-alignments; and • gravel extraction. 		
Location	Waitohu Stream between the Ringawhata Road Bridge and the Wakapua Farm Cow Race Bridge between approximate map references NZMS 260: S25;2695068.6046661 and NZMS 260: S25;2692400.6048899		
Legal description of land	Lot 1 DP 17041 Pt Lot 1 & Lot 2 DP 59203 Lot 1 DP 42292 Lot 2 DP 71215 Lot 1 DP 83994 Pt Lot 2 DP 7971 Lot 26 DP 769	Lot 2 DP 334096 Lots 1 & 2 DP 348647 Lot 1 DP 72331 Lot 2 & Pt Lot 4 DP 57645 Lots 11 & 12 DP 64517 Lot 3 DP 62503 Lots 1 & 2 DP 325378	Lots 1, 3, 4 & 5 DP 71359 Lot 2 DP 60995 Pt Lot 1 & Lot 2 DP 75327 Lot 1 DP 71775 Lots 2, 3 & 4 DP 90112 Lot 2 DP 59205 Lot 1 DP 72330
Conditions	1-33 as attached		

For and on behalf of
WELLINGTON REGIONAL COUNCIL

Manager, Environmental Regulation

Date:

Conditions to Resource Consent WGN070242 [26052]

General conditions

1. The location, design, construction, implementation and operation of all works shall be carried out in accordance with:
 - the application and associated documents and plans, lodged with the Wellington Regional Council on 10 May 2007; and
 - the Waitohu Stream Study, published June 2006, and subsequent reviews;
 - further amended plans received on 23 July 2007.

All subsequent reviews of the Waitohu Stream Study shall be to a standard to meet the requirements of the conditions of this consent.

2. The consent holder shall provide a copy of this consent, including any relevant site plans and attachments, to any contractors or operators undertaking works authorised by this consent, prior to the works commencing. The consent holder shall verbally brief the contractors or operators regarding the conditions of consent, prior to works commencing.
3. The consent holder shall ensure that a copy of this consent is kept on site at all times and presented to any Wellington Regional Council officer on request.

Notification

4. Except for emergency works, as provided for under Condition 6 of this consent, the Manager, Environmental Regulation, Wellington Regional Council, shall be given least 48 hours notice prior to operations and maintenance activities commencing.
5. Except for emergency works, as provided for under Condition 6 of this consent, the consent holder shall notify Te Runanga o Raukawa at least five working days prior to commencing any works in the area between the NIMT Railway Bridge and Taylors Road Bridge.
6. The consent holder shall provide a report detailing any emergency works undertaken to the Manager, Environmental Regulation, Wellington Regional Council, within five working days of undertaking those works. The report shall include the following:
 - a) details of the works that were undertaken;
 - b) reasons why the works were undertaken; and
 - c) any additional remedial or preventative measures required.

Note: For the purposes of this consent the term “emergency works” is deemed to have the same meaning as section 330(1) of the Resource Management Act 1991.

Complaints

7. The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council in writing of any complaints received alleging adverse effects from or relating to the exercise of this consent, within 24 hours, or the next working day of being received by the consent holder. The consent holder must include the following details:

- name and address of the complainant;
- the date and time that the complaint was received;
- details of the alleged event;
- weather conditions at the time of the complaint; and
- any measures taken to mitigate/remedy the cause of the complaint.

Discovery of artefacts

8. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact the Manager, Environmental Regulation, Wellington Regional Council and Te Runanga o Raukawa immediately, and works in that area shall cease to allow a site inspection by the Manager and the representatives of the runanga and their advisors. The consent holder shall then consult with Te Runanga O Raukawa on appropriate steps to recover the artefacts in order that works can resume. If skeletal remains are discovered, works shall also cease and the consent holder shall contact the New Zealand Police.

Operational time restrictions

9. Except for emergency works, as provided for under Condition 6 of this consent, the hours of work shall be as follows:
- On week days (Monday to Friday) works shall only be undertaken between 7:00 am and 7:00 pm.
 - On Saturday works shall only be undertaken between 7:00 am and 3:00 pm.
 - No works shall be conducted on Sundays or public holidays.
10. Except for emergency works, as provided for under Condition 6 of this consent, no works shall be carried out in the actively flowing channel of the stream from 15 August to 30 November (inclusive), to avoid the migration period of native fish.

Works standard conditions

11. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity of the stream during the construction, implementation and maintenance of the works, including:
- completing all works in the minimum time practicable;
 - limiting disturbance of the stream bed to that necessary for the extraction of gravel;
 - avoiding placement of excavated material in the flowing channel;
 - keeping works in the wetted channel to a minimum and machinery out of the wetted channel unless there is no other suitable alternative;
 - undertaking works during times of low flow;
 - constructing a gravel bund to separate the area of works from the flowing channel, where practicable, during the construction and maintenance of erosion protection structures; and
 - minimising the number of vehicle crossings of the stream.
12. All excavated material shall be removed from the stream bed and floodway at the end of each working day and disposed of away from water bodies.
13. The consent holder shall take all practicable steps to re-establish habitat diversity (pools and riffles) in sections of the Waitohu Stream where works are undertaken.

14. The consent holder shall make a record of the number of pools and riffles within the area of works prior to works being undertaken, and the number established on completion of works.

Note: This record is to be submitted to the Manager, Environmental Regulation, Wellington Regional Council, as part of the annual report detailed under condition 23 of this consent.

15. The consent holder shall ensure that the works are undertaken in a manner that does not impede fish passage and that fish passage is maintained at all times during and on completion of the construction works along the stretches of stream affected by the exercise of this consent.
16. The consent holder shall undertake routine inspections of grade control structures to ensure that fish passage is provided for.

Gravel extraction condition

17. From the date of commencement of consent until:
- a) 30 June 2009, up to 4500m³ of gravel shall be permitted to be extracted.
 - b) From 1 July 2009, the annual extraction volume (1 July – 30 June) for up to a maximum period of five years shall be no more than the total projected gravel supply of the stream during that period, as estimated by bed level surveys provided for under Condition 25 of this consent.
18. From the date of commencement of consent until:
- a) 30 June 2009, the consent holder shall extract to approximate 1992 river bed levels (as shown in Figure 1 in Appendix 1 attached), between Taylors Road Bridge and the NIMT Railway Bridge.
 - b) From 1 July 2009, the bed level between Taylors Road Bridge and the NIMT Railway Bridge will be determined by the results of bed level surveys provided for under condition 25 of this consent.

Impermeable erosion protection structures conditions

19. No more than the following length of the specified impermeable erosion protection structure may be constructed annually (1 July-30 June):
- concrete block linings or gabion baskets – 50 lineal metres;
 - mass concrete slab linings – 80 lineal metres.
20. No more than two grade control structures may be constructed over the duration of the consent.

Cross-blading and stream re-alignment

21. No more than the following quantum of the specified cross-blading and stream re-alignment activities may be undertaken annually (1 July-30 June):
- bed recontouring – 200 metres;
 - channel diversions – two in total.

Reporting

22. The volume of gravel, sand or other material extracted/excavated shall be measured to within an accuracy of 10% and recorded in a log kept for that purpose.
- Note: This log is to be submitted to the Manager, Environmental Regulation, Wellington Regional Council, as part of the annual report detailed under condition 23 of this consent.
23. The consent holder shall produce an annual monitoring report to the Manager, Environmental Regulation, Wellington Regional Council, on or before the 1 September each year. Each report shall cover the year from 1

July to 30 June. The format of the report shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and shall include:

- a) The quantum of construction of all erosion protection structures, and cross-blading and stream re-alignment activities undertaken in the preceding year, as defined in Condition 19, 20 and 21 of this consent;
 - b) The volume of gravel, sand or other material extracted/excavated in the preceding year, in accordance with Conditions 17 and 18 of this consent;
 - c) A record of the number of pools and riffles, prior to and on completion of works, completed in accordance with Condition 14 of this consent.
24. The consent holder shall produce a quarterly report giving details of the work to be completed in the next quarter and shall forward the report to the Manager, Environmental Regulation, Wellington Regional Council at least one week prior to the start of that quarter. The format of the report shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. The report shall include:
- a) details of the works that are to be undertaken;
 - b) the location of the works that are to be undertaken;
 - c) the approximate timing of the works that are to be undertaken.
25. From 1 July 2009 onwards, the consent holder shall undertake bed level surveys of the Waitohu Stream, at a minimum of once every five years, to provide the total extraction volume required annually to retain flood carrying capacities, for that period (being a maximum of five years) until the following bed level survey is undertaken, as provided for under Conditions 17 and 18 of this consent. A report detailing the results of the bed level survey shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council within one month of the surveys completion.

The first bed level survey of the Waitohu Stream, under this consent, shall be undertaken by 1 July 2009.

Note: The intention of condition 25 is that the bed level target is the c1998 level [as recommended in the report Waitohu Stream Gravel Analysis (Greater Wellington, 2007)], for the entire extraction reach. The proposed five yearly survey will provide evidence to support both the volumes to be extracted and the extraction locations so as to maintain the 1998 bed levels through the entire extraction reach. The five yearly bed surveys will also provide another, more complete and up-to-date, baseline against which to define and measure the future target bed levels.

Machinery conditions

26. The consent holder shall take all practicable steps to ensure that machinery that has been used in another catchment is clean prior to entry into the stream bed to prevent the introduction of unwanted organisms, including, but not limited to:
- cleaning shall be undertaken in an area where the wash water does not enter the river or any other waterways; and
 - undertaking a visual inspection to locate and remove weeds.
27. The consent holder shall prepare a Machinery Maintenance Manual for any machinery used to undertake works in the Waitohu Stream to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

The manual shall be implemented and forwarded to the Manager, Environmental Regulation, Wellington Regional Council within six months of the date of commencement of this consent.

The manual shall include:

- steps that will be undertaken to prevent the introduction of unwanted organisms in the Waitohu Stream.

All works shall be implemented in accordance with this manual.

Note: The consent holder may wish to consult with the Department of Conservation during the preparation of this manual.

28. There shall be no cleaning, storing or refuelling of machinery within 10 metres of any water body.
29. All machinery shall be well maintained at all times to prevent leakage of fuel, oil, hydraulic fluid or spill of other chemicals into the river. In the event of any such leakage or spill, such machinery shall be removed immediately from the margins of the stream.
30. All storage areas for fuels and lubricants shall be located at least 10 metres away from the river bed and must be bunded or contained in such a manner so as to prevent the discharge or spillages of such contaminants.

Post work conditions

31. The works shall remain the responsibility of the consent holder and shall be maintained to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. This shall include the repair of any erosion of the bed and/or banks of the stream that is attributable to the works and completing any reshaping of the river bed channel should it be deemed necessary by the Manager, Environment Regulation, Wellington Regional Council.
32. All works affecting the river, including tidy up on completion of the works, shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Review of conditions

33. The Environmental Regulation Department, Wellington Regional Council, may review any or all of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991, at any time within six months of the first anniversary of the date of commencement of this consent, and subsequently within six months of each fifth anniversary thereafter, for any of the following purposes:
 - a) To deal with any adverse effects on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - b) To review the adequacy of the monitoring requirements so as to incorporate into the consent any modification that may become necessary to deal with any adverse effects on the environment arising from the exercise of this consent;
 - c) To alter the monitoring requirements in light of the results obtained from any previous monitoring; and
 - d) To enable consistency with relevant plan(s).

Note: Additional resource consents from your local council may be required to undertake this proposal. We advise you to contact Kapiti Coast District Council prior to commencing works.