

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of appeals under sections 120 and 174 of
the Act

BETWEEN GLENSIDE PROGRESSIVE

ASSOCIATION INC

(ENV-2009-WLG-000176 & 194)

Appellant

AND

WELLINGTON REGIONAL COUNCIL

WELLINGTON CITY COUNCIL

Respondents

BEFORE THE ENVIRONMENT COURT

Principal Environment Judge CJ Thompson sitting alone pursuant to s 279 of the Act.
IN CHAMBERS

CONSENT ORDER

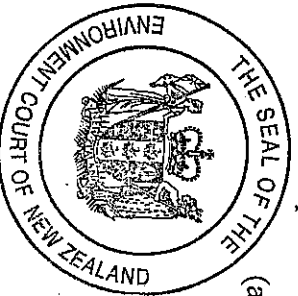
Introduction

[1] The Court has read and considered the appeals, the respondents' replies and the parties' memorandum received 16 April 2010.

[2] J M Voss and Stebbings Farmlands Limited gave notice of an intention to become parties to the appeal, and have signed the memorandum setting out the relief sought. P Graham also gave notice of an intention to become a party to appeal, but subsequently withdrew that notice.

[3] The Court is making this order under section 279(1)(b) of the Act, such an order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The Court understands for the present purposes that:

(a) All parties to the proceedings have executed the memorandum requesting this order; and





(b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Act, including in particular Part 2.

Order

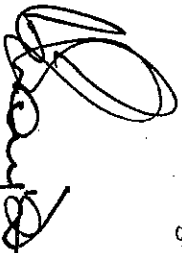
[4] The Court orders, by consent, that:

- The Wellington Regional Council's decision granting the application for resource consents made by Wellington City Council relating to the Westchester Drive extension are amended as set out in Schedules A and B.
- The Wellington City Council's decision (as requiring authority) to accept the Joint Hearing Committee's recommendation that the Notice of Requirement for the public work of a new road between the intersection of Westchester Drive and Lakewood Avenue and the intersection of Middleton Road and Westchester Drive East are amended as set out in Schedules C and D.

[5] The appeals are otherwise dismissed.

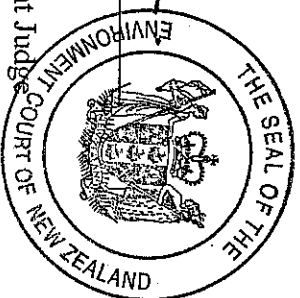
[6] There is no order as to costs.

DATED at Wellington this 31st day of May 2010



C J Thompson

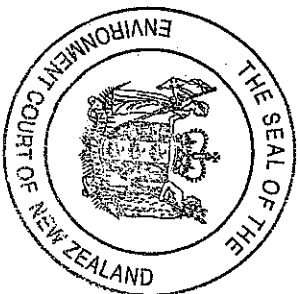
Principal Environment Judge





Schedule A

Amended Wellington Regional Council decision with tracked changes





Consent conditions

Land use consent WGN090226 [27/592] to construct a permanent bridge over the bed of the Stebbings Stream, including the placement of a central pier 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 pier 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.

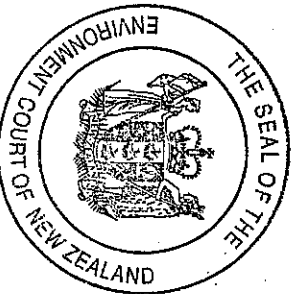
The **CMP** including this methodology must be submitted to the Manager, Environmental Regulation, Wellington Regional Council, for approval, at least 20 working days prior to the proposed date of commencement of construction of this bridge.

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.

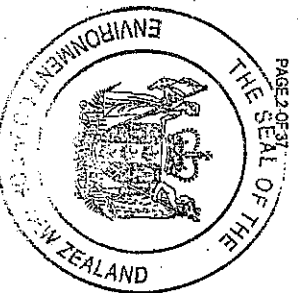
5. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

6. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Runungānui o Taranaki Whānui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenthis Trust, Te Runanga o Toa Rangitira, 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

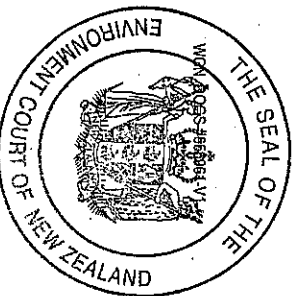


position at least 2 metres above the bed of the stream, in an area clear of the floodplain.

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 construct a sealed pedestrian and cycle access path from Lakewood Ave to divert under the Western bridge to connect with the existing tar-sealed road end of Stebbings Road. The path is to be suitable for the use of ~~with~~ strollers and by recreational cyclists.
- 11.2. 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 the following:
 - a) The consent holder shall abide by the conditions of the Stream Quality Monitoring Methodology (SOMM) referred to condition 1 of WGN090226 [27481] in Schedule 8 of this consent.
 - b) Only undertaking works in the actively flowing stream channel during times of minimal flow;
 - bc) Installing super silt fences on the banks surrounding the works area;
 - de) Installing and maintaining further appropriate erosion control and sediment treatment measures as required;
 - ee) Applying stabilisation techniques (e.g hydroseeding) to finished cut and fill areas within 1 month of each area being completed;
 - fe) Completing all works in the minimum time practicable;
 - ff) Avoiding placement of excavated material in the flowing channel; and
 - he) Keeping machinery out of the actively flowing channel, as far as practicable.

Stabilisation, fill material and maintenance



| 1413. The consent holder shall ensure that a method of stabilisation (e.g. hydros seeding) is applied to each cut and fill batter within 1 month of completion.

| 1414. 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, hydros seeding, 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.

| 1415. 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'.

| 1416. All fill material shall be placed and compacted so as to minimise any erosion and/or instability of the fill material.

| 1417. 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.

| 1418. 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

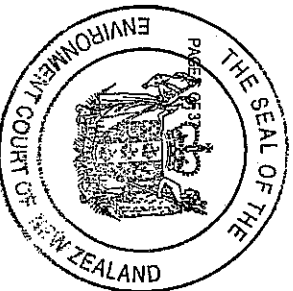
The **CMP** including this methodology shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council, for approval, at least 20 working days prior to the proposed date of commencement of construction of this bridge.

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.

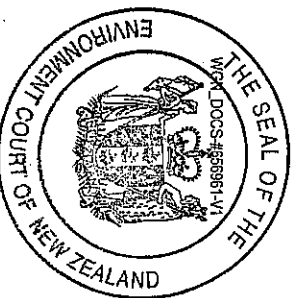
4. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent and verbally brief each operator and contractor, before that operator or contractor starts any works.

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 Runungaruni o Taranaki Whānui Ki te Upoko o Te Ika a Māui Inc, Wellington Tenthis Trust, Te Rūnanga o Teo Rangitira, 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 abide by the conditions of the Stream Quality Monitoring Methodology (SOMM) referred to in condition 1 of WGN090226 [27481] and shall take all practicable steps to minimise sedimentation and increased turbidity Porirua Stream during the construction, implementation and maintenance of the works, including:

~~The consent holder shall abide by the conditions of the Stream Quality Monitoring Methodology (SOMM) referred to in condition 1 of WGN090226 [27481] Schedule 8 of this consent~~

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- 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.

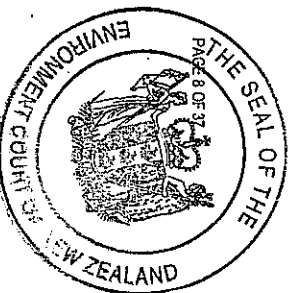
Stabilisation, fill material and maintenance

10. The consent holder shall ensure that a method of stabilisation (e.g. hydroseeding) 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

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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'; and

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 Runnganui o Taranaki Whānui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenth's Trust, Te Runanga o Toa Rangitira, 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 abide by the conditions of the Stream Quality Monitoring Methodology (SOMM) referred to in condition 1 of WGN090226 [27481] and shall take all practicable steps to minimise sedimentation and increased turbidity Stebbings Stream during the construction, implementation and maintenance of the works, including:

~~The consent holder shall abide by the conditions of the Stream Quality Monitoring Methodology (SOMM) referred to in condition 1 of WGN090226 [27481] Schedule 8 of this consent.~~

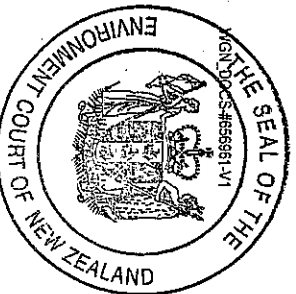
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- ~~8a) Only undertaking works in the actively flowing stream channel during times of minimal flow;~~
- ~~8b) Installing super silt fences on the banks surrounding the works area;~~
- ~~8c) Installing and maintaining further appropriate erosion control and sediment treatment measures as required;~~
- ~~8d) Applying stabilisation techniques (e.g hydroseeding) to finished cut and fill areas within 1 month of each area being completed;~~
- ~~8e) Completing all works in the minimum time practicable;~~
- ~~8f) Avoiding placement of excavated material in the flowing channel; and~~
- ~~8he) 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.

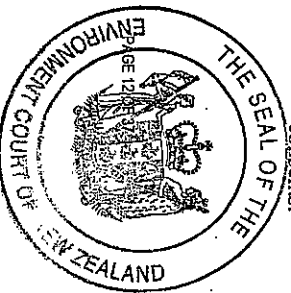
Note 5: For the purposes of Condition 8 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by



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.

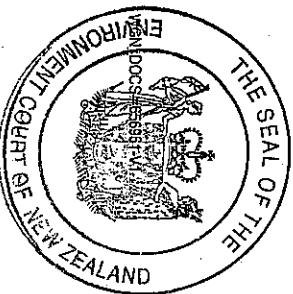
2. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of 48 hours notice prior to the works commencing.

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 Runumanganui o Taranaki Whanui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenants Trust, Te Runanga o Toa Rangaitira, 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.



The following conditions are in addition to any that the Historic Places Trust may require through archaeological authority gained under the Historic Places Act 1993.

- a) Prior to commencement of earthworks and construction, ground truthing and other appropriate investigations will be undertaken to locate the burial site of the local resident recorded in-situ since the 1840's. The area required to be searched is from chain 400 to chain 500 up to 3 metres either side of the proposed formed road edge. The sides of the investigated area will be fenced to prevent accidental encroachment beyond.
- b) If work needs to be carried out in an area outside this, within the same chainage, then investigations will be undertaken as in 5a prior to any other ground disturbance work being carried out.
- c) If a burial site is identified the consent holder shall contact Glenside Progressive Association Inc immediately to allow community consultation to take place on the next appropriate steps, including the most appropriate resting site for any remains found should agreement be reached to re-inter the remains.
- d) The consent holder will install~~and~~ a memorial to be erected as close as is practical to where the burial site is located (or is recalled to be located by the community) at the conclusion of road works in the area. This memorial will be designed in consultation with the Glenside Progressive Association Inc. and will erected regardless of whether the actual burial site is located.

Note: the consent holder has agreed with the Glenside Progressive Association to fund the memorial and its erection at the agreed site.

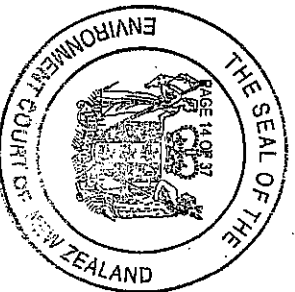
Erosion and sediment control

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

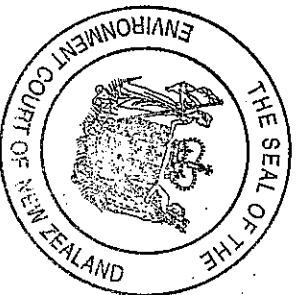
Stabilisation

7. The consent holder shall ensure that a method of stabilisation (e.g. hydroseeding) 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 & MH6Ball 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.

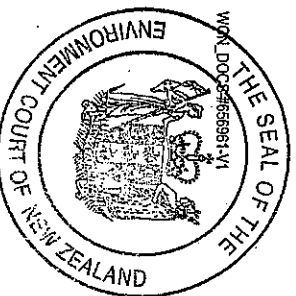
5. The consent holder shall ensure that a copy of this consent is kept in the site office on site at all times and presented to any Wellington Regional Council officer on request.

6. If koiwi, taonga or other artefact material is discovered in any area during the works, the consent holder shall contact Te Runungānui o Taranaki Whānui Kī te Upoko o Te Ika a Māui Inc, Wellington Tenthis Trust, Te Runanga o Toa Rangaitira, 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 abide by the conditions of the Stream Quality Monitoring Methodology (SQMM) referred to condition 1 of WGN090226



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1274811 and 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:

~~(e) The consent holder shall abide by the conditions of the Stream Quality Monitoring Methodology (SQMM) referred to condition 1 of WGN090226 (274811).~~

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- 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;
- g) Keeping machinery out of the actively flowing channel, as far as practicable ~~and~~.

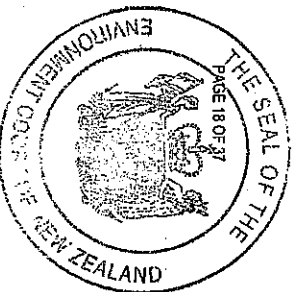
~~h) Temperature ceasing activity in the vicinity of the stream, which may be causing sediment to exceed the trigger levels, may be contributing to increased sediment as directed by the SQMM referred to in condition 1 of WGN090226 (274811) Schedule 8 of this consent~~

Stabilisation, fill material and maintenance

9. The consent holder shall ensure that a method of stabilisation (e.g. hydroseeding) 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, grasing, 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 grasing is used on a surface that is not otherwise resistant to erosion, the

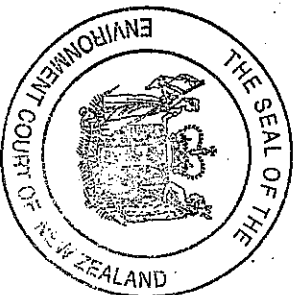


surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, an 80% vegetative cover has been established.

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 [27/601]: 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, ~~and Glenside Progressive Association Inc.~~ 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);

Note: A copy of the preliminary LRP shall be provided to the Glenside Progressive Association Inc. for their information.

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, in consultation with Glenside Progressive Association Inc. for approval by the Manager, Environmental Regulation, Wellington Regional Council ~~having first been consulted with the Glenside Progressive Association Inc.~~

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.

Comment [CB1]: 23.02.10 Please note the following:
1. Weeds have been agreed between GPA and WCC regarding the sycamore trees on challenge 320-370 and these are to be inserted in the LRP.
2. It has been agreed that the GPA will have input into the LRP identifying exotic trees of historical interest or significant bird habitat that will be protected during the works.
3. The Glenside Streamcare Group and WCC ecologist have been working together on the LRP planting scheme to get a better plant selection survival rate.



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.

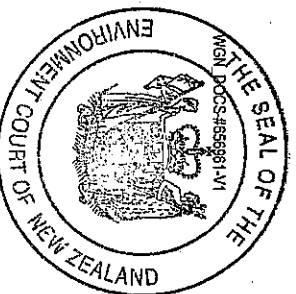
4. No amendments may be made to the approved approved **Landscape and Restoration Plan** unless the amendments are to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Note Any proposed amendments will be ~~and~~ ~~having been~~ first developed in consultation with the Glenside Progressive Association Inc.

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.

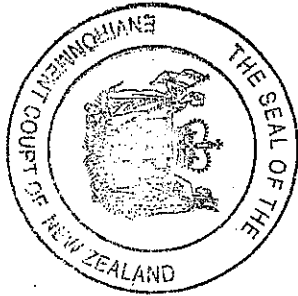
11. All fill material used on site shall:

- 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.

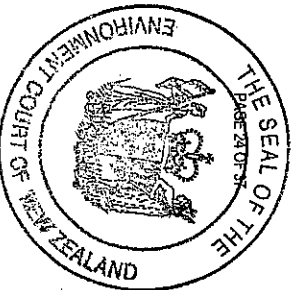
Fish relocation

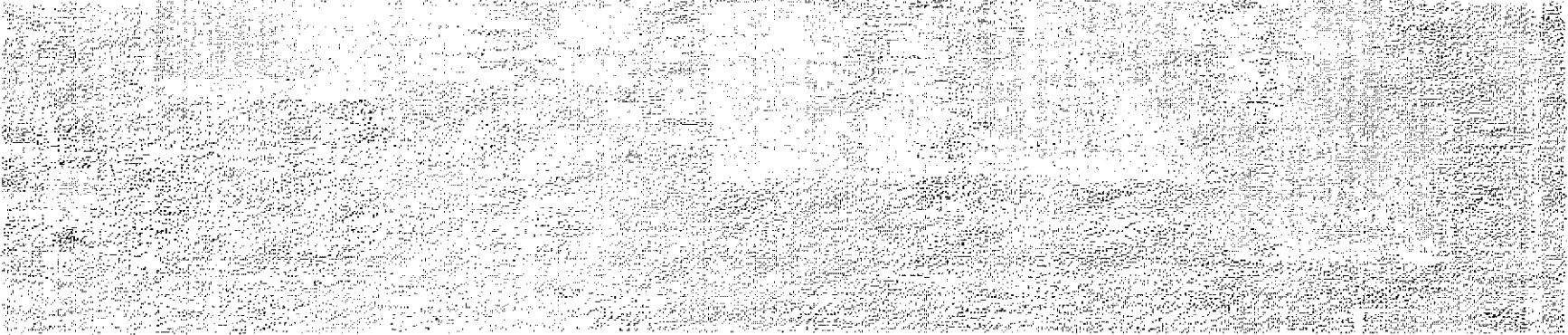
4. Prior to and during the permanent diversion of water, all practicable steps shall be taken to relocate fish from the affected stream reach. All practicable steps include, but are not limited to, netting with minnow traps and by electric fishing. All fish netting and relocation shall be completed by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

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Schedule 8

Discharge permit W/GN090226 [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 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) ~~for approval as part of the final Erosion and Sediment Control 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), as part of the Final Erosion and Sediment Control Plan.~~

The ecologist that the permit holder engages shall ~~first be to the approval of the~~ approved by 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 must first be approved by the Manager, Environmental Regulation, Wellington Regional Council before any bulk earthworks are undertaken pursuant to this consent.

The SQMM shall include the following:

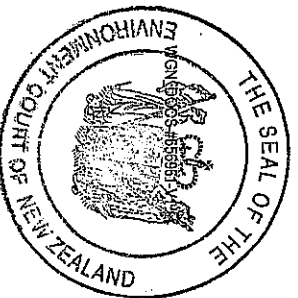
- Sediment monitoring and Monitoring locations:
 - ~~Four study reaches will be identified in monitoring shall be undertaken at four appropriate locations in the stream. These are to be upstream of the all discharges; in the vicinity of chainage 450; a maximum distance of 70 metres from the point the 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.
 - Two turbidity loggers (Greenspan TS-3000 Turbidity Sensor/Logger, 0-1000 NTU or equivalent) will be installed on site, one upstream of the proposed construction footprint (control site) and the second downstream of the construction footprint (impact site). The turbidity loggers will run continuously for a minimum of six months prior to commencement of earthworks and through the full construction period.
 - Details of a Grab sampling to be taken for analysis of Total Suspended Solids and to ensure calibration of the NTU loggers.



- An explanation of weather stations in the Stebbins Stream catchment upstream of the works that will be available to measure rainfall data.
- ~~Details of Quorer~~ sampling to be undertaken at each of the study reaches which will include seven replicate quorer samples collected in representative pools, runs and riffles, together with two baseline water samples.
- ~~Details of~~ Visual estimate of % cover of fine sediments to be carried out at ten locations within each of the four study reaches.

- Monitoring methodology for invertebrate sampling, 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.
- A baseline freshwater macro-invertebrate communities count;
 - Following a period of low flow period of no less than 2 weeks.
 - At each of the study reaches, 5 random 0.1 m² macro invertebrate samples will be collected using a 0.5mm mesh, Surber sampler.
 - Samples will not be taken within electric fishing runs.
 - Species will be identified to MCI level and abundance will be full count.
- Monitoring of Biota
 - Statistical analysis of fish, macro-invertebrate, and sediment deposition will include Permutational Multivariate Analysis of Variance.
- Monitoring Methodology for fish fauna including but not limited to:
 - Techniques that will be used to evaluate any change in the fish fauna caused by the work (allowing for the seasonality in the New Zealand fish fauna).

- Monitoring methodology for deposited sediment, including, but not limited to:





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- 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 effect 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 include
 - Quorer Sampling following the protocol described on the NIWA website (Niwa 2007)
 - Visual estimates of % cover of fine sediments (per Wagenhoff 2009)
 - Two turbidity loggers (Greenspan TS-3000 Turbidity Sensor/ logger 0-1,000 NTU or equivalent)
 - Grab sampling ~~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 rainfall monitoring, including, but not limited to:
 - Explanations of existing rain gauges 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.
- Establish triggers at which work may temporarily cease in the vicinity of the stream

Note: All sampling results will be entered into a spreadsheet that will be regularly updated and made available on request to the Manager, Environmental Regulation, Wellington Regional Council ~~essentia~~ authority and Glenside Progressive Association Inc.

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

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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. ~~3. The permit holder shall provide a Stream Quality Monitoring Report (SQMR) to the Manager, Environmental Regulation, Wellington Regional Council and copied to the Glenside Progressive Association Inc within the timeframes listed below.~~

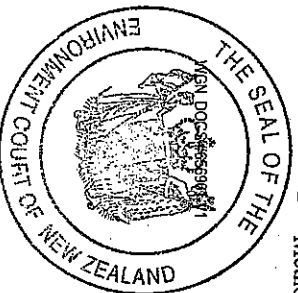
Note: The SQMR shall be provided to the Glenside Progressive Association Inc for their information.

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)

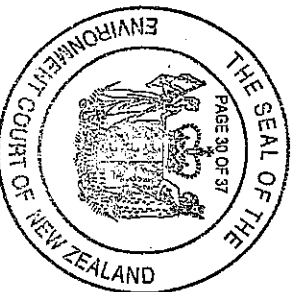
5. The permit holder shall submit a **Final Erosion and Sediment Control Plan (ESCP)** (based on Drawings Z1266710 - C401 - Rev B and Z1266710 - C402 - Rev B provided with the application documents) for approval to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council, 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.

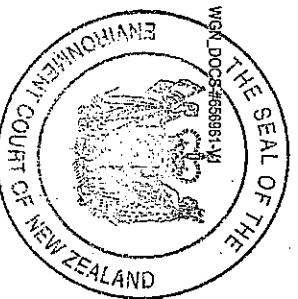
Note: Bulk earthworks is defined as, cut to fill, excavation, and blading required to regrade an area.

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 Runungānui o Taranaki Whānui Ki te Upoko o Te Ika a Maui Inc, Wellington Tenhs Trust, Te Runanga o Toa Rangaitira, 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.

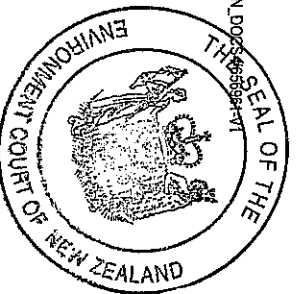
Reporting and site auditing requirements

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 Manager, 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/m³) (Inflow/Pond/Outflow)
- Suspended solids (g/m³) (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/m³) (Inflow/Pond/Outflow)
- Suspended solids (g/m³) (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. hydros seeding) 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 bascourse, 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.

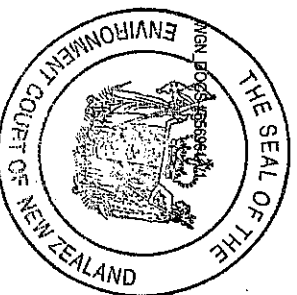
Stabilisation of site during winter

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 un stabilised areas that are not treated by sediment control measures required under discharge permit W/GN090226 [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.



