greater WELLINGTON
REGIONAL COUNCIL

7 July 2009
File: WGN090226 [27592][27593][27430][27431][27482][27601][27429][27481]

IN THE MATTER OF	The Resource Management Act 1991 (the Act)
AND	Applications for a resource consent made pursuant to Section 88 of the Act, referenced as: **WGN090226 [27592][27593][27430][27431][27482]** **[27601][27429][27481]**
TO	Wellington Regional Council
BY	Wellington City Council (WCC)
IN RELATION TO	A group of consents associated with the construction of a new 810metre link road from Westchester Drive East at Glenside, to Westchester Drive, Churton Park.
AT	Between Middleton Road, Glenside and Westchester Drive Churton Park at or about map references NZMS 260: R27; 2662267.5998754 (Middleton Road end) and NZMS 260: R27; 2661663.5998967 (Westchester Drive end)
HEARING COMMITTEE	Councillor Sally Baber (Chair) Councillor Paul Bruce Commissioner Stuart Kinnear
HEARING DATE	25, 26, 27 May 2009
DECISION	That, pursuant to sections 104, 104B, 105, 107 and 108 of the Resource Management Act 1991: Resource consent application WGN090226 [27592][27593][27430][27431][27482][27601][27429][27481] by Wellington City Council **be granted** subject to the conditions attached, for the reasons outlined in this decision.
DATE OF DECISION	7 July 2009

1. Introduction

This is the decision of the Hearing Committee comprised of Councillor Sally Baber (Chair) Councillor Paul Bruce and Commissioner Stuart Kinnear. The committee was appointed to determine an application by Wellington City Council (WCC) to construct a new 810 metre link road from Westchester Drive East at Glenside, to Westchester Drive, Churton Park on behalf of Greater Wellington Regional Council (WRC).

The Hearing Committee was also delegated authority by the Wellington City Council to hear and determine the proposed application to alter an existing designation to construct a road extending from Westchester Drive to Middleton Road.

This report contains the decision of the Hearing Committee with respect to the following resource consents:

[27592] To construct a permanent bridge over the bed of the Stebbings Stream, including the placement of a central prier in the bed of the stream and including any associated disturbance to the bed of the stream during construction.

[27593] To construct a permanent bridge over the bed of the Porirua Stream and any associated erosion protection works, including any disturbance of the to the bed of the stream during construction and any diversion of the flow of the stream.

[27430] To construct temporary bridge over the bed of the Stebbings Stream and any associated erosion protection works, including any disturbance to the bed of the stream during construction.

[27431] To carry out earthworks to construct a road with an upslope batter of 2 metres or more for a length greater than 200 metres.

[27482] To construct and use structures in the bed of Stebbings Stream including:

- Retaining wall structures
- Erosion protection works; and
- Stormwater inlets and outlets

including any associated disturbance to the bed of the stream and stream diversions during construction.

[27601] To drain and reclaim a section of Stebbings Stream.

[27429] To divert the full flow of a section of the Stebbings Stream to a new channel.

[27481] To discharge sediment laden water to land and to water from areas of bulk earthworks to the Stebbings Stream and Porirua Stream associated with the construction of a road.

The Hearing Committee was provided with an officer's report prior to the hearing, pursuant to section 42A of the Act, written by WRC council officer Mr Jeremy Rusbatch, Senior Resource Advisor. This report provided an analysis of the matters requiring consideration and recommended that the committee grant the land use consent, subject to conditions.

The committee conducted a site visit on 18 May 2009 prior to the hearing commencing. As part of the site visit the committee walked the full length of designated area. In addition, the committee also visited Lakewood Avenue, Melksham Drive, Burbank Crescent, Stebbings Road and Glenside Road.

The hearing was held on Monday 25 May, Tuesday 26 May and Wednesday 27 May 2009 between and 9:30am and 5:00pm. The committee met to consider the application and deliberate on Friday 29 May 2009 and Monday 22 June 2009.

In consideration of this application the Hearing Committee took into account: the officer's report; the objectives and policies of the relevant plans; all of the evidence produced during the hearing, including oral submissions; all documentation provided with the application; and the written submissions that were received in relation to the application.

2. The application

2.1 History of proposed link road

Since the 1970s there has been an intention that a link road was needed to connect Churton Park to Glenside, where the existing motorway off-ramp terminates. This intention was progressed in the 1980's when the land was designated by WCC for the purposes of constructing a road. The area is listed as a Designation (number 134) in the current, operative Wellington City District Plan. The current roading link between the motorway off-ramp at Glenside and the growing Churton Park housing subdivision is via a series of existing local roads, principally Halswater Drive, Burbank Crescent and Lakewood Avenue.

2.2 Proposed link road and the Northern Growth Management Framework

The applicant described how the proposal fits within the Northern Growth Management Framework (NGMF). The applicant stated that this framework indentified this link road as part of this framework – improving access to the existing development that has occurred within Churton Park area over the last 10-15 years. It's pertinent to note that the Churton Park area is earmarked for significant future residential development in the current district plan.

The applicant stated that the link road is required to accommodate the growing volume of local traffic that needs to enter Churton Park, now, and into the future. It's the applicant's opinion that the link road will also provide a more efficient and safer route to and from the motorway for the residents of Churton Park.

Following the designation of the road, the applicant advised that they have worked through various designs to come up with a road alignment that balances the adverse effects on the existing environment with the positive effects that the link road would bring to the greater Churton Park and Glenside communities.

2.3 Location

The proposed link road will descend from the unformed end of Westchester Drive, at Lakewood Ave (close to the Stebbings Dam) to Stebbings Road where a new 40 metre bridge will be constructed to cross the stream. From here, major localised earthworks will be required to cut a road formation into the northern hillside above Stebbings Stream. Approximately half way along its length, a section of fill will be required to maintain the road's grade at the point where a tight 'hairpin' section of Stebbings Stream flows. The stream flow will be shifted south to a new channel and a 3 metre high retaining wall built and fill placed to bring the road up to grade. From this section of fill the road is again cut into the hillside as it heads toward Middleton Road. A second 20 metre span bridge crosses the Porirua Stream approximately 50-60 metres downstream of its confluence with the Stebbings Stream.

2.4 The proposal

The proposal is fully described in WCC's application and assessment of environmental effects and again in the WRC officer's report. It can be summarised as follows:

- **Road construction** – approximately 55,000 m^3 of cut will be needed to cut the road alignment into the hillside above Stebbings Stream. 8,000 m^3 of fill will be needed behind the Mechanically Stabilised Earth (MSE) walls. Around 47,000 m^3 of excess to be trucked offsite to a consented cleanfill site on Ohariu Valley road – consent reference WGN060219;

- **Discharges from areas of bulk earthworks** – with approximately 55,000 m^3 of cut and 8,000 m^3 of fill, any rainfall on the earthworked area will generate runoff, entraining sediment particles. Treatment measures are proposed (primarily sediment retention ponds), but these will need to discharge either to land, and then to the stream or directly to the stream. This will discolour the stream.

- **Three bridges** – two permanent and a temporary 'bailey' bridge to maintain access to the adjoining Reedy Property.

The 20 metre span eastern bridge is proposed to cross the Porirua Stream at Middleton Road. This sits on abutments founded on MSE walls. Extensive rip-rap erosion protection works are proposed. A minor realignment of the stream is required to enhance its alignment under the proposed bridge. The MSE walls and erosion protection works all lie within the bed of the stream.

The 40 metre span western bridge (near the Stebbings Dam) is proposed to cross the Stebbings Stream and sit on abutments well clear of the stream bed;

however, due to its span, the bridge requires a central 1.8 metre diameter concrete central pier within the stream bed.

The temporary Bailey Bridge is required to cross the Stebbings Stream to maintain access to the Reedy's property during construction. The bridge will be 12 metres in span and will sit atop concrete abutments well clear of the stream bed. No erosion protection works or stream realignments are required.

- **One MSE retaining wall** that is not associated with bridge works lies within the bed of the stream at chainage 550 metres This wall is approximately 40 metres long and is needed to support the road above. Extensive rip-rap is required, extending around 6 metres out from the wall into the stream bed. The wall will require the reclamation of around 47 metres of a 'hairpin' section of stream. Flow will be maintained and diverted to a new, shorter channel.

- **Erosion protection works** at chainage 650 associated with an MSE wall, clear of the bed of the stream. The erosion protection works are around 55 metres long.

- **Reclamation and diversion works** to reclaim approximately 47 metres of stream bed and divert it to a new channel. The reclamation works are required to construct the MSE wall to support the road. The new stream channel will be shaped in a gentle curve to tie into the two ends of unmodified stream bed. Extensive rip-rap is proposed as described in the plans submitted with the application.

2.5 Construction timeframe and proposed commencement date

The applicant has advised that the bulk earthworks will take approximately nine months to complete with another nine months needed to complete the road formation, stormwater and services, intersection and road sealing.

The applicant intends to put the project out for tender in 2010/11.

2.6 Stages of earthworks

The works have been spilt up into 3 principal stages as described in the Construction Management Plan (CMP) included with the application. The key parts of each stage are listed below:

Stage 1

- Install silt control
- Construct eastern bridge
- Earthworks to chainage 260 at Westchester end
- Complete western abutment to western bridge; and
- Complete stormwater infrastructure

Stage 2

- Install silt control
- Complete western bridge
- Complete 300 metres of road construction
- Construct MSE wall at chainage 650 metres; and
- Reclaim and divert stream, construct MSE wall (all at chainage 550 metres)

Stage 3

- Install silt control
- Complete earthworks to Middleton Road/eastern bridge
- Construct kerb and channel, install sumps over full length of road
- Construct road surface and seal
- Remove temporary Bailey bridge; and
- Landscaping over whole project

3. Consents sought and status of the activities

The committee accepts Mr Rusbatch's analysis that the proposal as a whole is a discretionary activity and also accepts the principle of consent bundling. The committee considers it is appropriate to treat the proposed discharges of sediment laden stormwater from an area of bulk earthworks, permanent diversion of water, construction of bridge structures over the bed of a stream, installation of stormwater outlet structures, MSE walls and erosion protection works in the bed of a stream and reclamation of the stream bed pursuant to the Regional Freshwater Plan for the Wellington Region as discretionary activities. The committee also considers that the proposed discharges of sediment laden stormwater to land and the proposed construction of a road with a new upslope batter extending for greater than 200 metres or pursuant to the Regional Plan for Discharges to Land for the Wellington Region and Regional Soil Plan for the Wellington Region as discretionary activities.

4. Other consents and approvals required

The applicant has applied to WCC for an alteration to the exiting designation as the preferred alignment outlined in the consents to WRC requires the use of some land that is currently outside the already designated area.

WCC will assess this application to alter the designation. Their recommendation is contained in a separate report.

5. Notification and submissions

5.1 Notification

The application was publicly notified in the Dominion Post on Saturday 21 February 2009. In addition, three signs were installed in the vicinity of the

site and notice of the application was served on 205 affected/interested parties, including:

- Adjoining land owners/occupiers in the immediate vicinity
- Local iwi authorities
- Department of Conservation
- Residents Associations
- Local environmental groups
- NZ Historic Places Trust

The applicant has described the consultation which they undertook prior to lodging their application. This consultation included the written approval of the Department of Conservation.

5.2 Extension of time by which to make a submission

The Act allows 20 working days for submissions on resource consent applications under section 97.

Due to complexity of the application, and with agreement of the applicant, the closing date for submissions was extended from 20 to 30 working days under section 37 of the RMA.

WRC considered that the applicant was the most affected person by the extension; however, they agreed to the extension. The longer submission period for the resource consent application also allowed people more time to consider the detail of the application and make a submission.

5.3 Submissions

The submission period closed at 4:30pm on Friday 3 April 2009. Together with WCC fifty four submissions were received on the proposal. 23 opposed the proposal, 28 supported or conditionally supported the proposal and 3 were neutral. Forty seven submissions were received on time and seven submissions were received late including one which was presented on the first day of the hearing.

5.4 Late submissions

Six submissions were received after the close of submission by WRC.

Under Section 37(1)(b) of the Act, a consent authority may waive a requirement to comply with a time limit for the service of documents including submissions. In making such a waiver, the consent authority is required to take into account matters described in section 37A(1) of the Act.

The timeframes for the late submissions were waived by officers under delegated authority under section 37 of the Act, thereby accepting them.

The Hearing Committee read the written submissions and took them into consideration when making its decision.

Given the application was jointly notified with WCC, many submitters raised concerns that WRC has no discretion over. These included landscape, visual, amenity, noise, traffic, vibration and dust effects.

5.4.1 Issues raised by submissions in support

The principal issue raised in support of the proposal was that the link road would, if constructed, provide an alternative, safer link for traffic into Churton Park. Of the 28 received in support most noted that the link road would reduce traffic on local roads, thereby increasing the safety of people and cyclists using the roads.

The Churton Park Community Association Inc stated in their submission that the link road would be the 'front door' to Churton Park, meaning better, safer access, and in the future the potential that it may be used as a public transport route.

The Concerned Residents of Halswater Drive made a joint submission on behalf of 32 ratepayers although no signatures were obtained from those parties. They advised that the construction of the link road should be a priority as it will reduce the 8,000 to 10,000 vehicles movements per day along Halswater Drive.

It's clear that the majority of people supporting the road either live on, or near one of the local roads that currently convey traffic into the greater Churton Park area. These people see a clear benefit in the link road being constructed.

Issues raised by submissions of conditional support or neutral submissions

WRC Policy, the Historic Places Trust (HPT) and A Gibson were all neutral to the proposal in their submission.

The issues raised by WRC Policy relate to maintaining suitable access to the Stebbings Dam both during and post construction.

The submission of HPT notes that the applicant has undertaken investigation in order to determine the site of the historic grave. This was unsuccessful, but in any case, they advise that the applicant seeks archaeological authority from HPT prior to commencing earthworks. HPT have not proposed any conditions of consent.

The submission of A Gibson notes that that if the environmental effects are, on balance, acceptable, the application should be granted.

John Pask provided conditional support to the application. He advised that his principal concerns related to noise, dust, vibration and how long the construction would take. He accepts the overall rational to construct the road. In short he concludes that much more detail is needed to address how the effects of noise, dust and vibration will be mitigated. He suggested that a much more detailed management plan be provided.

5.4.2 Issues raised by submissions in opposition

Almost in direct contrast, the opponents to the road either live near or look over the site of the proposed link road. Many submissions were received from the residents of Glenside Road, Middleton Road, Lakewood Ave, Aintree Grove and Longmont Terrace. These submitters expressed strong but similar views on the proposal. Again, most of these fall outside the discretion of WRC functions; however, many submitters expressed the following concerns which can be considered:

- Adverse effects of sediment runoff to Stebbings Stream, Porirua Stream and the Porirua Harbour
- Loss of enjoyment (amenity) of the streamside area if the road is constructed
- Damage to important in-stream ecosystems, such as habitat for native fish, some nationally threatened
- Increases in erosion to the stream bed and banks from in stream structures, and this erosion potentially impacting nearby properties
- Failure of retaining walls causing slumps of sediment into stream and potential damming and diversion of the stream
- Increase in flooding effects due to structures in the bed
- Inherent risk of working in a stream system that is known to flood

The Glenside Streamcare Group submitted that the construction of the road would cause excess sedimentation of stream, adversely affecting the streams flora and fauna. They also commented that any sediment from the proposed works would finally enter Porirua Harbour, effecting tidal volumes, hydrodynamics and increasing the intertidal area.

The submission of the Glenside Progressive Association Inc reiterated the concerns raised by the Glenside Streamcare Group stating that the works would damage the in stream habitat. The works would also reduce stream side vegetation which is an important part for the overall ecology of the stream. They considered that the works result in the loss of a unique natural environment and overall, could not be considered sustainable management pursuant to section 5 of the Act.

6. The Hearing

6.1 Evidence heard

6.1.1 Case for the applicant

The applicant's case was presented by Mr Steven Harte Programme Manager for Transport Network Development, Infrastructure Directorate at Wellington City Council. Mr Harte was supported by

- Lindsay Daysh, New Zealand Planning Manager with GHD Limited; and
- Graeme Doherty, Principle Project Manager with MWH New Zealand Limited; and
- Stephen Fuller from Boffa Miskell Limited; and

- Steve Dunn from Boffa Miskell Limited; and
- Charles Wood from Marshall Day Acoustics Limited.

Mr Harte provided a summary of the application including a brief description of the background to Wellington City Council's plans for the area and why the proposed road is required. Expert evidence was supplied and Mr Daysh summarised the evidence and also provided a response to the concerns raised by Mr Rusbatch in his officer's report as well as the concerns raised by the submitters in their assessment of the application.

In summary, the applicant stated:

- WCC are seeking resource consents to construct a new 810metre link road from Westchester Drive East at Glenside, to Westchester Drive, Churton Park;

- WCC has an existing designation in place for the road but the proposal requires additional land outside of the designation so that the road can be constructed with minimal impact on the stream. The process for this alteration to the existing designation is a separate issue to the consents applied for from WRC;

- Mr Harte highlighted the process undertaken in assessing the proposed route including explaining the process undertaken on to design the road and exploring the possible alternatives;

- Mr Harte also briefly discussed some of the issues highlighted in the submissions which WRC has no discretion over including traffic assessments, noise, stormwater, heritage, street design and the economic assessments done for the proposal.

In response to questions from the Hearing Committee, Mr Harte confirmed that the main reason for the proposed alignment was because the road would be less intrusive on the stream environment as there would be no culverts or piping of the stream.

The committee questioned whether the proposed road could be constructed within the existing designation and Mr Harte was able to confirm that it could be but that the effects on the stream would be significantly larger because of the amount of culverting and piping that would be required. The committee also asked about the overall earthworks volumes and whether the amount of cut to fill included compaction. Mr Harte said that the earthworks proposed in the application was substantially larger than that in some of the original plans, but that this was because the road was being constructed on the hill slope and not the stream bed.

Mr Harte was also able to confirm that the estimated amount of fill required for the works would be within 10 percent of what they had calculated and that the calculation took into account compaction.

The committee also asked about the underlying geology of the material to be excavated and if this could affect the final batter slope. Mr Harte informed the committee that the cut batters would most likely be constructed in rotten greywacke and that because final geo-technical surveys had not been completed the batter slopes had been proposed at a conservative level of 1 to 1 or 45%. Mr Harte did indicate that the slopes could be more than 45% if the material found when constructing the road was suitable.

Further evidence given at the hearing covered issues that WRC has no control over including noise issues which was covered by Mr Wood, landscaping issues addressed by Mr Dunn and engineering issues addressed by Mr Doherty. Conversely Mr Fuller's evidence focussed on the aquatic ecology of the Stebbings Stream and issues that WRC has interest and control over. Mr Daysh summarised the evidence for the applicant and also included a discussion on the proposed consent conditions recommended in the Section 42 report. A summary of evidence follows,

- Mr Doherty's evidence highlighted the process that has been undertaken in designing the road and the alternatives routes that were considered. He informed the committee that a road could be engineered and constructed in the existing designation. He also gave a summary of the engineering characteristics of the proposal and summarised the potential construction effects. He also commented on WRC officer report and recommended conditions, in particular He disagreed with the proposed conditions surrounding the stabilisation of the site during the winter months, the conditions of conducting works in the stream bed during low flow periods, and conducting monitoring during certain rainfall events;

- Mr Fuller evidence covered the potential effects the works may have on the ecological values of the stream. He briefed the committee on the existing environment and described how sediment discharges and reclamations can potentially adverse effect aquatic values. He also described how the mitigation measures proposed by the applicant would result in the effects of the works having a less than minor effect. Mr Fuller conclude by addressing some of the issues raised in the submissions around sediment effects on aquatic life and the assumption made in implementing the SEV model.

- Mr Daysh evidence outlined the main findings of the expert reports submitted on behalf of the applicant. Mr Daysh also discussed some of the findings of the officer report and requested that the committee consider combining all of the conditions focussing on management plans into one condition. Mr Daysh was happy with all of the findings and proposed conditions of consent by the WRC officer.

The committee asked Mr Doherty if the road had to be constructed within the existing designation. He confirmed that there was no physical impediments to engineering a road within the existing designation but that it may not be 'ecologically friendly' to do so. The committee also asked Mr Doherty questions about ability to work during the winter months and how cumulative rainfall events may adversely affect the quality of discharges from sediment

retention ponds. Mr Doherty stated that he believed the proposed conditions were too restrictive. He believed that work could still be conducted during the wet months of the year. Mr Doherty also explained to the committee how using predicted one in two year rainfall event data to trigger the use of flocculation in the ponds was the best and most efficient way of improving the quality of the proposed discharges from the sediment ponds.

The committee also questioned Mr Fuller on where the boundaries between riparian planting zones and landscaping planting zones started and finished and whether the proposed riparian planting zone of 290m was an adequate amount for mitigation and enhancement purposes. This included how SEV calculations can help in determining ecological impacts of the proposed rip-rap will have on habitat values. He stated that there was no clear boundary between riparian planting and landscaping planting but as a general rule 5 metres either side of the stream bank was considered within the riparian planting zone. Mr Fuller also explained how he considered the proposed planting was appropriate for the scale of the works proposed given the existing condition of the stream and how in his experience he did not consider that the proposed rip-rap would diminish habitat values in the stream. Instead Mr Fuller suggested that the proposed rip-rap may actually enhance habitat values by provided refuge areas for fish and other aquatic life. Mr Fuller also briefed the committee on the values of the SEV methodology for stream works. He informed the committee that the methodology was a new tool which the Auckland Regional Council had developed to help in identifying the amount of mitigation required for certain works in the beds of stream and rivers. Mr Fuller suggested though that because WRC had significant environmental differences then in Auckland that the assumptions of the methodology were not valid. He also suggested that the introduction of such tools in applications was not appropriate.

6.2 Submitters

As stated in section 5.4 of this report the application was jointly notified with WCC. Many of the submitters who choose to speak at the hearing raised concerns that WRC has no discretion over. These concerns included landscape, visual, amenity, noise, traffic, vibration and dust effects. The submitters that raised within the hearing which WRC has discretion over have been included below:

Zena Kavas – Glenside Streamcare Group

Zena Kavas represented the Glenside Streamcare Group whose submission included a brief background, including showing photographs, on the works the group has done for the past nine years to help improve the stream environment by removing weeds, planting natives and educating landowners and the public about the importance of the Stebbings Stream. The main points of Ms Kavas's submission are outlined below:

- Concerned that the rock rip-rap proposed by the applicant as an erosion protection measure would result in a reduction of fish habitat through reclamation. She questioned how the proposed rip-rap would be

maintained free of weeds as expressed concerns about weed spraying which may adversely affect non target species. Ms Kavas requested assurance that the weed spraying be managed appropriately.

- Expressed concerns about machinery in the stream and how much disturbance this would cause to the in stream habitat.

- Expressed concerns about the potential of concrete washout into the stream.

- Concerned about the proposed sediment discharges associated with the works and how fine sediments can adversely affect stream life. In addition Ms Kavas submitted newspaper clippings which had a focus on the pressures that the Porirua Harbour is currently facing.

The Hearing Committee asked Ms Kavas about the discolouration of streams during periods of rainfall events and if this was adversely affecting the aquatic life in the streams. She accepted that streams in general tend to run less clear during rainfall events but it was not natural for stream to run the yellow colour she had shown in her evidence. She also said that existing discharges of sediment into the Stebbings Stream was having an adverse effect on aquatic life in the stream. The committee asked for Ms Kavas's thoughts on alternatives to the proposal or ways of reducing the impact on the stream. She informed the committee that she would like to see the erosion sediment control measures strengthened to ensure no discharges of sediments into the stream.

Claire Bibby – Glenside Progressive Association

Claire Bibby represented the Glenside Progressive Association whose submission included a historical background, including showing photographs, maps and plans, of the Glenside area. Ms Bibby explained the works the group had conducted over the years to help improve the Stebbings Stream. The main points of her submission are outlined below:

- Concerned that the proposed road would adversely affect the potential for the Stebbings Valley to provide an ecological corridor for native flora and fauna.

- Concerned about the effect the proposal will have on flooding. Ms Bibby was unconvinced that the proposed rip-rap structures would not increase the risk to the residents of Glenside during flood events.

- Raised concerns about the sediment discharges associated with the works. Ms Bibby explained how aquatic life in the Stebbings Stream has been affected by sediment discharges in the catchment. She requested that no discharges into the stream be allowed.

There were no questions from the committee to Ms Bibby on her submission regarding issues WRC has discretion over.

Mary Anne and Roger Whittaker

Mary Anne and Roger Whittaker represented themselves as a concerned residents living near the proposed works. The submission included video footage as well as concerns over the proposed discharges into the Stebbings Stream from earthworks. They expressed concerns on sediment entering the Stebbings Stream from the batter slopes as they cannot be stabilised through planting easily.

The committee asked if they had confidence in the ability for the concerns they raised to be addressed by imposing conditions on the consents. The Whittaker's agreed that conditions would address some of their concerns.

Ling Phang – Greater Wellington Policy Department

Ling Phang represented WRCs Policy department submitted a neutral submission to the application. Ling gave a brief description on the relevant policies of the Regional Policy Statement, the proposed Regional Policy Statement and on W4 (flood) designation that Greater Wellington's Flood Protection Department has in the area.

There were no questions from the committee to Mrs Phang on her submission.

Barry Blackett

Barry Blackett represented himself as a concerned Glenside Road resident. His submission raised concerns over the proposed discharges to the Stebbings Stream. He also noted the Stebbing's Streamcare Group and the Glenside Progressive association evidence on the concerns about sedimentation in the Porirua and Stebbings Stream which he agreed with. Mr Blackett also highlighted in his submission the findings of the Boffa Miskell ecological report conducted in 2004.

There were no questions from the committee to Mr Blackett on his submission regarding issues WRC has discretion over.

Dr Mike Joy – Glenside Progressive Association

Dr Mike Joy also represented the Glenside Progressive Association and gave his professional opinion on the stream ecological issues raised by the group in their submission. The main points of Dr Joy's submission are outlined below:

- Concerned about the effects the proposed sediment discharges would have on biological communities in the Stebbings Stream. In particular the potential for the sediment discharges to result in a collapse of the biological communities. He explained how in the Stebbings Stream was under pressure from discharges occurring in the catchment. He also explained how fine silts in streams can kill aquatic diversity by removing available habitat and by clogging gills.

- Concerned about the general heath of the final receiving environment noting that the Stebbings Stream is a tributary to the Porirua Stream which

eventually discharges into the Porirua Harbour. He noted the recent articles in the press on the Porirua harbour and explained how sediment discharges was a contributing factors to the poor health of the Porirua Harbour.

- Concerned about the proposed use of flocculants in the sediment ponds. Although he agreed that the use of flocculants in sediment ponds generally improves efficiency of the ponds he considered the potential effects of overdosing would result in effects that were more harmful to aquatic life in the Stebbings Stream

- Dr Joy also gave his opinion on what should be monitored if the consent are granted and how large the proposed sediment ponds should be.

The committee asked Dr Joy questions surrounding the sizing of the ponds and how the applicant could reduce the potential impact of discharging sediment laden stormwater into the Stebbings Stream.

Dr Joy was asked to explain the proposed monitoring he would like to see onsite during the works. He replied by commenting on types of sediment based monitoring techniques and tools to record these measurements including using equipment capable of telemetering results electronically 24 hours a day 7 days a week.

The committee also asked Dr Joy on the potential effects of concrete discharges on aquatic life. He answered by saying that concrete discharges was highly toxic to aquatic life and suggested that a condition be placed on the consent ensuring that no wet concrete enter the stream.

6.3 WRC's closing statement

6.3.1 Jeremy Rusbatch – WRC officer

Mr Rusbatch reiterated his recommendation to the committee to grant the resource consents.

Mr Rusbatch also highlighted the submitters concerns that were relevant to the consents being applied for from WRC. Mr Rusbatch expressed the importance of the community in participating in informing WRC of issues or complaints from the works so that appropriate enforcement action can be undertaken. In explaining the importance of the community in the project Mr Rusbatch also briefly outlined some of the education programmes WRC runs for contractors as well as the designation of compliance focussed officers and the improvement in consent conditions. Mr Rusbatch commended the care groups for their work in the Stebbings Valley.

Mr Rusbatch also discussed in detail some of the issues that were raised by submitters on the proposed sediment discharges. In particular he discussed the practicality of sizing sediment sediment ponds for earthworks sites and explained to the committee how constructing a sediment pond designed for a one in fifty year rain event was impractical as the space required for such a

pond was inappropriate. He discussed how the using flocculation chemicals in sediment retention ponds improve the quality of discharges by reducing the amount of suspended particles in the water. He also discussed the proposed monitoring requirements set out in the conditions of consent.

Mr Rusbatch also took the opportunity to discuss some of the proposed conditions of the consents as he had made some amendments after discussions with applicant during the hearing. The proposed amendments included changes to the wording for the planting plans, construction plans and erosion sediment control plans to make them easier to understand.

6.4 Applicant's right of reply

Mr Daysh presented the applicant's right of reply.

Mr Daysh reply reiterated some key facts about the application. He noted that the proposed sediment retention ponds had now been sized for a one in five year rainfall event and that they were going to utilise flocculation chemicals to reduce the impact of discharging sediment laden stormwater into the Stebbings Stream.

Mr Daysh finished by reiterating his position that he felt that the proposed works and resulting structures would have no more than a minor effect on the environment.

7. Statutory provisions

This section sets out the legal framework that was used by the Hearing Committee to make a decision on the application.

7.1 Statutory criteria

The following resource consents are required under section 13 of the Act.

WGN090226 [27592]: To construct a permanent bridge over the bed of the Stebbings Stream, including the placement of a central prier in the bed of the stream and including any associated disturbance to the bed of the stream during construction.

WGN090226 [27593]: To construct a permanent bridge over the bed of the Porirua Stream and any associated erosion protection works, including any disturbance of the to the bed of the stream during construction and any diversion of the flow of the stream.

WGN090226 [27430]: To construct temporary bridge over the bed of the Stebbings Stream and any associated erosion protection works, including any disturbance to the bed of the stream during construction.

WGN090226 [27431]: To carry out earthworks to construct a road with an upslope batter of 2 metres or more for a length greater than 200 metres.

WGN090226 [27482]: To construct and use structures in the bed of Stebbings Stream including:

- Retaining wall structures;
- Erosion protection works; and
- Stormwater outlets.

including any associated disturbance to the bed of the stream and stream diversions during construction.

WGN090226 [27601]: To drain and reclaim a section of Stebbings Stream.

WGN090226 [27429]: To divert the full flow of a section of the Stebbings Stream to a new channel.

WGN090226 [27481]: To discharge sediment laden water to land and to water from areas of bulk earthworks to the Stebbings Stream and Porirua Stream associated with the construction of a road.

The Hearing Committee accepted Mr Rusbatch's analysis that the consents applied for under application WGN090226 [27592], [27593], [27430], [27431], [27482], [27601], [27429] and [27481] are for discretionary activities pursuant to the rules in the Regional Freshwater Plan for the Wellington Region (RFP) rules in the Regional Plan for Discharges to Land for the Wellington Region (RPDL) and rules in the Regional Soil Plan for the Wellington Region (RSP).

In giving consideration to the proposal the Hearing Committee had regard to section 104 of the Act; subsection (1) of which states:

When considering an application for resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to –

(a) any actual and potential effects on the environment of allowing the activity; and

(b) any relevant provisions of –

i. a national policy statement,

ii. a New Zealand coastal policy statement,

iii. a regional policy statement or proposed regional policy statement; and

iv. a plan or proposed plan; and

(c) any other matters the consent authority considers relevant and reasonably necessary to determine the application.

Part 2 of the Act sets out the purpose of the Act, which is to promote the sustainable management of natural and physical resources, and sections 6, 7

and 8 set out matters that consent authorities should consider when exercising their functions under the Act.

7.2 Plan and policy provisions

In making their decision on the application the committee had regard to the following instruments and documents:

The Regional Policy Statement for the Wellington Region 1995; and

The Proposed Regional Policy Statement for the Wellington Region 2009; and

The Regional Freshwater Plan for the Wellington Region 1999; and

The Regional Plan for Discharges to Land for the Wellington Region 1999; and

The Regional Soil Plan for the Wellington Region 2000

The committee concurs with Mr Rusbatch's assessment of the application against the relevant objectives and policies of these documents.

8. Sections 104 and 108 of the Act

8.1 Section 104 of the Act

The requirements of section 104 are outlined in section 6.1 of this report.

8.1.1 Section 104(1)(a)

The Hearing Committee considered the actual and potential effects on the environment of the application. It has addressed some of the outstanding issues in section 10 of this report.

8.1.2 Section 104(1)(b)

The Hearing Committee agrees with Mr Rusbatch's assessment of the application against the relevant objectives and policies of the Regional Policy Statement, the proposed Regional Policy Statement and the relevant rules and policies of the Regional Freshwater Plan, Regional Plan for Discharges to Land and the Regional Soil Plan.

8.1.3 Section 104(1)(c)

The Hearing Committee did not consider there to be any other relevant matters in determining the application.

8.2 Section 108 of the Act

The Hearing Committee accepted the recommended conditions proposed by Mr Rusbatch in his officer's report.

9. Part 2 considerations

9.1 Section 5 (Purpose)

In making this decision the Hearing Committee had particular regard to the provisions of Part 2 of the Act, which state its purposes and principles.

Referring particularly to Section 5, the overarching *purpose* of the Act, the committee considers that the imposed consent conditions will ensure that the local community, and the individuals who live and work in the surrounding area, will have their social and health and safety needs provided for.

The committee is also satisfied that its decision, subject to the consent conditions, safeguards the life supporting capacity of the Stebbings Stream, and ensures that adverse effects are appropriately avoided, remedied or mitigated. The Hearing Committee notes that adverse effects associated with the construction of the road may occur but that the consent conditions mitigate these effects.

Overall, provided that the activities are undertaken in accordance with the imposed consent conditions, the Hearing Committee considers that the road construction including the associated bridge structures, erosion sediment control structures, stormwater outlet structures and discharges of sediment laden stromwater to the Stebbings Stream proposed by WCC is generally consistent with the purpose of the Act.

9.2 Section 6 (Matters of National Importance)

The committee agrees with the findings of the officer's report and considers that the proposed restorative plantings of the Stebbings Stream will maintain a degree of natural character in the Stebbings Stream.

9.3 Section 7 (Other Matters)

The committee agrees with the findings of the officer's report and considers that the matters listed in section 7 of the Act are not relevant to the proposal.

9.4 Section 8 (Treaty of Waitangi)

Section 8, *Treaty of Waitangi*, requires the committee to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The Hearing Committee is satisfied with the consultation process undertaken by the applicant and has no information to suggest that the proposal is contrary to the Treaty of Waitangi.

10. Principal issues

This section highlights the principle issues raised during the hearing and the Hearing Committees conclusions on these issues.

10.1 Proposed erosion and sediment treatment measures

One of the key issues raised by submitters during the hearing was the possible adverse effects the proposed sediment discharges from sediment ponds and bulk earthwork construction activities may have on the Stebbing Stream. The Hearing Committee was informed that the applicant had provided had proposed Construction Management Plan (CMP) for the works and that this plan detailed the typical array of erosion and sediment control measures proposed for the site. The Commissioners were told that the applicant intended to utilise flocculated sediment retention ponds as primary treatment devices for reducing sediment discharges into the stream in conjunction with clear-water diversion drains, silt fences and truck wheel wash areas.

The Hearing Committee was presented with evidence from submitters and in the officer's report on the potential adverse effects that sediment can have on aquatic ecosystems. The committee acknowledges that the Stebbings Stream is already subjected to sediment discharges from other consented works within the Stebbings Valley. The committee also acknowledges that the Stebbings Stream is a tributary to the Porirua Stream and that the Porirua Harbour is the final receiving environment for any discharges occurring within the Porirua Stream catchment.

However, the committee is in agreement with the evaluation conducted by WRC officer in his report. In particular the Commissioners consider that the effects of the proposed discharges will be adequately mitigated by the proposed flocculation ponds and that any issues that arise during the works can be solved through the adaptive management framework proposed in the conditions.

10.2 Bridges, MSE walls, erosion protection structures and associated works

Flooding effects

The Hearing Committee accepts the assessment of the reporting officer and the applicant that the proposed bridges have been adequately designed to accommodate potential flooding events. The committee considers no additional mitigation is required to address the potential effect of flooding from the placement of these structures.

The committee is also in agreement with the reporting officer over the request, for access to the flood protection dam to be retained, raised in the WRC Policy submission and considered that these issues were addressed in the amended plans the applicant submitted at the hearing.

The Commissioners consider that the flooding effects resulting from the proposed erosion protection structures and MSE walls are likely to be no more than minor and that mitigation is not required.

The committee considers that the proposed temporary bridge is likely to have no more than minor effects on the environment and that the conditions of consent will ensure that any issues are addressed appropriately.

Erosion and scour effects

The Hearing Committee considers the adverse effects of erosion and scour from the construction of the proposed bridges have been addressed by the applicant in its proposal and that no additional mitigation is required.

The committee acknowledges that the proposed reclamation of a hairpin section of stream will result in increased water velocities in the new channel however, the Hearing Committee considers that the proposed erosion and scour controls in this section of stream will mitigate any increased risk.

The committee considers that the erosion and scour effects resulting from the proposed erosion protection structures and MSE walls are likely to be no more than minor and that mitigation is not required.

The Hearing Committee considers that the proposed temporary bridge is likely to have no more than minor effects on the environment and that the conditions of consent will ensure that any issues are addressed appropriately.

Effects on ecology

The Hearing Committee considers that the proposed bridge structures will not cause any impediment to the passage of fish. However, they do agree that some works will be required very close to the stream bed in constructing the bridges erosion protection rock rip-rap structures. The committee considers that potential effects from the proposed works within the floodplain for the western bridge central pier can be mitigated by the recommended conditions of consent. In particular, the committee considers that discharges of sediments or concrete from constructing the footing for the pier can be prevented by constructing bunds to trap contaminants from entering the Stebbings Stream and carrying out the construction works during periods of low flow.

The Commissioners were also presented evidence at the hearing on how the proposed erosion protection works for the eastern bridge will reduce in-stream habitat as natural habit will be replaced with rip-rap. It was explained to the Hearing Committee how existing riparian vegetation would need to be removed to place the rip-rap and that for maintenance purposes these areas would not be re-planted. As such, the rip-rap will result in the loss of around 20 metres of riparian habitat, and due to this, fish and invertebrates are not likely to colonise this section of stream. The Hearing Committee considers that the proposed removal of pest species and planting of the banks through the riparian planting plan is appropriate mitigation for the loss of this habitat.

The committee considers that the proposed temporary bridge will not adversely affect the stream ecology of the Stebbings Stream and is likely to have no more than minor effects on the environment. The Hearing Committee concludes that the conditions of consent will ensure that any issues are addressed appropriately.

Effects of concrete discharges on ecology

The Hearing Committee was presented with evidence from submitters, Mr Fuller and in the officers report on the potential adverse effects that concrete lechate can have on stream life. In particular, the committee was informed that the proposed western bridge pier will require drilling and concrete works to be conducted in close proximity to the stream. The concrete work is required to create a footing for the central prier for the bridge to be constructed on. The committee recognises that the use of concrete near streams can have a range of adverse effects on in-stream life if not contained plants, insects and animals living in the Stebbings Stream could be burnt or killed by any concrete discharges from the works.

As such, the committee agrees that caution and care is required when works with concrete is conducted near the Stebbings Stream. The committee was informed by the applicant during the hearing that concrete works would be carried out in isolation from the stream and that every precaution, including utilising bunding techniques to separate the works site from the actively flowing stream, are to be undertaken to prevent concrete from entering the stream.

The Commissioners are satisfied that the information provided by the applicant during the hearing on the proposed construction methodology for the concrete pier will mean that the Stebbings Stream will be protected from concrete discharges. To ensure this the Hearing Committee has agreed to the proposed conditions recommended by the WRC officer that requires the submission and approval of the final construction methodology prior to all work commencing.

10.3 Stream reclamation and diversion

Flooding, erosion and scour effects

The Hearing Committee is in agreement with the opinion of the reporting officer in his assessment that any flooding, erosion or scour effects resulting from the proposed stream reclamation and diversion will be no more than minor and they consider no additional mitigation is required.

Effects on ecology

The committee concede that the proposed reclamation of approximately 47 metres of stream channel will cause a total loss of the existing habitat in that section of stream. They consider that the effects may also extend to the existing fish & invertebrate life, with their existing habitat destroyed by the reclamation.

The Hearing Committee received evidence from many submitters during the hearing about the loss of habitat values. The Glenside Streamcare Group and the Glenside Progressive Association Incorporated expressed specific concern over the loss of habitat values to the stream through the reclamation works.

The Commissioners accept that the proposed new stream channel will not replace the entire habitat that will be lost in the old channel which is to be

reclaimed. However, the committee considers that the proposed new 30 metre channel will over time be re-colonised and that the habitat values will be improved. In combination with the proposed streamside planting proposed in the riparian planting programme, it will compensate for the adverse effects of the stream reclamation.

10.4 Mitigation

The Committee was provided with evidence on appropriate restorative riparian planting measures as part of a mitigation package for the works. The applicant informed the committee that they proposed to conduct 280 metres of restorative riparian planting as part of the works. This amount was accepted during the hearing by the WRC officer as appropriate.

In accepting the proposed mitigation the Commissioners consider that the proposed planting will provide benefit to the stream system and will help compensate parts of the stream which may have marginalised habitat due to the proposed streamworks.

The committee accepts the recommended consent conditions that the WRC officer produced at the hearing.

10.5 Duration

The Hearing Committee has granted a consent duration of **35 years** for the following consents as they are permanent in nature.

Land use consent **[27592]** to construct a permanent bridge over the bed of the Stebbings Stream, including the placement of a central prier in the bed of the stream and including any associated disturbance to the bed of the stream during construction.

Land use consent **[27593]** To construct a permanent bridge over the bed of the Porirua Stream and any associated erosion protection works, including any disturbance of the to the bed of the stream during construction and any diversion of the flow of the stream.

Land use consent **[27430]** to construct temporary bridge over the bed of the Stebbings Stream and any associated erosion protection works, including any disturbance to the bed of the stream during construction.

Land use consent **[27482]** to construct and use structures in the bed of Stebbings Stream including:

- Retaining wall structures
- Erosion protection works; and
- Stormwater outlets

including any associated disturbance to the bed of the stream and stream diversions during construction.

Water permit **[27429]** to divert the full flow of a section of the Stebbings Stream to a new channel.

The Hearing Committee has granted a **three year** duration, pursuant to section 125(d) for the following consent as they are only for the duration of the works, and this duration allows for any unforeseen delays.

Discharge permit **[27481]** to discharge sediment laden water to land and to water from areas of bulk earthworks to the Stebbings Stream and Porirua Stream associated with the construction of a road.

Land use consent **[27431]** to carry out earthworks to construct a road with an upslope batter of 2 metres or more for a length greater than 200 metres.

The Hearing Committee has granted an **unlimited** duration, pursuant to section 125(a) for the following consent as the reclamation is permanent

Land use consent **[27601]** to drain and reclaim a section of Stebbings Stream.

The Hearing Committee is satisfied that any adverse effects resulting from the exercise of the consents can be appropriately avoided, remedied or mitigated, provided the applicant complies with the conditions placed on the consents.

11. Main findings of fact

The Hearing Committee:

- Accepts that there is an existing designation for the proposed road and that these issues have been addressed by Wellington City Council in the Notice of Requirement.

- Recognises that the Stebbings Stream has existing sediment discharges occurring in its catchment and has been subject to sediment discharges from the development of Churton Park. However, the committee considers that the proposed sediment retention measures and adaptive management monitoring are appropriate mitigation measures and therefore consider the effects from these discharges will be no more than minor.

- Recognises that there is a risk to the aquatic life in the Stebbings Stream from the proposed concrete pier works for the western bridge. However, the Hearing Committee considers the proposed construction methodology is adequate and that with compliance monitoring will prevent any discharges of concrete into the Stebbings Stream.

- Considers that the proposed 280meter riparian planting zone is appropriate and that the methodology for determining this is sound. Conversely the committee do not consider the Auckland based SEV model for determining riparian planting zones appropriate for this proposal.

- Considers the application will result in loss of approximately 47metres of stream bed and that a new 30 metre stretch of stream will be constructed to

mitigate this loss. The Hearing Committee considers the construction of a new 30 metre section of open stream channel an appropriate mitigation measure.

- Accepts that there will be flooding situations where the placed rock rip may move. However, the Hearing Committee considers that the rip-rap has been designed to an appropriate scale to reduce this potential and that the proposed maintenance programme for these structures will ensure that any repair work required is conducted.

- Accepts the WRC officers finding including all of the recommended conditions submitted at the hearing for the proposed MSE walls.

- Accepts the proposed reasonable mixing zones as it stated in the officer report as appropriate and that if these zones are breached appropriate measures will be undertaken to address it so that the effects on the Stebbings and Porirua Streams are no more than minor.

- Recognises that the proposed angles of the batter slopes are subject to change as the final geotechnical work for the road has not been conducted. The Hearing Committee accepts that the final batter slopes may also alter the landscaping and planting plans; however, on balance the committee considers that effects from the alterations to the batters slopes to be no more than minor.

- Notes that the recommended conditions proposed by Mr Rusbatch in his officer's report and accepted by the applicant will mitigate any effects so that they are no more than minor.

12. Decision, duration and reasons

12.1 Decision

Pursuant to the powers delegated to us by the Wellington Regional Council and under section 34 of the Act and pursuant to sections 104 and 108 of the Act, we the appointed Hearing Committee hereby **grant** the following resource consent application subject to the conditions listed in Appendix 1-8 and for the duration detailed in section 11.3 of this report.

- WGN090226 [27592] To construct a permanent bridge over the bed of the Stebbings Stream, including the placement of a central prier in the bed of the stream and including any associated disturbance to the bed of the stream during construction.

- [27593] To construct a permanent bridge over the bed of the Porirua Stream and any associated erosion protection works, including any disturbance of the to the bed of the stream during construction and any diversion of the flow of the stream.

- [27430] To construct temporary bridge over the bed of the Stebbings Stream and any associated erosion protection works, including any disturbance to the bed of the stream during construction.

- [27431] To carry out earthworks to construct a road with an upslope batter of 2 metres or more for a length greater than 200 metres.

- [27482] To construct and use structures in the bed of Stebbings Stream including:

    - retaining wall structures;
    - erosion protection works; and
    - stormwater outlets.

    including any associated disturbance to the bed of the stream and stream diversions during construction.

- [27601] To drain and reclaim a section of Stebbings Stream.

- [27429] To divert the full flow of a section of the Stebbings Stream to a new channel.

- [27481] To discharge sediment laden water to land and to water from areas of bulk earthworks to the Stebbings Stream and Porirua Stream associated with the construction of a road

Between Middleton Road, Glenside and Westchester Drive Churton Park at or about map references NZMS 260: R27; 2662267.5998754 (Middleton Road end) and NZMS 260: R27; 2661663.5998967 (Westchester Drive end)

12.2 Duration of consents

The Hearing Committee recommends that land use consents WGN090226 [27592] [27593] [27430] [27482] and water permit [27429] be granted for a period of 35 years. The Hearing Committee also recommends that discharge permit and land use consent WGN090226 [27481] [27431] be granted for a period of three years and that land use consent WGN090226 [27601] be granted for an unlimited duration.

The reason for these durations is provided in section 10.3 of this report.

12.3 Reasons

The recommendation and decision have been made for the following reasons:

The proposed conditions on the consents will avoid, remedy or mitigate the adverse effects of the proposed works on the environment.

The proposed consents are not contrary to the relevant objectives and policies of the Regional Policy Statement, the proposed Regional Policy Statement, the Regional Freshwater Plan, the Regional Plan for Discharges to Land or the

Regional Soil Plan. Overall, the granting of these consents is consistent with Part 2 of the Act.

DECISION DATED at Wellington this 7th day of July 2009

For the Wellington Regional Council:

Sally Baber (Chair)	Paul Bruce	Stuart Kinnear

Appendix 1: Consent conditions

Land use consent WGN090226 [27592] to construct a permanent bridge over the bed of the Stebbings Stream, including the placement of a central prier in the bed of the stream and including any associated disturbance to the bed of the stream during construction.

Pre-works requirements

1. The consent holder shall submit, for approval as part of the **Construction Management Plan (CMP)**, a detailed Bridge Construction Methodology prior to commencing construction.

   The **methodology** shall include, but not be limited to:

   - A 'step by step' construction methodology and timeline for each step;
   - The specific sediment treatment measures that will be used during construction;
   - Any temporary diversions of the stream required, what form they will be in & for how long they will be needed for;
   - What machinery will be used and if any will be used in the active flowing channel;
   - Measures to prevent the discharge of unset concrete and concrete wash water to the stream during construction;
   - How any excavated material from the foundations will be either removed from the immediate area or stockpiled away from the flooding area;
   - How the central prier will be constructed, how long it will take, the type of machinery that will be used and specific sediment treatment measure to treat an stormwater runoff from this particular work area;
   - Environmental monitoring proposed during construction including templates for these audits.

   The **CMP** including this methodology must be submitted to the Manager, Environmental Regulation, Wellington Regional Council, for approval, at least 20 working days prior to the proposed date of commencement of construction of this bridge.

   The Manager, Environmental Regulation, Wellington Regional Council must approve the submitted BCP, prior to any works commencing on this bridge, and the consent must be exercised in accordance with the approved CMP.

   Amendments shall not be made to the CMP approved under condition 1, unless they are to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Standard conditions

2. The location, design, implementation and operation of the works shall be in general accordance with the:

a) Consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

b) Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and

c) Any additional plans or information to be prepared and submitted and approved by the Wellington Regional Council in accordance with various conditions of this consent.

Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

Note 2: Where there may be contradiction 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.

3. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

Note 3: Notifications can be emailed to notifications@GW.govt.nz.

4. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

5. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

6. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Rununganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenths Trust, Te Runanga o Toa Rangatira, New Zealand Historic Places Trust and Wellington Regional Council immediately, and construction work in that area shall be stopped immediately to allow a site inspection by these groups and their advisors. The consent holder shall then consult with the above parties and their advisors on appropriate steps to recover the artefacts in order that work can resume.

Works/design standard conditions

7. The consent holder shall ensure that no wet concrete or concrete wash enters the stream during construction.

8. All machinery and equipment used for the works shall be removed from the stream bed and banks at the end of each working day and be placed in a

position at least 2 metres above the bed of the stream, in an area clear of the floodplain.

Note 4: the purpose of this condition is to ensure that no machinery or equipment is left in position where it could be impacted by flood waters and cause an adverse effect to downstream environments.

9. The consent holder shall ensure that access to the Stebbings Dam for Wellington Regional Council Flood Protection staff, their vehicles and any machinery is maintained at all times during construction.

10. The consent holder shall construct access track a total of 4 metres wide, consisting of a 3 metre wide track and a 0.5 metre wide verge on either side of the track for the maintenance of the Stebbing Dam as shown on MWH plan Z1266710 – C100 – Rev B dated 25 February 2009.

11. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity Stebbings Stream during the construction, implementation and maintenance of the works, including:

    a) Only undertaking works in the actively flowing stream channel during times of minimal flow;

    b) Installing super silt fences on the banks surrounding the works area;

    c) Installing and maintaining further appropriate erosion control and sediment treatment measures as required;

    d) Applying stabilisation techniques (e.g hydroseeding) to finished cut and fill areas within 1 month of each area being completed;

    e) Completing all works in the minimum time practicable;

    f) Avoiding placement of excavated material in the flowing channel; and

    g) Keeping machinery out of the actively flowing channel, as far as practicable.

Stabilisation, fill material and maintenance

12. The consent holder shall ensure that a method of stabilisation (e.g. hysdroseeding) is applied to each cut and fill batter within 1 month of completion.

13. All cut and fill batters shall be stabilised within 3 months of any stabilisation technique being applied to its surface, or a longer period if deemed satisfactory to the Manager, Environmental Regulation, Wellington Regional Council.

    Note 5: For the purposes of Condition 11 “stabilised” in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by

using indurated rock or by the application of basecourse, colluvium, hydroseeding, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

14. 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'.

15. All fill material shall be placed and compacted so as to minimise any erosion and/or instability of the fill material.

16. All works affecting the beds of the stream, including tidy up on completion of the works shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

17. The bridge shall remain the responsibility of the consent holder and shall be inspected and maintained so that:

    a) Any erosion or scour that is attributable to the structure constructed under this consent shall be repaired;

    b) The structure remain substantively clear of debris; and

    c) The structural integrity of all the structures authorised by this consent remain sound.

    Any maintenance shall be carried out by the consent holder and completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

    Note 6: Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the bed of the watercourse) following completion of the construction works as proposed in the application, may require further resource consents.

Schedule 2

Land use consent WGN090226 [27593] To construct a permanent bridge over the bed of the Porirua Stream and any associated erosion protection works, including any disturbance of the to the bed of the stream during construction and any diversion of the flow of the stream.

Pre-works requirements

1. The consent holder shall submit, for approval as part of the **Construction Management Plan (CMP**), a detailed Bridge Construction Methodology prior to commencing construction.

   The **methodology** shall include, but not be limited to:

   - A 'step by step' construction methodology and timeline for each step;
   - The specific sediment treatment measures that will be used during construction;
   - Any temporary diversions of the stream required, what form they will be in & for how long they will be needed for;
   - What machinery will be used and if any will be used in the active flowing channel;
   - Measures to prevent the discharge of unset concrete and concrete wash water to the stream during construction;
   - How any excavated material from the foundations will be either removed from the immediate area or stockpiled away from the flooding area;
   - How the erosion protection works will be conducted including what machinery will be required, if it will need to work within the flowing channel and how long for;
   - Environmental monitoring proposed during construction including templates for these audits

   The **CMP** including this methodology shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council, for approval, at least 20 working days prior to the proposed date of commencement of construction of this bridge.

   The Manager, Environmental Regulation, Wellington Regional Council must approve the submitted BCP, prior to any works commencing on this bridge, and the consent must be exercised in accordance with the approved CMP.

   Amendments shall not be made to the CMP approved under condition 1, unless they are to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Standard conditions

2. The location, design, implementation and operation of the works shall be in general accordance with the:

a) Consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

b) Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and

c) Any additional plans or information to be prepared and submitted and approved by the Wellington Regional Council in accordance with various conditions of this consent.

Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

Note 2: Where there may be contradiction 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.

3. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

Note 3: Notifications can be emailed to notifications@GW.govt.nz.

4. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

5. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

6. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Rununganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenths Trust, Te Runanga o Toa Rangatira, New Zealand Historic Places Trust and Wellington Regional Council immediately, and construction work in that area shall be stopped immediately to allow a site inspection by these groups and their advisors. The consent holder shall then consult with the above parties and their advisors on appropriate steps to recover the artefacts in order that work can resume.

Works/design standard conditions

7. The consent holder shall ensure that no wet concrete or concrete wash enters the stream during construction.

8. All machinery and equipment used for the works shall be removed from the stream bed and banks at the end of each working day and be placed in a

position at least 2 metres above the bed of the stream, in an area clear of the floodplain.

Note 4: the purpose of this condition is to ensure that no machinery or equipment is left in position where it could be impacted by flood waters and cause an adverse effect to downstream environments.

9. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity Porirua Stream during the construction, implementation and maintenance of the works, including:

   a) Only undertaking works in the actively flowing stream channel during times of minimal flow;

   b) Installing super silt fences on the banks surrounding the works area;

   c) Installing and maintaining further appropriate erosion control and sediment treatment measures as required;

   d) Applying stabilisation techniques (e.g hydroseeding) to finished cut and fill areas within 1 month of each area being completed;

   e) Completing all works in the minimum time practicable;

   f) Avoiding placement of excavated material in the flowing channel; and

   g) Keeping machinery out of the actively flowing channel, as far as practicable.

Stabilisation, fill material and maintenance

10. The consent holder shall ensure that a method of stabilisation (e.g. hysdroseeding) is applied to each cut and fill batter within 1 month of completion.

11. All cut and fill batters shall be stabilised within 3 months of any stabilisation technique being applied to it's surface, or a longer period if deemed satisfactory to the Manager, Environmental Regulation, Wellington Regional Council.

    Note 5: For the purposes of Condition 9 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, hydroseeding, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the

Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

12. 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’.

13. All fill material shall be placed and compacted so as to minimise any erosion and/or instability of the fill material.

14. All works affecting the beds of the stream, including tidy up on completion of the works shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

15. The bridge shall remain the responsibility of the consent holder and shall be inspected and maintained so that:

    a) Any erosion or scour that is attributable to the structure constructed under this consent shall be repaired;

    b) The structure remain substantively clear of debris; and

    c) The structural integrity of all the structures authorised by this consent remain sound.

    Any maintenance shall be carried out by the consent holder and completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

    Note 5: Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the bed of the watercourse) following completion of the construction works as proposed in the application, may require further resource consents.

Schedule 3

Land use consent WGN090226 [27430] to construct temporary bridge over the bed of the Stebbings Stream and any associated erosion protection works, including any disturbance to the bed of the stream during construction.

Standard conditions

1. The location, design, implementation and operation of the works shall be in general accordance with the:

   a) Consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

   b) Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and

   Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

   Note 2: Where there may be contradiction 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.

2. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

   Note 3: Notifications can be emailed to notifications@GW.govt.nz.

3. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

4. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

5. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Rununganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenths Trust, Te Runanga o Toa Rangatira, New Zealand Historic Places Trust and Wellington Regional Council immediately, and construction work in that area shall be stopped immediately to allow a site inspection by these groups and their advisors. The consent holder shall then consult with the above parties and their advisors on appropriate steps to recover the artefacts in order that work can resume.

Works/design standard conditions

6. The consent holder shall ensure that no wet concrete or concrete wash enters the stream during construction.

7. All machinery and equipment used for the works shall be removed from the stream bed and banks at the end of each working day and be placed in a position at least 2 metres above the bed of the stream, in an area clear of the floodplain.

   Note 4: the purpose of this condition is to ensure that no machinery or equipment is left in position where it could be impacted by flood waters and cause an adverse effect to downstream environments.

8. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity Stebbings Stream during the construction, implementation and maintenance of the works, including:

   a) Only undertaking works in the actively flowing stream channel during times of minimal flow;

   b) Installing super silt fences on the banks surrounding the works area;

   c) Installing and maintaining further appropriate erosion control and sediment treatment measures as required;

   d) Applying stabilisation techniques (e.g hydroseeding) to finished cut and fill areas within 1 month of each area being completed;

   e) Completing all works in the minimum time practicable;

   f) Avoiding placement of excavated material in the flowing channel; and

   g) Keeping machinery out of the actively flowing channel, as far as practicable.

Stabilisation, fill material and maintenance

9. All cut and fill batters shall be stabilised within 3 months of any stabilisation technique being applied to its surface, or a longer period if deemed satisfactory to the Manager, Environmental Regulation, Wellington Regional Council.

   Note 5: For the purposes of Condition 8 “stabilised” in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, hydroseeding, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council’s Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the

Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

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 minimise any erosion and/or instability of the fill material.

12. All works affecting the beds of the stream, including tidy up on completion of the works shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

13. The bridge shall remain the responsibility of the consent holder and shall be inspected and maintained so that:

    a) Any erosion or scour that is attributable to the structure constructed under this consent shall be repaired;

    b) The structure remain substantively clear of debris; and

    c) The structural integrity of all the structures authorised by this consent remain sound.

    Any maintenance shall be carried out by the consent holder and completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

    Note 6: Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the bed of the watercourse) following completion of the construction works as proposed in the application, may require further resource consents.

Schedule 4

Land use consent WGN090226 [27431] to carry out earthworks to construct a road with an upslope batter of 2 metres or more over a length of greater than 200 metres.

General conditions

1. The location, design, implementation and operation of the works shall be in general accordance with the:

   a) consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

   b) Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and

   Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

   Note 2: Where there may be contradiction 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.

2. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

   Note 3: Notifications can be emailed to notifications@GW.govt.nz.

3. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

4. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

5. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Rununganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenths Trust, Te Runanga o Toa Rangatira, New Zealand Historic Places Trust and Wellington Regional Council immediately, and construction work in that area shall be stopped immediately to allow a site inspection by these groups and their advisors. The consent holder shall then consult with the above parties and their advisors on appropriate steps to recover the artefacts in order that work can resume.

Erosion and sediment control

6. All erosion control techniques and sediment treatment measures shall be installed, operated and maintained in accordance with the conditions of consent WGN090226 [27481].

Stabilisation

7. The consent holder shall ensure that a method of stabilisation (e.g. hysdroseeding) is applied to each cut and fill batter within 1 month of completion.

8. All cut and fill batters shall be stabilised within 3 months of any stabilisation technique being applied to its surface, or a longer period if deemed satisfactory to the Manager, Environmental Regulation, Wellington Regional Council.

   Note 4: For the purposes of Conditions 8 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, hydroseeding, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

Schedule 5

Land use consent WGN090226 [27482] to construct and use structures in the bed of Stebbings Stream and its tributaries including:

- retaining wall structures;
- erosion protection works;
- stormwater outlets; and
- culvert pipe and associated inlet structure.

including any associated disturbance and deposition of material in the beds of the stream(s); and temporary diversion of flow of the stream(s) during construction.

Pre-works requirements

1. The consent holder shall prepare and submit a **Construction Management Plan (CMP)** detailing Stormwater Outlet Structures and Culvert Pipe and associated inlet structure for approval by the Manager, Environmental Regulation, Wellington Regional Council, at least 20 working days before commencing works. These shall include:

    - The details of the inlet structure and culvert pipe MH6B in the bed of the tributary of Stebbings Stream; and
    - details of the stormwater outlets to MH1, MH3, MH6A & MH6B

    all referring to MWH drawing No Z1266710 – C301 & 302 - Rev B provided with the application.

    The details provided shall include, but not be limited to, the following:

    - For the inlet and outlet structure to MH6B, near chainage 535, details of how fish passage will be provided for;
    - Design details of the outlet wing-wall and any associated dissipation structures or works;
    - A scaled plan showing the design details including the location, extent and dimensions of the structure and the depth that it will be embedded to;
    - Details of how the structure will mitigate the adverse effects of erosion and scour caused by its location in the stream bed;
    - Details of the specific erosion and sediment control measures that will be used during construction and how any exposed area will be stabilised on completion of the structure; and
    - Details of how the permit holder will prevent the discharge of unset concrete and concrete wash water to the stream during the construction of the works.

Standard conditions

2. The location, design, implementation and operation of the works shall be in general accordance with the:

a) Consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

b) Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and

c) Any additional plans or information to be prepared and submitted and approved by the Wellington Regional Council in accordance with various conditions of this consent.

Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

Note 2: Where there may be contradiction 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.

3. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

Note 3: Notifications can be emailed to notifications@GW.govt.nz.

4. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

5. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

6. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Rununganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenths Trust, Te Runanga o Toa Rangatira, New Zealand Historic Places Trust and Wellington Regional Council immediately, and construction work in that area shall be stopped immediately to allow a site inspection by these groups and their advisors. The consent holder shall then consult with the above parties and their advisors on appropriate steps to recover the artefacts in order that work can resume.

Works/design standard conditions

7. The consent holder shall ensure that no wet concrete or concrete wash enters the stream during construction.

8. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity of Stebbings Stream and its tributaries during the construction, implementation and maintenance of the works, including:

   a) Only undertaking works in the actively flowing stream channel during times of minimal flow;

   b) Installing super silt fences on the banks surrounding the works area;

   c) Installing and maintaining further appropriate erosion control and sediment treatment measures as required;

   d) Applying stabilisation techniques (e.g hydroseeding) to finished cut and fill areas within 1 month of each area being completed;

   e) Completing all works in the minimum time practicable;

   f) Avoiding placement of excavated material in the flowing channel; and

   g) Keeping machinery out of the actively flowing channel, as far as practicable.

Stabilisation, fill material and maintenance

9. The consent holder shall ensure that a method of stabilisation (e.g. hysdroseeding) is applied to each cut and fill batter within 1 month of completion.

10. All cut and fill batters shall be stabilised within 3 months of any stabilisation technique being applied to its surface, or a longer period if deemed satisfactory to the Manager, Environmental Regulation, Wellington Regional Council.

    Note 4: For the purposes of Condition 8 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, hydroseeding, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

11. Any erosion or scour that is attributable to the works carried out under this consent shall be repaired by the consent holder and to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

12. All works affecting the beds of the streams, including tidy up on completion of the works shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

13. All structures shall remain the responsibility of the consent holder and shall be inspected and maintained so that the structural integrity of all the structures authorised by this consent remain sound.

Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the bed of the watercourse) following completion of the construction works as proposed in the application, may require further resource consents.

Schedule 6

Land use consent [27601]: to drain and reclaim a section of Stebbings Stream.

Mitigation conditions

1. The consent holder shall engage a suitably qualified ecologist and/or landscape architect to prepare and submit a **Landscape and Restoration Plan (LRP)** for the planting the Stebbings Stream.

   The purpose for this plan is to detail the riparian planting that is required as part of the overall Landscape and Restorative Plan.

   A Preliminary **LRP** shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council, within one month of the commencement of bulk earthworks provided for under this consent.

   The **LRP** shall include (but not be limited to) the following:

   a) A detailed landscape plan of the proposed works;

   b) The location, width and length where the native riparian planting will be undertaken along Stebbings Stream (to a total of 280 metres);

   c) The location and extent of sycamore trees and other weed species that can be removed, and areas replanted where required;

   d) The native species that are proposed to be planted, the size of the plants and the density of planting.

   e) A detailed timeline for proposed planting works;

   f) Details of pre-planting site preparation (clearing, mulching, fertilising);

2. Within 3 months of completion of bulk earthworks, the consent holder shall submit, for approval a **Final Landscape and Restorative Plan (LRP)** prepared by a suitably qualified ecologist and/or landscape architect, for approval by the Manager, Environmental Regulation,Wellington Regional Council.

   The final LRP shall confirm the details provided for in a) – f) in condition 1 above as well as include a detailed proposal to Monitor and Maintain the completed plantings.

   Monitoring and Maintenance program shall include details of how the planting will be monitored for a period of 24 months following completion of the planting, and shall include but not be limited to, the following:

   - Details of how plants will be irrigated during their establishment;

- Details of how the site will be maintained and how often, including the ongoing replacement of plants that do not survive, or are removed and eradication of evasive weeds from the planting site to ensure adequate growth (e.g. weeding, spraying, mulching);
- Details of how plants will be protected from pest animals;
- A list of the key responsibilities and identification of the suitably experienced persons responsible for implementing all parts of the LRP.

The final **LRP** shall be developed in accordance with Wellington Regional Council's *'Restoration Planting: A guide to restoration planting projects in the Wellington Region, 2004'*.

The **LRP** shall be commenced by at least the winter season following completion of bulk earthworks or other timeframe agreed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

No planting may occur until the **LRP** has been approved by the Manager, Environmental Regulation, Wellington Regional Council.

3. The planting must be undertaken in accordance with the approved **Landscape and Restoration Plan** and is to be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

4. No amendments may be made to the approved approved **Landscape and Restoration Plan** unless the amendments are to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

5. The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council, when the planting required under the approved **Landscape and Restoration Plan** is complete.

6. The consent holder shall keep a record of all monitoring and maintenance undertaken and submit this in a **Landscape and Restoration Report** to the Manager, Environmental Regulation, Wellington Regional Council every year for 2 years following completion of the planting.. The report shall include (but not be limited to) the following:

    - Success rates;
    - Details of which plants were replaced, including species, location and date replaced;
    - Recommendations for replacement of dead plants; and
    - Recommendations of any ongoing maintenance.

Works/standard conditions

7. The location, design, implementation and operation of the works shall be in general accordance with the:

    a) consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

Note 2: Where there may be contradiction 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.

8. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

Note: Notifications can be emailed to notifications@GW.govt.nz.

9. The permit holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

Fish relocation

10. Prior to and during the draining of the section of stream, all practicable steps shall be taken to relocate fish from the affected stream reach. All practicable steps include, but are not limited to, netting with minnow traps and by electric fishing. All fish netting and relocation shall be completed by a suitably qualified ecologist. All fish collected shall be relocated upstream of the works.

11. 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’.

12. The works shall remain the responsibility of the permit holder and shall be maintained to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. This shall include the repair of any erosion of the bed and/or banks of the stream that is attributable to the works.

Schedule 7

Water permit WGN090226 [27429] to permanently divert the full flow of Stebbings Stream to a new channel.

1. The location, design, implementation and operation of the works shall be in general accordance with the:

    a) consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

    Note 1: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

    Note 2: Where there may be contradiction 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.

    The permit holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

3. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior the water being diverted to the channel to allow the works to be inspected.

    Note: Notifications can be emailed to notifications@GW.govt.nz.

Fish relocation

4. Prior to and during the permanent diversion of water, all practicable steps shall be taken to relocate fish from the affected stream reach. All practicable steps include, but are not limited to, netting with minnow traps and by electric fishing. All fish netting and relocation shall be completed by a suitably qualified ecologist. All fish collected shall be relocated upstream of the diversions

5. The permit holder shall liaise with a suitably qualified ecologist to ensure that the new channel is lined and shaped to be as natural as possible. The ecologist must inspect the new channel prior to water being diverted into it.

6. The works shall remain the responsibility of the permit holder and shall be maintained to the satisfaction of the Manager, Environmental Regulation,

Wellington Regional Council. This shall include the repair of any erosion of the bed and/or banks of the stream that is attributable to the works.

Schedule 8

Discharge permit WGN090226 [27481] to discharge sediment laden water (including chemical flocculant) to land where it may enter water and to the waters of Stebbings Stream and Porirua Stream from areas of bulk earthworks associated with the construction of a road.

Adaptive Management (includes pre-works requirements)

1. The permit holder shall engage a suitably qualified, experienced and independent ecologist to prepare and submit for approval as part of the final **Erosion and Sediment Contol Plan**, a Stream Quality Monitoring Methodology (SQMM) to the Manager, Environmental Regulation, Wellington Regional Council at least 20 working days prior to baseline aquatic monitoring being initiated (in accordance with this condition). The ecologist that the permit holder engages shall be to the approval of the Manager, Environmental Regulation, Wellington Regional Council.

   The purpose of the **SQMM** is to establish and implement scientifically robust monitoring methods at representative locations to monitor the health of the streams receiving discharges.

   The **SQMM** *shall* include the following:

   - Monitoring locations:
     - monitoring shall be undertaken at four appropriate locations in the stream. These are to be upstream of the all discharges; in the vicinity of chainage 450; a maximum distance of 70 metres from the point the last discharge point and another point prior to the confluence of Stebbings Stream with Porirua Streams;
     - Each of the monitoring locations shall be numbered and shown on a scaled aerial map. GPS locations shall be given for each of the monitoring locations.

   - Monitoring methodology for <u>invertebrate sampling</u>, including, but not limited to:
     - The technique(s) that will be used to carry out the samples;
     - The area that sampling will be undertaken over;
     - Analysis methods that will be used to record and present the data i.e. MCI and QMCI;
     - Any other assessments that will be undertaken i.e. physical habitat assessments.
     - The frequency of the monitoring that will be undertaken for the following periods at each of the monitoring locations:
       - Baseline monitoring (including the date when monitoring will be first initiated). Sampling shall be undertaken on a minimum of two occasions. All baseline monitoring sampling shall be completed prior to any works authorised under consent WGN090226 [27592]; [27593]; [27430]; [27482] and [27601].
       - During bulk earthworks; and

- Once the site is completely stabilised.

- Monitoring methodology for <u>deposited sediment</u>, including, but not limited to:
  - Photographs of the stream bed at each sample site, prior to the sampling being undertaken, and of any potential influence (i.e. landslip, failed erosion and sediment control measure) that may have had an affect on the results;
  - How often monitoring will be undertaken for the following periods at each of the monitoring locations:
    - Baseline monitoring (including the date when monitoring will be first initiated). Sampling *shall* be undertaken on a minimum of two occasions. All baseline monitoring sampling shall be completed prior to any stream works authorised under consent WGN090226 [27592]; [27593]; [27430]; [27482] and [27601].
    - During bulk earthworks;
    - Once the site is completely stabilised.

- Identification of any additional monitoring that will be undertaken at any time that the results of the invertebrate sampling and deposition monitoring indicate significant adverse effects have or could potentially occur i.e. conducting additional sampling points to show the significance and extent of adverse effects.
- Monitoring methodology for <u>rainfall monitoring</u>, including, but not limited to:
  - Details of an existing rain gauge that can be used to monitor rainfall;
  - How often rainfall is going to be recorded during the following periods:
    - Baseline monitoring;
    - Monitoring during bulk earthworks;
    - Monitoring once the site is stabilised.

Note: For the purposes of Conditions 1 and 3 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of hydroseeding basecourse, colluvium, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

2. The **Stream Quality Monitoring Methodology (SQMM)**, prepared and submitted under Condition 1 of this permit, shall be implemented in accordance with the approved plan (under Condition 1 of this permit). Changes to this methodology shall not be made without the prior approval of the Manager, Environmental Regulation, Wellington Regional Council.

Stream monitoring reporting requirements

3. The permit holder shall provide a **Stream Quality Monitoring Report (SQMR)** to the Manger, Environmental Regulation, Wellington Regional Council within the timeframes listed below. The **SQMR** shall be prepared and submitted by a suitably qualified, experienced and independent ecologist and shall detail the findings of the Stream Quality Monitoring implemented under Condition 2. The ecologist that the permit holder engages shall be to the approval of the Manager, Environmental Regulation, Wellington Regional Council.

    - Baseline monitoring – within one month of the last sampling occasion;
    - Monitoring during bulk earthworks – within one month of each sampling occasion;
    - Monitoring once the site is stabilised – within one month of the last sampling occasion.

    The **SQMR** shall include, but not be limited to:

    - The results of the aquatic monitoring undertaken;
    - An analysis of the results and what this indicates in regards to the effects that discharges are having on the aquatic ecosystems in each particular monitoring location and stream as a whole;
    - Recommendations for approval to the Manager, Environmental Regulation, Wellington Regional Council, to remedy or mitigate any significant adverse effects that have occurred or to avoid foreseen significant adverse effects. This may include, but not be limited to:
        - Changes in the management or implementation of erosion and sediment control measures;
        - Methods to remedy the significant adverse effects; and
        - Mitigation measures to offset the significant adverse effects.

    Note: for the purposes of this condition "significant adverse effects" are those effects which are determined to be significant in the professional opinion of the engaged ecologist.

    Note: for the purposes of this condition "stabilised" has the same definition as that set out in Condition 1 of this permit.

4. Those recommendations approved from the **Stream Quality Monitoring Report (SQMR)** under Condition 3 of this permit shall be undertaken by the permit holder to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and within the timeframe specified by the Manager, Environmental Regulation, Wellington Regional Council.

    Note: A resource consent may be required to undertake the works recommended within the **Stream Quality Monitoring Report (SQMR)**.

Final erosion and sediment control plan (pre-works requirement)

5. The permit holder shall submit a final **Erosion and Sediment Control Plan** (ESCP) (based on Drawings Z1266710 – C401 – Rev B and Z1266710 – C402 – Rev B provided with the application documents) for approval to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council, at least 20 working days prior to works commencing.

   The updated ESCP shall give details of the following:

   - Details for the design of all ponds to cater for a 1 in 5 year rainfall event;
   - A stage by stage plan of the road construction and the specific erosion control and treatment measures to be used within each stage;
   - How sediment laden water will be treated prior to the construction of each sediment retention ponds;
   - How clear water diversion drains will be constructed while the batters are created;
   - Methods to stabilise clear water diversions (rock lining; geotextile fabrics);
   - How the discharge from the ponds will be dispersed over land, in accordance with condition 17;
   - How the site will be progressively stabilised, including techniques that will be used to stabilise the site during winter (pursuant to condition 30)

Chemical flocculation (pre-works requirement)

6. The permit holder shall prepare and submit as part of the final **Erosion and Sediment Control Plan** a flocculation management methodology (FMP) for approval to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council, at least 20 working days prior to any flocculation works commencing. The methodology shall include, but not be limited to:

   - Details that specify that the flocculation will be triggered following a 10mm rain event;
   - Details of optimum dosage rate calculated from the soils in the ponds catchment including details of the calculation (e.g. bench testing);
   - Procedures for the storage of flocculation chemical(s) onsite;
   - A flocculation chemical spill contingency plan; and
   - Methods and responsibilities for monitoring and maintenance of the system; and
   - Identification of a suitably qualified and experienced person and their specific responsibilities for ensuring the operation, monitoring and maintenance of the chemical flocculation system to ensure that each sediment retention pond is operated as outlined in the FMP.
   - A plan for the decommissioning of flocculated sediment retention ponds

7. The permit holder shall ensure that all erosion control, sediment treatment measures the operation of chemically-treated sediment retention ponds are implemented, operated and maintained in accordance with the approved

Erosion and Sediment Control Plan approved under Condition 5 and 6 of this permit.

This obligation shall cease to apply in respect of any particular site or area of any site once that site is stabilised.

Note: for the purposes of this condition "stabilised" has the same definition as that set out in Condition 1 of this permit.

8. The measures outlined in the approved **Erosion and Sediment Control Plan** approved under Condition 5 and 6 of this permit shall be implemented **prior** to the commencement of bulk earthworks.

Note: Bulk earthworks is defined as, cut to fill, excavation, and blading required to regrade an area.

9. No amendments may be made to the Erosion and Sediment Control Plan approved under Condition 5 and 6 of this permit without prior approval that the amendment is to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

10. The permit holder shall ensure that all sediment-laden runoff from the site is treated by sediment treatment measures approved under Condition 5 and 6 of this permit.

11. No erosion or sediment control measures shall be removed without prior approval which is to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and the relevant site area is stabilised.

Note: for the purposes of this condition "stabilised" has the same definition as that set out in condition 1 of this permit.

General conditions

12. The location, design, implementation and operation of the works shall be in general accordance with the:

a) consent application and its associated plans and documents, lodged with the Wellington Regional Council on 22 December 2008; and

b) Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and

c) any additional plans or information to be prepared and submitted and approved by the Wellington Regional Council in accordance with various conditions of this consent.

Note: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

Note: Where there may be contradiction 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.

13. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

Note: Notifications can be emailed to notifications@GW.govt.nz.

14. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

15. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

16. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Rununganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenths Trust, Te Runanga o Toa Rangatira, New Zealand Historic Places Trust and Wellington Regional Council immediately, and construction work in that area shall be stopped immediately to allow a site inspection by these groups and their advisors. The consent holder shall then consult with the above parties and their advisors on appropriate steps to recover the artefacts in order that work can resume.

Erosion control and sediment treatment

17. All sediment retention ponds discharge pipes shall be fitted with a Perforated Nova Flow pipe to disperse the discharge over land (where possible). The pipe shall be at least 10 metres in length.

18. Discharges from all ponds and other measure shall be dispersed over stabilised ground.

Note: for the purposes of this condition “stabilised” has the same definition as that set out in Condition 1 of this permit.

19. The permit holder shall repair any erosion or scour of the stream bed or banks that is attributable to any discharge from the site.

20. **Prior** to bulk earthworks commencing, the permit holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council a certificate

signed by an appropriately qualified and experienced engineer to certify that the erosion and sediment controls have been constructed in accordance with the Erosion and Sediment Control Plan approved under Condition 5 and 6 of this permit.

21. All erosion and sediment control measures shall remain the responsibility of the permit holder, and be installed, operated and maintained efficiently and in accordance with Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region (dated September 2002), and to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Reporting and site auditing requirements

22. The permit holder shall ensure that the site is audited by an appropriately qualified person at least on a two weekly basis to ensure that the erosion and sediment control methods are being maintained in accordance with the Erosion and Sediment Control Plan.

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

23. The two weekly audits of site with respect to the Erosion and Sediment Control Plan as required by condition 22 shall include, but not be limited to, the following information:

    - Date;
    - Name of auditor;
    - Site condition;
    - Weather conditions;
    - Sediment management (identification of areas of potential sediment generation and review of sediment control measures in accordance with Condition 18 of this permit);
    - Runoff control (check of diversion channels and check sediment retention ponds);
    - Condition of sediment control measures, including silt fences, contour drains and sediment retention ponds;
    - Maintenance required and the date this will be completed by;
    - The contractor responsible for the maintenance; and
    - General comments.

24. The results of the two weekly audits as required by conditions 22 and 23 shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council no later than five working days after the date of the audit.

Monitoring of the efficiency of chemically treated sediment retention ponds

25. The permit holder shall monitor and record the following parameters for the chemically-treated sediment retention ponds on a weekly basis

- pH (Inflow/Pond/Outflow)
- Temperature (°C) (Pond)
- Turbidity (NTU) (Inflow/Pond/Outflow)
- Dissolved aluminium (g/m^3) (Inflow/Pond/Outflow)
- Suspended solids (g/m^3) (Inflow/Pond/Outflow)

Monitoring shall start when bulk earthworks commence. Monitoring shall cease on any sediment retention pond when its catchment has been completely stabilised. 'Stabilised' shall have the same meaning as described in Condition 1 of this permit.

All monitoring results shall be recorded and maintained in a log on site and shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council no later than five working days after the date of the audit.

Records shall be kept to show where monitoring is not possible due to dry conditions.

26. The permit holder shall sample the following parameters during at least 6 separate rainfall events in excess of 20mm during the bulk earthworks phase of the works

- pH (Inflow/Pond/Outflow)
- Temperature (°C) (Pond)
- Turbidity (NTU) (Inflow/Pond/Outflow)
- Dissolved aluminium (g/m^3) (Inflow/Pond/Outflow)
- Suspended solids (g/m^3) (Inflow/Pond/Outflow)

All monitoring results shall be recorded and maintained in a log on site and shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council no later than 20 working days after each sampling event.

27. Should the monitoring results recorded in accordance with Condition 25 or 26 of this permit indicate that the pH of the pond outflow is at or below 5.5, the dosing of the pond with Polyaluminium Chloride shall cease immediately. In this event the Manager, Environmental Regulation, Wellington Regional Council shall be notified as soon as practicable, and within 48 hours. The permit holder shall then liaise with the Manager, Environmental Regulation, Wellington Regional Council on an appropriate course of action.

Progressive stabilisation of the site

28. The consent holder shall ensure that a method of stabilisation (e.g. hysdroseeding) is applied to each cut and fill batter within 1 month of completion.

29. All cut and fill batters shall be stabilised within 3 months of any stabilisation technique being applied to its surface, or a longer period if deemed satisfactory to the Manager, Environmental Regulation, Wellington Regional Council.

Note: For the purposes of Conditions 29 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, hydroseeding, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

Stabilisation of site during winter

30. All completed road formations shall be lined with clean granular material between 1 June to 30 August (where practical). This surface shall be maintained and replaced as required by the Manager, Environmental Regulation, Wellington Regional Council.

Mixing zones and limits

31. The permit holder shall take all practicable steps to ensure that, after a mixing zone of 70 metres (measured downstream from the most downstream discharge point), stormwater discharged will not give rise to any of the following effects in the receiving waters of Stebbings or Porirua Streams:

a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or

b) any conspicuous change in the colour or visual clarity; or

c) any emission of objectionable odour; or

d) the rendering of fresh water unsuitable for consumption by farm animals; or

e) any significant adverse effects on aquatic life.

For the purpose of this permit, all practicable steps shall include, but not be limited to:

- Installing, operating and maintaining the control and treatment measures in the Erosion and Sediment Control Plan approved by the Manager, Environmental Regulation, Wellington Regional Council under condition 6, or any subsequent approved amendments to this plan;
- Maintaining all erosion control and sediment treatment measures to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council;
- Dispersing the flow from the discharge point of any sediment retention pond; and

- Adding any additional erosion control and sediment treatment measures that will ensure this condition is complied with.

Note: In determining compliance with this condition, the Manager, Environmental Regulation, Wellington Regional Council will consider the design specification of any and all sediment treatment measures as specified in the approved ESCP.

Contingency measures

32. The permit holder shall immediately notify the Manager, Environmental Regulation, Wellington Regional Council if any contaminants (including sediment) are released from the site and enter Stebbings Stream due to any of the following:

    a) Discharges from unstabilised areas that are not treated by sediment control measures required under discharge permit WGN090226 [27481];

    b) Failure of any silt fence or any other erosion and sediment control measures; or

    c) Any other incident which either directly or indirectly causes or is likely to cause adverse ecological effects on Stebbings Stream.

33. The permit holder shall ensure that:

    a) All on-site storage areas for fuels and lubricants are bunded or contained in such a manner so as to prevent the discharge or spillages of such contaminants;

    b) All machinery and plant is regularly maintained in such a manner so as to minimise the potential for leakage of fuels and lubricants; and

    c) No equipment or machinery is cleaned, stored or refuelled within 5 metres of Stebbings Stream.

Fill conditions

34. 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’.

35. 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 permit holder to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.