

Waikanae



caring about you & your environment

Resource Management Act 1991

Resource Consent

Consent No. WGN 980256(01)

Category: Land Use

Pursuant to sections 105 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	Flood Protection Group, Wellington Regional Council	
Address	P O Box 11 646, Wellington	
Term of Consent	Effective: 30 October 1998	Expires: 23 November 2013
Purpose for Which Right is Granted	To undertake routine operations and maintenance in the bed of the Waikanae River, including construction, repair and maintenance of bank protection works (such as groynes, rock linings, gabion baskets and block linings), maintenance and extension of existing structures, reconstruction and repair of river berms and stopbanks, removal or demolition of obsolete bank protection structures, cross blading, gravel extraction, tree planting, layering and tethering, beach scalping, clearance of flood debris, vegetation removal, beach recontouring and contingency works.	
Location	Waikanae River downstream of the Waikanae Water Treatment weir to, and including, the river mouth, between grid references NZMS 260:R26;845.334 and NZMS 260:R26;791.353 respectively.	
Legal Description of Land	N/A	
Volume/Quantity/Rate	See conditions	
Standard Conditions	1-5 as on reverse of this form	
Additional Conditions	6-49 as attached	

For and on behalf of
WELLINGTON REGIONAL COUNCIL

.....
Manager, Consents Management

Date: 16/6/99.....

Standard Conditions

1. This consent is subject to all relevant provisions of the Resource Management Act 1991, its amendments and any regulations made thereunder. It is the obligation of the consent holder to comply with all the statutory requirements relating to the exercise thereof.
2. The consent holder may keep all such records as may be reasonably required by the Wellington Regional Council and shall, if so requested, supply this information to the Wellington Regional Council.
3. This consent is subject to the Wellington Regional Council or its servants, or its agents, being permitted access at all reasonable times for the purpose of carrying out inspections, measurements and the taking of samples.
4. The design and maintenance of any works relating to the exercise of the consent must be to a standard adequate to meet the conditions of the consent.
5. An annual charge, set in accordance with section 36(2) of the Resource Management Act 1991, shall be paid to the Wellington Regional Council for carrying out its functions in relation to the administration, monitoring and supervision of resource consents, and for carrying out its functions under section 35 (duty to gather information, monitor and keep records) of the Act.

General Information

[not part of the consent]

1. The granting of this consent does not imply compliance with the requirements of any other statute, bylaw or regulation.
2. A consent may be exercised only for the purpose stated in that consent. For example, a consent to take water does not authorise the discharge of water or contaminant into water.
3. A water or discharge consent is not an authority to obtain access to a source of water or a point of discharge.
4. In granting a consent to take or use water the Wellington Regional Council does not guarantee or represent that the quality or quantity specified or implied will be available or maintained.
5. The consent holder must, when required, supply the Wellington Regional Council with information on the exercise of the consent.
6. If there is a serious temporary shortage of water the Wellington Regional Council may issue a direction under section 329 that the taking or use of any water be apportioned, restricted or suspended for a period of up to 14 days and such a direction may be renewed from time to time.
7. The consent holder may apply, pursuant to section 127, to the Wellington Regional Council for a change or cancellation of consent conditions, except that the term of the consent cannot be extended by such a change.
8. A consent shall be exercised only by the consent holder or their duly authorised agent. A coastal, water or discharge consent may, pursuant to sections 135, 136 and 137 and upon written notice to the Wellington Regional Council, be transferred to a new owner of the land in respect of which the consent is granted but on the same terms and conditions and for the same purpose as set out in the consent.
9. The consent holder shall make payment of such annual resource management cost recovery fees as may be notified and confirmed by the Wellington Regional Council from time to time in accordance with section 36 of the Resource Management Act 1991.

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6. The activities shall be carried out as described in the consent application and associated documents lodged with the Consents Management Department, Wellington Regional Council, on 2 June 1998 and in accordance with the Waikanae Floodplain Management Plan (dated October 1997).

Note: Any change from the location, design concepts and parameters, and implementation may require a change in consent conditions under section 127 of the Resource Management Act 1991.

7. In terms of section 123(c) of the Resource Management Act 1991, the period for which this consent is granted is limited to 15 years from date of commencement of this consent.
8. In terms of section 125 of the Resource Management Act 1991, the lapsing period for this consent is limited to 15 years from date of commencement of this consent.

9. The Wellington Regional Council may review any or all of the conditions of this consent by giving notice of its intentions to do so under section 128 of the Resource Management Act 1991, at any time within six months of the third, seventh, tenth anniversary of the date of commencement of this consent for any of the following purposes:

- (a) To deal with any adverse effects on the environment that may arise from the exercise of this consent, and which are 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.

The Consents Management Department, Wellington Regional Council, shall review any or all conditions of this consent at any time within six months of the completion of the Waikanae Floodplain Management Plan.

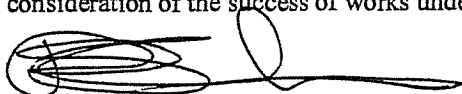
10. The Consents Management Department, Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so under section 128 of the Resource Management Act 1991, within twelve months of any Regional Plan becoming operative, to enable consistency with these Plans.
11. The consent holder may apply, at any time, under section 127 of the Resource Management Act 1991, for the change or cancellation of any consent condition, other than the condition 7, relating to the term of this consent.
12. The consent holder shall undertake an annual walkover of the river and invite representatives of the following to attend the walkover :

- Department of Conservation,
- Wellington Fish & Game Council,
- Te Runanga o Ati Awa Ki Whakarongotai Inc.,
- Kapiti Coast District Council,
- Local residents who have registered interest,
- Interest groups who registered interest,
- Federated Farmers, and
- the Manager, Consents Management, Wellington Regional Council.

The invitation shall be forwarded to the representatives of the above groups at least ten working days beforehand.

The annual walkover shall be conducted to identify and discuss issues relating to operations and maintenance conducted under these resource consents and shall include:

- review of the past year's maintenance and operations works,
- review of any proposed maintenance and operations works for the forthcoming year,
- consideration of the success of works undertaken,



Additional Conditions to Resource Consent WGN 980256(01) (cont'd)

- consideration of any monitoring undertaken,
- consideration of any flood damage.

13. Further to condition 12 the consent holder shall undertake an additional six monthly assessment with Kapakapanui, to be held approximately six months from the date of the annual walkover required by condition 12.

This assessment shall be conducted to identify and discuss issues relating to operations and maintenance conducted under these resource consents.

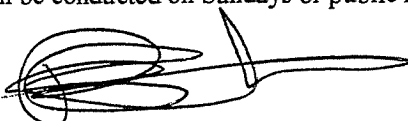
The consent holder shall invite representatives of Kapakapanui, at least 10 workings days prior to the assessment.

14. The consent holder shall produce an annual monitoring report on or before 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, Consents Management, Wellington Regional Council, and shall include:

- (a) Details of all monitoring undertaken during the preceding year.
- (b) Quantities of all the works conducted in the preceding year.
- (c) Details of any significant complaints received and action taken to avoid, remedy or mitigate any adverse effects.
- (d) A summary of the issues and concerns arising from the annual walkover required in condition 12.

If requested by any of those representatives identified in condition 12, the consent holder shall also forward a copy of the annual report to them.

15. All monitoring methods and procedures shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council.
16. The consent holder shall produce a quarterly report giving details of the work completed in that quarter and shall forward the report to the Manager, Consents Management, Wellington Regional Council within three weeks of the completion of that quarter. The format of the report shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council. The information to be provided will detail the type of works undertaken, the location of the works and when they were constructed or undertaken.
17. 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, Consents Management, 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, Consents Management, Wellington Regional Council. The information to be provided will detail the type of works to be undertaken, the location of the works and approximately when they will be constructed or undertaken.
18. The consent holder shall keep a record of any complaints received. This log shall be made available to the Manager, Consents Management, Wellington Regional Council, at any time. The consent holder shall endeavour to record the complainants name, time of the incident, as well as the works being undertaken at the time of the complaint.
19. Except for contingency works, the hours of work shall be as follows:
- all works conducted on week days shall cease by 7:00 pm;
 - all works conducted on a Saturday shall cease by 3:00 pm;
 - no works shall be conducted on Sundays or public holidays; and



Additional Conditions to Resource Consent WGN 980256(01) (cont'd)

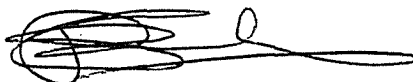
Where the works involve machinery operating in flowing water, these works shall cease by 4:00 pm unless they can be completed by 5.30 pm the same day. This exception does not apply to the working hours for Saturdays, Sundays or public holidays.

The Manager, Consents Management, Wellington Regional Council may extend specified working hours during May to allow works in flowing water to be completed prior to fish spawning if requested by the applicant.

The need for contingency works shall be agreed to by the Manager, Consents Management, Wellington Regional Council prior to any such works commencing.

20. The works shall remain the responsibility of the consent holder and shall be maintained to the satisfaction of the Manager, Consents Management, Wellington Regional Council. This responsibility shall include the repair of any erosion of the river bed or banks/ foreshore that is attributable to the works.
21. All works affecting the river and coastal marine area, including tidy up on completion of the works, shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council. All material surplus to the works shall be removed from the bed and banks of the stream.
22. Expect for contingency works the consent holder shall notify all adjacent property owners at least five working days prior to works commencing of any works which may affect those properties.
23. The consent holder shall draft protocols in partnership with Kapakapanui. These protocols shall include, but not be limited to:
 - Providing for the exercising of kaitiaki duties
 - River mouth cutting ceremonies
 - Rahui
 - Archaeological sites
 - Naming
24. The consent holder shall provide Kapakapanui with all reports required by this consent.
25. In the event of finding any isolated archaeological sites, artefacts, koiwi or skeletal remains, the consent holder shall cease all works affecting the area immediately and seek advice from an archaeologist. The consent holder shall immediately notify Te Runanga o Ati Awa Whakarongotai Inc and the New Zealand Historic Places Trust and, if appropriate, the New Zealand Police.
26. The consent holder shall contact any utility service provider prior to commencing works with potential to affect any property or infrastructure of that utility service provider.

Any construction or excavation within 30 meters of any part of the transmission line owned by Transpower shall not commence without consulting the Environmental Planning Manger, Transpower.
27. Visible dust emissions from excavation activities shall be kept to a minimum when working in the vicinity of Transpower transmission lines. Mitigation measures shall include the use of water carts and/or hosing facilities where appropriate.
28. The consent holder shall ensure that works do not impede any utility service provider's access to their property or infrastructure.
29. The consent holder shall ensure that the works do not result in a loss of pools or riffles in the Waikanae River over the term of this consent. That is 17 pools and 25 riffles. The number of pools and riffles shall not be reduced below 16 pools and 22 riffles. Pools and riffle counts shall be calculated at least 3 yearly and the consent holder shall invite Wellington Fish & Game Council to participate in the count, at least 10 working days prior to the count.
30. Fuel tanks shall not be located in the river bed or floodway. There shall be no cleaning, storing or refuelling of machinery in the riverbed.



Additional Conditions to Resource Consent WGN 980256(01) (cont'd)

31. All machinery shall be well maintained at all times to prevent leakage of oil or spill of other chemicals into the river. In the event of any leakage or spill, such machinery shall be removed immediately from the margins of the river.
32. Appropriate measures shall be undertaken to prevent silt run-off from work sites.
33. Vehicles and machinery shall not enter or work in flowing water as far as is practicable. This approach shall include limiting the number of crossing points and working behind bunds.
34. There shall be no long term stockpiling of excavated material in the river bed and any small stockpiles formed in the river bed on a daily basis shall be positioned in alignment with the flow of the river.
35. Except for contingency works, no works shall be carried out in flowing water of the active channel during the trout spawning season of 31 May to 15 September inclusive.

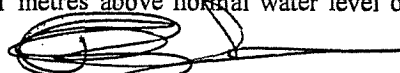
The need for contingency works shall be agreed to by the Manager, Consents Management, Wellington Regional Council prior to any such works commencing.

36. All works shall be undertaken in a manner that provides for fish passage. Any fish entrapped by works shall be relocated upstream into clear water as soon as possible.
37. If any structure becomes redundant, unsafe or poses a significant threat to the health and safety of recreational users, the consent holder shall remove or repair the structure at any time to the satisfaction of the Manager, Consents Management, Wellington Regional Council.
38. All excess material from the works shall be removed from the river bed and shall be disposed of in an appropriate manner.
39. With 12 months of the date of grant of this consent, the consent holder shall draft an ecological strategy in partnership with Kapakapanui to the satisfaction of the Manager, Consents Management, Wellington Regional Council.

This strategy shall guide the consent holder's activities in, and along, the Waikanae River.
40. All material used to construct rock protection structures shall be compatible with the Waikanae River environment.
41. Where bed material is used in the construction of gabion baskets, it is to be locally sourced.
42. Where block and gabion mesh linings are used, the consent holder shall establish vegetation as soon as practicable after completion of the works to sufficiently screen the linings to the satisfaction of the Manager, Consents Management, Wellington Regional Council.
43. All excavation associated with cross blading is to be undertaken from the downstream end working in an upstream direction.
44. Except for contingency works in any one financial year commencing from 1 July the total amount of cross blading shall not exceed 600 lineal metres.
45. In any one financial year commencing from 1 July the consent holder may extract no more gravel than that which maintains the flood carrying capacity of the channel. The consent holder shall supply to the Manager, Consents Management, Wellington Regional Council, information detailing the quantities required to maintain the flood carrying capacity on the second, seventh and twelfth anniversaries of the date of grant of this consent.

Done in 2010

46. There shall be no excavation of material from the river channel containing flowing water.
47. The maximum depth of gravel excavation shall be 0.1 metres above normal water level of the adjacent river channel.



Additional Conditions to Resource Consent WGN 980256(01) (cont'd)

48. Gravel excavation shall be undertaken parallel with the flow of the river.
49. The quantity of gravel, sand or other material excavated shall be measured to within an accuracy of 10 percent and recorded in a log kept for that purpose. A copy of these records shall be submitted to the Manager, Consents Management, Wellington Regional Council in the annual report required by condition 13.

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