



File Ref: 1/2/CAT
JDH:TES

Land Use Consent – Gravel – 106579

CONSENT GRANTED

To

John R Catley

To

take gravel from the Ohau River for the purpose of river management

SUBJECT TO THE ATTACHED CONSENT CONDITIONS

Location

| | |
|------------------------------|--|
| Address for activity: | 162 Soldiers Road, Levin |
| Legal description: | Lot 2 DP 6119, Lot 2 DP 6248, and Lot 1 DP 55447 |
| Valuation number: | 14810/325.10, 14810/357.00 |
| Map references; | |
| From : | NZMS260 S25 965 583 NZTopo50 BN33 865 966 |
| To: | NZMS260 S25 977 580 NZTopo50 BN33 877 963 |

Details of Resource Consent

| | |
|----------------------------------|--|
| Granted: | 11 February 2013 |
| Expiry: | 1 July 2023 |
| Review: | Annually in July |
| Replacing consent number: | 102481 |
| Average annual volume: | 10,000 cubic metres per year (10,000 m ³ /year) |
| Maximum volume: | 100,000 cubic metres for the duration of this consent |

DECISION

For the reasons reported below, the Policy and Consents Manager of the Manawatu-Wanganui Regional Council (pursuant to delegated authority), grants resource consent 106579 to John R Catley under sections 104, 104C and 108 of the Resource Management Act 1991 to take gravel from the Ohau River for the purpose of river management at 162 Soliders Road, Levin for a term of 10 years expiring on 1 July 2023.



Richard Munneke
POLICY AND CONSENTS MANAGER

11 February 2013

REASON FOR THE DECISION

1. The proposed extraction activity is consistent with the Resource Management Act 1991.
2. This application has been assessed by Jon Bell, Manawatu-Wanganui Regional Council's Design Engineer. Mr Bell has considered that the effects of the extraction are less than minor and concludes that the proposed extraction will not adversely effect the river alignment and will assist in keeping the Ohau River within its design channel. Conditions have been imposed requiring the applicant to remedy any erosion should it occur. Overall the effects are considered to be less than minor.
3. This application has been assessed by Manas Chakraborty, Manawatu-Wanganui Regional Council's Research Associate. Mr Chakraborty has considered the effects of the extraction on schedule AB values associated with the site. The site has specific values as Life Supporting Capacity, Aesthetics, and Contact Recreation, in addition the site is adjacent to both Sites of Significance Aquatic and Riparian and a locally significant trout fishery. Conditions have been imposed for the applicant to protect these values and ensure that any adverse environmental effects arising from the activity are less than minor.
4. Conditions have been imposed which restrict the hours in which extraction can take place and to ensure that this gravel extraction has a minor effect on water quality.
5. Annual reviews have been placed on the consent to ensure that in the case of a major flood or other event, this gravel extraction will not result in an on-going adverse effect on the environment.

Recommended by:



Dan Higgs
CONSENTS PLANNER

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 January 2013. In addition, 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.

2. The gravel extraction activity authorised by this Land Use Consent shall be restricted to the Ohau River Bed, between approximate map references NZMS260 S25 965 583 / NZTopo50 BN33 865 966 and NZMS260 S25 977 580 / NZTopo50 BN33 877 963.
3. The average annual volume of material that may be extracted and removed from the Ohau River under this Land Use Consent shall not exceed 10,000 cubic metres per year (10,000 m³/year), averaged over the term of this consent.
4. The total volume of material that may be extracted and removed from the Ohau River under this Land Use Consent over the term of ten (10) years shall not exceed 100,000 cubic metres (100,000 m³).
5. The consent holder shall supply to Manawatu-Wanganui Regional Council's Environmental Protection Manager, within **10 working days** after the end of each month commencing **February 2013**, 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.

6. The consent holder shall contact the Manawatu-Wanganui Regional Council's Area Engineer – Southern, **two (2) 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.

7. The consent holder shall ensure that no vegetative materials, debris, overburden, holes, mounds, or stockpiles are left on any work site within the excavation area at the completion of any excavation sequence, and that none of the above materials are stored or stockpiled in a position where the flow of water may be impeded. Where the vegetation includes exotic plants such as willow, pampas and bamboo, it is not to be disposed of in locations where such vegetation is not present to avoid the spread of these species.
8. The works shall remain the responsibility of the consent holder and shall be maintained so that any erosion, scour or instability of the stream bed or banks that is attributable to the works carried out as part of this consent is remedied by the consent holder within **10 working days**.

9. 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 300 millimetres above the water level existing in the Ohau River channel at the time of excavation.
10. During the period **1 December to 28 February** the activity must not result in suspended sediment being conspicuous during weekends and public holidays.
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.
12. During the period **1 March to 30 November** excavation, disturbance and removal works authorised by this Land Use Consent shall be restricted to the hours of 7:00 am to 6:00 pm weekdays and 7:00 am to 12:00 pm on Saturdays. No excavation is authorised on any Saturday after 12:00 pm, Sunday or Public Holiday.
13. The Consent Holder shall ensure the activities authorised by this Consent do not significantly adversely affect or render unsafe, public access to and along the Ohau River.
14. On completion of any excavation sequence, the beach shall be left well shaped, tapering uniformly from the water's edge to the river bank.
15. No machinery shall enter or operate in water within the Ohau River except as required for river crossings. Crossings shall be minimised, and where possible shall be made at the same point in the Ohau River, preferably on the upstream side of a riffle.
Advice Note: A riffle is defined as a shallow part of a stream / river where the water flows brokenly.
16. The consent holder shall ensure that no river crossings are undertaken during the trout spawning season (**1 May – 31 September** inclusive).
17. 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.
18. Activities authorised by this consent shall not result in the discharge of contaminants that are toxic to aquatic ecosystems.
Advice Note: This includes leakage of fuel, oil and other contaminants from machinery used for activities under this consent.
19. The consent holder must not refuel machinery in any area where spills may enter surface water.
20. The consent holder shall ensure that between **1 August and 31 December** each year, gravel extraction and bed disturbance on gravel beaches 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 has 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.

21. The consent holder shall ensure that there is no deposition of dust to the extent that it causes an adverse effect at or beyond the boundary of the site as a result of the works and associated activities.
22. The consent holder shall ensure that:
 - a. machinery or vehicles used at the proposed site should be stood down for 48 hours prior to use in any catchment other than the Ohau River upstream of the site;
 - b. no gravel should be placed within an area such that the runoff will enter a waterbody other than the Ohau River; and
 - c. standard check, clean or dry procedures shall be adopted for any vehicles, equipment, clothing or footwear that has been in contact with a waterbody other than the upstream of the Ohau River within the past 48 hours.
23. The consent holder shall comply with all notices and guidelines issued by Biosecurity New Zealand in relation to avoiding spreading the Pest Organism *Didymosphenia geminata*, known as "Didymo" (refer to www.biosecurity.govt.nz/didymo).
24. 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 Te Runanganui o Rangitane Incorporated 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: Te Runanganui o Rangitane Incorporated's representative can be contacted (at time of granting of this consent), on the following number: 06 353 1881.

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.

Review Condition

25. The Manawatu-Wanganui Regional Council may, under Section 128 of the Act, initiate a review of all conditions of this resource consent **annually in July** for the duration of this consent, for the purpose of reviewing the effectiveness of these conditions in avoiding or mitigating any adverse effects on the environment. The review of conditions shall allow for:
 - a. deletion or amendments to any conditions of this resource consent to ensure adverse effects are appropriately mitigated; or
 - b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; or
 - c. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.