



File Ref: 1/2/WCL
SKC:KJH

Land Use Consent – Gravel – 106561

CONSENT GRANTED

To

Webb Contracting Limited

To

take gravel from the Ohau River

SUBJECT TO THE ATTACHED CONSENT CONDITIONS

Location

Address for activity:	Ohau River, downstream of Triplows Point, to State Highway 1 bridge.
Legal description:	Riverbed, Lot 1 DP 14364, Pt Muhunoa, Ohau 3, 11D, Muhunoa 1B1B, Pt Muhunoa 2, Pt Sec 36 Blk V Waiopahu SD.
Valuation number:	Riverbed, 14840/133.07, 14840/133.00, 14840/133.10, 14840/196.06, 14840/194.02.
Map reference:	Between NZTopo50 BN33:919-947 (E1791972 N5494782) and NZTopo50 BN33:895-953 (E1789514 N5495329).

Details of Resource Consent

Granted:	29 August 2013
Expiry:	1 July 2018
Replacing consent number:	102037
Maximum volume:	5,000 cubic metres per year (5,000 m ³ /year) 25,000 cubic metres for the duration of this consent

DECISION

For the reasons reported below, the Regulatory Manager of the Manawatu-Wanganui Regional Council (pursuant to delegated authority), grants resource consent 106561 to Webb Contracting Limited under sections 104, 104B and 108 of the Resource Management Act 1991 to take gravel from the Ohau River, downstream of Triplows Point, to State Highway 1 bridge for a term of 5 years expiring on 1 July 2018.



Richard Munneke
REGULATORY MANAGER

29 August 2013

REASON FOR THE DECISION

1. The application has been assessed by Manawatu-Wanganui Regional Council's Design Engineer, Jon Bell and Manawatu-Wanganui Regional Council's Research Associate, Manas Chakraborty.
2. Mr Bell notes that while the mean bed level of the reach has fluctuated over time, there has been no serious lowering of the level of the river. As the proposed volume of gravel is a continuation of the previous consent, he has noted that this volume will be at a sustainable rate. In addition, the Ohau River Gravel Resource Study recommends that the current rates of gravel extraction in this reach are maintained as it appears to balance the rate at which gravel is deposited in this reach. He recommends that the extraction is directed more evenly through the reach to ensure that there is not significant localised degradation. A condition of consent is recommended to ensure this occurs. Based on Mr Bell's assessment, I consider the effects of the proposed extraction on the levels of the riverbed to be no more than minor.
3. Mr Chakraborty notes that in addition to the zone wide surface water values, this reach of the Ohau River is mapped as Site of Significance – Aquatic, Site of Significance – Riparian, Trout Fishery (locally significant), Trout Spawning, and Flood Control. The effects of the proposed extraction are considered to be no more than minor on these values should the applicant take care to manage the activity. Consent conditions have been recommended to protect these values.
4. The proposed extraction is consistent with the relevant Objectives and Policies of the Regional Policy Statement, the Proposed One Plan (2010) and the Regional Plan for the Beds of Rivers and Lakes and Associated Activities.
5. The proposed extraction is consistent with the relevant provisions of the Resource Management Act 1991.
6. The proposed volume of gravel extraction is with the gravel allocation framework of the Proposed One Plan (2010).

\Recommended by:



Sara Cook
CONSENTS PLANNER

CONDITIONS

Beds of Rivers Conditions

1. The consent holder shall undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with Manawatu-Wanganui Regional Council on 7 December 2012, and further information received:
 - a. 18 June 2013 via letter being an amended map showing the reach.

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

Advice 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.

Advice Note: Any contractor or third party who is responsible for undertaking activities authorised by this consent should be shown a copy and made aware of these consent conditions.

2. The gravel extraction activity authorised by this Land Use Consent shall be restricted to the Ohau River, from downstream of Triplows Point, to the State Highway 1 bridge between approximate map references NZTopo50 BN33:919-947 and NZTopo50 BN33:895-953 (E1789514 N5495329 as shown on **Plan C106561A** attached to and forming part of this consent.
3. The total annual volume of material that may be extracted and removed from the reach of the Ohau River under this Land Use Consent shall not exceed 5000 cubic metres per year, and 25000 cubic metres over the duration of this consent.
4. No extraction of gravel shall take place within 300 metres of the railway bridge located at map reference NZTopo50 BN33:895-953.

Site management Conditions

5. All machinery, pumps, generators and ancillary equipment shall be operated in a manner, which ensures spillages of fuel, oil and other contaminants are prevented from entering a water body or overland flow path. Particularly during refuelling and machinery servicing or maintenance activities.
6. The consent holder shall not operate machinery within the flowing channel of the Ohau River except for river crossings, which shall be kept to a minimum and located at the upstream end of riffles. No river crossings shall occur between **1 May and 1 September** (inclusive).

Advice Note: A **Riffle** is a short, relatively shallow and rocky-bedded length of stream over which the stream flows at higher velocity and higher turbulence than it normally does in comparison to a pool.

Ecological and Flood Protection values

7. Any discharge of sediment into water must not, after reasonable mixing, cause any conspicuous change in the colour of water in the receiving water or any change in horizontal visibility greater than 30% change in visual clarity, at all times.

Advice Note: Reasonable mixing is defined as seven times the bed width.

8. The consent holder shall ensure that any materials, machinery or equipment from the activities authorised by this consent (including any temporary structures), shall:
 - a. not be stored in or on the bed of the Ohau River;
 - b. be removed after completion of the activity; and
 - c. are disposed of in an appropriate manner where it will not adversely affect the stream channel or impede the flow of water.

Advice Note: 'Materials' include stockpiles, mounds, depressions, trees/vegetation, excavated material, holes or surplus materials

9. The consent holder shall ensure that between **1 August and 31 December** each year, gravel extraction and bed disturbance on gravel beaches as defined on **Plan C106561A** attached to and forming part of this consent shall only take place:
 - a. within seven days following a flood of the area that is subject of the activity; or
 - b. where the extraction or disturbance commenced at the same location prior to 1 August and have not been interrupted for more than seven days.

If undertaking works during this period the consent holder shall contact the Department of Conservation two days prior to commencing work in an area to ensure the works will not disturb known nesting sites.

Advice Note: The Department of Conservation can be contacted on 06 350 9700 for advice on dotterel nesting sites.

10. During the period **1 March to 30 November**, excavation, disturbance and removal works authorised by this consent shall be restricted to the hours of 7.00 am to 6.30 pm weekdays and 7.30 am to 1.00 pm on Saturdays. No excavation is authorised on any Saturday after 1.00 pm, Sunday or Public Holiday.
11. During the period **1 December to 28 February** excavation, disturbance and removal works authorised by this Land Use Consent shall be restricted to the hours of 7.00 am to 5.00 pm weekdays, with no excavation authorised on any weekend or Public Holiday during this period.

Gravel Extraction Conditions

12. Any erosion, scour or instability of the stream bed or banks that is attributable to the gravel extraction carried out as part of this consent is remedied by the consent holder within **10 working days**.
13. On completion of any excavation sequence, the beach shall be left well shaped, tapering uniformly from the water's edge to the river bank.

14. The consent holder shall undertake all excavation in narrow strips aligned parallel to the main flow of the River, commencing from the downstream end of the work area and moving upstream. No excavation or removal of material shall take place in the active flowing channel or below a height of 300 millimetres above the water level existing in the Ohau River channel at the time of excavation, nor shall there be any excavation of the adjacent river berm.

Reporting Conditions

15. The consent holder shall contact the Manawatu-Wanganui Regional Council's Environmental Protection Manager at least **two working days** prior to the commencement of the activities authorised by this Consent and within **two working days** of completion of the extraction.

Advice Note: The Environmental Protection Manager can be contacted at the following number 0508 800 800, or at compliance.shared@horizons.govt.nz.

16. The consent holder shall contact the Manawatu-Wanganui Regional Council's Area Engineer – Southern at least two working days prior to the commencement of extraction activities at the site, to be advised of what sites are to be worked, the volumes to be removed and the beach shape required.

Advice note: The Area Engineer – Southern can be contacted at the following number 0508 800 800.

17. The consent holder shall supply to Manawatu-Wanganui Regional Council's Regulatory Manager, **within 10 working days** after the end of each month commencing **1 September**, a record of all material excavated from the bed of the Ohau River during that month, stating the volumes removed from the beaches prior to any stockpiling. If no material has been excavated, a "nil" return shall be provided.

Advice note: For the purposes of this consent, the volume may be stated as the number of truck loads and the capacity of the truck.

18. In the event of an archaeological site, waahi tapu or koiwi being discovered or disturbed during the activities authorised by these consents, the consent holder shall immediately cease further work and inform the local iwi, Muaūpoko Tribal Authority Inc and the Manawatu-Wanganui Regional Council's Environmental Protection Manager. Further work at the site shall be suspended while iwi carry out their procedures for removal of taonga. The Manawatu-Wanganui Regional Council's Environmental Protection Manager will advise the consent holder when work at the site may recommence.

Advice Note: In the event that human remains are found the police should be contacted immediately and all works shall cease until advice is given that works can recommence.

Advice Note: A Muaūpoko Tribal Authority Inc representative can be contacted, at the time of granting of these consents, on the following numbers: 06 367 3311.

Advice Note: At the time of granting this consent the Manawatu-Wanganui Regional Council's Environmental Protection Manager can be contacted on 0508 800 800.