

**Consent No. WGN160209 [33944]**

**Category: Coastal permit**

Pursuant to sections 104B and 108, and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a consent in respect of a natural resource is hereby granted to:

<b>Name</b>	Kapiti Coast District Council	
<b>Address</b>	Private Bag 60601, Paraparaumu 5032	
<b>Duration of consent</b>	Granted: 2 May 2016	Expires: 2 May 2051
<b>Purpose for which right is granted</b>	Coastal permit to replace and extend a seawall, and to occupy the coastal marine area with the seawall and existing rock revetments. Coastal permit to remove or demolish the existing seawall structure.	
<b>Location</b>	The Parade, Paekakariki, between approximate map references NZTM 1764203.5461151 and NZTM 1764669.5461978 (seawall) and between approximate map references NZTM 1763995.5460797 and 1764775.5462168 (occupation by rock revetment and seawall)	
<b>Legal description of land</b>	Coastal marine area	
<b>Conditions</b>	1-22 as attached	

For and on behalf of  
WELLINGTON REGIONAL COUNCIL

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Team Leader, Environmental Regulation

Date: .....

# Conditions to Resource Consent WGN160209 [33944]

## General conditions

1. The location, dimensions and design of the seawall and rock revetment structures shall be in general accordance with the consent application and its associated plans and photos lodged with the Wellington Regional Council on 7 March 2016.

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.

*Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.*

2. The consent holder shall ensure that a copy of this consent and all documents and plans referred to in this consent, are kept on site at all times and presented to any Wellington Regional Council officer on request.
3. All works affecting the coastal marine area including tidy up on completion of the works shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.
4. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of two working days (48 hours) notice prior to the works for each section commencing. The consent holder shall advise the residents closest to the section of works being undertaken, via a letter drop, of the timing of the works, details of a contact person, and what can be expected during the works.

*Note: Notifications to the Manager, Environmental Regulation, **must** be emailed to [notifications@gw.govt.nz](mailto:notifications@gw.govt.nz). Please include the consent reference WGN160209 and the name and phone number of a contact person responsible for the proposed works.*

5. The consent holder shall provide a copy of this consent and any documents and plans referred to in this consent to each operator or contractor undertaking the works authorised by this consent, prior to the works commencing.

*Note: It is recommended that the contractors be verbally briefed on the requirements of the conditions of this consent prior to works commencing.*

## Detailed design plans

6. At least two months prior to construction commencing, the consent holder shall submit to the Manager, Environmental Regulation for certification, a full set of detailed design drawings. The plans shall detail the finish of the seawall, the construction plans, the locations of the access ways, details of the seating arrangements, and any other details in relation to the design of the seawall.

## Construction Management Plan

7. The consent holder shall submit a **Construction Management Plan (CMP)** for certification by the Manager, Environmental Regulation, Wellington Regional Council, at least 10 working days prior to any works commencing.

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The purpose of the CEMP shall be to explain how the works are to be undertaken to meet the conditions of this consent and shall include but not be limited to the following:

- a) Roles, responsibilities and contact details of all parties involved
- b) Identification of suitably qualified and experienced person(s) to manage any environmental issues on site
- c) Detailed construction methodologies and works programme
- d) An indicative timetable for the works including times of low and high tides and proposed working hours to ensure all work is undertaken in dry conditions as far as practicable
- e) Details of the erosion and sediment control measures to be used for each section of works and plans showing the location of these measures. Such measures shall include silt fences, bunding, diversion drains,
- f) Details of measures to be used to limit the amount of disturbance to the foreshore and seabed to meet condition 13
- g) Details of measures to prevent the discharge of fuel, oil, grout, concrete or any other contaminants entering the coastal marine area to meet conditions 14 and 15
- h) Procedures to be undertaken in the event of a discharge/spillage of oil, grout, cement and other contaminants to the coastal marine area to meet condition 16
- i) Details of any public access restrictions and what measures will be in place to minimise disruption of public access including signage to alternative access routes to meet the requirements of condition 10
- j) Complaints and feedback procedures in accordance with condition 20

The consent holder shall not commence works as authorised by this consent until the CMP has been certified in writing by the Manager, Environmental Regulation, Wellington Regional Council. Works shall be undertaken in accordance with the certified CMP.

Any amendment to the certified CMP shall be submitted for certification in writing to the Manager, Environmental Regulation, Wellington Regional Council. Implementation of any amendment shall only occur if the amendment is to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

8. The consent holder shall submit a **Landscape Management Plan (LMP)** for certification by the Manager, Environmental Regulation, Wellington Regional Council, at least 10 working days prior to any works commencing. The landscape management plan shall include but not be limited to:
  - a) Plan(s) to scale showing the locations of all proposed areas to be planted and species mix
  - b) The species proposed to be planted, the size of the plants and the density of planting. All plants shall be Eco sourced and appropriate to the locality.
  - c) Details of pre-planting site preparation (soil preparation, mulching, fertilising)
  - d) Details of the ongoing maintenance of the planting, including but not limited to the replacement of plants, weeding and future management.

#### **Pre-construction meeting**

9. The consent holder shall arrange and conduct a pre-construction site meeting prior to any work authorised by this consent commencing on site and invite, with a minimum of 10 working days' notice, the Greater Wellington Regional Council and the contractor undertaking the works.

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*Note: In the case that any of the invited parties, other than the representative of the consent holder, does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.*

*Note: The consent holder **must** email GWRC at [notifications@gw.govt.nz](mailto:notifications@gw.govt.nz) to arrange a pre-construction meeting. Please include the consent reference WGN160209 and the name and phone number of a contact person responsible for the works.*

### **Public access and amenity**

10. During the construction works and any maintenance or repair activities, the consent holder shall ensure:
  - a) Public access to the coastal marine area is provided at all times, excluding the areas subject to the construction works; and
  - b) In the event that access to the foreshore is restricted, the duration and extent of the restriction is minimised, and alternative access is provided and sign-posted; and
  - c) The works site is clearly defined and marked off to provide a safe and secure construction site.
11. The construction works shall only be conducted between the hours of 7:30am and 6pm, Monday to Friday inclusive, and between 8:00am and 4:00pm on Saturday. No construction works shall be permitted outside of these times or on Sundays and public holidays.
12. Noise from the construction activities associated with this permit shall meet the following standards:
  - a) The activity shall not cause excessive noise (defined in section 326 of the Resource Management Act 1991), and
  - b) Any construction activities shall meet the standards specified in NZS 6803:1999 Acoustics – Construction Noise.

### **Minimise sediment and turbidity**

13. The consent holder shall take all practicable steps to minimise sediment loading and increased turbidity in the coastal marine area due to the works. These steps shall include, but are not limited to, the following:
  - a) Completing all works in the minimum time practicable
  - b) Ensuring any materials/structures placed in the coastal marine area are clean and free of contaminants prior to placement; and
  - c) Disturbing the minimum area of seabed necessary
  - d) Undertaking the works in calm weather conditions, as far as practicable
  - e) Storing any material with the potential to cause sedimentation or turbidity away from the coastal marine area.
  - f) Using erosion and sediment control measures for each section of works

### **Use of machinery**

14. The consent holder shall ensure that:
  - a) All machinery is thoroughly cleaned of vegetation or contaminants, at least 10 metres away from the coastal marine area, prior to use in the coastal marine area

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- b) All machinery shall be regularly maintained in such a manner to ensure no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water, or to land where it may enter water, from equipment being used for the works
- c) All contaminant storage or re-fuelling areas are bunded or contained in such a manner to prevent the discharge of contaminants to water or to land where it may enter water
- d) No machinery is cleaned, stored or refuelled within 10 metres of the coastal marine area

### **Environmental incidents/contingency measures**

- 15. The consent holder shall ensure that no wet concrete, grout or concrete washwater enters the wetted part of the coastal marine area.
- 16. In the event of a spill of fuel, hydraulic fluid, or other potential contaminants, immediate steps shall be taken to contain the contaminant. The contaminants and any material used to contain it shall be removed from the site and disposed of at authorised landfill. The consent holder shall also immediately notify the Manager, Environmental Regulation, Wellington Regional Council of the spill and actions to be taken.

*Note: Environmental Regulation, Wellington Regional Council should be notified by calling 0800 496 734.*

- 17. Upon completion of the works, all materials surplus to the works shall be removed from the coastal marine area and disposed of in an appropriate manner.

### **Discovery of artefacts**

- 18. If koiwi, taonga or other archaeological material is discovered in any area during the works, work shall immediately cease and the consent holder shall contact Ngati Toa Rangatira and Te Ātiawa ki Whakarongotai, Heritage New Zealand and Wellington Regional Council within twenty-four hours. If human remains are found, the New Zealand Police shall also be contacted. The consent holder shall allow the above parties to inspect the site and in consultation with them, identify what needs to occur before work can resume.

*Note 1: Evidence of archaeological material may include burnt stones, charcoal, rubbish heaps, shell, bone, old building foundations, artefacts and human burials.*

*Note 2: An application for an Archaeological Authority must be made to Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site or if there is reasonable cause to suspect that an archaeological site may be modified or destroyed. It is an offence to modify or destroy a site for any purpose without an authority and the Heritage New Zealand Pouhere Taonga Act 2014 contains penalties for unauthorised site damage. These provisions apply irrespective of whether the works are permitted under the Resource Management Act 1991 by the provisions of a plan or resource consent. Seeking advice from Heritage New Zealand is recommended when planning for any soil disturbances, such as building platforms, fencing or landscaping.*

### **Maintenance**

- 19. The structures authorised by this consent shall remain the responsibility of the consent holder and shall be maintained so that:
  - a) Any erosion of the coastal marine area that is attributable to the structure and works carried out as part of this permit is repaired by the consent holder,
  - b) The integrity of the structure is maintained and any excessive amounts of sand or debris which affects the safety or integrity of the structure is removed from the structure in a timely manner,
  - c) Access to the coastal marine area is not impeded by the structure, and
  - d) The structure does not pose a hazard to navigation or public safety

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The consent holder shall undertake maintenance to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council where a breach of this condition is determined.

*Note: Maintenance of structures may be permitted under Rule 6 of the Regional Coastal Plan for the Wellington Region, and Rule R149 of the Proposed Natural Resources Plan. Any additional works (including structures, reshaping or disturbance to the coastal marine) following completion of the construction works as proposed in the application may require further resource consents. The consent holder should ensure that the structure is compliant with the Building Act 2004 at all times.*

## Complaints

20. The consent holder shall maintain a permanent record of any complaints received alleging adverse effects from or related to the works. This record shall include:

- The name and address of the complainant
- The date and time that the complaint was received
- Details of the alleged event
- Weather and tidal conditions at the time of the complaint, and
- Any measures taken to mitigate/remedy the cause of the complaint

This record shall be made available to the Manager, Environmental Regulation, Wellington Regional Council, on request.

## Review conditions

21. The Wellington Regional Council may review any or all of the conditions of this permit by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within six months of the first, third, fifth and seventh and ninth anniversaries of the date of commencement of this permit as follows:

- a) The review may be undertaken for the following purposes:
- To review the adequacy of, and if necessary amend the monitoring requirements outlined in this permit; and/or
  - To address any adverse effects of the receiving environment which may arise from the exercise of this permit; and
- b) The review of conditions shall allow for the deletion or amendment of conditions of this permit, and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any adverse effects on the environment which may arise from the exercise of this permit and which it is appropriate to deal with at a later stage.

*Note: Notification of any review will occur as required in accordance with the Resource Management Act 1991. This notification shall include notifying the interested parties identified.*

22. The Wellington Regional Council shall be entitled to recover from the permit holder the costs of the conduct of any review, calculated in accordance with and limited to that council's scale of charges in-force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.

## Terms

1. The person responsible for the structures shall at all times throughout the period when the structures occupy land of the Crown or any related part of the coastal marine area, pay to the consent authority, on behalf of the Crown, any sum of money required to be paid by regulations made under section 360(1)(c) of the Act;

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2. The activity shall comply with the general terms below:

2.1 Resource Management Act

The consent will be subject to all relevant provisions of the Act, its amendments and any regulations made thereunder. It is the obligation of the consent holder to comply with all the statutory requirements relating to the exercise of the consent.

2.2 Charges payable by holders of resource consents

A charge, set in accordance with section 36(2) of the Act, shall be paid to the Wellington Regional Council for carrying out its functions in relation to the administration, monitoring and supervision of the activity, and for carrying out its functions under section 35 (duty to gather information, monitor and keep records) of the Act.

2.3 Inspections and measurements

Wellington Regional Council or its servants, or its agents, is permitted access at all reasonable times for the purpose of carrying out inspections or measurements. Where practicable, prior notice of any access shall be given to the landowner or resident of the property.

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