



RESOURCE CONSENT

Resource consent number RM201018

Under sections 104 and 104B of the Resource Management Act 1991 (the Act), Tasman District Council (the Council) hereby grants resource consent to:

Tasman Bay Asphalt Limited

(the Consent Holder)

Activity authorised by this consent

Land use consent for earthworks on or within 10 metres of the toe of the stopbank that runs through the eastern berm of the Waimea River to re-form and re-align the stopbank.

Location details

Address	272 Bartlett Road, Hope
Legal description	Lot 1 DP 368439, land vested in Tasman District Council for River Control Purposes.

Under sections 108 and 108AA of the Act, this resource consent is issued subject to the following conditions:

CONDITIONS

General

1. The Consent Holder shall ensure that all works are carried out in general accordance with the information submitted in support of the applications RM201000 and RM201018, including by Staig & Smith dated 25 November 2020, further information received 9 April 2021 and 30 November 2021, and attached RM201018 Plans A, B, and C dated 19 May 2022.

In the event that there is any conflict between these documents and any condition of these consents, the conditions prevail.

2. In this resource consent the following terms set out in this condition have the meanings specified in this condition:

Lease Area means the wider Downer Group NZ Lease Area.

Application Site means the sub-lease area for the Consent Holder, including the access ways within the Lease Area.

Plant Area means the area within the Application Site that outside of the stopbank.

3. Any levelling and compacting of the Plant Area shall not impact the functionality of the stopbank.
4. The levelling of the Plant Area will include directing stormwater away from areas of potential discharge (tanks storage, conveyor belt and silo) and avoiding runoff across the Lease Area boundary
5. The Consent Holder shall realign and regrade the stopbank level with the high point of the road and the connecting stopbank, ensuring a four-metres wide top to the stopbank.
6. Earthworks are to be undertaken during a forecasted dry period.
7. Earthworks are to be undertaken as quickly as possible to avoid a breach in the stopbank

Before work

8. Before undertaking any works authorised by this resource consent, the Consent Holder shall appoint a representative who shall be the Council's principal contact person in regard to matters relating to these resource consents
9. The Consent Holder shall inform the Council's Team Leader – Monitoring and Enforcement, in writing, of the name and contact details of the following persons:
 - (a) The Consent Holder's representative required under condition 8, and
 - (b) The principal contractor (if not the consent holder representative)
10. Should the person appointed under condition 8 change during the term of this resource consent, the Consent Holder shall provide the new name and contact details, in writing to the Council's Team Leader – Monitoring and Enforcement within one working day.
11. At least 10 working days prior to the commencement of works, the Consent Holder shall notify the Council's Team Leader – Monitoring and Enforcement in writing, of the date that the works are intended to commence. The Consent Holder shall arrange for a site meeting between the Consent Holder's principal contractor and the Council's assigned monitoring officer, which shall be held on site prior to any works commencing. No works shall commence until the Council's assigned monitoring officer has completed the site meeting.

12. The Consent Holder shall submit to the Council's River Engineer a report prepared by an appropriately qualified professional engineer designing the realignment of the stopbank and other earthworks within the Plant Area for the acoustic barrier and the MARINI Latin America Carbon T-Box 130 for certification by the Council's Team Leader – Monitoring and Enforcement that the design will result in compliance with the conditions of this consent.

The realignment of the stopbank shall anchor in with the height of the existing stopbank under the end of Bartlett Road to the south and the height of the stopbank where it re-joins.

No works shall be undertaken until the plan has been certified by the Council's River Engineer. The certification shall be given if the proposed works do not put the existing stopbank at risk and the result of the works will at least maintain the design capacity of the stopbank.

Advice note

Once approved by the Council, a copy is to be sent by the Consent Holder to Te Ātiawa Manawhenua Ki Te Tau Ihu Trust, Te Runanga o Ngāti Rārua, Ngāti Koata, Ngāti Kuia and Ngāti Apa ki te Rā Tō for their information.

13. At least 10 working days prior to the commencement of works, the Consent Holder shall prepare and submit an Erosion and Sediment Control Plan (ESCP) to the Council's Team Leader – Monitoring and Enforcement for certification that adoption of the ESCP will result in compliance with the conditions of this consent. No works shall be undertaken until the ESCP has been certified by the Council's Team Leader – Monitoring and Enforcement.

Advice note

Once certified by the Council, the consent holder is to send a copy to Te Ātiawa Manawhenua Kt Te Tau Ihu Trust and Ngāti Kuia and Ngāti Apa ki te Rā Tō for their information.

14. The following shall apply in respect of condition 13:
- (a) The Consent Holder may commence the activities in accordance with the submitted ESCP 15 working days after their submission, unless the Council advises the Consent Holder in writing that it refuses to certify them on the grounds that it fails to meet the requirements of the condition and gives reasons for its decision, and
 - (b) Should the Council refuse to certify the ESCP, the Consent Holder shall submit a revised plan to the Council for certification and (a) shall apply for certification of any resubmitted plan.

15. The ESCP required by condition 13 shall set out the practices and procedures to be adopted in order that compliance with the conditions of this consent is achieved. The ESCP shall include as a minimum:
- (a) An aerial image of the site detailing, as a minimum, the location of:
 - (i) Property boundaries,
 - (ii) Surface waterbodies,
 - (iii) Roads,
 - (iv) All erosion, sediment and dust control measures, and
 - (v) Stormwater management measures and the direction of stormwater flows,
 - (b) Detailed drawings and specifications of all designated erosion and sediment control structures,
 - (c) Construction timetable for the erosion and sediment control works, bulk earthworks, re-stabilisation of exposed ground and any planting,
 - (d) Maintenance, monitoring and reporting procedures,
 - (e) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures, and
 - (f) Hydrocarbon spill response and contingency measures.

Any changes to the ESCP shall be confirmed in writing by the Consent Holder and certified by the Council's Team Leader – Monitoring and Enforcement that the plan will continue to result in compliance with the conditions of this consent. and shall not be implemented until notified of the authorisation.

16. Prior to undertaking earthworks authorised by this consent, the Consent Holder shall ensure that all personnel working on the site are made aware of, and have access to the following:
- (a) The conditions of this resource consent, and
 - (b) The certified ESCP as required by condition 13.

Cultural

17. The Consent Holder shall undertake all works under an Archaeological Accidental Discovery Protocol. In the event, a Māori archaeological site is found all works shall cease and the Consent Holder shall advise Te Ātiawa Manawhenua Ki Te Tau Ihu Trust, Te Runanga o Ngāti Rārua, Ngāti Koata, and Ngāti Kuia and Ngāti Apa ki te Rā Tō immediately of the discovery.

Advice note

For any archaeological discovery, the Consent Holder shall consult with the Central Regional Office of Heritage New Zealand Pouhere Taonga and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand approvals to damage, destroy or modify such sites have been obtained.

18. **At least five working days before earthworks begin, the Consent Holder shall invite Te Ātiawa Manawhenua Kt Te Tau Ihu Trust, Te Runanga o Ngāti Rārua, Ngāti Koata, and Ngāti Kuia and Ngāti Apa ki te Rā Tō to nominate an iwi monitor to be present when earthworks are occurring to realign the stopbank and re-level the Plant Area.**

Advice note

An iwi monitor is not required at the end of the project when the application site is being re-earthworked to remove the access ramps over the stopbank and relevel the Asphalt Plant site, as the works will be occurring on a previously monitored modified site

During earthworks

19. **Work authorised by this consent shall only occur between the following hours:**
 - (a) 7.00 am – 6.00 pm Monday to Saturday, and
 - (b) No work shall occur on Sundays or public holidays.
20. **All activities shall be carried out so as to comply with NZS6803:1999 Acoustics – Construction Noise standards. To determine compliance, noise shall be measured and assessed in accordance with the provisions of NZS6801:2008 Acoustics – Measurement of Environmental Sound and NZS6802:2008 Acoustics Environmental Noise.**
21. **All erosion, sediment and dust control measures shall be installed prior to the commencement of any disturbance or discharge to land, and shall be maintained until all disturbed areas are stabilised and / or revegetated**
22. **The consent holder shall adopt the best practical measures to prevent the movement of disturbed soil or vegetation into surface water or flood waters impacting on the site. These measures may include, but are not restricted to:**
 - (a) **working during periods of fine weather when the likelihood of erosion and sedimentation will be less and risk of flooding is low;**
 - (b) **stormwater run-off controls around the area of disturbance, such as filter fences, cut-offs, culverts, and water tables to prevent scour, gulying or other erosion;**

- (c) providing undisturbed buffers between the land disturbance and any water body along with filter fences or other means of intercepting stormwater run-off;
 - (d) sediment traps adequate to contain and treat sediment-laden run-off water; and
 - (e) any other measures appropriate to the nature and scale of the land disturbance.
23. If during the works fill or excavated soil needs to be temporarily stockpiled on-site, then the consent holder shall ensure stockpiles are:
- (a) kept tidy and with a stable slope; and
 - (b) stored in a manner that minimises any potential discharge of material into the surrounding environment.
24. The Consent Holder's operations shall not give rise to any discharge of contaminants (eg. dust), at or beyond the site boundary, which is noxious, dangerous, offensive or objectionable. Dust control measures shall be available and used on site, in accordance with the certified ESCP, to ensure compliance with this condition.
25. The Consent Holder shall, subject to any unforeseen weather or site remediation, complete the earthworks to relocate the Stopbank and level the Plant Area within six months of commencing earthworks.

Review

26. Pursuant to section 128 of the Resource Management Act 1991 the Council may, during the month of August each year, review any or all of the conditions of the consents for all or any of the following purposes:
- (a) dealing with any adverse effect on the environment which may arise from the exercise of the consents that was not anticipated at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; or
 - (b) to deal with any unforeseen adverse noise issue that might arise as a result of the implementation of these consents; or
 - (c) requiring the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment resulting from the land disturbance; or
 - (d) to comply with any national environmental standards made under the Resource Management Act 1991

- (e) requiring the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment resulting from the land disturbance.

Duration

- 27. The term of the consent is:
 - (a) 20 years from the date of commencement or for the period that extraction and crushing operating on the Council approved lease areas within the Waimea River Park Reserve occurs, whichever is the lesser; and
 - (b) subsequently once all extraction and crushing operations cease within the Waimea River Park Reserve under (a), the Consent Holder shall vacate and remediate the Application Site within six months.

Lapse

- 28. This consent shall lapse five years from the date of commencement.

Soil contamination (National Environmental standard for Assessing and Managing Contaminants in Soil to Protect Human Health)

- 29. All works undertaken in association with the Application Site, including removal of the gravel crusher, realigning the stop bank and levelling the Plant Area, as well as restoration earthworks at the end of the consent shall be undertaken accordance with an Accidental Discovery Plan (ADP) for the Application Site.
- 30. After removing the gravel crusher and associated infrastructure, the Consent Holder will undertake Benchmark analytical testing of the Application Site prior to installing the Asphalt Plant, which shall involve sampling in a grid pattern across the Application Site, and analysis of each sample for:
 - (a) Standard Heavy Metals:
 - (i) Arsenic
 - (ii) Cadmium
 - (iii) Chromium
 - (iv) Copper
 - (v) Lead
 - (vi) Nickel
 - (vii) Zinc
 - (b) Polycyclic aromatic hydrocarbons

- (c) Target Total Petroleum Hydrocarbons and BTEX (benzene, toluene, ethylbenzene and xylene) compounds where visual inspection indicates a previous fuel spill.

Advice note

These obligations are in addition to any obligations contained within the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soils to Protect Human Health) Regulations 2011

- 31. At the end of the consent, upon removal of the Asphalt Plant and associated infrastructure, the Consent Holder will undertake analytical testing of the Application Site in accordance with condition 30. If testing shows changes to background testing, the Applicant shall remediate the Application Site to Benchmark levels.
- 32. The Consent Holder shall remove the access ramps over the stopbank, and place this material within the Lease Area and shall topsoil and plant with appropriate vegetation in accordance with the provided Restoration Plan attached at RM2010018 Plan C dated 19 May 2022.

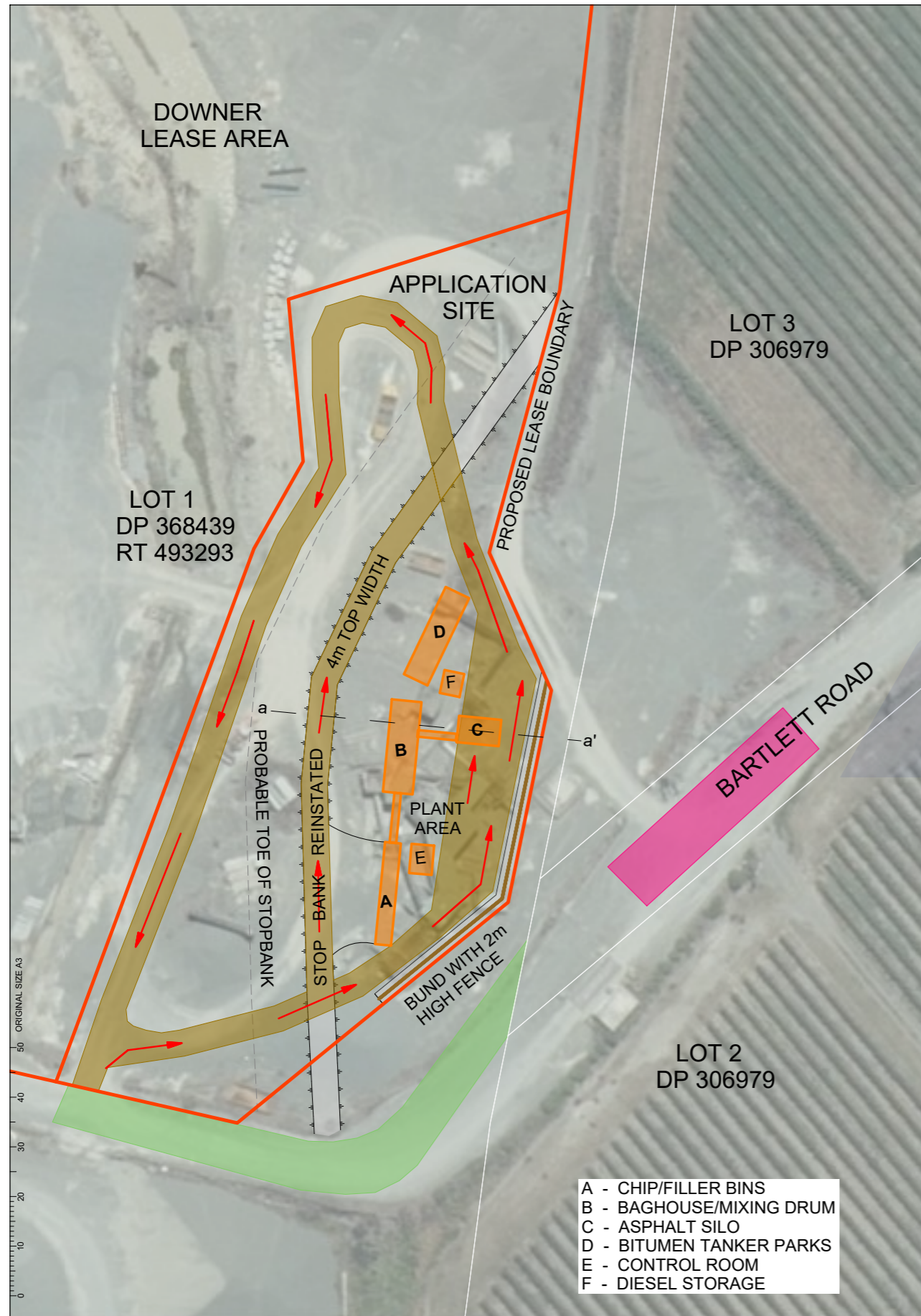
GENERAL ADVICE NOTES

Council regulations

- 1. This is not a building consent and the consent holder shall meet the requirements of the Council with regard to all building and health bylaws, regulations and Acts.

Other Resource Management Act provisions

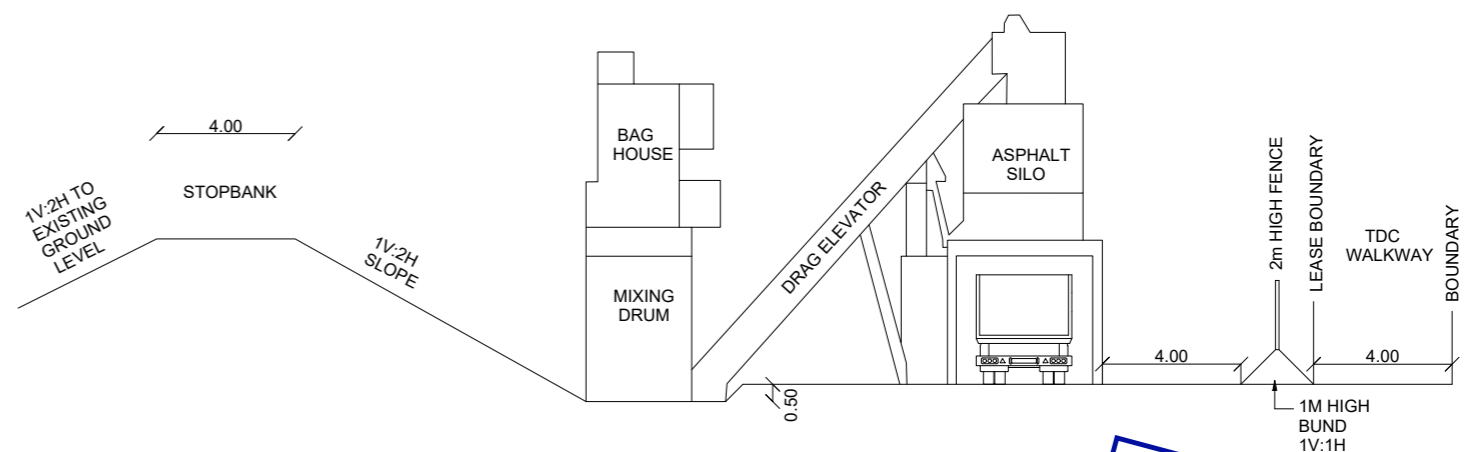
- 2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either:
 - (a) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP) or national environmental standard;
 - (b) be allowed by the Resource Management Act 1991; or
 - (c) be authorised by a separate resource consent.



Location Diagram

KEY FOR ASPHALT SEALING

- LEGAL ROAD UPGRADE IF CONSENT COMMENCES PRIOR TO TDC ACTION OF RM210544
- BARTLETT ROAD EXTENSION INTO WAIMEA RIVER PARK TO ENTRANCE OF LEASE AREA
- APPLICATION SITE TRUCK ROUTES AND LOADING AREA. SEALING TO BE REMOVED AT END OF CONSENT



Cross Section a-a'
Scale 1: 200

tasman District Council
received by email
17 Feb 2022 @ 6:20 pm

<p>81 Selwyn Place, Nelson 248 Montreal St, Christchurch Ph: 0800 807 818 www.staigsmith.co.nz enquiries@staigsmith.co.nz</p>	<p>Sealing details added 21/01/22 Move of Lease Bdy 26/11/21 AMENDMENT DATE</p>	<p>JOB/CUSTOMER Tasman Bay Asphalt Bartlett Road Hope</p>	<p>DRAWING Proposed Asphalt Plant Site Plan</p>	<p>Survey: 4 Drawn: SM Checked: JB Approved: DC DATE 25 Jan 2022</p>	<p>PROJECT NO. 12410 SCALE: A3 A1 Hz 1:750 - Vt - -</p>	<p>SHEET 1 OF 1</p>
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DRAFT WAIMEA RIVER PARK RESTORATION AND ACCESS PLAN FOR CONSULTATION AND CONSENT HEARING

(30/11/2021V)

Organisation Details:

Name	Tasman Bay Asphalt Ltd
Address	C/- PO Box 3518, Richmond 7050
Contact person	Jarrold Du Plessis
Email	jarrod@asphaltandconstruction.co.nz
Phone	0274 222 176
Resource Consent	RM201000, RM201002, RM201018



Vision:

To ensure no pest weeds or species invade the Asphalt Plant site during operation.
 To restore the Asphalt Plant site once operations cease in 2030 (or sooner if lease expires earlier).
 Including:

- The removal of all structures.
- The reinstatement of the stopbank for flood protection and river control planting within the berm.
- Planting a stand of native trees outside of the stopbank as a welcoming entrance into the Waimea River Park on the north side of Bartlett Road.
- Ensuring public access is available around the Asphalt Plant site to access the stopbank throughout the life of the Asphalt Plant consent.
- Limiting impact on internal access through Waimea River Park by having one entrance.
- Providing access along the stopbank for river inspection.

Site description:

The site is located at the south-east of Lot 1 DP 368439 and is owned by Tasman District Council (Council). Lot 1 DP 368439 contains an area of 207ha and the Asphalt Plant site is ~1ha. The purpose of Lot 1 DP 368439 is for River Control Purposes. The Council administers this land as part of the ~394ha Waimea River Park in accordance with the *Waimea River Park Management Plan 2010*. The Asphalt Plant site is located on northern side of the Bartlett Road Entrance and is 0.2% of the Waimea River Park area. The Waimea River Park commences along the Wairoa River at Bryant Road and the Wai-iti River at Waimea West Road and proceeds downstream to the Waimea Estuary. The Asphalt Plant site is located around 160m from the current Waimea Riverbed, and 130m from the row of willows which demarks the current flood channel. The buildings and infrastructure of the Asphalt Plant site are to be located on the outside of the existing stopbank.





Waimea River Park Management Plan 2010:

The *Waimea River Park Management Plan 2010* identifies that “The primary objectives of park management are river control and soil conservation. Achievement of these objectives requires creation and maintenance of river control structures such as stop banks and ongoing management of the riverbed. Heavy machinery is used for these activities and for other activities, such as extraction and transporting of gravel from and through the park and adjoining lands. To enable these activities to continue, it may be necessary to close or restrict access to parts of the park at certain times.”

Restoration Actions

During operations

1. **Pest plant and pest animal control:** Tasman Bay Asphalt will control pest plants (gorse, broom, sweetbriar, woolly nightshade, great bindweed and other noxious plants listed on the National Pest Plant Accord) and pest animals (including rabbits, rats and mustelids):
 - a. in accordance with the requirements of the Tasman-Nelson Regional Pest Management Plan (2019-2029).
 - b. to minimise pest plant and animal incursions into the Asphalt Plant site and suppress as far as practicable existing pest plants and pest animal densities using herbicide and trapping.
2. **Public access:** At the time resource consent is being applied for public access to and along the stopbank through the Asphalt Plant site is restricted as the site is fenced off, as a requirement of the lease agreement. Tasman Bay Asphalt will:
 - a. provide public access by fencing off from the Asphalt Plant site a 4m wide strip of land running from the Bartlett Road entrance, along the eastern boundary (the boundary with Lot 3 DP 306979) of the Asphalt Plant site and up onto the stopbank. This will be done by acoustic bund along the eastern side of the Asphalt Plant site and post and wire fence with a gate on the stopbank.
 - b. provide Council with access along the stopbank for flood inspections.
3. **Waste disposal:** Tasman Bay Asphalt will not allow or permit any spoil, rubbish, refuse or other waste to be deposited or accumulated on the Asphalt Plant site and shall regularly remove any deposited waste from the Asphalt Plant site.
4. **Fences:** Tasman Bay Asphalt will maintain any fences in good repair. Fences within the berm area will be post and wire only.

Within six months of the lease expiry

5. **Removal of structures:** Tasman Bay Asphalt will remove all structures, including the noise barrier and any fences restricting access through the Waimea River Park.
6. **Site contour:** Tasman Bay Asphalt shall re-level the Asphalt Plant site outside of the stopbank where buildings were located and shall remove any stockpiles of material from the Asphalt Plant site.
7. **Reinstatement of the stopbank:** Tasman Bay Asphalt shall remedy any damage to the stopbank and will remove access ramps onto the stopbank within the berm area, except where required for pedestrian access onto the stopbank. In accordance with the *Waimea River Park Management Plan 2010*, the stopbank shall be topsoiled and planted in grass.
8. **Public access:** Tasman Bay Asphalt will remove any impediment to public access along the stopbank, unless otherwise sought to be retained by the Council. Tasman Bay Asphalt will install removeable bollards at least 6m back from the Bartlett Road end of the stopbank. The bollards will enable pedestrian / cycling access but will restrict cars along the stopbank.
9. **Site revegetation:** Within the berm area, if required by the Council, Tasman Bay Asphalt shall plant grass, unless otherwise enabled by the *Waimea River Park Management Plan 2010*, then the plants maybe a mixture of locally sourced indigenous river control species within the berm area. Tasman Bay Asphalt shall provide a list of species to be planted for Council approval. The species and density of planting shall not be a detriment to flood control.



10. **Bartlett Road entrance:** Tasman Bay Asphalt shall either:

- a. provide a vegetated entrance point into the Waimea River Park on the north side of Bartlett Road, outside of the stopbank, using locally sourced indigenous trees. Tasman Bay Asphalt shall maintain the planted area for a period of three years; or
- b. provide a gravelled Trail head car park, subject to provisions of the *Waimea River Park Management Plan 2010*.

Waimea River Park Access Actions

Prior to operations

1. Tasman Bay Asphalt shall fence the eastern boundary of the Asphalt Plant site. The fence shall be setback 4m from the eastern boundary with Lot 3 DP 306979, and then on the western side of the access up onto the stopbank to provide an access strip from Bartlett Road onto the stopbank.

During operations

2. Tasman Bay Asphalt shall have one entrance into the Asphalt Plant site.
3. Any traffic entering the Asphalt Plant site shall give way to any other traffic (vehicle, bicycle, pedestrian or equestrian).
4. Tasman Bay Asphalt shall provide the Council with access along the stopbank for flood inspections through the Asphalt Plant site.

Within six months of the lease expiry

5. Tasman Bay Asphalt will remove all fences restricting access through the Waimea River Park.
6. Tasman Bay Asphalt will remove any impediment to public access along the stopbank, unless otherwise sought to be retained by the Council. Tasman Bay Asphalt will install removeable bollards at least 6m back from the Bartlett Road end of the stopbank. The bollards will enable pedestrian / cycling access but will restrict cars along the stopbank.
7. If, as identified in Restoration Action #10 above, if the second generation of the *Waimea River Park Management Plan 2010* identifies that the Asphalt plant site is suitable for a Trail head car park, this shall be provided.