



# Resource Consent

RESOURCE MANAGEMENT ACT 1991


**Consent No. WGN160103 [33758]**

**Category: Discharge permit**

Pursuant to sections 104B, 105, 107 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:

<b>Name</b>	Winstone Aggregates – a division of Fletcher Concrete and Infrastructure Limited	
<b>Address</b>	PO Box 17915, Greenlane, Auckland 1546	
<b>Duration of consent</b>	Granted: 11 December 2015	Expires: 11 December 2050
<b>Purpose for which right is granted</b>	To discharge sediment in stormwater runoff to the formed waterbody, created by the gravel extraction activities.	
<b>Location</b>	61-67 Te Roto Road, Ōtaki at or about map reference NZTM 1782474.5484279	
<b>Legal description of land</b>	Lot 1 DP 52060, Lot 3 DP 312350 and Lot 4 DP 312350	
<b>Conditions</b>	1-18 as attached	

For and on behalf of  
WELLINGTON REGIONAL COUNCIL

  
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Team Leader, Environmental Regulation

Date: 22 / 1 / 2016

# Summary of your rights and responsibilities

(Not part of the resource consent)

This resource consent gives you the right to use a public resource (e.g. water, air, the coastal marine area) in the manner specified in the consent.

You may exercise the resource consent as you see fit provided that you comply with all the conditions of your resource consent and all other laws of the land.

If you wish to change the way you operate under this resource consent or if you wish to change or cancel any consent conditions, please contact the Greater Wellington Regional Council (GWRC) prior to making the changes. You may need a formal change to your resource consent conditions.

You may transfer your coastal, discharge, or water permit to any other person. If you sell your operation please contact GWRC and we will arrange the transfer for you (at no cost) once you've completed a 'Transfer of Permit' form including the signatures of the old and new owners.

If your resource consent application contained inaccurate or misleading information, GWRC may cancel or alter the resource consent.

Your resource consent does not:

- provide any warranty of any structure or process;
- provide any guarantee that the resource will be available at all times;
- provide any right of access through or over public or private land;
- negate the need for any approvals necessary under other legislation.

You as the holder(s) of this resource consent and your agents (including contractors and employees), are jointly and severally liable for compliance with the conditions of this consent. It is important that anyone operating on your behalf fully understands and complies with the conditions of the resource consent.

You are required to pay any relevant charges that are associated with the processing and monitoring of your consent under section 36 of the Resource Management Act 1991. Charges may be reviewed every year. If you would like a copy of our current Resource Management Charging Policy please ask us.

You have the right to object to the decision on your consent and/or any additional charges (over and above fixed charges) under section 357A and 357B of the Resource Management Act 1991. Such an objection should be made in writing, setting out the reasons, and be received by us within 15 working days of any decision on your consent and/or additional charges being notified to you.

You are required to allow GWRC Enforcement Officers access to your site and operation at any reasonable time so that we can inspect your operation and confirm that it is complying with your resource consent.

Your resource consent will lapse if you do not give effect to it within five years of the date it was granted (unless otherwise specified in the resource consent conditions). If you wish to apply for an extension of this lapse date please contact GWRC before the lapse date.

If you stop using your resource consent for a continuous five-year period, GWRC may cancel your resource consent. We will advise you in advance if we propose to cancel your consent. You have the right to object to your consent being cancelled.

This consent is issued without prejudice to any claim that is lodged with the Waitangi Tribunal in relation to the customary ownership of natural resources, whether it be a claim that is awaiting hearing or awaiting settlement by the Crown.

# Conditions to Resource Consent

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1. The location, design, implementation and operation of the activity shall be in general accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 3 November 2015.

Where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

*Note 1: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.*

*Note 2: For the avoidance of doubt the consent holder cannot exercise this consent until such time as the necessary land use consents have been obtained from Kapiti Coast District Council.*

2. The lapsing date of this consent, for the purposes of Section 125 of the Resource Management Act 1991, shall be 11 December 2025.
3. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of **two working days'** (48 hours) notice prior to the works commencing.

*Note: Notifications must be emailed to notifications@gw.govt.nz. Please include the consent reference WGN160103 and the name and phone number of a contact person responsible for the proposed works.*

4. The consent holder shall provide a copy of this consent and any documents and plans referred to in this consent to each operator or contractor the undertaking works authorised by this consent, prior to the works commencing.

*Note: It is recommended that the contractors be verbally briefed on the requirements of the conditions of this consent prior to works commencing.*

5. The consent holder shall ensure that a copy of this consent and all documents and plans referred to in this consent, are kept on site at all times and presented to any Wellington Regional Council officer on request.

### **Pre-construction meeting**

6. The consent holder shall arrange and conduct a pre-construction site meeting prior to any work authorised by this consent commencing on site and invite, with a minimum of **10 working days'** notice, the Greater Wellington Regional Council and the contractor undertaking the works.

*Note: In the case that any of the invited parties, other than the representative of the consent holder, does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.*

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## Site management plan

7. The consent holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council at least 5 working days prior to works commencing, a Site Management Plan that will include details of (but not be limited to):
- Responsibilities and contact details of all parties responsible for the operation;
  - Hours and times of operation;
  - Traffic management;
  - The construction and formation of the stopbank crossing;
  - Fencing;
  - The construction and formation of the noise attenuating bunds (including the planting, watering and maintenance of the bunds);
  - The operation of equipment to avoid excessive noise,
  - The nature and staging of the quarrying activities;
  - The collection and response to complaints;
  - The avoidance of offensive or objectionable dust beyond the boundary of the site; and
  - Rehabilitation;
  - Creation and restoration of eco-islands.

## Progressive stabilisation

8. The consent holder shall progressively stabilise any disturbed areas as they complete each stage to minimise sediment runoff. Road surfaces shall be covered with rotor millings or road metal or a similar material to the satisfaction of the Manager, Environmental Regulation. The progressive stabilisation shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.
9. Each stage of gravel extraction shall be stabilised before any further stages are undertaken, unless otherwise authorised in writing by the Manager, Environmental Regulation, Wellington Regional Council.

## Preventing the discharge of unauthorised contaminants

10. The consent holder shall take all necessary precautions to prevent any discharge of contaminants to the formed waterbody, other than sediment in stormwater runoff.
11. In the event of a discharge of unauthorised contaminant(s) to water or to land in a manner that may enter water, including but not limited to fuel, hydraulic fluid, overspray of weed killer, contaminated soil or leachate, the consent holder shall:
- a) take immediate steps shall be taken to contain the contaminant
  - b) ensure that the contaminants and any material used to contain it are removed from the site and disposed of at an authorised landfill
  - c) immediately notify the Manager, Environmental Regulation, Wellington Regional Council of the spill or contamination and of the actions taken to remediate and mitigate any adverse environmental effects
  - d) if requested, undertake water quality sampling and any other actions necessary to remediate or mitigate any adverse effects on the environment, to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

*Note: A discharge of an unauthorised contaminant is deemed to be non-compliance. The Greater Wellington Regional Council may investigate any incidents or breaches associated*

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*with this consent or the Resource Management Act 1991, and may also undertake enforcement action depending on the circumstances.*

### **Accidental discovery protocol**

12. If koiwi, taonga or other archaeological material is discovered in any area during the works, work shall immediately cease and the consent holder shall contact Ngā Hapū o Ōtaki, Heritage New Zealand and Wellington Regional Council within twenty-four hours. If human remains are found, the New Zealand Police shall also be contacted. The consent holder shall allow the above parties to inspect the site and in consultation with them, identify what needs to occur before work can resume.

*Note: Evidence of archaeological material may include burnt stones, charcoal, rubbish heaps, shell, bone, old building foundations, artefacts and human burials.*

### **Water quality sampling**

13. The consent holder shall forward the results of any water quality analyses of the formed waterbody to the Manager, Environmental Regulation, Wellington Regional Council, within one month of samples being analysed.

*Note: The results of any water quality analyses and/or monitoring must be sent to notifications@gw.govt.nz. Please include the consent reference (WGN160103) and the name and phone number of a contact person responsible for the results.*

### **Annual gravel extraction report**

14. The consent holder shall provide a report detailing the amount, location and extent of gravel extraction, including plans and cross-sections, to the Manager, Environmental Regulation, Wellington Regional Council, by 1 November each year.

*Note: The report must be sent to notifications@gw.govt.nz. Please include the consent reference (WGN160103) and the name and phone number of a contact person responsible for the report.*

### **Rehabilitation of the site**

15. By 1 March 2050, or at least six months prior to gravel extraction ceasing at the site, the consent holder shall provide a report to the Manager, Environmental Regulation, Wellington Regional Council, which includes but is not limited to:
- a) an analysis of the water quality of the formed waterbody
  - b) methods or measures to be used to improve or maintain the water quality of the formed waterbody
  - c) a timeframe for implementing the measures set out in b)
  - d) proposed uses for the formed waterbody
  - e) feedback from consultation with regard to the future use and existence of the waterbody.

*Note: Implementation and/or operation of any water quality improvement measures or other future uses of the lake may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.*

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## Complaints

16. The consent holder shall maintain a permanent record of any complaints received alleging adverse effects from or related to the works. This record shall include:
- The name and address of the complainant (if provided)
  - 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

This record shall be made available to the Manager, Environmental Regulation, Wellington Regional Council, on request.

## Review condition

17. Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within one month of each anniversary of the commencement of this consent, for any of the following reasons:
- a) To review the adequacy of any plan and/or monitoring requirements, and if necessary, amend these requirements outlined in this consent
  - b) 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
  - c) To require the implementation of Best Practicable Options, in respect to new methodologies for the undertaking of the works to avoid, remedy or mitigate any significant adverse effect on the environment arising from the works
  - d) To enable consistency with any relevant Regional Plans or any National Environmental Standards or Regulations

The review of conditions shall allow for the deletion or amendment of conditions of this consent; and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.

*Note: For the purposes of this condition the "exercise of the consent" is deemed to be once the works authorised by this consent have commenced.*

18. The Wellington Regional Council shall be entitled to recover from the consent holder the costs of any review, calculated in accordance with and limited to the Council's scale of charges in force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.

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