



STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Jeremy Butler, Senior Consent Planner, Natural Resources

REFERENCE: RM060741, RM060743, RM061008 and RM061009

SUBJECT: **TASMAN LIMITED– REPORT EP07/04/04** - Report prepared for 23 and 24 April 2007 hearing

1. INTRODUCTION

On 4 September 2006 an application was lodged with the Council to subdivide land in the Stringer Valley. Alongside the subdivision consent application were a number of consequential applications. This report discusses and makes recommendations on the following activities requiring resource consent:

- RM060741 - to divert and discharge stormwater to land where it may enter water
- RM060743 - to undertake earthworks
- RM061008 - to disturb and to place structures in the beds of waterbodies or wetlands
- RM061009 - to dam water

Substantial areas of impermeable surfaces will be created as a result of the subdivision – should it be granted – including roads, paved and hardstand areas, and roofs. These impermeable surfaces will require the collection, concentration and subsequent discharge of stormwater. A wide range of measures including structures in waterbodies (such as check dams and in-line retention dams) have been proposed to mitigate the potential adverse effects of the concentration and discharge of stormwater.

Given the topography of the land, some road routes require substantial cuts and associated earthworks. Such earthworks create sediment runoff and land stability issues that are addressed through the consent process.

2. STATUS UNDER TRANSITIONAL AND PROPOSED PLANS

Stormwater Diversion and Discharge

General Authorisation 10 of the Transitional Regional Plan (TRP) authorised the discharge of stormwater subject to a number of performance criteria. However that general authorisation only continued in force until 31 December 2000. Therefore all control of the status of this activity falls to the Proposed Tasman Resource Management Plan (Proposed TRMP).

The Proposed TRMP permits the discharge of stormwater on Rural 1 and Rural 2 land (Rule 36.4.2). However, at the time that the current application was lodged it had not been updated to reflect the Rural 3 status. Therefore stormwater discharges on Rural 3 land are not authorised by the rule and are therefore considered to be controlled under Rule 36.4.3A.

Earthworks

The earthworks required to construct two access roads do not meet the conditions of Rule 18.6.2 of the Proposed TRMP and therefore the activity is a controlled activity under Rule 18.6.3.

Disturbance of, and Structures in Beds of Streams and Wetlands

The TRP states that no person shall erect any structure in any watercourse without the prior written consent of the Council.

The Proposed TRMP does not currently have any operative rules covering Section 13 matters. Therefore any disturbance of, or construction of a structure in the bed of a waterbody is an innominate activity and is treated as discretionary.

Rule 17.5A.9 of the Proposed TRMP permits the destruction or removal of indigenous vegetation (excluding indigenous forest) in the Rural 3 zone. However, the disturbance of a naturally occurring wetland is excluded through conditions and the activity thereafter becomes discretionary under Rule 17.5A.10.

Damming of Water

The TRP allows the damming of any stream with a catchment of less than 20 hectares (also subject to other conditions).

The Proposed TRMP reflects the TRP in that it permits the damming of catchments with less than 20 hectare catchments (Rule 31.2.1). This condition is not satisfied for any of the catchments in the damming locations proposed in this application and therefore the status of the damming is discretionary under Rule 31.2.3.

3. STATUTORY CONSIDERATIONS

Part II Matters

In considering an application for resource consent, Council must ensure that if granted, the proposal is consistent with the purpose and principles set out in Part II of the Act.

If consent is granted, the proposed works must be deemed to represent the sustainable use and development of the land resource. The critical issues of these consents surround the capacity of the stormwater system to cope with storm events without adversely affecting natural environments, to avoid sedimentation of wetlands and aquatic environments and to avoid any land instability problems.

These principles underpin all relevant Plans and Policy Statements, which provide more specific guidance for assessing this application.

Section 104

Subject to Part II matters, Council is required to have regard to those matters set out in Section 104. Of relevance to the assessment of this application, Council must have regard to:

- Any actual and potential effects of allowing the activities to go ahead (Section 104(1)(a));
- Any relevant objectives and policies in the Tasman Regional Policy Statement and the Proposed Tasman Resource Management Plan (Section 104(1)(b));
- Any other relevant and reasonably necessary matter(s) to determine the consent (Section 104(1)(c)).

In respect of Section 104(1)(b), the Proposed Tasman Resource Management Plan is now considered to be the relevant planning document, given the operative status of the water, discharge and land disturbance rules.

Sections 104A and 104B set out the framework for granting or declining consents based on the status of the activities as set out in the relevant Plan and discussed above.

Section 105

If an application is for a discharge permit the Council must, in addition to the matters in section 104(1), have regard to:

- the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
- the applicant's reasons for the proposed choice; and
- any possible alternative methods of discharge, including discharge into any other receiving environment.

Section 107

Section 107 restricts the granting of certain discharge permits which would otherwise allow:

- The discharge of a contaminant or water into water; or
- A discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:

- The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
- Any conspicuous change in the colour or visual clarity:
- Any emission of objectionable odour:
- The rendering of fresh water unsuitable for consumption by farm animals:
- Any significant adverse effects on aquatic life.

4. SUBMISSIONS

Five of the submitters raised an issue that is relevant to the consents addressed by this report. All relevant submissions concerned stormwater. There were no relevant submissions that addressed the proposed earthworks, the structures in the beds of waterbodies or the damming of water.

Submitter and relevant submission	Discussion
<p>Elsbeth Collier and Tim and Pauline Evill</p> <p>Relevant submission: That the provision for stormwater management is insufficient. If you also consider overflow from the adjacent Carter Holt Harvey subdivision on Bronte Ridge which will flow into the Stringer Valley and then into the Waimea Estuary.</p>	<p>This submission relates to concerns over the ability of the stormwater system to attenuate sufficient stormwater to avoid an increase in flooding. It also concerns water from an adjacent subdivision. These concerns are addressed in more detail below.</p>
<p>Robin and Gillian Collier</p> <p>Relevant submission: It seems doubtful whether the proposed management of stormwater will prevent flooding and an undesirable amount of discharge into the Waimea Estuary.</p>	<p>This submission relates to concerns over the ability of the stormwater system to attenuate sufficient stormwater to avoid an increase in flooding and the associated effects on the Waimea Estuary.</p>
<p>Royal Forest and Bird Protection Soc.</p> <p>Relevant submissions:</p> <ol style="list-style-type: none"> 1. We commend Tasman Ltd in their intent to protect, enhance, and extend the natural wetlands on the property. 2. We seek that all the reaches of streams which have lost the natural vegetation through cattle grazing, be replaced with riparian flax, bulrush, tussock sedge and manuka as well as other natives wick will create shading 	<p>This submission relates to the improvements to the aquatic environments that have been proposed as part of the stormwater management system.</p> <p>The submission also relates to the potential adverse effects of the stormwater discharge carrying contaminants into vulnerable aquatic ecosystems.</p>

<p>and lower the temperature of the water, thereby improving the natural habitat for fish and birds.</p> <p>3. We are concerned about run off especially of that from hard stands around the houses. All run-off will end up in the estuary. Pollutants, sediments heavy metals, oil and greases, excess nutrients and bacteria, will therefore disadvantage any re-establishment of a healthy ecosystem there. We suggest that central facilities be installed to centralise car washing, boat wash downs, so that oils, detergents etc (and possibly Didymo) can be filtered before passing into the stormwater system. A suitably designed wetland system would help accomplish this.</p>	
<p>Robin Deck</p> <p>Relevant submission: Stormwater runoff into 2 streams</p>	<p>This submission is assumed to relate to the potential for increased storm flows and the degradation of aquatic ecosystems.</p>
<p>Department of Conservation</p> <p>Relevant submission: Stormwater management features [should be as] described in paragraphs 2.2.69 and 2.2.73 of the application.</p>	<p>This submission calls for conditions to be imposed on consents that reinforce the proposed stormwater attenuation and treatment system.</p>

5. ASSESSMENT

Stormwater

Proposal Summary

The proposed stormwater treatment and disposal system is, in essence, comprised of a series of progressively larger detention ponds. Each residential allotment will have a minimum 25,000 litre water storage tank and an overflow to an on-site retention pond. (Hardstand runoff will be directed directly into the on-site pond.) This will provide initial volume buffering and sediment settling before the stormwater flows out of the on-site retention pond, down a rock armoured stormwater outfall (if required depending on the location of the residential allotment), and into the gully streams.

Roads will be serviced by roadside swales that discharge into choked check dams approximately every 100 metres of road length. The check dams will serve the same purpose as the on-site retention ponds proposed for residential allotments.

Check dams will also be constructed where stormwater from roads and/or allotments meets a wetland.

After buffering and some initial treatment of the stormwater in on-site ponds and/or check dams the stormwater will be further buffered and treated by retention dams and an additional wetland to be constructed. A series of ponds will provide significant attenuation of peak flows and water quality improvements. A 20 minute time of concentration (TOC) has been used in calculations. The live storage volumes are greater than that required to fully attenuate the increased flow from the development compared with the undeveloped site.

Storm Flow Attenuation Assessment

The large cumulative buffering capacity of the proposed system provides a very good level of protection against increased storm runoff volumes occurring as a result of the development. Indeed, the overcompensation for increased flows means that overall attenuation in the catchment is increased for a 2% AEP 20 minute event.

The issue raised by a submitter regarding another subdivision adding to a growing stormwater problem in the catchment is not relevant as the development addressed in this report will limit its flows to at least pre-development levels. It is considered that none or very little of the Galeo Estates subdivision is in the Stringer catchment.

Runoff Quality Assessment

In their application the applicant provides a comprehensive list of expected contaminants in the runoff. These include suspended solids, biological oxygen demand (BOD₅), pathogens, metals, hydrocarbons, toxic trace organics, nutrients and litter. Also stated are the other changes that may occur as a result of development including temperature, pH, dissolved oxygen and alkalinity.

The sequence of detention systems is expected to provide suitable treatment of the stormwater. Most of the loading of the metals and hydrocarbons is adsorbed to the suspended solid fraction and will therefore be removed through settlement in ponds and entrapment in wetland percolation.

Wetlands are also very effective at removing a wide range of nutrients and other contaminants without detriment to the wetland itself. Therefore utilisation of the wetlands is considered an effective and appropriate method of treating the runoff.

One concern that has been addressed in the application is the potential for a spill of motor fuel, detergents or paint etc. The presence of the check dams serving the roads provides an opportunity to intercept such a spill and a condition requiring a spill management plan should be placed on the consent, should it be granted.

Overall, it is considered that the stormwater discharges resulting from the proposed development will not adversely affect water quality and the associated improvements to the wetlands and through fencing and shading will improve the overall water quality.

The relevant policies of the Proposed TRMP are:

- 33.3.1 *To require all owners, particularly the Council as stormwater asset manager, of all or part of any stormwater network to avoid, remedy, or mitigate adverse effects of stormwater discharges.*
- 33.3.2 *To advocate works to restore and protect stream or coastal habitats and improve and protect water quality affected by stormwater and drainage water discharges.*
- 33.3.3 *To avoid, remedy or mitigate the adverse effects of stormwater and drainage water discharges, including:*
- (a) the effects of contaminants such as sediments in stormwater or drainage water on receiving environments;*
 - (b) the cumulative effects of toxic contaminants in stormwater, particularly in the coastal marine area;*
 - (c) the flooding and erosion effects of stormwater discharges.*

It is considered that all of these policies are satisfied by the proposed storm flow attenuation and treatment measures proposed in this application.

Earthworks for Road Formation

Slope Instability

Late in the consent process the proposed route to be taken by the roads was changed to achieve a route that resulted in less road being formed and less major earthworks required. The amended plans have not been thoroughly assessed. However, recommended conditions require that engineering specifications be provided to the Council prior to construction. Negotiation and approval of those engineering plans will ensure that any risk of slope instability will be avoided.

Sediment Runoff

Clause 2.2.112 of the application commits the applicant to high standards of sediment protection. It states that “No earthworks shall commence until a comprehensive sediment and erosion control plan has been forwarded to and approved by the Council’s Engineering Manager and Compliance Monitoring Officer (Land Disturbance)”. It also states that “the discharge of stormwater shall not result in adverse scouring or sedimentation of any watercourse ...” and “sediment controls shall be implemented and maintained in effective operational order at all times”.

These commitments have been mirrored in recommended conditions and will hold the Consent Holder to high standards of sediment control during the construction of these sections of roading.

The relevant policies of the Proposed TRMP are:

- 12.1.1 *To promote land use practices that avoid, remedy, or mitigate the adverse effects of land disturbance on the environment, including avoidance of sediment movement through sinkholes into karst systems.*

12.1.2 *To avoid, remedy, or mitigate the actual or potential soil erosion or damage, sedimentation, and other adverse effects of land disturbance activities consistent with their risks on different terrains in the District, including consideration of:*

- (i) natural erosion risk, and erosion risk upon disturbance;*
- (ii) scale, type, and likelihood of land disturbance;*
- (iii) sensitivity and significance of water bodies and other natural features in relation to sedimentation or movement of debris.*

These policies are satisfied by the proposed earthworks.

Disturbance and Structures in Waterbodies

The development of roads and the stormwater attenuation and treatment system described above require a number of structures in the beds of waterbodies. When properly designed and constructed, culverts have minimal adverse effects on waterbodies. Conditions requiring engineering designs of road culverts to be supplied for approval have been included. It is anticipated that no adverse effects such as backwater flooding or erosion will occur as a result of the installation of roading culverts.

The other structures to be installed in the beds of the streams are the inline retention dams and the check dams. The latter are only to be constructed in ephemeral drainage channels which feed the gully streams. If properly constructed no adverse effects are anticipated from their construction.

The in-line retention dams are to be constructed in the beds of the gully streams. The design of the dams is visually very passive. The effect on the bed will be minimal as it will be protected against erosion. There will also be positive effects from the controlling of stormwater and the detention will allow for the further treatment of stormwater and creation of additional aquatic and wetland environment as discussed below.

The dams will be subject to structural and safety guidelines as conditions of consent.

There are currently no relevant policies in the Proposed TRMP.

Damming of Water

Damming water can cause a number of effects including increases in temperature, which can be detrimental to aquatic life. The attraction of water fowl to dammed water can also cause an increase in bacterial contamination of the water. Stormwater attenuation is a positive impact that can reduce the impacts of flood events downstream.

The potential impacts of the damming of water in the current application have been satisfactorily mitigated through a number of measures. Principally, the planting of shading vegetation is of high importance for maintaining a sufficiently low water temperature.

The relevant policies of the Proposed TRMP are:

30.1.17 *To avoid, remedy or mitigate the adverse effects of water damming either by itself or cumulatively with other dams, including adverse effects on:*

- (a) the flow regime or water levels in rivers, lakes and wetlands;*
- (b) passage of fish and eels;*
- (c) other water users;*
- (d) aquatic ecosystems and riparian habitat;*
- (e) water quality;*
- (f) groundwater recharge; and*
- (g) adverse effects of dam failure on (a) to (f) above.*

It is considered that these adverse effects will be adequately avoided, remedied or mitigated by the proposed designs and the mitigation work such as planting and ecosystem enhancement works that are planned.

6. RECOMMENDATION

It is recommended that, under Section 104 of the Act, the applications to discharge stormwater, disturb and place structures in the beds of waterbodies, dam water and conduct earthworks be granted subject to conditions.

7. CONDITIONS

If the consents are granted it is recommended that the following conditions and advice notes are placed upon them:

Resource consent number: RM060741

Pursuant to Section 104A of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent:

To divert and discharge stormwater to land where it may enter water.

Location details:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Location co-ordinates: 2511465E 5991461N (New Zealand Map Grid)

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. The discharge of stormwater shall be carried out in general accordance with the details contained in the consent application and Plan A dated January 2006, Plan B dated June 2006 and Plan C dated July 2006 (all attached). In particular, these details include:
 - (a) At least one 25,000 litre rainwater tanks on each residential allotment to be used for potable and general domestic supply.
 - (b) On-site retention ponds on each residential allotment with choked and armoured outfall. The ponds are to be constructed before any building work is undertaken on each allotment and are to be used as part of the sediment control system.
 - (c) Check dams shall be constructed to service on average every 100 metres of the road network and at the confluence of each drainage channel and wetland.
 - (d) Flow channels to and from the check dams shall be protected against erosion through the use of rock and vegetation armouring. The check dams are to be constructed early in the construction process and used as components in an overall sediment control system.
 - (e) In-line retention dams and an additional wetland shall be constructed as specified.

Where there are any apparent conflicts or inconsistencies between the information provided and the conditions of this consent, the conditions shall prevail.

2. Engineering specification plans shall be provided to the Manager, Engineering and approved prior to the commencement of works on each stage. The specifications shall be in general accordance with the requirements of Condition 1.
3. The Consent Holder shall submit to the Council's Coordinator Compliance Monitoring a Forest Park Stormwater Management Plan (FPSMP) before any land excavation or construction works begin. The FPSMP shall, as a minimum, include:
 - (a) Design plans for the components of the stormwater system.
 - (b) A construction-phase sediment management plan which identifies how sediment shall be controlled so that the wetlands and other downstream aquatic ecosystems are protected from the deposition of sediment in accordance with the objectives and policies of the Proposed Tasman Resource Management Plan (TRMP). This plan should include structures and maintenance procedures for ensuring the ongoing effectiveness of sediment control measures.

- (c) A spill management plan that addresses responses to incidences of spills or discharges of substances that may be hazardous to aquatic or wetland ecosystems into the stormwater system.
- (d) A maintenance plan which describes the long-term maintenance of the stormwater system including ensuring on-going effectiveness of stormwater treatment and solids settlement structures, weed management, erosion protection, pest fish monitoring and pest fish eradication.

The stormwater system shall be managed in general accordance with the FPSMP.

- 4. A certificate signed by the person responsible for designing the stormwater management system or a similarly qualified or experienced person shall be submitted to the Council within one month of the development of each lot within the subdivision to certify that the system is constructed and installed in accordance with the details of the application and the conditions of this consent.
- 5. Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of these consents by serving notice during the month of April each year each year, and for any of the following purposes:
 - (a) to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - (b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - (c) to allow, in the event of concerns about the quality or quantity of stormwater discharged, the imposition of compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly; or
 - (d) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant Regional Plan, District Plan, National Environmental Standard, or Act of Parliament.
- 6. This consent shall expire 35 years from the date of issue.

ADVICE NOTE(S)

- 1. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.
- 2. The Consent Holder's attention is drawn to permitted rule 36.2.4 which permits the discharge of sediment or debris to water. No consent to breach the conditions of this rule has been applied for and therefore the Consent Holder must meet the conditions of this consent during land disturbance activities or else a separate resource consent must be obtained.

3. Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust shall be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.
4. This resource consent only authorises the activities described above. Any matters or activities not referred to in these consents or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.
5. Monitoring of this resource consent may be required under Section 35 and 36 of the Resource Management Act 1991, and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, the Council will recover the additional amount from the Consent Holder. Monitoring costs are able to be minimised by consistently complying with the resource consent conditions.
6. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.

Resource consent number: RM060743

Pursuant to Section 104A of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent: To undertake earthworks for forming a road

Location details:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Location co-ordinates: 2511465E 5991461N (New Zealand Map Grid)

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. Prior to construction, the Consent Holder shall provide to the Council's Manager of Engineering a copy of the engineering specification for the road cuttings identified on Plan F dated 4 April 2007 (attached). The structures shall be constructed in accordance with the engineering specifications.
2. The Consent Holder shall contact Council's Co-ordinator Compliance Monitoring at least 24 hours prior to commencing works for monitoring purposes.
3. The Consent Holder shall take all practicable measures to limit the discharge of sediment with stormwater run-off to water or land where it may enter water during and after the construction period. In particular, the earthworks should be carried out during fine weather periods when the likelihood of erosion and sedimentation will be least.

Advice Note:

The use of debris fences, straw bales, cut-off drains or other such methods should be used to ensure that any run-off is limited.

4. All bare areas shall be revegetated as soon as is practicable and no later than three months after the completion of the works to limit erosion and downhill movement of exposed material.
5. The Consent Holder shall ensure that the site is left in a neat and tidy condition following the completion of the works.
6. Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of these consents by serving notice during the month of April each year each year, and for any of the following purposes:
 - (a) to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - (b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - (c) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant Regional Plan, District Plan, National Environmental Standard, or Act of Parliament.
7. Pursuant to Section 125 of the Act this consent shall lapse five years after the date of this consent unless the consent is either: a) given effect to; or b) the Council has granted an extension pursuant to Section 125(1)(b) of the Act.

Advice Note:

The consent is given effect to once the on-site excavation first commences.

ADVICE NOTE(S)

1. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.
2. The Consent Holder's attention is drawn to permitted rule 36.2.4 which permits the discharge of sediment or debris to water. No consent to breach the conditions of this rule has been applied for and therefore the Consent Holder must meet the conditions of this consent during land disturbance activities or else a separate resource consent must be obtained.
3. Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust shall be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.
4. This resource consent only authorises the activities described above. Any matters or activities not referred to in these consents or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.
5. Monitoring of this resource consent may be required under Section 35 and 36 of the Resource Management Act 1991, and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, the Council will recover the additional amount from the Consent Holder. Monitoring costs are able to be minimised by consistently complying with the resource consent conditions.
6. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.

Resource consent number: RM061008

Pursuant to Section 104A of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent:

To disturb and to place structures in the beds of waterbodies or wetlands

Location details:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Location co-ordinates: 2511465E 5991461N (New Zealand Map Grid)

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. Prior to construction, the Consent Holder shall provide to the Council's Consent Planner, Water a copy of the engineering specification for the in-line retention dams, the culverts and any other structure to be constructed in the bed of a waterbody. The specifications shall be in general accordance with Plans D and E both dated January 2006 (both attached). The structures shall be constructed in accordance with the engineering specifications.

Advice Note:

Particular attention is recommended to specifying the quality of the fill to be used in the dam and to the depth of the core trench. It may be that appropriate dam fill is unavailable on-site.

2. Any structures that are not part of the stormwater management system as authorised by RM060741 (such as road culverts) shall be designed so that they do not cause significant impedance of flood flows to the extent where flooding may occur or may be significantly exacerbated due to the presence of the structures.
3. A copy of this consent and all relevant regional consents shall remain on-site at all times during construction of the in-line retention dams and other structures and the Consent Holder shall provide a copy of the application and this consent and any other relevant consents to the contractor and the supervising engineer.
4. The Consent Holder shall employ an appropriately qualified and experienced chartered civil engineer to supervise dam construction and producer statements shall be provided by both the contractor for the dam and from the engineer supervising dam construction as soon as possible following completion of the dam. These statements shall confirm that all inspections specified in the dam engineering specifications have been completed.
5. The Consent Holder or their agent shall advise the Council's Consent Planner, Water 24 hours prior to when works involving the stream are about to commence and shall keep a photographic record of dam construction progress, particularly of the core trench for the dam, and supply a copy of these photographic images to Council at the completion of the dams.

Advice Note:

Digital images are preferable and can be progressively e-mailed to the applicable Council staff person.

6. All areas of bare ground created by the disturbance are to be protected from soil erosion, by revegetation or any other method of protection, as soon as practicable and in no case later than 12 months from the date of disturbance.
7. The Consent Holder shall not plant or allow to grow any trees or shrubs on the dam embankments or within 3 metres of the toes of the dams and shall ensure that the dam embankments and any unplanted land are grassed down or revegetated as soon as practical after completion of the dams.
8. The Consent Holder shall regularly inspect the dams and maintain the embankment, rock protection, low flow system and spillway in good condition. In particular, the fish passage shall not be obstructed and any damage shall be repaired promptly.
9. Should any slumping or significant seepage from the dam embankments be observed, the Consent Holder shall immediately inform the Tasman District Council's Environment & Planning Manager or his agent and shall employ a suitably experienced chartered civil engineer to advise on appropriate remediation measures.
10. Appropriate sediment traps and such other practical measures shall be undertaken so as to avoid introducing silt and other contaminants to the stream below the dam provided that the discharge of silt is authorised to the extent that it does not decrease the visual clarity of any stream by more than 40% as measured by the black disc method 50 metres downstream of the discharge point.
11. Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of these consents by serving notice during the month of April each year each year, and for any of the following purposes:
 - (a) to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - (b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - (c) to provide for enhanced fish passage if it is considered by an appropriately qualified or experienced person that the fish passage provided for is inadequate.
 - (d) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant Regional Plan, District Plan, National Environmental Standard, or Act of Parliament.
12. This consent shall expire 35 years from the date of issue.

ADVICE NOTE(S)

1. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.
2. The Consent Holder's attention is drawn to permitted rule 36.2.4 which permits the discharge of sediment or debris to water. No consent to breach the conditions of this rule has been applied for and therefore the Consent Holder must meet the conditions of this consent during land disturbance activities or else a separate resource consent must be obtained.
3. Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust shall be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.
4. This resource consent only authorises the activities described above. Any matters or activities not referred to in these consents or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.
5. Monitoring of this resource consent may be required under Section 35 and 36 of the Resource Management Act 1991, and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, the Council will recover the additional amount from the Consent Holder. Monitoring costs are able to be minimised by consistently complying with the resource consent conditions.
6. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.

Resource consent number: RM061009

Pursuant to Section 104A of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent: To dam water

Location details:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Location co-ordinates: 2511465E 5991461N (New Zealand Map Grid)

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. There shall be no take of water from the dammed water to the extent that there are any significant adverse effects on resident eels within the dams. Any takes from the dams that may be permitted by the Proposed TRMP shall include screened pump intakes to avoid the entrainment of fish or eels.
2. As far as is possible without adversely affecting the effective operation of the dammed water, the Consent Holder shall plant shading vegetation in and around the ponds to maintain a low water temperature.
3. The Consent Holder shall ensure that any infestations of pest fish are eradicated promptly.
4. Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of these consents by serving notice during the month of April each year each year, and for any of the following purposes:
 - (a) to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage;
 - (b) to require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - (c) to allow, in the event of concerns about the quality of the dam water, the imposition of compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly; or
 - (d) to change the compliance standards imposed by conditions of this consent to standards that are consistent with any relevant Regional Plan, District Plan, National Environmental Standard, or Act of Parliament.
5. This consent shall expire 35 years from the date of issue.

ADVICE NOTE(S)

1. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.

2. No water permit to take water from the dammed water has been applied for and therefore any takes of water must be in accordance with the permitted rules of the Proposed TRMP or else a resource consent must be obtained.
3. The Consent Holder's attention is drawn to permitted rule 36.2.4 which permits the discharge of sediment or debris to water. No consent to breach the conditions of this rule has been applied for and therefore the Consent Holder must meet the conditions of this consent during land disturbance activities or else a separate resource consent must be obtained.
4. Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (eg, shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust shall be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.
5. This resource consent only authorises the activities described above. Any matters or activities not referred to in these consents or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.
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7. Pursuant to Section 127 of the Resource Management Act 1991, the Consent Holder may apply to the Consent Authority for the change or cancellation of any condition of this consent.

Jeremy Butler
Senior Consent Planner, Natural Resources