



Resource Consent


RESOURCE MANAGEMENT ACT 1991

Consent No. WGN190007 [35697]
Category: land use consent & 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:

Name	Wellington Water Limited	
Address	Private Bag 39804 , Wellington Mail Centre, Petone 5045	
Duration of consent	Granted: 6 August 2018	Expires: 5 years following the commencement of works
Purpose for which right is granted	To undertake bulk earthworks over a contiguous area of more than 3,000m ² per property associated with the creation of a new water supply reservoir, including the following discharges during construction: <ul style="list-style-type: none"> • cleanfill material to land where it may enter water; and • sediment laden stormwater to land where it may enter water 	
Location	Queen Charlotte Drive, Aotea, Porirua at or about map reference NZTM 5445164.1755867	
Legal description of land	Lot 270-274 DP 498135 and Pt SEC 286 Porirua DIST	
Conditions	1-18 as attached	

For and on behalf of
WELLINGTON REGIONAL COUNCIL


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Team Leader, Environmental Regulation

Date: 6 August 2018
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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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General conditions

1. The location, design, implementation and operation of the works shall be in general accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 11 July 2018 and further information to the application received via email on the 16 July 2018 (proposed landscaping plan and bund height).

Where there are any contradictions or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note: 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.

2. This consent shall lapse 10 years following the granting of consent unless given effect to prior to that date. Pursuant to section 123 of the Act, this consent shall expire 5 years from the date of the commencement of works.

Pre-construction requirements

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 can be emailed to notifications@gw.govt.nz

Please include the consent reference WGN190007 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 undertaking the works authorised by this consent, prior to the works commencing.

Note: It is recommended that the contractor(s) 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.

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 all contractor(s) 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.

7. The consent holder shall prepare, in consultation with the contractor(s) and engineer(s) undertaking the works, a final Erosion and Sediment Control Plan (ESCP). The ESCP shall be submitted to the Manager for certification that it meets the requirements of this condition at least 20 working days prior to any works starting on site. The final ESCP shall, as a minimum, be prepared in general accordance with the current Erosion and Sediment Control Guidelines for the Wellington Region, and shall include, but not be limited to, the following:

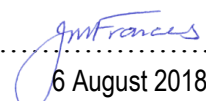

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- a) Identification of appropriately experienced staff responsible for the implementation, operation, management and maintenance of all erosion and sediment control structures, including their roles, responsibilities and contact details;
- b) A detailed description of the works proposed, construction methodology and timetable;
- c) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control, and minimise the potential for the discharge of sediment laden water from the site;
- d) The design criteria and dimensions of all erosion and sediment control measures and devices;
- e) Plan(s) of an appropriate scale clearly identifying:
 - The locations of waterways and stormwater drains;
 - Staging sequence of erosion and sediment control measures and devices;
 - Areas and cross sections of cut and fill;
 - The extent of soil disturbance;
 - Locations of all stockpiles, stabilised access roads and stabilised construction entrances;
 - All erosion and sediment control measures, including diversion channels;
 - The boundaries and area of catchments contributing to all stormwater impoundment structures;
 - The locations of all specific points of discharge to the environment, including to the stormwater network;
 - Civil infrastructure to be constructed in relation to completed bulk earthworks areas; and
 - Any other relevant site information;
- f) Timetable and nature of progressive site rehabilitation and re-vegetation proposed;
- g) Maintenance, monitoring and reporting procedures and frequency;
- h) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control measures or devices;
- i) Procedures and timing for review and/or amendment to the ESCP;
- j) Decommissioning methodology for all erosion and sediment control measures and devices;
- k) Procedures for re-instating erosion and sediment control measures and devices at the end of each working day, where applicable; and Reasons for any variance to the current Erosion and Sediment Control Guidelines for the Wellington Region.

Construction shall not commence until the consent holder has received confirmation that the ESCP is to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Any amendments proposed to the certified ESCP shall be confirmed in writing by the consent holder and be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council prior to the implementation of any amendments proposed.

8. All erosion and sediment control measures and devices shall be installed, operated and maintained in accordance with the latest version of the Erosion and Sediment Control Guidelines for the Wellington Region (September 2002) and the approved ESCP required by condition (7)
9. All erosion and sediment control measures and devices shall remain the responsibility of the consent holder. No erosion or sediment control measures or devices shall be removed prior to the applicant receiving written confirmation that the relevant stage/phase area is stabilised to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.



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10. All fill material used on site shall:
- a) Be restricted to natural material, such as clay, soil and rock and other inert materials as detailed in the definition of cleanfill material in section 2.2 of the Ministry for the Environment publication 'A guide to the Management of Cleanfills, 2002'; and
 - b) Be restricted to those materials listed as acceptable in table 4.1 of the Ministry for the Environment publication 'A guide to the Management of Cleanfills, 2002'.
11. All fill material shall be placed and compacted so as to avoid erosion and instability. Any erosion of soil including failure of cut and fill batters that is attributable to the works shall be contained, remedied and mitigated by the consent holder to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Site auditing requirements

12. The consent holder shall ensure that the site is audited by a suitably qualified and experienced person on a minimum of a **weekly basis** to ensure that the erosion and sediment control methods are being maintained in accordance with the approved **Erosion and Sediment Control Plan** required by condition 7 of this consent.

The weekly audits shall include, but not be limited to, the following information:

- a) Date
- b) Name of auditor
- c) Site condition
- d) Weather conditions
- e) Sediment management (including identification of problem areas that are not being treated by sediment control measures, and any measures put in place to treat these areas)
- f) Runoff control (checks of diversion channels and check sediment retention devices)
- g) Condition of sediment control measures, including silt fences, contour drains and sediment retention devices
- h) Maintenance required and the date this will be completed by
- i) Contractor responsible for the maintenance; and
- j) General comments.

The frequency of the audits may be reduced if agreed in writing by the Manager, Environmental Regulation, Wellington Regional Council.

13. The results of the audits as required by condition 12 shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council, no later than one week after the audit has been undertaken.

Note: Audits should be sent to notifications@gw.govt.nz. Please include the consent reference WGN190007 and the name and contact details for the person responsible for the audit.

14. In the event of a spill of fuel, hydraulic fluid, or other potential liquid contaminants, the consent holder shall:
- a) Take immediate steps to contain the spilt contaminant. The spilt contaminants and any materials used to contain it shall be removed from the site and disposed of at an authorised landfill.

- b) Notify the Manager, Environmental Regulation, Wellington Regional Council within 24 hrs of the spill occurring outlining that the spill has occurred and what actions have been taken to contain and remove the spilt contaminant.

All actions shall be undertaken to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Note: Notification should be emailed to notification@gw.govt.nz. Please include the consent reference WGN190007 and the name and contact details of the site manager.

15. If koiwi, taonga, waahi tapu or other archaeological material is discovered in any area during the works, work shall immediately cease and the consent holder shall notify Greater Wellington Regional Council, Te Rūnanga o Toa Rangatira Inc. and Heritage New Zealand as soon as possible but within 24 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.

No works may resume on site until the consent holder has received written notification that consultation with the parties identified above has been undertaken to the satisfaction of the Manager.

Note 1: Notification should be emailed to

- *Greater Wellington Regional Council notifications@gw.govt.nz*
- *Heritage New Zealand information@heritage.org.nz*
- *Te Rūnanga o Toa Rangatira Inc. resourcemanagement@ngatitoea.iwi.nz*
- *Heritage New Zealand should also be contacted by phone on 04 472 4341 (National Office).*

Note 2: Evidence of archaeological material may include burnt stones, charcoal, rubbish heaps, shell, bone, old building foundations, artefacts and human burials.

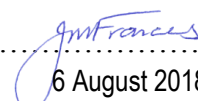
16. The consent holder shall maintain a permanent record of any incidents that occur on the site which result, or could result, in any adverse effects on the environment (air, water, soil) beyond the boundary of the site. The record shall include:

- a) Date and time of the incident;
- b) The type and nature of the incident and the cause of the release of contaminants;
- c) Weather conditions at the time of the incident (as far as practicable);
- d) Measures taken to remedy the effects of the incident; and
- e) Measures put in place to prevent the incident from re-occurring.

The record shall be provided to any Greater Wellington Regional Council Compliance or Enforcement Officer 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;


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- 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;
- e) 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.