Resource Consent Application and AEE

Wainui Te Whara Stream: Urban Channel Improvement Works

Stage 2 - Channel Works:

Earthworks, erosion protection, channel reshaping, deepening and realignment

1 August 2016

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1 Introduction

Since the early 1940s parts of Whakatāne have experienced a number of extreme rainfall and flooding events resulting in damage to both private properties and Council assets. Along the urban reach of the Wainui Te Whara Stream, the most recent events of June 2010 and Easter 2014 affected approximately 75 dwellings each time.

To address this flooding, Whakatāne District Council (WDC) proposes to upgrade the channel capacity of the urban reach of the Wainui Te Whara Stream (the Project) to reduce the likelihood of future flood events as a result of stream bank overtopping.

Stage 1 of the Project has been consented by Bay of Plenty Regional Council (RM15-0051 granted on 12 February 2016). It involved the upgrade of various structures along the channel (bridges, culverts and retaining walls). This phase of the project is currently underway and is due to be completed by the end of August 2016.

This application is for Stage 2 of the Project which involves channel reshaping works, comprising deepening/re-grading, widening and realignment of the channel to increase capacity. Associated with this is the installation of erosion protection works in the form of rock rip-rap and scour protection walls to protect two existing bridge abutments. This proposed work involves earthworks volume totalling approximately 12,500m³ of material. Of this, approximately 3,400m³ is from within the wetted bed of the stream with the remainder from the stream banks and riparian margin.

The urban reach of the Wainui Te Whara Stream, which is the project area, runs from Valley Road in the east to Hinemoa Street in the west (see Figure 1 below). Details of the proposed works along each part of the channel are shown on the Construction Drawings (refer to Appendix A1).

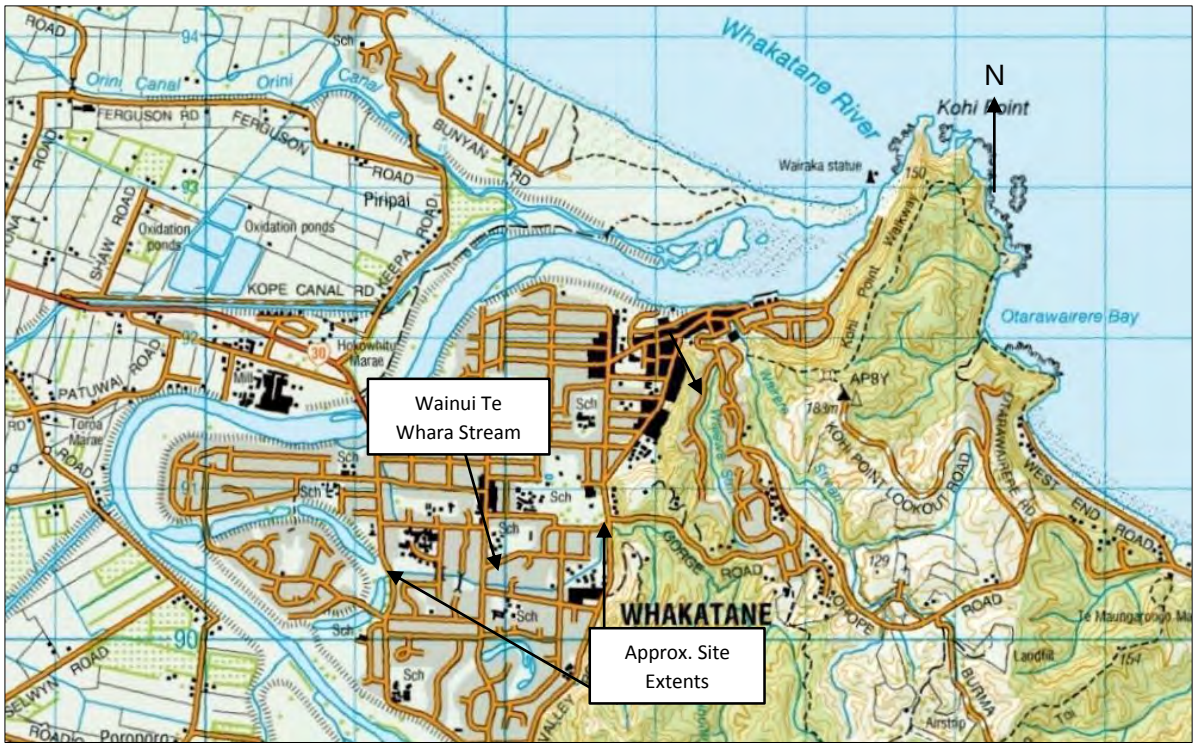


Figure 1: Location plan (Source: LINZ Data Service, 1 square = 1km)

Pursuant to section 88 of the Resource Management Act 1991 (RMA), WDC seek resource consents from BOPRC and WDC (the consent authorities) for the Stage 2 works, comprising earthworks in the riparian margin, disturbance of the bed of the stream, and permanent realignment of sections of the stream.

Following an assessment of the proposed works in terms of the Bay of Plenty Regional Water and Land Plan (RWLP), and both the Operative and Proposed Whakatāne District Plans (the District Plans), resource consents are required for the following activities:

- Undertake earthworks within the Riparian Management Zone for purposes of reshaping, widening, deepening, and realigning the stream (Discretionary Activity under Rule 1C of the RWLP)
- Placement of riprap and other erosion protection structures in the bed and banks of the stream (for erosion and scour protection and baseflow management), and excavation of the stream bed for the purposes of reshaping, widening, deepening, and realigning the stream (Discretionary Activity under Rule 71 of the RWLP)
- Temporarily dam and divert water from the stream during construction associated with the channel works (Discretionary Activity under Rule 48 of the RWLP)
- Permanently divert water from the stream for the purposes of realigning sections of the stream (Discretionary Activity under Rule 48 of the RWLP)
- Temporarily discharge sediment contaminated water into the stream during construction (Discretionary Activity under Rule 37 of the RWLP)
- New flood control and drainage works by a local authority which do not comply with performance standards (Discretionary Activity under Rule 20.2.1(28) of the Proposed District Plan).
- Undertake earthworks outside the designations exceeding permitted limits (Restricted Discretionary Activity under Rule 11.2.3 of the Proposed District Plan)
- Emit noise from construction activities which exceeds limits for Construction Noise set out in NZS6803:1999 (Discretionary Activity under Rule 11.2.6.2 of the Proposed District Plan).

Resource consent is also required for the disturbance of soil on potentially contaminated land (Discretionary Activity under clause 11 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS).

In addition to the above, WDC seek confirmation of an outline plan of works within existing designations pursuant to section 176A of the RMA.

As the short-term impacts of the proposed works on the ecology of the stream are potentially more than minor, WDC request public notification of the application pursuant to section 95A(2)(b) of the RMA.

1.1 Structure of this Application

The primary purpose of this report is to provide, in accordance with Schedule 4 to the RMA, an assessment of effects on the environment in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment. The matters covered in this report include:

- Background to the Project, including a description of the Project Vision and Objectives
- A description of the site and the proposed works
- A description of the statutory approvals sought under the RMA
- A description of consultation undertaken

- An assessment of the actual or potential effects on the environment, including a description of mitigation measures where applicable
- An assessment of the proposed works against the relevant provisions of the statutory planning framework.

2 Background

2.1 Previous Improvement Works and Investigations - Pre-2013

Work to address some flooding issues was completed in the 1960s, providing some improvements in the channel capacity along a section between King Street and Valley Road. This involved stream widening, channel deepening and some small stop bank top-ups. At that time, the upgrade was designed to accommodate a peak flow of just over 14m^3/s. An assessment of the channel capacity in the early-1990s indicated that the capacity of the channel was less than the original design flow (i.e. < 14m^3/s).

In an attempt to address this, a combination of further channel re-grading, reshaping, and minor stop banking works was identified and completed soon after. This work was designed to increase the capacity of the channel to cope with a 100-year flood flow (without freeboard), which at that time was estimated to be 22m^3/s. An assessment of the channel capacity in 2014 confirmed that it had a capacity similar to that flow.

In recent years, two main options have been considered to increase the current level of protection to near 32m^3/s. One was to increase the height of the stopbanks and raise bridges where necessary, and the other was the construction of a 9.5 m high retention dam situated in the Munro Valley (upstream of the Mokorua Scenic Reserve). The estimated cost of both options was approximately $1.45 million.

The dam option was advanced in the 2013/2014 financial year, following a geotechnical assessment that confirmed that the structure was technically feasible. However, before commencement of preliminary design works, an independent feasibility assessment (undertaken by Tonkin and Taylor consultants) identified some project risks relating to the two main design assumptions (namely, the availability of on-site dam core material and construction of the auxiliary spillway system). The implication of this was a likely escalation in dam construction costs to well in excess of $2 million.

Following this, a range of options were explored and evaluated by staff members from both the BoPRC and WDC. An outcome of this was to advance to detailed design works for an upgrade involving urban channel works which were subsequently completed 2015. The first stage on the channel improvement works was completed in early 2016 and involved the structural upgrades as follows (under a Resource Consent that was granted separately):

- Replacement of an existing timber retaining wall with a 140 m long PVC sheet piling wall along a narrow section of the channel starting approximately 100m downstream of Valley Rd bridge;
- Replacement of the Douglas St road crossing with a 6m wide by 2.8 m high concrete box culvert;
- Replacement of the King St road crossing with a 6m wide by 2.5 m high concrete box culvert;
- Replacement of five privately owned bridge access ways off Alexander Avenue.

2.2 Channel Improvement Investigations - 2013-2015

The project team undertook a comprehensive evaluation of all options in late 2013. As part of this work, a hydraulic model was used to assess the stream channel modification required to convey 32 m^3/s, including allowance of 300 mm freeboard. This flow was chosen as it represented the peak flow generated from a 1 in 100 year design rainfall event.

A number of scenarios were considered, with the first scenarios looking at channel deepening only. While hydraulically achievable, the geotechnical assessment identified that significant channel armouring and retaining works would be required to stabilise the banks. Following this a number of scenarios were run to

optimise hydraulic performance against geotechnical constraints. The aim was to maximise channel capacity while minimising the requirement to undertake hard engineering works in the channel. The following key design parameters were used:

- The proposed channel shall have a minimum stream bed width of 3m to allow for future channel maintenance
- The existing stop banks shall have a minimum top width of 1.5 m and adequate buffer and to allow for future maintenance (e.g. for mowing)
- The peak flow shall allow for at least 300mm freeboard
- New slopes will be designed to a static factor of safety of 1.25.

From this assessment the preferred option of channel re-grading/deepening was presented to Council as a concept which was then adopted for detail design in May 2015. This option was favoured for the following main reasons:

- Cost-effective and should be able to achieve at least 100 year containment relatively quickly
- Lower consenting risks compared to many other options
- Allows for additional future mitigation measures in the upper catchment to complement increased downstream capacity (e.g. Future Gorge Road dam or Munro dams).

2.3 Project Vision and Objectives

The main objective of the project is to reduce the likelihood of stream bank overtopping during extreme rainfall events. The channel capacity is currently 20 m^3/s which is equivalent to the peak flow generated from a 1 in 20 year rainfall event. The target capacity of the channel, after the project is complete, is 32 m^3/s which is the modelled peak flow generated from a 1 in 100 year rainfall event (without climate change adjustment). The second objective is to enhance the stream health/amenity and provide an asset that is enjoyed and valued by the community.

The Project is, in part, the result of work undertaken using a Regional Flood Risk Management Framework (RFRMF). This framework provides for a whole of catchment approach to flood reduction. The key aims from this are to develop flood risk reduction solutions that incorporate the following:

- **Resilient** communities with understanding and acceptance of the risks they are exposed to
- **Affordable** flood mitigation and flood risk management
- **Collaborative** catchment management across territorial and regional authorities
- **Reduction** in risk exposure
- **Enhanced** well-being of the region

The works, as outlined in this application, are consistent with those outcomes and have been developed after a comprehensive analysis of alternative options (outlined later in this application).

3 Description of the Site

The project involves the urban reach of the Wainui Te Whara Stream, which runs approximately 1,700m from Valley Road in the east to Hinemoa Street in the west. The upstream end of the reach is located at or about NZTM2000 coordinates 1950683 mE / 5790855 mN, with the downstream end of the reach at or about 1949249 mE / 5790415 mN. The site and surrounding environment are described in the following sections.

3.1 Landuse

The size of the lower catchment of the Wainui Te Whara Stream is approximately 52.9 hectares, with the urban reach approximately 1.7 km long. This section of channel starts to the immediate southwest of the roundabout junction of Valley Road and Gorge Road, Whakatāne and heads in a broadly western direction, before flowing into the Awatapu Lagoon. The Awatapu Lagoon then flows into the Whakatāne River through a single outlet located at the western end of Awatapu Drive.

The stream and immediate surrounding areas are shown on the aerial photographs at Figure 2 and Figure 3.

Figure 2: Aerial Photograph - Eastern Section

The channel is highly modified and confined by private property boundaries, small flood stopbanks, and other structures. Adjoining land use is predominantly privately-owned residential housing, reserves, and commercial activity. There are road crossings at Douglas Street, Peter Snell Street, King Street, Garaway Street, and Hinemoa Street, along with two footbridges and five privately owned residential access bridges that provide the sole means of access to 14 houses properties off Alexander Avenue.

Figure 3: Aerial Photograph - Western Section

3.2 Legal Description

The properties, on which works are required, together with their owners, are listed in Appendix A3.

3.2.1 Easements

The stream channel corridor between Valley Road and King Street is subject to easements for drainage purposes and flood protection works in favour of WDC. These easements, as shown on the survey plan SO 42382, were created under the Public Works Act by Gazette Notice 1966 page 2027 and contain the existing channel as well as the stop banks in general. The extent of these easements has been plotted on the construction drawings and can be viewed in Appendix A1. The ***Proclamation S365489*** proclaims and declares that the easement described therein is taken for drainage purposes and flood protection works over the land. It states (inter alia):

a. *The full and free right for [the Council]... to construct and install open drains and/or drainage pipes or concrete conduits through and under those pieces of land... and to discharge, convey, and drain into and through such open drains and/or drainage pipes or concrete conduits all water, whether rain, tempest, spring, surface, soakage, seepage water, or water from any stream or river, in any quantities from the Borough of Whakatane and/or neighbouring localities.*
b. *The right to repair, alter, construct, or reconstruct a stopbank on the easement strip, and to increase or decrease the height or dimensions of any such stopbank so erected and otherwise maintain it in a due state of efficiency...*
c. *The right to enter on to the easement strip at all times... for the purposes of constructing, reconstructing, altering, repairing, and maintaining the stopbank and drain...*

d. The right to dig and excavate the soil at the said easement strip to such extent and depth as the grantee shall deem to be necessary for the purpose of carrying out or performing any of the provisions of the said easements: provided, however, that on entering onto the easement strip for the purposes of constructing, reconstructing, repairing, or maintaining the stopbank and drain, such work will be carried out and completed with as little disturbance to the surface of the easement strip as possible, and on completion of such work the surface of the easement strip will be restored at the cost of the [Council].

e. The right to remove any private bridges situated on the easement strip: provided that such bridges are put back in the same state and condition as they were prior to removal.

A full copy of the proclamation S365489 is attached (refer to Appendix A2).

3.3 Hydrology

A number of studies have been completed to assess the hydrology of the Wainui Te Whara Stream. The most recent is the hydrological assessment completed by Pattle Delamore Partners in 2014. This work was commissioned by WDC to review and update previous assessments undertaken in the catchment, with a view to developing up-to-date design flood flow estimates. Rainfall-runoff models were developed using the non-linear reservoir method and subsequently calibrated to the Easter 2014 flood event.

A summary of the peak flood flows estimates are presented in Table 3. The full report is presented in supporting document S2A and S2B which provides details of the model, model calibration and design storm modelling.

Table 3: Modelled peak flows for the Wainui Te Whara Stream catchment

Return period	Peak flow at Valley Rd (m^3/s)
100 year	32.2
100 year plus climate change (2115)	41.2

3.4 Urban channel hydraulic assessment

A HEC-RES model was developed to assess the existing channel capacity and effects of channel modifications on discharge capacity. The model extent included Valley Rd bridge down to Hinemoa St bridge. Sixty five surveyed crossed sections were used in the model, which were spaced at approximately 25m intervals along the channel. Detailed information was also collected at all the potential structural restrictions along the channel and incorporated into the model.

For model calibration, Manning's n values were adjusted to ensure the modelled flood levels approximately matched the actual flood levels from a moderate flood event (4.7 m^3/s) that occurred on the 9th September 2014. As part of the detailed design process the model was independently peer reviewed by Phil Wallace of DHI.

Figure 4 provides a long section of the hydraulic profile along the channel which was adopted for use during detail design. Details of the model construction and calibrations procedures and scour analysis are included (refer to supporting document S3, S3A and 3B).

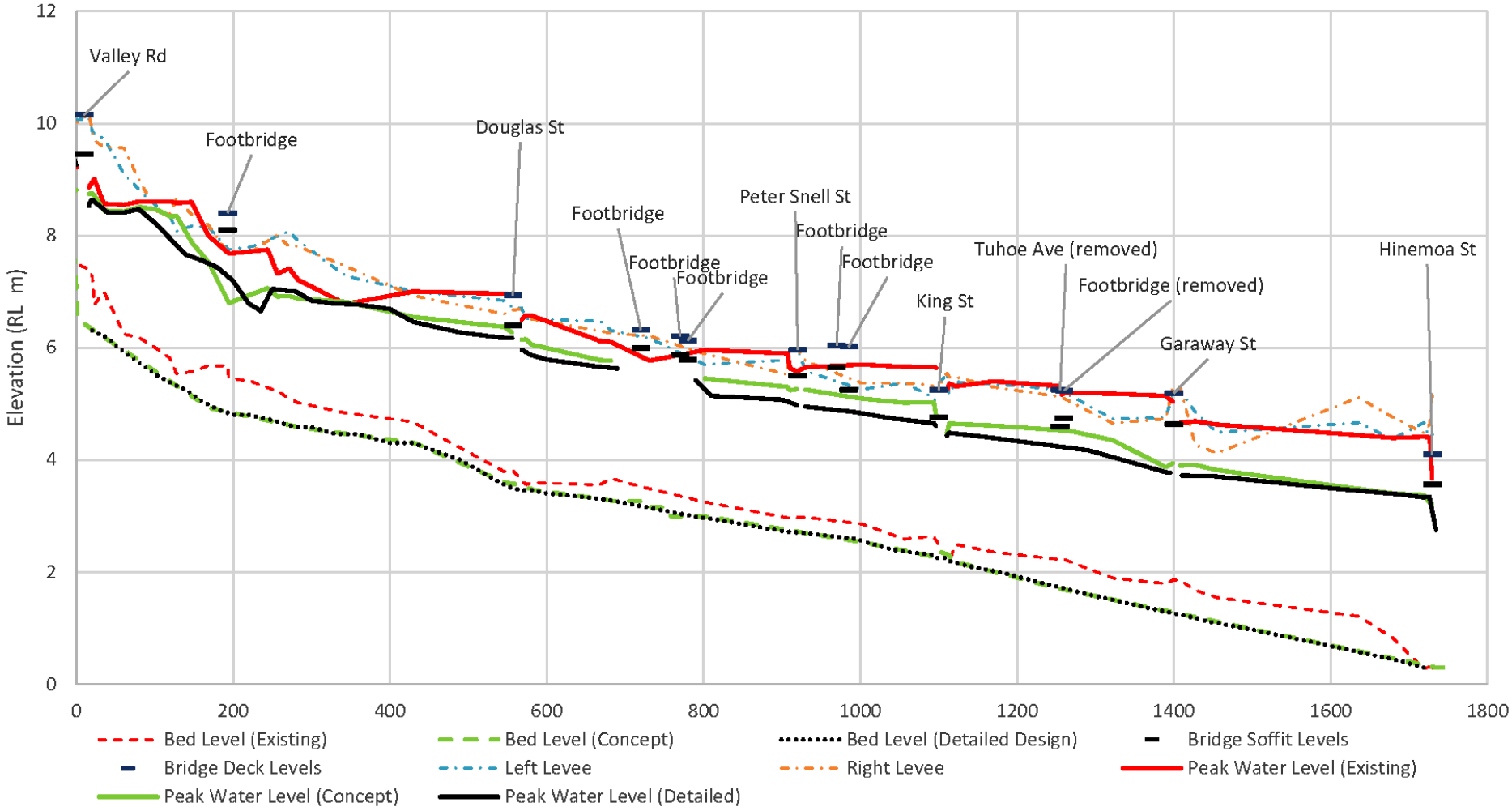


Figure 4: Hydraulic profile of the modified stream including structural improvements for a discharge of 32 m^3/s.

3.5 Culture and Heritage

WDC commissioned Te Runanga o Ngāti Awa to prepare a Cultural Impact Assessment (CIA) to better understand the cultural values and report on the cultural impacts of the Project - see supporting document S1. The CIA notes the presence of wahi tapu sites in and near the Project Area, and makes recommendations for their protection during the works. The CIA provides general support for the Project, recognising the objectives of the Project and the positive effect on flooding for the community.

In addition, an Archaeological assessment was completed for the project which was based on both desktop research and fieldwork. The full archaeological assessment report is included in supporting document S6. Two sites were identified within the proposed project footprint – both of these were small subsurface middens at chainage 1225 and 1285. These are likely to indicate further subsurface archaeological remains in these vicinities. An authority from Heritage New Zealand was granted on 8 March 2016 to cover these sites (Authority No: 2016/795). A copy of this authority is attached – refer to supporting document S6A.

3.6 Ecology and Natural Character

Natural character and ecological values have been significantly reduced by the previous channelisation of the stream in an effort to manage flood risk. The banks of the stream are generally open, with short grass cover and little to no indigenous vegetation. Despite the extensive modification however, advice from BOPRC indicates that for much of its length the stream is in really good ecological condition.

The stream headwaters and tributaries are identified as a habitat and migratory pathway of indigenous fish species, some of which are regarded by DoC as being “vulnerable”, or “in decline”. Existing ecological data for the Wainui Te Whara Stream is available from two monitoring sites which are reported on the Land, Air, Water Aotearoa (LAWA) website, one of which is just outside the project area (upstream of Valley Road) and another is located at King Street. The headline indicators from that data are presented in Figures 5 and 6.

Figure 5: Ecological Data - Wainui Te Whara at King St (Source: LAWA[1])

Figure 6: Ecological Data - Wainui Te Whara at Gorge Rd (Source: LAWA[2])

[1] www.lawa.org.nz/explore-data/bay-of-plenty-region/river-quality/whakatane-river/wainui-te-whara-king-st-(b)
[2] www.lawa.org.nz/explore-data/bay-of-plenty-region/river-quality/whakatane-river/wainui-te-whara-gorge-rd

To further quantify the existing state of the stream and to assess potential impacts of the work, River Lake Ltd was commissioned to undertake an ecological survey and habitat assessment of the stream. Three sites were surveyed along the urban reach of the channel. The field work was undertaken on the 17th and 18th September 2015, coinciding with the whitebait spawning season. The sites selected were:

- 50m downstream of Valley Rd, extending for 200m
- Downstream of Douglas St, extending for 30m
- Either side of Garaway St covering 175m

In general, the stream reach through the urban section was found to be highly modified but the macroinvertebrate communities remain in fair to good condition. There was reasonable fish abundance along much of the length with a notable presence of fish in sections with greater vegetation cover. There was also a reasonable diversity of fish found with seven different species identified. Eels (both long-finned and short finned) were the most abundant amounting to almost 93% of all fish caught.

The substrate type and size varied along the channel. In general, the upper reaches were dominated by large gravels with filamentous diatoms common on this bed. Substrate in the downstream reach was dominated by small gravels which were highly embedded in sand. There was little cover of filamentous algae through this reach, probably due to the lack of suitable stable substrate and as a result of the timing of the survey. Full details are provided in the Ecological report – refer to supporting document S4.

A second ecological survey was completed in the stream on the 14th April 2016. The purpose of this survey was to quantify key stream parameters that impact on stream health. This baseline survey information was then used as a comparator against the expected changes as a result of the work. This enabled a quantified assessment to be undertaken of the potential impacts of the work and provided a clear direction for the mitigation methods suggested as part of the works. Further details of this are described later in this report, and in the Supplementary Ecological report - refer to supporting document S4A.

3.7 Geology

The geological map for the area details the site as being underlain by Holocene alluvium from the Tauranga Group. The areas in the proximity of the stream consist of Opouriao fine sandy loam on the lower reaches emerging from the Mokoroa Gorge, to about 250m from Valley Road Bridge and changing to recent waterlogged soils consisting of Paroa silt loam towards the exit at Awatapu lagoon.

The boundary of the two material types is approximate and was based on the geological map. Both of these soils are alluvial in origin and are detailed as overlying buried dunes to a depth of about 3m to 5m below ground level. Soils of the flood plain are mostly mantled with thin deposits of Tarawera ash and naturally poorly drained, but have become moderately well drained, through the implementation of artificial drainage.

The New Zealand Active Faults Database developed by GNS Science shows that there are two active faults in the vicinity of the site:

- Edgecumbe Fault (5km northeast of site): normal fault, reoccurrence interval of <200 years.
- Whakatāne Fault (1km northwest of site): normal fault, reoccurrence interval of <200 years.

The ground conditions encountered during the geotechnical investigation comprised a cover of loose to medium dense silt or silty sand, below which was a medium dense sand and gravelly sand, which locally

contained layers of soft silt and clay. A copy of the geotechnical design report is attached at supporting document S7.

Groundwater is influenced by the water flowing within the stream, which at the time of the investigation was about 0.30m to 0.50m deep. Trial digs were undertaken in February 2015 in the reach above Douglas St to assess typical depths of sediment. In general, large, poorly sorted angular gravel was found to overly marine silts to a depth of approximately 600-700mm (see figure 7, below).

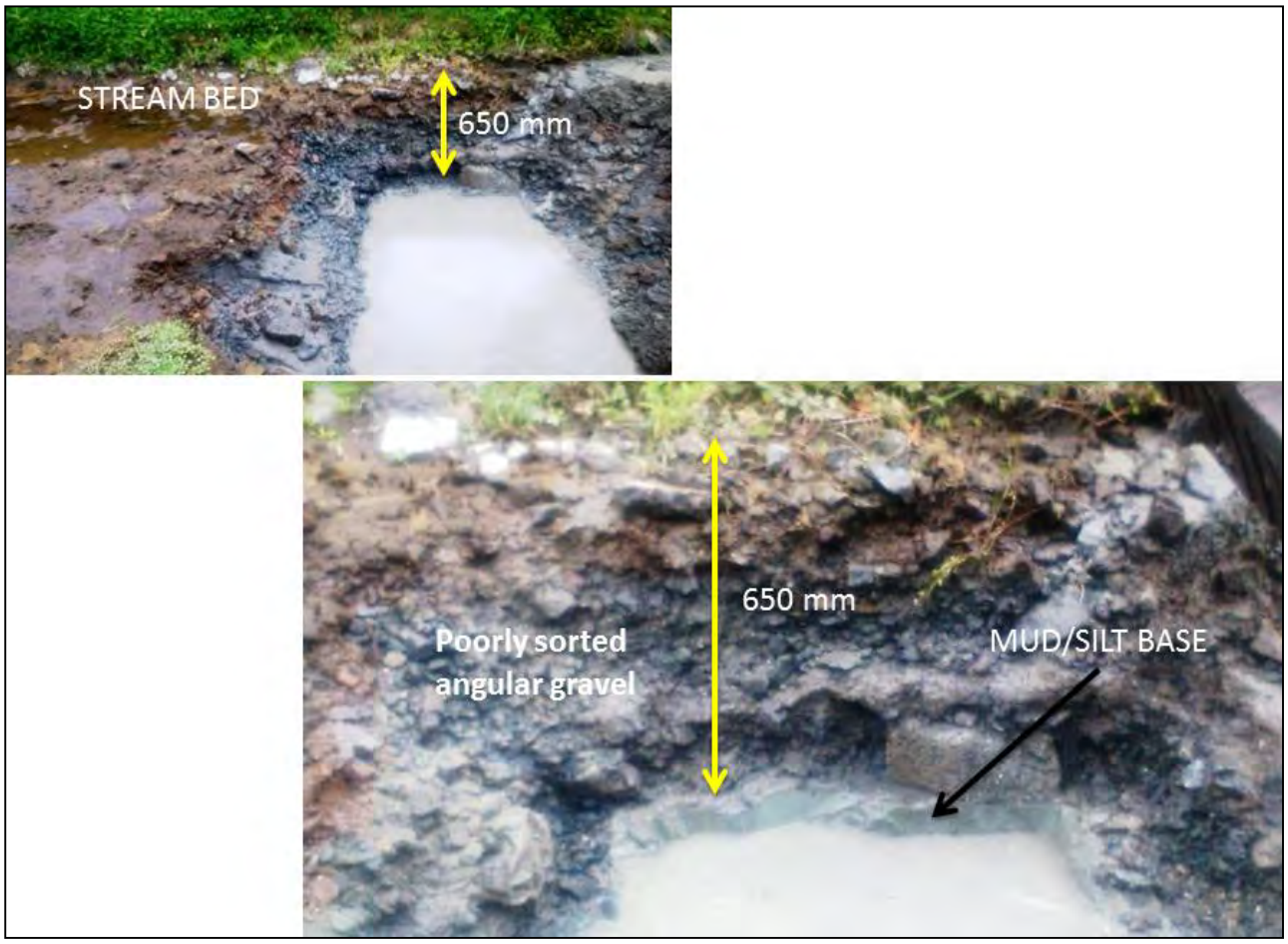


Figure 7: Typical composition of stream bed based on trial digs. These photos are from a section of stream approximately 200m upstream from Douglas St.

4 Description of the Project

4.1 Project Overview

The aim of the overall project (Stages 1 and 2) is to increase the channel capacity through the urban reach of the Wainui Te Whara Stream to approximately 32m³/s with 300mm freeboard (currently approximately 20m³/s with no freeboard). This flow represents the current 1% AEP event, which is approximately equivalent to the 2% AEP event with 2090 climate change rainfall adjustment applied. The following key design parameters were adopted by WDC in the assessment of potential channel optimisation:

- The proposed channel will have a minimum bed width of 3m, primarily to allow for future maintenance (operating from within the stream)
- The existing stop banks will have a minimum top width of 1.5m
- The proposed channel will accommodate a peak follow of $32m^3/s$
- The peak flow will require a freeboard of 300mm along the entire length
- All new slopes will be designed to a static factor of safety of 1.25.
- All proposed works are to be undertaken within existing WDC easements.

The consented works under Stage 1 (RM15-0051 granted on 12 February 2016) are nearing completion, and include:

- Upgrading of seven structures restricting channel capacity (includes road bridges at Douglas Street, King Street, and five privately owned vehicle access bridges)
- Stream bank retaining works along a narrow 140m section of the channel (includes retaining wall works on both sides of the channel).

This application seeks consents for Stage 2 of the Project, which will complete the stream upgrade and will connect the structural upgrades undertaken in stage one with the non-structural/channel works which are the subject of this consent. Works under Stage 2 include:

- Channel improvement works along 1585m of the channel (includes a combination of re-grading banks, deepening, widening and realigning).
- Protection of two bridge abutments using precast concrete retaining wall
- Erosion protection in the form of rock rip-rip

The proposed start date for all works proposed under Stage 2 is November 2016, subject to all necessary approvals being obtained.

4.2 Channel reshaping

The proposed channel works involves the deepening, widening, re-grading and minor channel realignment works to achieve a more hydraulically efficient channel. This will be achieved by improving the channel gradient and increasing the cross-sectional area. The works are proposed to commence in early November and are expected to take three months to complete. This construction period was selected for the following three main reasons:

a. It avoids the whitebait spawning period that runs until the middle of October

b. It minimise restrictions placed as a result of winter earthworks (this period is deemed to run between 1 May and 15 September each year)
c. It avoids cold parts of the year when it is difficult to get quick vegetation reestablishment

The detailed channel reshaping works required are shown on the construction drawings which are attached to this application (Appendix 1). These drawing show the existing channel profile together with the proposed new channel profile at cross-sections along the channel. The design channel cross-sections were developed through an iterative process whereby geotechnical constraints were worked together with the hydraulic requirements. In general, the slope of the banks mimic existing channel slopes, however the invert/base of the stream has been lowered over almost its entire reach.

Two main control points were identified - the invert of the existing structures at Valley Rd and Hinemoa culverts. The alignment of the proposed new stream was also placed to ensure that the stream corridor was centrally located wholly the existing banks at the same time ensuring that the stream corridor was wholly contained within the existing easement. Existing structures also had to work worked around such as the pre-school at the corner of Alexander Ave and King St.

Historical profiles were also used to compare the proposed bed levels with those over the past 50 years. The purpose of this is asses the proposed bed levels with those levels prior to stopbanks works. Anecdotally, the channel has aggraded over time and the comparison plot shows in Figure 8 on the following page supports this. This, together with the trial excavations, shows that the majority of the bed material to be removed will be material that has accumulated in the base of the stream over the past 50 years or so.

Channel reshaping works authorised by this application will be undertaken between chainage 0m-100m and 240m – 1720m. The section of channel deepening between 100m-240m was consented under stage one consent but will be undertaken in conjunction with stage two works.

4.3 Erosion Protection Works

At certain locations along the stream, erosion protection works are required to prevent erosion of the stream banks and damage to existing structures. The location of these proposed are shown on the Construction Drawings (refer Appendix 1), and include:

- Placement of precast concrete panels (lagging) against the existing bridge abutments at Peter Snell Street and Tūhoe Ave bridges
- Rock rip rap at potential scour locations.

All erosion protection works have been designed in accordance with the BOPRC Hydrological and Hydraulic Guidelines. The locations where erosion protection works are required was determined as part of the scour analysis, which is included (see supporting document S3B).

4.4 Construction Methodology

It is proposed that a single physical works contracts will be let for all works proposed to be undertake in stage two. The estimated duration of construction is around 16 weeks. All works will be required to comply with all consent conditions and the contractor will be required to submit a detailed construction methodology that will detail how they plan to meet these conditions.

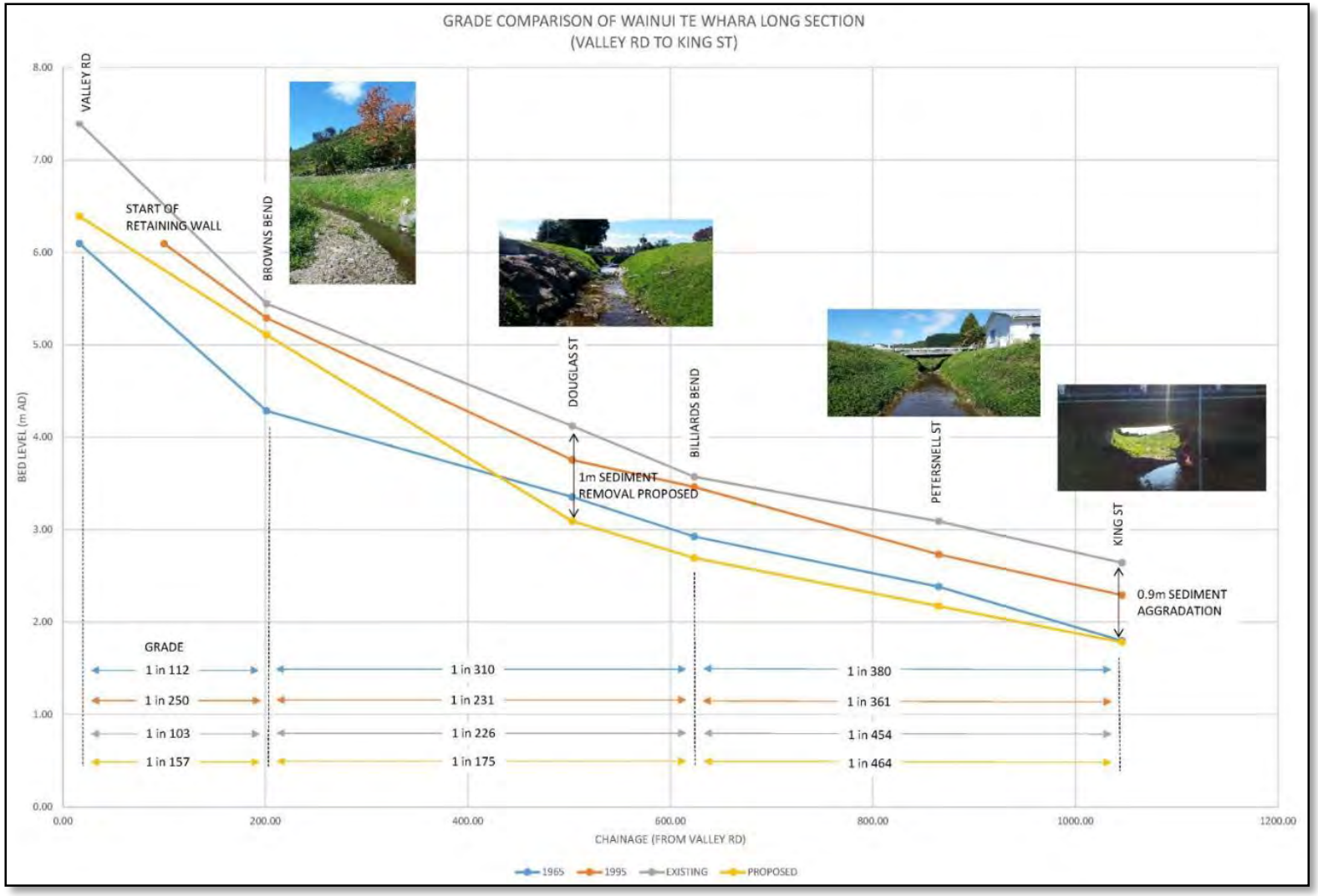


Figure 8. Comparison plot showing historical bed levels with the proposed levels (maximum reduction is similar to the bed levels in 1965)

4.4.1 Stream Realignment

A section of stream between Chainage 0-100 will be realigned to smooth the transition from the earth banks to the sheet piled section currently under construction under the Stage 1 consent. The realignment is shown on the Construction Drawings (Appendix 1). The realignment will be constructed separately to the channel reshaping works in the remainder of the stream. The contractor will cut to form the realigned bank on the true right bank of the stream, deepen the channel to the design grade, and then reconstruct the true left bank in the realigned position using material excavated from the true right bank. Removal and reinstatement of stream substrate will be as described in 4.4.2.1 below.

4.4.2 Excavation and Removal of Material

The excavation and removal of material from the stream bed and banks will be undertaken in three phases, as follows:

- Cut for Reuse (existing stream substrate)
- Cut to Waste from Stream Bed
- Cut to Waste from Stream Banks

The contractor is expected to complete all excavation in the wetted part of the channel for the whole Project, before returning to undertake cutting of the stream banks (i.e. the dry part). The cut for reuse as stream substrate and the cut to waste between Chainage 100m-240m (i.e. along the retaining wall section) was consented under Stage 1, but will be undertaken in conjunction with the Stage 2 works.

4.4.2.1 Cut for Reuse as Stream Substrate

The first phase of the channel reshaping work will involve the removal of material from the bed and banks of the stream to temporary stockpiles within the stream corridor. This will involve the removal of the upper 300mm of stream bed material which will be placed within small controlled stockpiles on the top of the stopbank, placed around every 20 metres or so along the bank. The purpose of this is to retain the current stream substrate material for reinstatement of a natural stream bed following completion of the works and as recommended by our ecologists. Following completion of all stream re-shaping works, the stockpiled stream substrate will be placed back in the channel to reinstate the natural bed at the finished grade.

Stormwater runoff and seepage from the wet stockpiled bed material will be controlled by way of silt fences running parallel with the stream on the landward crest of the stopbank. This will prevent sediment laden stormwater and seep water runoff entering adjoining private property. This runoff will instead be directed back into the stream, to ultimately be managed along with other sediment from the works at the Awatapu Delta (see 4.3.5 below).

4.4.2.2 Cut to Waste from Stream Bed

Following removal and stockpiling of stream substrate (top 300mm), the base of the stream will be cut to the design grade, with an additional cut made to allow replacement of stream substrate material following completion of the works. This phase of cutting the bed to grade will involve the removal of approximately 3,400m^3 of material to waste - this represents the volume of material that is proposed to be removed from the wetted part of the channel. It is anticipated that this phase of works will use a 20 tonne long reach excavator(s) that will work from the top of the bank. It is estimated that the contractor will cover between 80-120m of wetted channel per working day.

Excess material excavated from the stream bed will be placed in small stockpile areas on the stopbank for a few days to allow it to dry sufficiently prior to transport, placed around every 20 metres or so along the bank. Stormwater runoff and seepage from the stockpiles will be managed in the same way as the stream substrate described in 4.3.1.1 above (note that the stockpiles will be separate). Once material is sufficiently dry, it will be transferred from the top of the stopbank to a small tracked dumper operating from in the stream bed. The dumper will transfer the material to the larger stockpile areas shown on Figure 9a and Figure 9b, before transfer to a truck and removal from the site to waste.

4.4.2.3 Cut to Waste from Stream Banks

Following completion of excavation from the wetted part of the channel, the third phase will commence. This will involve the removal of material from the stream banks (i.e. the dry part of the stream above the normal water line), which will be cut to the design profile. This phase involves the removal of material from one bank at a time. It is anticipated that the contractor will complete all works on the first bank, before moving to the second.

For the first bank, the excavator(s) is likely to work from the top of the opposite stopbank. They will either transfer the material directly to a tracked dumper operating from within the stream bed, or to small stockpiles on the same stopbank from which they are working, placed around every 20 metres or so along the bank. The dumper will transfer the material to the larger stockpile areas shown on Figure 9a and Figure 9b, before transfer to a truck and removal from the site to waste. Because this material will not be saturated, it does not need to be "dried out" and can be transferred as soon as possible.

For the second bank, it is anticipated that the excavator(s) will work from the already deepened channel, as the shaping of the stream banks means there will not be enough room on top of the stopbank to operate safely. Material excavated from the second bank will be loaded directly to a tracked dumper operating in the stream bed. The dumper will transfer the material to the larger stockpile areas shown on Figure 9a and Figure 9b, before transfer to a truck and removal from the site to waste. Excavated material may be placed or dropped within the stream channel from time to time, and may cause temporary damming until it is removed.

Cut to waste from stream banks will involve the removal of approximately 9,100 m^3 of material. For this phase of the project it is estimate that he contractor will complete approximately 25m of linear stream bank per working day.

4.4.3 Contractor Earthworks Specification

The channel reshaping works will be undertaken in accordance with the earthworks specification developed as part of the contract for the Project. Key requirement of the earthworks specification in the contract are:

- **Submission of a Construction Works Management Plan**
  - The plan will be submitted two weeks before works start on site. The plan will state the start date, provide a detailed construction sequence and working drawings
- **Contractor records**
  - These records shall include all reporting and measuring of volumes of excavated material.
- **Hold points**
  - The following hold points to be observed by the contractor are:
    - The Construction Works Management Plan
    - Set out details

- **Verification of channel batter slopes during construction**
  - The contractor shall be responsible for the excavation of the design slope angles and bed levels (as per the construction drawings), subject to verification by the engineer 50m intervals

- **Removal of material**
  - All surplus material shall be moved from site immediately as it becomes surplus

- **Stream bank stabilisation**
  - On completion of the channel reprofiling, and in sections not more that 400m the banks shall be stabilised by hydroseed application. Germination of the seed mix shall not be less than 90% within 25 days and there shall be at least 90% coverage within any square metre with no single bare area greater than 200mm in diameter. If this is not achieved the contractor will be required to repeat the hydroseeding of the affected area.

4.4.4 Stockpiling

Material excavated from the channel will be transported to temporary stockpiles, as described under 4.3.1. These stockpiles will be managed by the contractor (indicative locations are shown in Figures 9a and 9b). Material removed from the stockpiles for transport will be disposed of away from the site to a suitable location determined by the Contractor. The stockpile areas will be managed for both dust and silt runoff in accordance with the Contractor's Construction Works Management Plan (CWMP). Specific measures for dust and sediment management are discussed under 4.3.4 and 4.3.6 below. If during transport, dust becomes a nuisance, the contractor will either wet the material down or cover the material during transport.

Figure 9a. Proposed locations for stockpiling and dewatering of material (East)

Figure 9b. Proposed locations for stockpiling and dewatering of material (West)

4.4.5 Dust Management

Dust emissions from the proposed works will be managed in accordance with the Bay of Plenty Regional Council's Erosion and Sediment Control Guidelines for Land Disturbing Activities 2010. In general, the risk of nuisance as a result of dust is considered to be low based on the nature of the material excavated from the stream (particularly the wetted part of the stream) and past experience from similar works within the stream. The material excavated from the wet part of the channel will initially be saturated and allowed to dry only to the point that it becomes suitable for carting from site. This will prevent any dust emissions becoming a nuisance during stockpiling or transport both within and away from the site.

Stockpiles of dryer material excavated from the banks of the stream will be kept wetted as required to prevent dust becoming a nuisance beyond the boundaries of the site. The contractor will be required to have a water cart available at all times to manage dust.

4.4.6 Temporary Damming and Diversion

Consent is sought for temporary damming and diversion activities, to provide flexibility for the successful contractor to construct temporary coffer dams and barrier to isolate work areas - for example they may elect to direct flow down the right hand side of the stream while working on the left bank, and then switch flow to the left hand side to work on the right bank.

In addition, excavated material may be placed or dropped within the stream channel from time to time during excavation of the banks, and may cause temporary damming until it is removed.

4.4.7 Sediment Management

Fine sediment released from the stream during earthworks will be carried in suspension and allowed to deposit in the Awatapu Delta sediment control area. The Awatapu delta is a controlled depositional area which was created by WDC in 2011 as a dedicated zone in the lagoon where sedimentation is controlled and silt levels managed. Since then it has proved effective in managing the deposition of sandy silt derived from the Wainui Te Whara Stream catchment during flood flows. Figure 10 shows the Awatapu delta.

Figure 10. Awatapu delta (blue area) – used to managed fine sediment deposition from the Stream

The lagoon will capture fine sediment before it is released further downstream and into the Awatapu lagoon, and then to the Whakatāne River. It will also be effective as a secondary means of controlling the extent of sediment deposited as a result of the works). To ensure that the effectiveness is maximised, the delta area will be cleared so that at least 80% of its capacity is available before works begin in the channel. During the project, the available volume in the delta will be managed to ensure that at any time there is at least 50% volume available in the delta for sediment deposition. After the works are complete sediment will be removed from this area.

4.4.8 Noise Management

A desktop noise assessment has been undertaken to quantify the likely effects as a result of the stream works. The assessment notes that there is the potential for short term periods where construction noise exceeds limits set out in NZS6803:1999, particularly in instances where the neighbouring properties are less than 10m from the top of the bank and the machinery is working from the top of the stopbanks. However given the nature of the works, there are no other practical alternatives or means to undertake the activity. It should be noted that the disturbance will be very short term in duration, and therefore we believe that the effects are likely to be less than minor (refer to S8 – Desktop construction noise assessment undertaken by Marshall Day Acoustics and discussion under 7.3.3 below).

Practical measures to lessen or manage the noise will be employed. This will generally involve notifications to nearby residents advising when activity would occur (mail drop or personal contact), providing a phone number if they have complaints and other standard measures (maintenance of machinery, use of quieter machinery where practicable, etc.).

4.4.9 Modification/Replacement of Existing Stormwater Outlets

Where the proposed works affect existing stormwater outlets to the stream, these structures will be modified and adapted where possible to match the new bank profile. If this is not possible, replacement headwall structures may be required. The existing discharge consent for the stormwater pumping station at Douglas Street will be unaffected by the proposed works.

4.4.10 Traffic Management

Based on the estimated volumes of material to be removed to waste, it is anticipated that approximately 1300 round trip truck movements will be required to cart the excess material from site (one truck movement is a truck leaving site with a full load, dumping it at a suitable location, and returning to site empty). With an estimated duration of construction at 16 weeks, this equates to approximately 16 round trip truck movements at the site each day.

This part of the activity will be managed under a Traffic Management Plan that will be prepared by the Contractor and submitted to WDC Transportation team for approval prior to commencement. This will set conditions such as time of operation and allowable routes with the purpose of creating as less disruption to other road users as possible. Routes for transport of excavated material from the site cannot be determined at this stage, as they will depend on the location of the disposal site, which will be determined by the successful Contractor.

4.4.11 Construction Works Management Plan

Construction effects will be managed through a comprehensive construction works management plan (CWMP). The CWMP will include (but not necessarily be limited to) measures for erosion, sediment, and dust control, contingency measures in the event of a flood during construction, construction traffic management, details of staging, deposition and drying areas, and noise/vibration management. Erosion and Sediment Control measures will be designed, installed, and maintained in accordance with the BOPRC's Erosion and Sediment Control Guidelines for Land Disturbing Activities (2010).

The plan will be prepared by WDC and the contractor and submitted to BOPRC for approval prior to commencement of works. This management plan will include the following:

- Management of stockpiled material
- Prevention of contamination of the waterway
- Control stormwater runoff and seepage from exposed areas and stockpiles, with particular reference to the protection of adjacent property
- Reduction of noise and vibration
- Dust management
- Prevent fuel and oil spills including the actions taken if a spill occurs
- Liaisons with all affected organisations, residents, property owners etc.
- Manage and reduce waste in accordance with Council Policy.
- Assess all operations to promote energy efficiency in accordance with Council Policy.
- Complaints procedures
- Reporting to the Engineer and manage any accidental discovery of archaeological material, Koiwi (human skeletal remains), or Taonga

A draft construction works management plan is provided in Appendix 4. After award of a contact for the works, WDC will obtain the detailed construction methodology from the contractor ahead of any works starting on site and this will be approved by both WDC and BOPRC as part of the consenting process. The detailed methodology will be developed to meet the broad outcomes as set in this consent application and this will be required to meet the objectives and mitigation measures as set in this application. The CWMP will be updated to reflect all relevant consent conditions as set through the consent process.

4.5 Measures to Improve Stream Ecology

A number of measures were recommended in the Supplementary Ecological report prepared by River Lake Ltd (refer to supporting document S4A), to avoid or mitigate adverse effects from stream works and improve stream ecology. These have been adopted as part of the project, and include:

- The Installation of structures to constrain base flow and create a base flow meander within the channel (wavelength about 16m). Detailed design will be provided prior to construction.
- Incorporate gaps to act as fish habitat between boulders of flow concentration structures.
- Incorporate vanes below selected culverts and on stream corners. Detailed design will be provided prior to construction.
- Replace stream gravels in the stream once the stream has been deepened, deepen pool sections, and add additional gravels in riffle sections.
- Widen the stream flood plain in the section below Garaway Street and between Tuhoe Street and King Street. In these widened sections allow for an increased amplitude of stream meander and riparian planting of native vegetation within the flood channel. Details are subject to further discussion, and will be provided prior to implementation of the improvements.
- Apply fish recovery protocols during stream earthworks and sediment removal.

The key measures proposed to avoid and mitigate adverse ecological effects and to improve stream ecology are described in Appendix 4 of the supplementary Ecological report, which is reproduced as Figure 11 below.

Figure 11. Key measures to improve stream ecology (River Lake Ltd, 2016).

5 Statutory Approvals sought under the RMA

This section outlines the key statutory approvals required under the RMA, including the zoning and features identified in the relevant Regional and District Plans, and resource consents required. The Project is subject to the Bay of Plenty Regional Water and Land Plan (RWLP), and the Operative and Proposed Whakatāne District Plans (District Plans).

5.1 Zoning and Features

The works required to implement the project are primarily located in the bed of the Wainui Te Whara Stream and adjacent banks, which are defined as the riparian management zone in the RWLP. The RWLP identifies and classifies watercourses according to a range of criteria. The Wainui Te Whara Stream is classified as a "Bay of Plenty Regional Base Line" throughout the project area. Tributaries in the headwaters of the stream are classified as "Natural State", with one listed in Schedule 1A of the RWLP as a habitat and migratory pathway of indigenous fish species.

The urban reach of the Wainui Te Whara Stream traverses areas zoned Residential 1, Business 3, and Reserve under Maps 38, 42, and 43 of the Operative District Plan. WDC is the Requiring Authority for two existing designations which cover the stream corridor - D168 between King Street and Hinemoa Street, and D169 adjacent to Goulstone Road near the Valley Road Bridge. The purpose of these designations is for Stormwater Drainage.

The Proposed District Plan retains a broadly similar zoning (although the zones are renamed to Residential, Light Industrial, and Active Reserve) and the same designations, with a Significant Specimen Tree added to the maps adjacent to the stream at King Street.

5.2 Resource Consents

The resource consents required have been grouped according to the consent authority, relevant plan, type of consent sought and rule number, as outlined in the following sections.

For the avoidance of doubt, WDC are seeking resource consents under any rules which the consent authorities consider apply to the activity, even if not specifically identified here.

5.2.1 Bay of Plenty Regional Council Consents

Following an assessment of the proposed works in terms of the RWLP, the resource consents required from Bay of Plenty Regional Council are identified in Table 4a.

Table 4a: Resource consents required from Bay of Plenty Regional Council

Consent Type	Relevant Plan	Activity	Rule	Activity Status	Scope of Application
Land use consent	Regional Water and Land Plan	Earthworks in the riparian margin	1C	Discretionary	Earthworks within the Riparian Management Zone for the purposes of reshaping, widening, deepening, and realigning the stream.

Consent Type	Relevant Plan	Activity	Rule	Activity Status	Scope of Application
s9		Disturbance of a contaminated site	35	Restricted Discretionary	Excavation of potentially contaminated material as identified in Contaminated Land Assessment.
Land use consent s13	Regional Water and Land Plan	Place structures in the stream bed	71	Discretionary	Placement of erosion protection works in the stream at potential scour locations. Alteration and placement of repositioned (existing) stormwater outlet structures with the stream.
		Excavation of the stream bed	71	Discretionary	Excavation of the stream bed for the purposes of reshaping, widening, deepening, and realigning the stream.
Water Permit s14	Regional Water and Land Plan	Temporarily dam and divert water	48	Discretionary	Temporarily dam and divert water from the stream during construction associated with the channel works (e.g. construction of temporary coffer dam to isolate work site).
		Permanently divert water	48	Discretionary	Permanently divert water from the stream for the purposes of realigning sections of the stream.
Discharge permit s15	Regional Water and Land Plan	Discharge of sediment to water and land	37	Discretionary	Temporarily discharge sediment contaminated water to the stream and the Awatapu Lagoon during construction.

5.2.2 Whakatāne District Council Consents

Following an assessment of the proposed works in terms of the Operative and Proposed District Plans, the resource consents required from Whakatāne District Council are identified in Table 4b. Where elements of the project are considered to be permitted activities, these are also identified in the table.

Table 4b: Resource consents required from Whakatāne District Council

Consent Type	Relevant Plan	Activity	Rule	Activity Status	Scope of Application
Land use consent s9	Proposed Whakatāne District Plan	New flood control and drainage by a local authority	3.4.1.3 (59)	Discretionary	Network utility works (new drainage activity under Rule 20.2.1(28)) which does not comply with: - Rule 20.2.2.1(b) - Earthworks - Rule 20.2.3.1(b) - Noise Limits Consent is sought for these aspects of non-compliance below.

Consent Type	Relevant Plan	Activity	Rule	Activity Status	Scope of Application
		Earthworks outside the designations	11.2.1 - 11.2.3	Restricted Discretionary	Earthworks outside the existing designations which exceed the permitted limits under Rule 11.2.2.3 (Residential Zone, and Light Industrial Zone sites that adjoin the Residential Zone).
		Emission of noise	11.2.6.2	Discretionary	Noise from construction activities which exceeds limits for Construction Noise set out in NZS6803:1999, section 6.2.
	Operative Whakatāne District Plan	Vibration	4.2.15.4	Permitted	Vibration from construction activities which comply with permitted activity conditions (see 5.2.2.1 below).

Decisions on submissions to the Proposed District Plan have been made and publicly notified on 4 December 2015. Advice from Whakatāne District Council staff indicates that most of the relevant rules in the Proposed District Plan which apply to the proposed works (as highlighted in Table 5) are beyond the point of appeal, and may therefore be treated as operative under section 86F of the RMA. The provisions of the Operative District Plan are therefore considered no further in relation to these matters.

The exception to this is in relation to the rules managing vibration. Rule 11.2.13.1 in the Proposed District Plan sets out how and where vibration will be measured, but there is no rule requiring management of vibration which could be considered equivalent to Rule 4.2.15.4 in the Operative District Plan. This means Rule 4.2.15.4 of the Operative District Plan applies until the Proposed District Plan is declared fully operative. In this case, the proposed works are expected to comply with the relevant performance standards for vibration, as outlined under 5.2.2.1 below.

5.2.2.1 Performance Standards

The proposed works are classified in Chapter 20 of the Proposed District Plan as "new flood control and drainage activities and necessary incidental equipment by a local authority...", which is listed as a Permitted Activity in the Activity Status Table under Rule 20.2.1 (Activity 28) of the Proposed District Plan. The works must also meet the performance standards contained in Rule 20.2.2 and Rule 20.2.3, as outlined below:

20.2.2 General

20.2.2.1 All works and network utilities shall comply with;

a. the Rules in 11.2.16 (Lighting and Glare);
b. the Rules in 11.2.1 (Earthworks);
c. the Rules in 13.2.2 (Roads and Property Access (excluding State Highways);
d. the Rules in 13.2.5 (Design and construction of vehicle crossings (excluding State Highways);
e. the Rules in 18.2.2 (Protection of flood control stop banks, streams, rivers and public drains);
f. the Rules in Vibration 11.2.14;
g. the Rules in Odour and Other Reverse Sensitivity Effects 11.2.15;
h. the rules in 19.2 (Hazardous substances – including radio frequency);

i. chapters 14 (Financial contributions), 15 (Indigenous Biodiversity), 16 (Heritage-Built, Archaeological, Cultural & Significant Specimen Trees), 17 (Landscape and Cultural Environment), 18 (Natural Hazards) and 20 (Works and Utilities).

20.2.3 New Flood Control and Drainage Activities

20.2.3.1 New flood control and drainage activities undertaken by local authorities shall comply with the following:

a. Whakatāne District Council shall be notified of all new capital works undertaken by the Bay of Plenty Regional Council 20 working days before the works commence;
b. The Rules in 11.2.6 Noise Limits;
c. All dust from earthworks activities shall be controlled in accordance with the Bay of Plenty Regional Council's Erosion and Sediment Control Guidelines for Land Disturbing Activities 2010;
d. Activities shall not generate an objectionable or offensive odour beyond the boundary of the subject property.

The proposed works cannot comply with the standards related to earthworks under Rule 20.2.2.1(b) and the standards related to noise under Rule 20.2.3.1(b), as assessed below. In addition, the proposal must be assessed against standards relating to vibration under Rule 4.2.15.4 of the Operative District Plan (for the reasons outlined above), which is also assessed below.

Earthworks - Rule 11.2.1, Proposed District Plan

Rule 11.2.2.3 of the Proposed District Plan sets permitted limits for earthworks in the Residential Zone, and in the Light Industrial Zone where the site adjoins a Residential Zone undertaken within any 12 month period, specifying that earthworks:

a. do not exceed 350m² in area; and
b. do not exceed 150m³ in volume;
c. do not occur on slopes with a gradient steeper than 1 vertical: 1.5 horizontal (35 degrees from horizontal); and
d. do not encroach below or above the ground level of an adjoining site at a gradient steeper than 1 vertical: 1.5 horizontal (35 degrees from horizontal) measured from the common boundary.

The proposed works will exceed the permitted area and volume limits under a. and b., and may in some locations exceed the gradient requirements under c. The proposed works cannot therefore comply with Rule 11.2.2.3, and require resource consent for earthworks. Consent is not required for earthworks in the Active Reserve Zone, as these works will take place within the existing designation and will be authorised by the Outline Plan of Works (see 5.3 below).

Rule 11.2.3.1 describes additional performance standards for earthworks. An assessment of the proposed works against each standard is set out below:

a. soil shall not, as far as practicable, be windblown from the site or taken from the site inadvertently on vehicle tyres or by other activity on-site. Where there is a risk of dust nuisance extending beyond the property boundary a form of dust suppression shall be available on-site at all times that earthworks are being undertaken, and until such time as site restoration has occurred or a structure has been constructed over the area of the earthworks;

Dust will be managed in accordance with the construction methodology set out at section 4.3.2 above.

b. all cut faces shall be battered to a grade that is self-supporting or retained to avoid instability of land behind the cut;

The stop banks will have a minimum top width of 1.5m, while new slopes will be designed to a static factor of safety of 1.25.

c. the land shall be restored in accordance with the Rules in 11.2.2 (Site Restoration) below, shall be completed within the first growing season after earthworks. Topsoil shall, as far as practicable, be retained on-site for use in restoring the land after earthworks. Topsoil shall be removed from both cut-and-fill areas before excavation and/or construction of embankments and restored to bare soil areas after completion of the works. Provided that this provision shall not apply if the purpose of the earthworks to create an access track or the area will be covered in an impermeable surface;

The site will be restored in accordance with Rule 11.2.2, together with the implementation of measures to improve stream ecology as outlined in section 4.4 above.

d. only clean fill (see definition) shall be used for the preparation of a building platform;

No building platforms are proposed as part of the works, and imported material is limited to rock rip rap or concrete panelling to be used as erosion protection.

e. stormwater discharge from the site shall not increase or disrupt existing overland flow paths; and

All discharges from the proposed works will be contained within the stream channel, and discharged to the Awatapu Lagoon where sediment will be managed as outlined in section 4.3.5 above. No existing overland flowpaths will be affected.

f. measures to control stormwater and sediment during works shall be designed and constructed in such a way as to minimise soil erosion, dust and sediment discharge. Compliance with NZS 4404:2010 is one means of meeting this rule.

Erosion, dust, and sediment will be managed as far as practicable in accordance with the measures set out in sections 4.3.2 and 4.3.5 above.

Noise - Rule 11.2.6, Proposed District Plan

Rule 11.2.6.2 of the Proposed District Plan identifies activities which are exempted from the standard noise limits in the Plan. These activities are recognised as having characteristics requiring different assessments methods or noise limits and assessment positions vary. For construction noise, reference is made to section 6.2 of NZS6803:1999 - Construction Noise. Rule 11.2.6.2 specifies that construction noise shall not exceed the appropriate sound level limit recommended or specified in the standard.

Table 2 from the standard sets out the recommended upper limits for construction noise received in residential zones, and is reproduced under section 7.3.3 below. In general, it is expected that construction noise levels will comply with recommended upper limits for construction noise received in residential zones, as set out in the standard.

There is however the potential that the noise limits in this standard will be breached for very short periods of time in certain locations. The proposed works cannot therefore comply with Rule 11.2.6.2, and require resource consent for noise.

Vibration - Rule 4.2.15.4, Operative District Plan

Rule 4.2.15.4 of the Operative District Plan states that "no activity shall generate a level of vibration beyond the boundary of the site that could result in damage to property (land or structures) or adversely affect the health and safety of people". Although not relevant for the reasons outlined above, Rule 11.2.13.1 of the Proposed District Plan provides requirements for the measurement of vibration. It includes reference to German Standard DIN 4150-3 (1999) "Structural vibration – Part 3: Effects of vibration on structures", which provides guideline vibration levels, as discussed under section 7.3.4 below.

The proposed works are not expected to generate a level of vibration which could result in damage to property or adversely affect people. The proposed works therefore comply with Rule 4.2.15.4, and do not require resource consent for vibration.

5.2.2.2 Matters of Discretion

The proposed works require consent for earthworks as a Restricted Discretionary activity, where WDC has limited the exercise of its discretion. The relevant matters of discretion are set out in Rule 11.4.1.1 of the Proposed District Plan, as outlined below:

Council shall restrict its discretion to;

a. *any temporary adverse effects of earthworks, mining or quarrying on land uses in the vicinity of the site, including noise, dust, vibration, traffic movement or cultural impact; [Sub 2994, 902, 1990]*
b. *any adverse effects on the natural character of the coastal environment, wetlands, lakes, rivers and their margins;*
c. *any adverse effects on indigenous biodiversity.*
d. *any adverse visual or landscape effect on an Outstanding Natural Feature or Landscape listed in Appendix 17.7, or dominant landscape feature listed in Objective LS2, Policy 4;*
e. *any increased risk associated with a natural hazard event that may arise from undertaking earthworks, mining or quarrying. For example, the undermining of the integrity of a stopbank or lowering frontal dunes;*
f. *how the site will be restored and the timing of the restoration, or where the site or part of the site is not intended to be restored, the effects of this on the environment.*
g. *the control of erosion, sediment and stormwater including riparian planting;*

These matters are addressed, where relevant, in the description of the proposed works at Section 4 above, and the assessment of effects at Section 7 below.

5.2.3 Existing Approvals

Resource consent for the Stage 1 works, being the upgrade of various structures along the channel, was granted by BOPRC in early 2016 (RM15-0051). In addition to the resource consent granted for stage one works, WDC hold existing resource consents from BOPRC for the bridge at Peter Snell Street (RC 62325) where no works are proposed, and to discharge stormwater to the stream at Douglas Street (RC 65353). The proposed works have no effect on these existing consents.

WDC are also the Requiring Authority for two existing designations for stormwater drainage purposes, which cover land owned by WDC.

5.2.4 NESCS / Contaminated Land

The provisions of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NESCS) have been considered and assessed in the Contaminated Land Assessment (refer supporting document S5). The assessment concluded that the following HAIL activities are likely to have occurred on the development site:

- A10 – Persistent pesticide bulk storage or use including sports tufts, market gardens, orchards glass houses, or spray sheds.
- G5 – Waste disposal (specifically woodwaste) to land.

Under clause 5(1) of the NESCS, the regulations apply when "*a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in subclause (7) or (8)*". In this case, the activity is disturbing soil under subclause (4)(a), and the land is more likely than not to have had a HAIL activity undertaken on it under subclause 7(c). The NESCS therefore applies to the proposed works.

The proposed works cannot be undertaken as a permitted activity under clause 8(3) of the NESCS, as the volume of the soil disturbance exceeds the permitted limit of 25m³ per 500m². Resource consent for the proposed works from WDC under the NESCS is therefore required.

Disturbing soil may be considered as a controlled activity under clause 9 of the NESCS, or failing that as a restricted discretionary activity under clause 10 of the NESCS, provided that (amongst other things) a detailed site investigation of the piece of land is provided to the consent authority. In this case, no detailed site investigation has been prepared, as the preliminary site investigation (refer supporting document S5) did not recommend any further investigation. The proposed works must therefore be considered as a discretionary activity under clause 11 of the NESCS.

The preliminary site investigation concluded that the risks posed to human health from the works can be appropriately managed, namely construction workers using appropriate site controls, management of personal hygiene and Personal Protective Equipment (PPE). Matters relating to land contamination and human health are addressed where relevant throughout this report, and in particular the assessment of health and safety effects under Section 7.3.6 below.

5.3 Outline Plan of Works within a Designation

As noted under Section 5.1, WDC is the Requiring Authority for two existing designations (D168 and D169) for stormwater drainage purposes under the Operative and Proposed District Plans, which cover parts of the stream corridor. Section 176A(1) of the RMA requires that an outline plan must be submitted to a territorial authority (in this case, WDC) before commencing work within a designation, to allow them to request changes before construction is commenced.

As a minimum, s176A(3) of the RMA requires that an outline plan must show:

- The height, shape, and bulk of the work
- The location of the work
- Finished contours of the land
- Vehicular access, circulation and the provision for parking

- Proposed landscaping
- Any other matters to avoid, remedy or mitigate any adverse effects on the environment.

These details are incorporated throughout this application, notably in the Site Description at Section 3, Project Description at Section 4, the Assessment of Effects at Section 7, and on the Construction Drawings attached at Appendix A1. WDC therefore seek confirmation of the outline plan of works within Designations D168 and D169 under the Operative and Proposed District Plans with no changes.

5.4 Other Approvals

5.4.1 Archaeological Authority

An archaeological assessment was undertaken by Opus in July 2015. The assessment considered the scope of the project and the possible effects on archaeological values. Data for this study was gathered through a combination of desk-top research and fieldwork. Two small archaeological sites were identified within the proposed footprint of the Project (although not within the area affected by the structural components which is the subject of this application). These were both small, subsurface middens at chainages 1225 and 1285 (just upstream and downstream of Tūhoe Ave bridge). The full archaeological assessment report is included in supporting document S6.

The current information indicates that the number of recorded sites in the area around the project footprint is under-representative of the archaeological landscape. The project area was likely to be heavily used prior to 1900 by both Māori and Europeans and therefore there is a significant risk of encountering archaeological material. Of particular note, it was reported that there was a small Maori village where the Baptist church is now located on the corner of King St and Alexander Ave. This is an area that abuts the area of earthworks associated with the replacement of the bridge with a large box culvert.

In light of this assessment, an Archaeological Authority from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014 has been obtained (Authority No: 2016/795). A copy of this authority is attached – refer to supporting document S6A.

6 Consultation

WDC has undertaken extensive pre-application consultation during development of the project. Feedback from this consultation has been incorporated into the proposal, and will inform the development of the construction programme and ongoing maintenance of the channel.

6.1 Preliminary Phase / Options Assessment

Since 2010, various options have been considered with public involvement. A public meeting was held immediately after the June 2010 event and another was held on site with members of the community after the Easter 2014 floods. During this public meeting in June 2014 various long-term solutions were discussed with the public. It was also announced at this meeting that WDC and the BOPRC would be combining to develop an integrated flood management plan for the Wainui Te Whara Stream.

This group worked together under the Regional Flood Risk Management Framework (RFRMF) and part of this involved one-on-one workshops with flood affected members of the community. Under the RFRMF a key component was the assessment and analysis of options. This involved collaboration between the community (through workshops), landowners, staff from both Councils, consultants and contractors. One specific workshop involved participates from the public setting their 100yr vision of the stream channel.

In May 2014 WDC established a newsletter distribution group which distributed periodic updates to interested members of the community. The purpose of this was to establish a closer relationship with the residents and to encourage feedback on the work being done. A further four newsletters have been distributed since the first sent out on the 11th June 2014. As at October 2015, the distribution group was subscribed to by just over 100 people.

6.2 Written Approvals

At the time of lodgement, support for the proposed works has been received from Te Runanga o Ngāti Awa through the CIA. Refer to supporting document S1.

7 Assessment of Effects

This assessment of environmental effects has been provided in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment. The Fourth Schedule of the RMA and the relevant assessment criteria of the RWLP have been used as the basis for this assessment. The assessment of effects involved collaborative input from a broad range of engineering, environmental, and cultural specialists. The technical reports which support the assessment are contained in the supporting documents attached to this application.

7.1 Effects Identification

WDC worked together with the technical specialists to identify the actual and potential effects of the proposed works. This included developing measures to ensure that any adverse effects are appropriately avoided, remedied, or mitigated. After considering the nature and scale of the proposal and the surrounding environment, the actual and potential effects that need assessing primarily relate to:

- Construction and maintenance effects
- Ecological effects
- Flood risk
- Erosion
- Visual, landscape and amenity effects
- Cultural effects
- Social and recreational effects
- Property effects

The assessment of effects in relation to these matters, along with the positive effects of the proposed works, is set out below. Mitigation measures are identified in each section where relevant.

7.2 Positive Effects

The proposed works represent a significant step towards the reduction of flood risk from the Wainui Te Whara Stream in the Whakatāne urban area. The proposed works will increase the capacity of the channel from 20 m^3/s (equivalent to 1 in 20 year flood event) to 32 m^3/s (equivalent to a 1 in 100 year flood event). This will contribute to a reduction in the frequency and severity of flooding for the affected community.

As noted previously, the two most recent stream overtopping events in June 2010 and Easter 2014, affected approximately 75 properties in each event. The project aims to protect against similar magnitude events in the future, which will not only save considerable costs rebuild and clean-up costs but will also avoid the obvious emotional stress many residents have suffered from having lived through multiple flood events. In addition, the proposed works will contribute to long term benefits to the ecology and amenity of the stream corridor through habitat enhancements and improvements to public access.

7.3 Construction Effects

7.3.1 Erosion and sediment runoff

During construction works there will be disturbance to the stream bed and banks with the release of sediment. This has the potential to affect ecological habitat in both and short and long-term. Short-term

effects will be managed by minimising the duration of the works, and working outside of the whitebait spawning season. There is the potential that some sediment can be released outside of the stream corridor from temporary stockpiles. This will be managed by the use of silt fences and curtains with all runoff directed back into the stream. Any fine sediment that may be released further downstream during the works will remain in suspension until it reaches Awatapu lagoon. Before works commence, the Awatapu lagoon delta will be desilted to ensure sufficient capacity for the deposition of suspended sediment entering the Awatapu lagoon.

7.3.2 Dust

Although unlikely, any adverse effects from dust will be managed by wetting down. The contractor will be required to provide and 24 hr contact number so and problems can be quickly attended to. The contractor will be required to adopt a proactive strategy for dust control, specifically by complying with the principles of dust management as set out in the Bay of Plenty Regional Council Guideline No. 2010/01 -Erosion and Sediment Control Guidelines for Land Disturbing Activities.

The contractor will be required to have on hand a sufficient quantity of water for dust control (equivalent to at least 5 mm/day for all exposed areas of the site), and an effective means for applying that quantity of water. In instances where wind conditions render dust control impracticable, the contractor will be required to ensure that any machinery generating airborne dust ceases to operate until such time as effective dust control can be re-established.

7.3.3 Noise

Under the provisions of the RMA, there is a duty to adopt the best practicable option to ensure noise from any development does not exceed a reasonable level.

Section 16 of the RMA states that “every occupier of land (including any coastal marine area) and every person carrying out an activity in, on, or under a water body... shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level”. Section 17(1) goes on to state that every person has a duty to avoid, remedy or mitigate any adverse effect on the environment arising from an activity, whether the activity is in accordance with a rule in a plan, a resource consent or relevant sections of the RMA.

In general, it is expected that construction noise levels will comply with recommended upper limits for construction noise received in residential zones, as set out in NZS 6803:1999. There is however the potential that the noise limits in this standard will be breached for short periods of time. This is only likely when machinery is working from the top of the banks and where residences are set back less than 10m from the works (refer to the S8 - Construction noise assessment). The standard is referenced in the Proposed District Plan, and provides for higher noise levels during normal working hours for construction noise received in residential areas in order to enable normal construction activity to take place. The noise criteria are widely acknowledged as being appropriate for the control of construction noise and compliance with these criteria generally ensure acceptability of noise generated by construction activities.

In assessing the recommended numerical limits for construction noise contained in table 2 of the standard, the “short-term” works duration levels have been adopted. The standard refers to “short-term” as construction works at any one location for up to 14 calendar days. This is deemed appropriate given that the works area runs longitudinally along the channel, and works at any one location in the stream will be for a

period that does not exceed a couple of days in duration. The recommended upper limits for short term construction noise presented below in table 5 are taken from the standard.

Table 5. Recommended upper limits for short term construction noise (taken from NZS 6803: 1999).

Time of week	Time period	"Short-term" duration construction noise (dB)	
		L_{Aeq}	L_{AMax}
Weekdays	0630 – 0730	65	75
	0730 - 1800	80	95
	1800 - 2000	75	90
	2000 - 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 - 1800	80	95
	1800 - 2000	45	75
	2000 - 0630	45	75
Sundays and public holidays	0630 – 0730	45	75
	0730 - 1800	55	85
	1800 - 2000	45	75
	2000 - 0630	45	75

Table 6 contains typical construction noise sources and activities associated with the proposed works with noise levels taken from BS 5228-1:2009. BS 5228 is referenced in NZS 6803.

Table 6. Typical construction noise levels (BS 5228-1:2007)

Source/activity	Sound pressure level at 10m (dB L_{AEQ})
Excavators (operating)	78-82
Excavators (idling)	68
Tracked loaders	82
Wheeled loader	73-80
Dumpers	78 (drive by)
Truck	77-82
Truck (tipping fill)	82
Water pump (3 inch)	72

Construction of the project will require the use of large mobile mechanical equipment that is likely to generate elevated levels of noise at the nearby residences. Figure 12 on the following page presents the 10m offset line from the channel centreline, this represents the assessed sound pressure level at critical receiving locations along the channel (and as provided in table 6). This figure is used to illustrate the offset of residences that border the stream in relation to the work site.

Figure 12. 10m offset area either side of the centreline of the channel.

For ease of assessment, the construction activities have been grouped into a number of typical scenarios that cover the proposed activities. For each scenario the significant noise generating activities are identified with the proposed mitigation, as set out in Table 7 below.

Table 7. Construction scenarios, noise generation and proposed mitigation measures for each work activity

Construction Scenario	Noise generating activities	Likelihood to exceed upper limits in NZS 6803: 1999	Mitigation
Enabling or establishment works	Movement of earthworks machinery	Low	Restrict the movement and/or operation of heavy machinery to Mon-Friday between 0730-1800. The majority of this will be in the road reserve.
Stripping of top layer of gravel from within the bed of the stream	20 ton excavator	Moderate	Restrict the movement and/or operation of heavy machinery to Mon-Friday between 0730-1800. Operate the machinery from within the bed of the stream where possible, however the majority of this will be done from the top of the banks.
General earthworks with the bed/banks of the stream	Excavators, tracked or untracked dump trucks, truck movements	Low	Restrict the movement and/or operation of heavy machinery to Mon-Friday between 0730-1800. Operate the machinery from within the bed of the stream
Movement of soil and surplus material from site	Truck movements with the road reserve	Low	Restrict the movement and/or operation of heavy machinery to Mon-Friday between 0730-1800. Well managed and dedicated areas for stockpiled material.
Importing/dumping of rock to site	Dumping of rock to site, movement of large excavators	Low-moderate	Restrict the movement and/or operation of heavy machinery to Mon-Friday between 0730-1800. This is a very discrete activity and will be done in areas with good separation from residential areas.

The overall potential for adverse noise effects has been assessed in detail using appropriate criteria and industry adopted assessment methodologies. Predicted noise levels have been derived from published noise level as adopted in NZS 6809: 1999. It addition to this a desktop noise assessment was undertaken using machinery specific to the activity proposed. The purpose of this was to determine the likely effects as a result of the activity taking into account the noise 'barrier' effect of the stream banks. This assessment considered two scenarios; one where the machinery is operating from the bed of the stream and another where it operates from the top of the bank (refer to S8 for details).

The assessment demonstrates that noise is only likely to breach the standard in discrete areas of the channel and when works are undertaken from then top of the banks. Even then the duration of the activity is very short-lived so the actually effects are considered to be less than minor.

Considering this, the most effective way of managing construction noise and vibration on a day-to-day basis is through the implementation of a CWMP. A draft CMWP has been produced for this project and is contained in Appendix 4. Practical measures to lessen or manage the noise will be employed. This will generally involve notifications to nearby residents advising when activity would occur (mail drop or personal contact), providing a phone number if they have complaints and other standard measures (maintenance of machinery, use of quieter machinery where practicable, etc.).

7.3.4 Vibration

The two effects as they relate to vibration are: the potential for damage to buildings and the human response to vibration. The German Standard DIN 4150-3 (1999) "Structural vibration – Part 3: Effects of vibration on structures" provides guideline vibration levels which, "when complied with, will not result in damage that will have an adverse effect on the structure's serviceability." For residential buildings, the standard considers serviceability to have been reduced if:

- Cracks form in plastered surfaces of walls.
- Existing cracks in the building become enlarged.
- Partitions become detached from load bearing walls or floors.

These effects are deemed 'minor damage' in DIN 4150-3.

Table 8: Vibration guidelines from DIN 4150-3:1999 for assessing effects of vibrations on buildings

Type of Structure	Vibration Thresholds for Structural Damage, PPV (mm/s)				
	Short-Term				Long-Term
	At Foundation			Uppermost Floor	Uppermost Floor
	0 to 10 Hz	10 to 50 Hz	50 to 100 Hz	All Frequencies	All Frequencies
Commercial /industrial	20	20 to 40	40 to 50	40	10
Residential	5	5 to 15	15 to 20	15	5
Sensitive/Historic	3	3 to 8	8 to 10	8	2.5

Note: When a range of velocities is given, the limit increases linearly over the frequency range.

The DIN 4150-3 (1999) guideline values for evaluating short-term and long-term vibration on structures are given in Table 8 where short-term vibrations are defined as those that do not occur often enough to cause structural fatigue and do not produce resonance[3] in the structure being evaluated and long-term vibrations

[3] Resonance is the condition occurring when a vibrating system is subjected to a periodic force that has the same frequency as the natural vibrational frequency of the system. At resonance, the amplitude of vibration is a maximum.

are all the other types of vibration. With reference to Table 9, the standard recognises commercial buildings can withstand higher vibration levels than residential and historic buildings. Also, the guideline values for short-term vibration increase as the vibration frequency increases.

The potential sources of vibration from the proposed works will be due to truck movements and the use of hydraulic excavators. Prior experience has shown that these two activities, when used for general cut and fill operations are not typically associated with high vibration levels so no specific vibration mitigation measures are proposed. If however vibration concerns are raised, the affected properties will be visually inspected, and if necessary the level of vibration measured.

7.3.5 Construction traffic and access

The removal of surplus material from the temporary stockpiles will be managed in accordance with all conditions listed as part of the traffic management plans. These traffic management plans will be developed with the transportation team are will manage effects such as truck crossing points, traffic hours, and vehicle routes. The tracking of material off site will we controlled with appropriate wash-down areas provided where necessary. The material will need to be sufficiently wetted down before leaving site to ensure that no dust nuisance is created on route.

Normal construction hours will be Monday to Saturday 7.30am to 6pm. Where there is a need for site activities to occur before 7.30am or after 6pm, or for long continuous periods, the activities will be conducted so as not to obstruct traffic or cause noise or other nuisance.

As outlined under 4.4.10 above, it is anticipated that approximately 1300 round trip truck movements will be required to transport the excavated material from site, equating to an average of 16 round trip truck movements each day for 16 weeks. A Traffic Management Plan will be prepared by the Contractor, which will set conditions such as time of operation and allowable routes with the purpose of creating as less disruption to other road users as possible.

Routes for transport of excavated material from the stockpiles to the disposal site cannot be determined at this stage, as they will depend on the location of the disposal site, which will be determined by the successful Contractor. However, they will likely use the most direct route available, using only collector and arterial roads wherever possible. Material will be transferred along the stream corridor via small tracked dumpers, and deposited at the stockpiling areas for transfer to trucks.

7.3.6 Health and safety

The contractors will be required to meet their obligations under relevant Health and Safety legislation. The work sites will be managed to ensure the safety of workers, visitors, and adjoining property owners, with defined work areas that will have restricted public access. The details and specifics of this will be outlined in the contractors Health and Safety plan that will be specific to the contract works to be undertaken. Specifically, the contractor will be required explain how they will manage health and safety issues on the Project, including the following:

- Their Health and Safety Policy Statement, endorsed by senior management.
- A description of the contractor's procedures for hazard identification, and risk management including those applicable to the work

- Details of your methodology for recording and dealing with accidents, and near misses, review and monitoring of site safety practice.
- A draft health and safety plan intended for the works
- Details of the safety training, qualifications and experience of key personnel.
- A summary and copies of their health and safety credentials, including any certifications, permits, prosecutions, complaints, fatalities and serious harm incidents for the last 5 years.
- Three Health and Safety referees
- Subcontractor engagement (e.g. measures to Consult, cooperate and coordinate)

7.4 Ecological effects

The ecological effects of the proposed works have been assessed in detail as in the Ecological report (refer to supporting document S4) and Supplementary Ecological report (refer to supporting document S4A) prepared by River Lake Ltd. In broad terms the potential ecological effects can be classified into short, medium and long-term effects, these are summarised in table 9 below.

Table 9. Potential effects on in stream ecology

Short-term	Medium-term	Long-term
Loss of in-stream ecology as a result of machinery in the waterway	Loss of habitat due to removal of in-stream and bank vegetation	Decreasing depth of base flow channel as a result of channel widening
Direct fish mortality during removal of sediment from the bed of the stream	Reduction in substrate size or infilling of gravel substrate as a result of the work	Loss of near bank habitat provided through bank slumping and unconsolidated boulders within the channel
Restriction on fish passage during works		
Release of sediment into the waterway		

The proposed mitigation measures have been developed to address both short term and long-term impacts. Overall, the short-term impact will be minimised through a carefully developed construction programme and well considered works practices. The longer-term effects will be managed through methods that aim to replicate and enhance the current stream functions, as outlined under section 4.5 above and discussed in supporting document S4A. A number of ecological mitigation measures have been adopted as part of the project, including:

- The Installation of structures to constrain base flow and create a base flow meander within the channel (wavelength about 16m). Detailed design can be provided prior to construction.
- Incorporate gaps to act as fish habitat between boulders of flow concentration structures.
- Incorporate vanes below selected culverts and on stream corners. Detailed design can be provided prior to construction.
- Replace stream gravels in the stream once the stream has been deepened, deepen pool sections, and add additional gravels in riffle sections (where necessary).

- Widen the stream flood plain in the section below Garaway Street and between Tuhoe Street and King Street, which adjoins WDC reserve. In these widened sections allow for an increased amplitude of stream meander and riparian/in-stream planting of native vegetation within the flood channel. Details are subject to further discussion, and will be provided prior to implementation of the improvements.
- Apply fish recovery protocols during stream earthworks and sediment removal.

The overall approach to managing ecological effects is based on a holistic approach whereby the short-term construction effects are evaluated against the enhanced long-term improvements to the stream health and ecology. While it is recognised that some of the short-term effects can only be minimised, the benefits from the proposed long-term mitigation measures provides for an overall enhancement of the stream. A summary of the proposed measures are presented in table 10.

Table 10. Proposed ecological mitigation measures

Potential effect	Duration	Mitigation measure	Objective
Loss of in-stream ecology as a result of machinery in the waterway	Days	• Keep machinery out of the waterway where practical	• Minimise the footprint of construction machinery in the wetted part of the channel
Release of sediment into the stream during construction	Weeks - months	• Reduce potential downstream impacts of sediment on the receiving environment with active management of Awatapu delta	• Minimise the deposition of fine material from depositing in areas where removal will be difficult
Restriction of fish passage during works	Hours	• Keep machine and other restrictions out of the channel when not in use • Work outside of the whitebait spawning period	• Minimise duration that structures can impede fish passage • Avoid seasonal periods when migration is greatest
Direct fish mortality during sediment removal	Weeks – months (overall)	• Apply fish recovery protocols (as detailed in supporting document S4)	• Reduce fish mortality
Loss of habitat due to the removal of in-stream and bank vegetation	Two months	• Hydro seed banks immediately on completion of work and seed in warm months to ensure rapid uptake of grass. • Allow for longer bank vegetation near the water line to provide fish cover. • Allow natural regeneration of in stream vegetation (e.g. water cress) to occur.	• Minimise the duration that the stream banks and bed are devoid of riparian vegetation
Reduction in substrate size and/or infill of gravel substrate	Months	• The upper 300-400mm of material from the stream bed will be replaced after the bed is cut down to grade • Works to take place in a upstream to downstream direction so as to	• The substrate type after the works will be similar to the current substrate following the works

Potential effect	Duration	Mitigation measure	Objective
		avoid the infilling of gravel as a result of channel works	
Decreasing base flow depth due to channel widening	Years	• Flow concentrations structures will be used in the channel to reduce the wetted area of the baseflow channel (as detailed in supporting document S4A)	• Ensure that the stream base flow can support diverse and abundant fish life. • Provide an enhance ecological corridor so that the community can benefit from greater amenity values in the stream
Loss of structural habitat features (e.g. provided by bank slumping and voids in the bank)	Months - years	• The construction of the flow concentrations structures (for improved baseflow conditions) will provide void space within the stream	• The loss of bank habitat will be replaced by way of constructing stream improvements

The proposed works offers the opportunity to both improved flood carrying capacity but also provided for improved baseflow conditions. The widening of the stream has the greatest potential to affect stream habitat in the long-term but these affects have been managed by applying stream wide restoration principles. Whilst the overall ecological effects of the proposed works will be less than minor (taking account of the proposed measures to improve stream ecology), due to the extent of in-stream channel works proposed, the short-term ecological effects have the potential to be more than minor.

7.5 Flood risk

The proposed works will have significant long term positive effects on flood risk, reducing the frequency and severity of flooding for the affected communities, as outlined under section 7.2 above. However, if a flood event occurs during construction there is some residual risk that will need to be managed.

Before any works commence in the channel the contractor will be required to demonstrate that sufficient provision has been made so that in the event that heavy rainfall is forecasted that all works are ceased and erosion mitigation measures are deployed. All machinery will need to be removed from the waterway in advance of heavy rain warnings and the contractor shall not commence back on site until the Engineer to the works instructs the contractor to do so.

At no point during the works will the channel capacity be compromised so there are no additional flood risks that need to be managed other than through careful execution of the works and monitoring of weather forecast and catchment rainfall.

7.6 Erosion

All erosion protection works (in the form of concrete lagging for bridge abutments and rock rip rap at potential scour locations) are shown on the construction drawings and have been designed in accordance

with the BOPRC Hydrological and Hydraulic Guidelines. Rock rip rap will generally be cubical or spherical in shape with shapes particularly lenticular or slab-like not accepted. For each rock the limiting ratio of least dimension to greatest dimension shall be 1:3. All rock rip rap will be placed using a hydraulic excavator; the dropping of rocks from any appreciable height will be avoided. The Rip Rap shall preferably be place against embankments that have been blinded with 150mm minimum layer of clay filling such as rotten rock or alternatively filter fabric strength Class E, Filtration Class 3 in accordance with TNZ F/7 2003.

Exposed areas will be stabilised by hydroseeding, as outlined under 4.4.3 above. On completion of the channel reprofiling, and in sections not more that 400m the banks shall be stabilised by hydroseed application. Germination of the seed mix shall not be less than 90% within 25 days and there shall be at least 90% coverage within any square metre with no single bare area greater than 200mm in diameter. If this is not achieved the contractor will be required to repeat the hydroseeding of the affected area. Visual and landscape effects

The existing visual character of the Wainui Te Whara Stream corridor is heavily modified, with limited landscape values. The project aims to delivery an improved stream corridor both in terms of ecological valves but overall visual; and amenity affects. The section of stream downstream from King St, and even more so below Garaway St, has been identified as one where riparian vegetation will be introduced to improve amenity values. This work is detailed in supporting document S4A. Detailed planting plans will be provided construction works commence on site. The stream currently has an appearance of a degraded urban waterway and the appearance will be enhanced, primarily through the proposed ecological measures.

7.7 Cultural effects

Cultural effects and potential impacts of the project have been discussed with Te Runanga o Ngāti Awa. They have formalised their response to the proposed work through a Cultural Impact Assessment. They have requested that the Ngāti Awa Protocol for dealing with Koiwi or Taonga is used during the construction works of the project so this will be incorporated into the contractor's contract documents. WDC will also proactively ensure that all contractors working on the project are aware of this protocol and will invite the Runanga to provide a representative who can liaise with the contractor before works start on site. A Karakia will also be undertaken on request of Ngāti Awa before works commence.

7.8 Property effects

The contractor will be required to take all practical steps and use necessary care to prevent damage to neighbouring properties from effects due to vibration, drying-out of excavated and stockpiled material, and exposure to uncontrolled water or material. Any material and rubbish dropped on public property will immediately be removed. No plant, buildings, rock, earth, slurry vegetation or other material shall be placed, or allowed to roll, wash, slide or blow across adjacent properties.

7.9 Summary

The Project is a significant step towards reducing the risk of flooding for the local community, but also one that aims to enhance the stream corridor in the long-term. In light of the above, we consider that the potential overall adverse effects on the environment of the proposed works can be avoided, remedied, or mitigated to an acceptable level.

8 Notification

Sections 95A, 95B, 95E, and 95D of the RMA set out the matters to be considered in the determination of notification and identification of affected persons for resource consent applications.

In terms of section 95A(1) of the RMA, consent authorities have the discretion to decide whether to publicly notify an application for resource consent. Section 95A(2) states that an application need not be notified if the activity will have, or is likely to have, adverse effects on the environment that are minor, or less than minor.

Section 95D provides further direction to consent authorities in deciding if adverse effects are likely to be more than minor, and requires that any effects on persons who own or occupy the land in, on, or over which the activity will occur; or any land adjacent to that land; must be disregarded. Effects may be disregarded if a rule permits an activity with that effect.

If a consent authority does not publicly notify an application for resource consent, it must decide if there are any affected persons. In terms of section 95E of the RMA a consent authority must decide that a person is an affected person, if the activity's adverse effects on the person are minor or more than minor - but not if they are less than minor.

Section 95E(2) provides similar direction to section 95D with regard to disregarding effects if a rule permits an activity with that effect. In terms of section 95E(3)(a), consent authorities must also decide that those persons whom have given their written approval are not affected persons.

In this case WDC request public notification of the application pursuant to section 95A(2)(b) of the RMA. This recognises the significant public interest in the proposal, and in particular the potential for short term effects on the ecology of the stream to be more than minor.

Therefore, a determination on public and limited notification in terms of section 95A(2) and section 95E of the RMA is not required.

As a minimum, WDC suggest that the consent authorities serve notice of the application on all neighbours of the stream corridor. WDC also publicise the notification through the flood affected resident group email distribution list.

9 Statutory Assessment

9.1 Statutory Planning Framework

Before making a decision on a controlled activity pursuant to Section 104A, BOPRC must consider the proposal in terms of Section 104 of the RMA. Section 104(1) requires the consent authority, subject to Part 2, to have regard to any actual and potential effects on the environment, along with any relevant provisions of:

- a national environmental standard
- other regulations
- a national policy statement
- a New Zealand coastal policy statement
- a regional policy statement or proposed regional policy statement
- a plan or proposed plan

Section 104(2) goes on to state that "when forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect".

The consent authorities' decision on a discretionary activity must be made in terms of Section 104B of the RMA. This states that they may grant or refuse the application, and may impose conditions under section 108.

The following sections set out an assessment of the proposed works against any relevant provisions of the statutory planning framework listed under section 104(1)(b) of the RMA.

9.1.1 National Policy Statement

There are four national policy statement (NPS) in place, of which The NPS for Freshwater Management is considered relevant to this application. This NPS sets out objectives and policies that direct Regional Councils to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits.

Specific objectives and policies relate to water quality, water quantity, integrated management of freshwater on a catchment basis, national objectives, monitoring plans, tangata whenua roles and interests and the progressive implementation programme for the NPS by the end of 2030. Objectives relating to discharges and water quality are considered to be most relevant for this application. In this regard, the effects of the proposal have been assessed and it is considered it is consistent with the overall outcome sought by Objective A1 of the NPS for Freshwater Management.

9.1.2 National Environmental Standards

There are five National Environmental Standards in force as regulations under the RMA, of which only the NESCS is considered relevant. As discussed under Section 5.2.4 of this report, resource consent under the NESCS is sought from Whakatane District Council. The proposed works are broadly consistent with the purpose of the NESCS, which is to manage the risk to human health arising from contaminants in the soil.

9.1.3 Regional Policy Statement (RPS)

The Bay of Plenty Regional Policy Statement (RPS) has been operative since October 2014. The RPS is a broad policy document which considers all of the regionally significant resource management issues and provides objectives, policies, and methods to address those issues. The key objectives and policies from the Operative RPS that are relevant to consideration of the proposed works are listed and addressed in Table 5.

Table 5: Relevant Objectives and Policies of the RPS

Issue	Relevant objectives	Relevant policies	Comment
Energy and infrastructure	Objective 7: Provide for the appropriate management of: (a) any adverse environmental effects (including effects on existing lawfully established land uses) created by the development and use of infrastructure and associated resources; (b) any reverse sensitivity effects on established, consented or designated infrastructure.	Policy EI 7B: Managing the effects of infrastructure development and use	The Wainui Te Whara Stream is a key piece of stormwater management infrastructure for the Whakatāne community, and is protected for this purpose with designations and easements. The proposed works have been designed to manage any adverse effects to an acceptable level.
Integrated resource management	Objective 11: An integrated approach to resource management issues is adopted by resource users and decision makers	Policy IR 2B: Having regard to the likely effects of climate change	The target flood capacity of the stream following the proposed works includes an allowance for climate change (at the 50 year AEP return period). Should greater protection be required in the future, complementary flood risk reductions measures are available using upper catchment approaches.
Iwi resource management	Objective 13: Kaitiakitanga is recognised and the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are systematically taken into account in the practice of resource management	Policy IW 2B: Recognising matters of significance to Māori Policy IW 3B: Recognising the Treaty in the exercise of functions and powers under the Act	Cultural effects and potential impacts of the project have been discussed with Te Runanga o Ngāti Awa, who have provided a CIA. The application has had due regard to the principles of the Treaty of Waitangi.

Issue	Relevant objectives	Relevant policies	Comment
Matters of National Importance	Objective 19: The preservation of the natural character of the region's coastal environment (including coastal marine areas) wetlands, lakes and rivers and their margins	Policy MN 1B: Recognise and provide for matters of national importance Policy MN 8B: Managing effects of subdivision, use and development	The natural character of the urban reach of the Wainui Te Whara Stream is already degraded as a result of past modifications. Some restoration of natural character in the lower reaches of the stream is proposed as part of these works to improve stream ecology.
Natural Hazards	Objective 23: Avoidance or mitigation of natural hazards by managing risk for people's safety and the protection of property and lifeline utilities	Policy NH 1B: Taking a risk management approach Policy NH 2B: Classifying risk Policy NH 6B: Natural hazard risk outcomes	The proposed works are consistent with BOPRC's approach to flood hazard management as set out in Change 2 to the RPS, and have been developed in consultation with BOPRC.

Proposed Change 2 (Natural Hazards) to the Bay of Plenty RPS is also relevant to consideration of the application. BOPRC's decisions on submissions and further submissions were notified on 20 October 2015. The key relevant objectives and policies are those relating to regionally significant infrastructure and natural hazards. The proposal is consistent with these objectives and policies, which are broadly similar to those listed and addressed in Table 5. This assessment confirms that the proposed works are consistent with the relevant objectives and policies of the RPS.

9.1.4 Regional Plan

The RWLP addresses the sustainable management of land and water resources within the region. Key issues contained in the objectives and policies from the RWLP that are relevant to the proposed works are considered in the assessment of effects at Section 7 of this report. These relevant objectives and policies are listed in Table 6.

Table 6: Relevant Objectives and Policies of the RWLP

Issue	Relevant objectives	Relevant policies	Comment
Kaitiakitanga	Objective 1: The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are recognised and taken into account in the management of water, land and geothermal resources.	Policy 2: To take into account the principles of the Treaty of Waitangi in the management of land, water and geothermal resources. Policy 5: To ensure that resource management issues of concern to tangata whenua are taken into account and addressed where these concerns are relevant and	Cultural effects and potential impacts of the project have been discussed with Te Runanga o Ngāti Awa, who have provided a CIA. The application has had due regard to the principles of the Treaty of Waitangi.

		within the functions of Bay of Plenty Regional Council. Policy 17: To: (a) Take into account iwi resource management planning documents, when preparing or changing a regional plan, where such documents exist. (b) Have regard to iwi resource management planning documents when considering resource consent applications, where such documents exist. Policy 20: To assess effects of proposed development activities on the cultural and historic values and sites of water, land and geothermal resource in consultation with tangata whenua.	
Integrated Management of Land and Water	Objective 8: Integrated management of land and water resources. Objective 13: The water quality in rivers and streams is maintained or improved to meet the Water Quality Classifications... Objective 17: Riparian margins are appropriately managed to protect and enhance their soil conservation, water quality and heritage values.	Policy 21: To manage land and water resources in the Bay of Plenty within an integrated catchment management framework to: (d) Maintain or improve water quality in streams and rivers to meet their Water Qualification Classification. (e) Have full regard to the water quality classifications for coastal waters (including harbours and estuaries), and policies relevant to the coastal environment in the Bay of Plenty Regional Coastal Environment Plan. (h) Avoid, remedy or mitigate adverse effects on groundwater quality in other areas not otherwise addressed by (g). Policy 32: To allow resource use and development where there are beneficial effects on the social, cultural and economic wellbeing of people and communities; and adverse effects on the environment are avoided, remedied and mitigated.	Water quality, ecology, and cultural effects of the proposed works have been assessed at section 7 of this report. Erosion and sediment controls will be in place to minimise the extent of sediment related effects during construction. Overall, any potential adverse effects have been voided, remedied, or mitigated to an acceptable level.

		Policy 43A: When considering any application for a discharge the consent authority must have regard to the following matters: (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life supporting capacity of freshwater including on any ecosystem associated with freshwater; (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with freshwater, resulting from the discharge would be avoided; (c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with freshwater; and (d) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with freshwater resulting from the discharge would be avoided… Policy 47: To avoid, remedy or mitigate the adverse effects of discharges of water to water on: (a) Flooding. (b) Any relevant Maori cultural values. (c) Stability of the beds and banks of the receiving water body. (d) Ecological values.	
Beds of Rivers, Streams, Lakes and Wetlands	Objective 55: Aquatic ecosystems, aquatic habitats of indigenous species, spawning areas and migratory pathways	Policy 98: To require activities in the beds of rivers, streams and lakes to be undertaken in a comprehensive and integrated manner that recognises and	The proposed works are designed to improve the flood capacity of the Wainui Te Whara Stream, and

	of fish, and significant aquatic vegetation are maintained and enhanced. Objective 57: Adverse effects on fish passage and migration along rivers and streams is avoided, remedied or mitigated. Objective 58: Activities in, on, under or over the beds of streams, rivers and lakes: (a) Do not significantly impede the flow of flood waters, except where the activity is necessary for flood control purposes. (c) Avoid, remedy or mitigate adverse effects on natural hydrological processes of the stream, river or lake, or downstream areas. (d) Do not lead to accelerated erosion of the beds and banks of streams... (e) Maintain existing public access to and along the margins of rivers and lakes, where appropriate. (f) Avoid or mitigate the contamination of water by sediment. (h) Avoid, remedy or mitigate adverse effects on ecological values. Objective 59: Structures in, on, under or over the beds of streams, rivers and lakes are: (a) Designed to commonly accepted design standards (including flood design	provides for the water quality, water quantity (including flood hazards), soil conservation, aquatic ecosystem issues in the water body, and areas of significant natural character. Policy 99: All new activities in the beds of streams, rivers and lakes, reconstruction of existing structures, re-planting of plants, and existing activities upon renewal of consents, are required to comply with [Table 21 of the RWLP]. Policy 100: To avoid, remedy or mitigate adverse effects on aquatic ecosystems, the aquatic habitats of indigenous fauna, important trout habitats, and fish migration... Policy 101: New structures in, on, under or over the beds of rivers, streams and lakes, and the reconstruction of existing structures, are to be designed, constructed and maintained to comply with the requirements of Policies 99 and 100, and the following environmental standards: (a) Designed to flood design standards that are appropriate to the Bay of Plenty... and to the site... (b) Designed, constructed and maintained to appropriate standards to: (i) Withstand flood events. (ii) Ensure the integrity of the structure is maintained for its specified use.	reduce the risk of flooding for surrounding areas. The proposed works and construction methodology have been designed to manage any adverse effects to an acceptable level. The structures have been designed to withstand loading from floods and seismic events, in accordance with BOPRC requirements and industry best practice.

	standards) in relation to the use and location of the structure. (b) Constructed to a standard to withstand flood events.		

This assessment confirms that the proposed works are consistent with the relevant objectives and policies of the RWLP which are directly relevant to the proposed works.

9.1.5 District Plans

9.1.5.1 Operative District Plan

The Operative District Plan provides a framework to help manage the use, development, and protection of the physical and natural resources of the district. Objectives and policies from the Operative District Plan that are relevant to consideration of the proposed works are those related to earthworks, as listed below:

- *Objective BE2: The maintenance and enhancement of the health and safety of people and communities from nuisance effects.*
  - » *Policy 1: To avoid, remedy or mitigate the adverse effects of intrusive noise, odour, glare or vibration.*
  - » *Policy 3: To suppress dust created by building construction/demolition projects, earthworks and from vehicle access, parking and manoeuvring areas.*
- *Objective LS2: To maintain the character and diversity of rural and urban landscapes.*
  - » *Policy 5: Avoid, remedy or mitigate the adverse effects of earthworks associated with development and ensure the integration of earthworks with the natural landform and vegetation patterns.*

Effects relating to earthworks, including matters identified in the above objectives and policies, are discussed under section 7 of this report. Overall, the proposed works are considered to be consistent with the Operative District Plan.

9.1.5.2 Proposed District Plan

Whakatāne District Council notified the Proposed District Plan on 28 June 2013. Decisions on submissions to the Proposed District Plan have been made, and were publicly notified on 4 December 2015. The provisions in the Proposed District Plan now have legal effect in accordance with section 86B(1) of the RMA. This means that the relevant objectives and policies of the Proposed District Plan need to be considered.

Objectives and policies from the Proposed District Plan that are relevant to consideration of the proposed works are those related to earthworks, as listed below:

- *Objective Gen1: Maintain and enhance the health and safety of people and communities from nuisance effects and adverse effects on the environment.*
  - » *Policy 1: To avoid, remedy or mitigate the adverse effects of intrusive noise, odour, glare or vibration.*

» *Policy 3: To suppress dust and control erosion, sediment and stormwater created by building construction/demolition projects, and earthwork*

Effects relating to earthworks, including matters identified in the above objectives and policies, are discussed under section 7 of this report. Overall, the proposed works are considered to be consistent with the Proposed District Plan.

9.2 Other regulations

9.2.1 Local Government Act 2002

The Local Government Act 2002 provides the general framework, obligations, restrictions and powers under which local authorities operate. Section 10(1) states that the purpose of local government is:

(a) to enable democratic local decision-making and action by, and on behalf of, communities; and
(b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

Section 11A(d) includes the avoidance or mitigation of natural hazards as a core service of local government, which a local authority must have particular regard to in carrying out its role. Sections 93-97 provide for Long Term Plans that describe the activities of local authorities. This can include descriptions of local authority activities as well as the management of natural hazards.

The proposed works are consistent with the Local Government Act 2002, and are delivering one of the core services of a local authority.

9.3 Section 105 - Consideration of Alternatives

In early 2014, staff from WDC and BOPRC formed a project team to assess potential methodologies for reducing the flood risk from overtopping of the Wainui Te Whara Stream (considering both structural and non-structural measures). This work was undertaken utilising the Bay of Plenty Regional Flood Risk Management Framework (RFRMF), which was developed to provide a regionally-consistent platform to manage flood risk for at-risk communities.

A large component of this framework was the analysis and assessment of options. This involved collaboration between the community (through workshops), landowners, staff from both Councils, consultants and contractors. BOPRC staff were tasked with understanding flood behaviour, runoff and upper catchment options, while staff from the District Council considered downstream flood characteristics, existing channel capacity and downstream options.

The influence of the upstream hydrology on the downstream channel was then assessed in a combined 1D (channel) and 2D (overland flow) stormwater model. This model was used to understand the interaction of how changing factors in the upper catchment would affect flow containment through the urban channel, as well as varying downstream conveyance/capacity factors, with varying flow inputs from the upper catchment. In terms of options/alternatives analysis, the RFRMF provided the following guidance:

- Consider the current acceptable risk thresholds and test for long-term acceptability;
- Consider **all** available options to manage flood risk, including structural and non-structural options;
- Consider economic implications.

A summary of the main options evaluated is presented in table 7.

Table 7: Summary of main options considered

Option	Capital cost	Peak flow containment		
		25 m^3/s (Current 50-yr)	32.5 m^3/s (Current 100-yr or current 50-yr with climate change)	41 m^3/s (100-yr plus climate change)
Large dam in Munro Valley plus channel Re-grade	$3,851,729*			•
Five small Munro dams plus channel re-grade plus Gorge Rd dam	$3,652,000*		• →	
Large dam in the Munro Valley (750mm culvert)	$2,001,729		•	
Gorge Rd dam plus remove influence of Douglas St and King St bridges (plus minor bank top-ups)	$2,094,000		•	
Channel widening and naturalisation	$2,377,300		•	
Remove influence of bridges affecting 32 m^3/s flow plus raise stop banks where necessary	$2,436,000		•	
Re-grade the channel (preferred)	$1,500,000 – $1,800,000*	• →		
Remove influence of bridges affecting 25 m^3/s flow plus raise stop banks where necessary	$1,046,000	•		

* Re-grading estimate requires refinement

During the detail design of the proposed works various construction techniques, methodologies and material were considered. For example, for the Stage 1 works PVC sheet piles were chose over steel to minimise the visual impacts as the piles weather over time. The consideration of alternatives to discharge sediment contaminated stormwater during construction is limited by the nature of the works and the constrained stream corridor.

A number of alternative treatment methods and devices were considered in the development of the construction methodology, with the preferred options outlined in this application. No feasible alternative receiving environment for the discharge was identified. Overall, possible alternative methods of discharge, including discharge into any other receiving environment, have been considered in accordance with section 105 of the RMA.

9.4 Section 107 - Restriction on Discharge Permits

Section 107(1) of the RMA places restrictions on the grant of certain discharge permits, particularly where the discharge 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.*

Section 107(2) describes the circumstances where these restrictions do not apply, provided the consent authority is satisfied:

(a) that exceptional circumstances justify the granting of the permit; or
(b) that the discharge is of a temporary nature; or
(c) that the discharge is associated with necessary maintenance work—
and that it is consistent with the purpose of this Act to do so.

In this case, the assessment of effects at Section 7 concluded that any potential adverse effects have been avoided, remedied, or mitigated to an acceptable level. Specifically, the discharge is unlikely to give rise to any of the above effects following treatment at the Awatapu Delta and subsequent mixing with the receiving waters of the Awatapu Lagoon and the Whakatāne River. In addition, the discharge meets the requirements of section 107(2)(b) as it is of a temporary nature.

Overall, the specific restrictions on the grant of certain discharge permits under section 107 of the RMA have been considered, and do not apply to this application.

9.5 Part 2 - Purpose and Principles of the RMA

BOPRC's consideration of the resource consent application under section 104 of the RMA is subject to Part 2 of the RMA. In Part 2, the purpose of the RMA in terms of Section 5(1) of the RMA is stated in section 5 as being to *"promote the sustainable management of natural and physical resources"* whilst avoiding, remedying and mitigating any adverse effects of activities on the environment. The RMA's purpose and principles are given practicable expression through policies and plans.

9.5.1 Section 5: Purpose of the RMA

The term "*sustainable management*" is defined in section 5(2)(a) to (c) of the RMA. In summary, it means managing resources in a way that enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety, while achieving specified bottom line environmental outcomes. The urban flood defences within Whakatāne are considered a significant physical resource under the RMA. As such, the proposed works to reduce the risk of flooding will contribute to sustainable management.

In achieving section 5(1) of the RMA, section 5(2)(c) of the RMA states, in summary, that activities must be managed so that adverse effects on the environment are avoided, remedied or mitigated, and section 5(b) of the RMA requires the life-supporting capacity of air, water, soil and ecosystems to be safeguarded. Based on the assessment of effects of the Project in this report, it can be concluded that the proposal is consistent with sections 5(2)(b) and (c).

9.5.2 Section 6: Matters of National Importance

Section 6 of the RMA sets out those matters of national importance that are to be recognised and provided for in achieving the purpose of the RMA. Matters in section 6 that may be of relevance to the Project are considered to be those identified below:

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga:

In this case, the natural character of the urban reach of the Wainui Te Whara Stream is already degraded, and will not be any further degraded by the proposed works. Existing public access to and along the stream corridor will be retained. A CIA has been undertaken, and recommendations incorporated into the proposed construction methodology. Based on the assessment of effects for the proposed works, it can be concluded that the proposal recognises and provides for these section 6 matters.

9.5.3 Section 7: Other Matters

Section 7 of the RMA sets out those "other matters" that BOPRC is to have particular regard to in achieving the purpose of the RMA. Matters in section 7 that are considered to be of relevance to the Project are:

(a) kaitiakitanga:…
(b) the efficient use and development of natural and physical resources:
(c) the maintenance and enhancement of amenity values:
(d) intrinsic values of ecosystems:
(f) maintenance and enhancement of the quality of the environment.
(i) the effects of climate change:

In this case, a CIA has been undertaken, and recommendations incorporated into the proposed construction methodology. The limited amenity values of the existing stream corridor will be maintained and improvements to stream ecology along the lower reaches of the stream are proposed. The proposed works and construction methodology have been designed to manage any adverse ecological effects to an acceptable level, along with water quality effects during construction. Based on the assessment of effects for the proposed works, it can be concluded that the proposal does not compromise the above section 7 matters.

9.5.4 Section 8: Treaty of Waitangi

Section 8 of the RMA, in summary, requires all persons exercising functions and powers under the RMA to take into account the principles of the Treaty of Waitangi. BOPRC, in this context, must weigh the matter of Treaty obligations with other matters that are being considered. The wording "shall take into account" requires decision makers to consider the principles of the Treaty with all other matters.

In this case, cultural effects and potential impacts of the project have been discussed with Te Runanga o Ngāti Awa and a CIA has been undertaken. Recommendations from the CIA have been incorporated into the proposed construction methodology. The proposed works are not inconsistent with the principles of the Treaty or Section 8 of the RMA.

10 Conclusion

WDC seeks resource consents for the structural components of the Wainui Te Whara Stream Improvement Works (the Project).

The works require resource consent from BOPRC as a discretionary activity, and from WDC as a Restricted Discretionary Activity. In addition, WDC seeks confirmation of an outline plan of works within existing designations pursuant to section 176A of the RMA.

Any actual or potential adverse effects of the investigations will be less than minor, and the works will inform the detailed design of the Project. No parties are considered to be affected.

The key RMA tests for consideration of a resource consent, as contained in section 104 of the RMA, are assessed in Section 9. This assessment concludes that this application meets the purpose and principles of the RMA.

WDC request public notification of the application pursuant to section 95A(2)(b) of the RMA.

In light of the above, we consider that this application can be supported by the Consent Authorities.

Appendix 1 – Construction drawings

WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS
EARTHWORKS

FOR CONSTRUCTION, REVISION 1

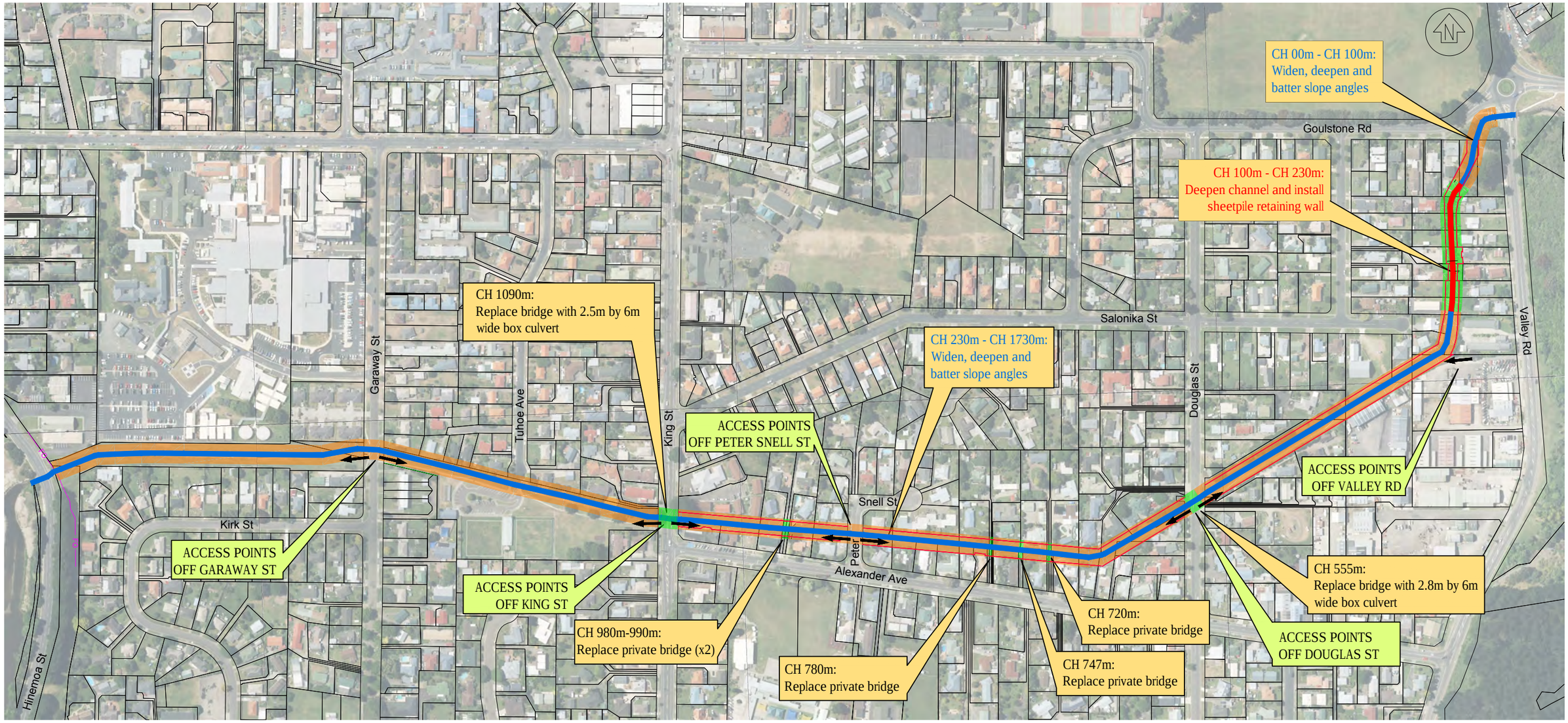
Project No: 2-34250.06
Date: 29.04.2016

EARTHWORKS
FOR CONSTRUCTION
DRAWING INDEX

Project No: 2-34250.06

Date: 29.04.2016

SHEET INDEX		
SHEET No.	SHEET TITLE	
C201	FIGURE 1 - PROJECT OVERVIEW	
C202	FIGURE 2 - GEOTECHNICAL TEST LOCATION PLAN	
C203	FIGURE 3 - GEOTECHNICAL TEST LOCATION PLAN	
C204	FIGURE 4 - WHAKATANE CDB	CPT TEST LOCATION PLAN
C205	EARTHWORK SITE PLAN	CHAINAGE 0m to 95m
C206A	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 23m to 80m
C206B	TEMPORARY SHEET PILE RETAINING WALL	CHAINAGE 95 to 100m
C206C	SHEET PILE RETAINING WALL DETAIL (CHAINAGE 95m)	ELEVATION, SECTION, PLAN
C207	EARTHWORK SITE PLAN	CHAINAGE 240m to 435m
C208	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 235m to 240m
C209	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 245m to 270m
C210	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 275m to 360m
C211	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 390m to 430m
C212	EARTHWORK SITE PLAN	CHAINAGE 435m to 575m
C213	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 460m to 540m
C214	EARTHWORK SITE PLAN	CHAINAGE 575m to 770m
C215	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 580m to 690m
C216	EARTHWORK SITE PLAN	CHAINAGE 770m to 950m
C217	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 790m to 930m
C218	EARTHWORK SITE PLAN	CHAINAGE 950m to 1135m
C219	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 960m to 1065m
C220	EARTHWORK SITE PLAN	CHAINAGE 1135m to 1320m
C221	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 1140m to 1290m
C222	EARTHWORK SITE PLAN	CHAINAGE 1320m to 1510m
C223	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 1330m to 1490m
C224	EARTHWORK SITE PLAN	CHAINAGE 1510m to 1695m
C225	EARTHWORK DESIGN CROSS SECTIONS	CHAINAGE 1530m to 1690m
C226	EARTHWORK SITE PLAN	CHAINAGE 1700m to 1730m
C227	TUHOE AVENUE - BRIDGE UPGRADE	
C228	PETER SNELL STREET - BRIDGE UPGRADE	
C229	PETER SNELL STREET - BRIDGE UPGRADE	
C30	TYPICAL BANK AND STREAM PROTECTION DETAILS	



WAINUI TE WHARA CHANNEL

SCALE A1 1:2000 A3 1:4000

KEY

- SHEET PILE WALL SECTION
- EARTHWORK SECTION
- PHASE 1
- PHASE 2

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

Sheet
FIGURE 1 - PROJECT OVERVIEW
PHASE 1 & 2 OVERVIEW

Project No.	Sheet. No.	Revision
2-34250.06	C201	1

1:2000 @ A1
1:4000 @ A3
0 20 40 60 80 100 120 140 160 180 200 m

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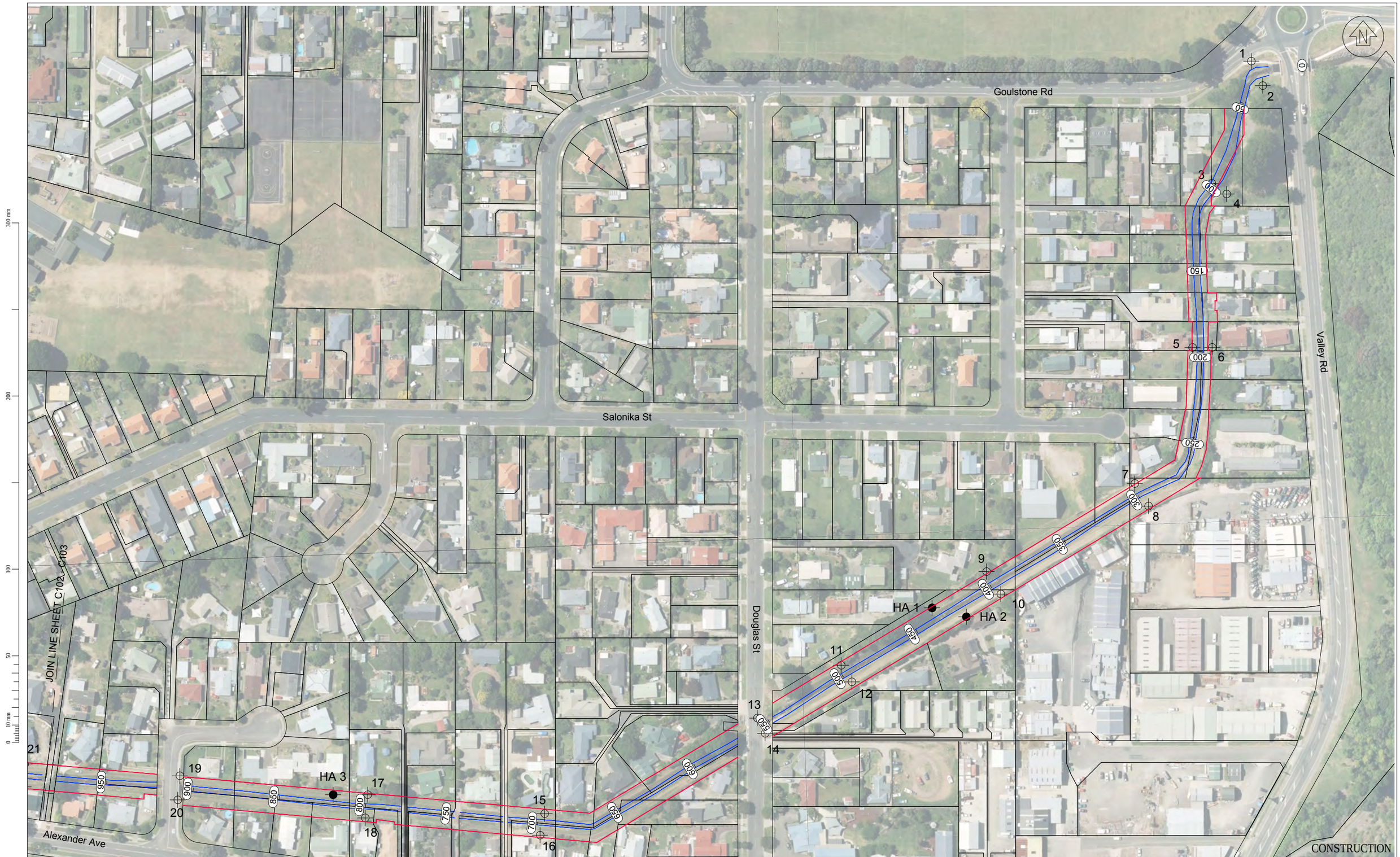

LEDGEND:

1-30 Geotechnical testing 2010

HA 1-6 Geotechnical testing 2015

1:1000 @ A1
1:2000 @ A3
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WAINUI TE WHARA CHANNEL

SCALE A1 1:1000 A3 1:2000

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
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Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

Sheet
FIGURE 2 - GEOTECHNICAL TEST LOCATION PLAN

Project No.	Sheet. No.	Revision
2-34250.06	C202	1

CONSTRUCTION

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:48:07 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C202[1]

LEDGEND:

- 1-30 Geotechnical testing 2010
- HA 1-6 Geotechnical testing 2015

WAINUI TE WHARA CHANNEL

SCALE A1 1:1000 A3 1:2000

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
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Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

Sheet
FIGURE 3 - GEOTECHNICAL TEST LOCATION PLAN

Project No.	Sheet. No.	Revision
2-34250.06	C203	1

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1:2000 @ A3
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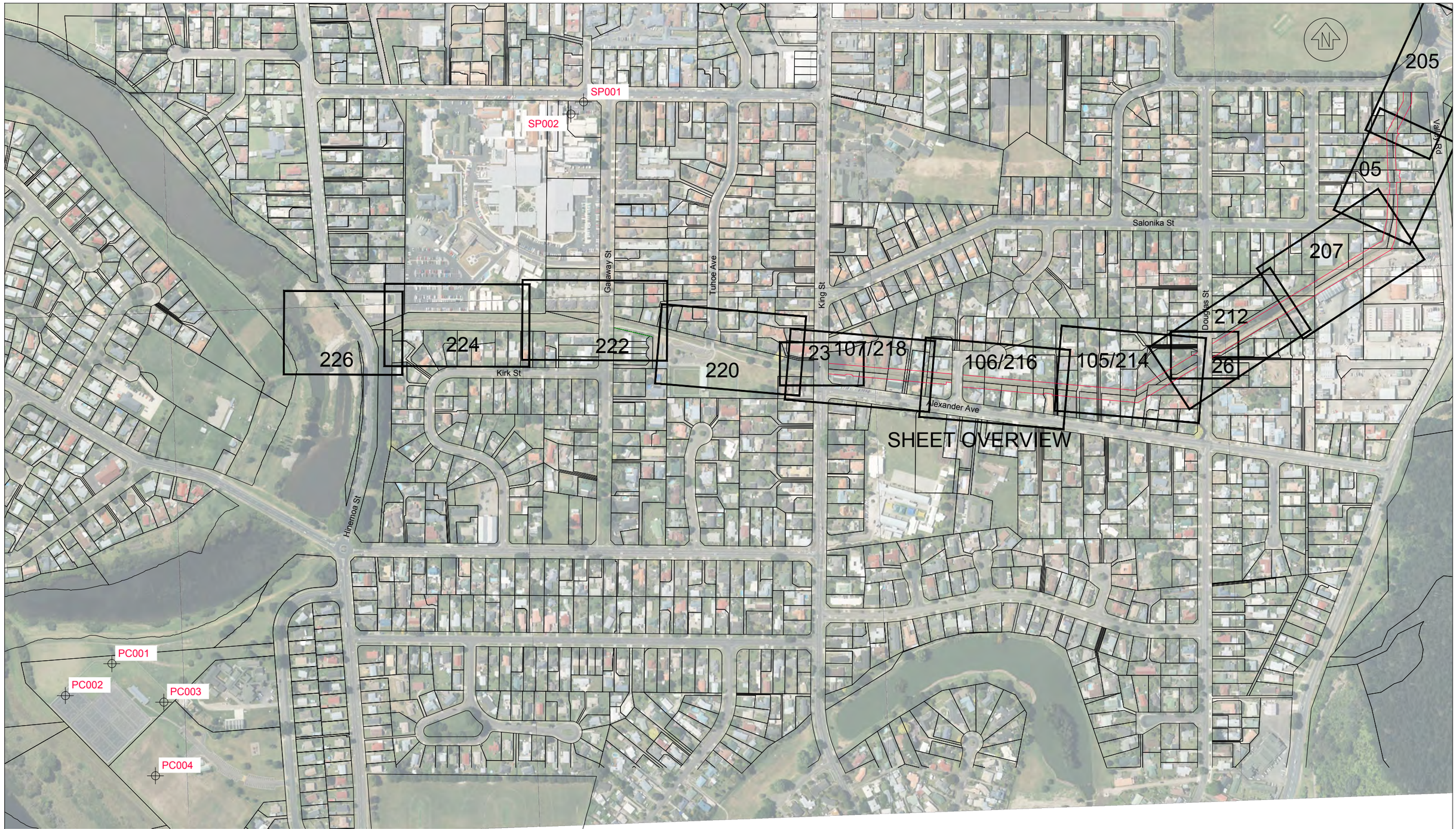

LEDGEND:

PC CPT TEST LOCATION

SP CPT TEST LOCATION

1:2500 @ A1
1:5000 @ A3
0 40 80 120 160 200 240 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:2500 A3 1:5000

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
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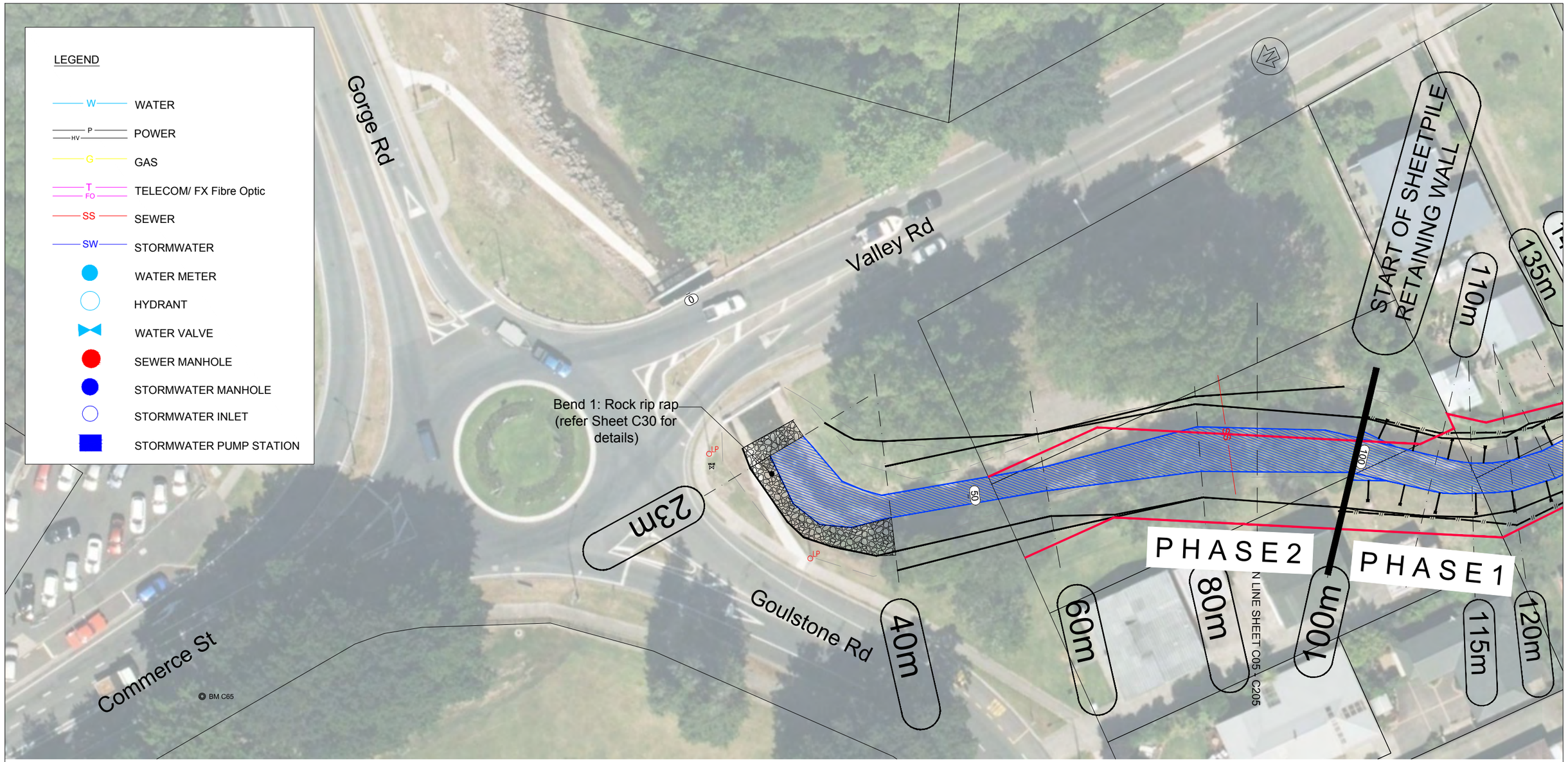
Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

Sheet
FIGURE 4 - WHAKATANE CDB
CPT TEST LOCATION PLAN (AND SHEET OVERVIEW)

Project No.	Sheet. No.	Revision
2-34250.06	C204	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:49:42 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C204[1]



WAINUI TE WHARA CHANNEL

SCALE A1 1:250, A3 1:500

LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION
- DEADMAN

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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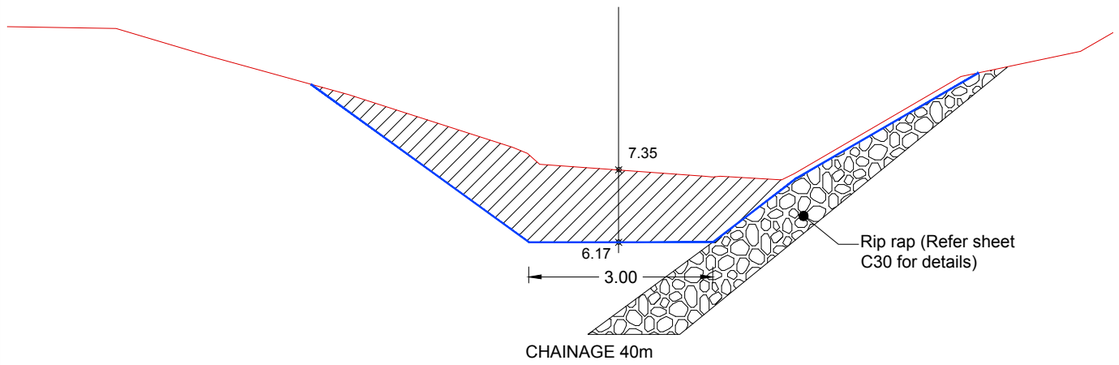
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

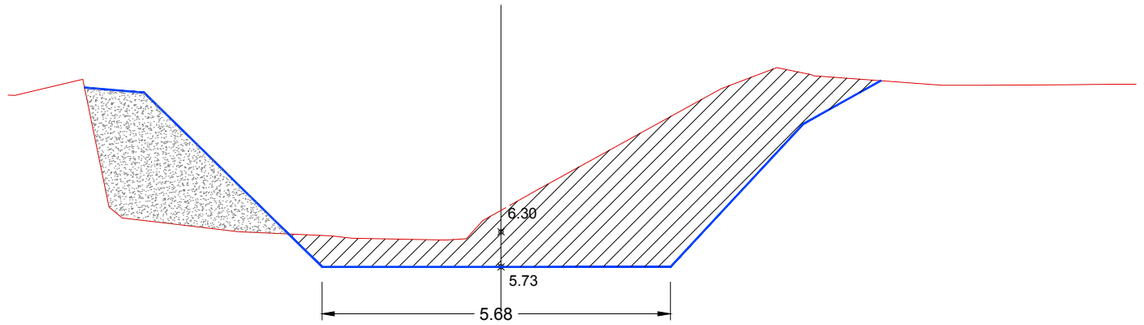
Sheet
EARTHWORK SITE PLAN
CHAINAGE 0 to 120m

Project No.	Sheet. No.	Revision
2-34250.06	C205	1

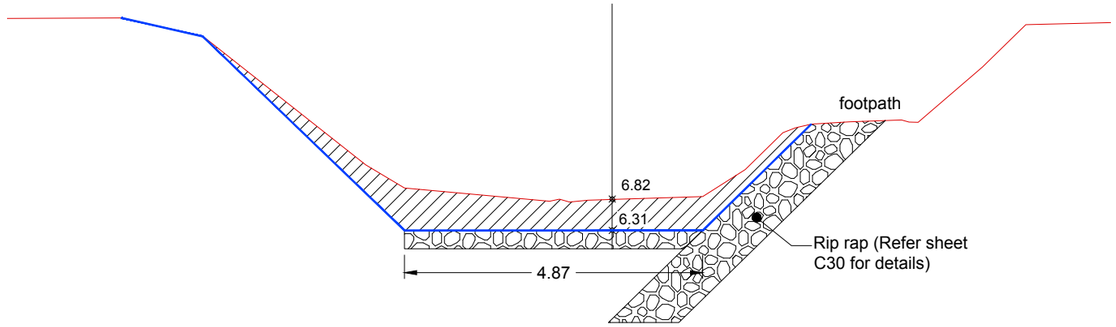
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:50:14 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C205[1]



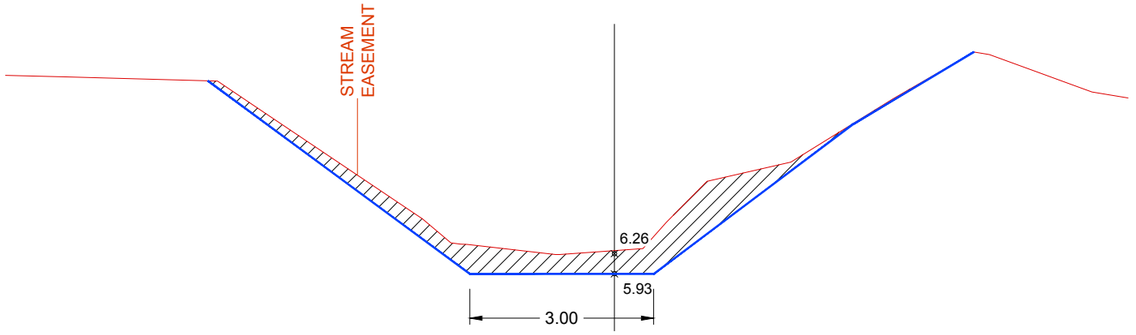
CHAINAGE 40m



CHAINAGE 80m



CHAINAGE 23m



CHAINAGE 60m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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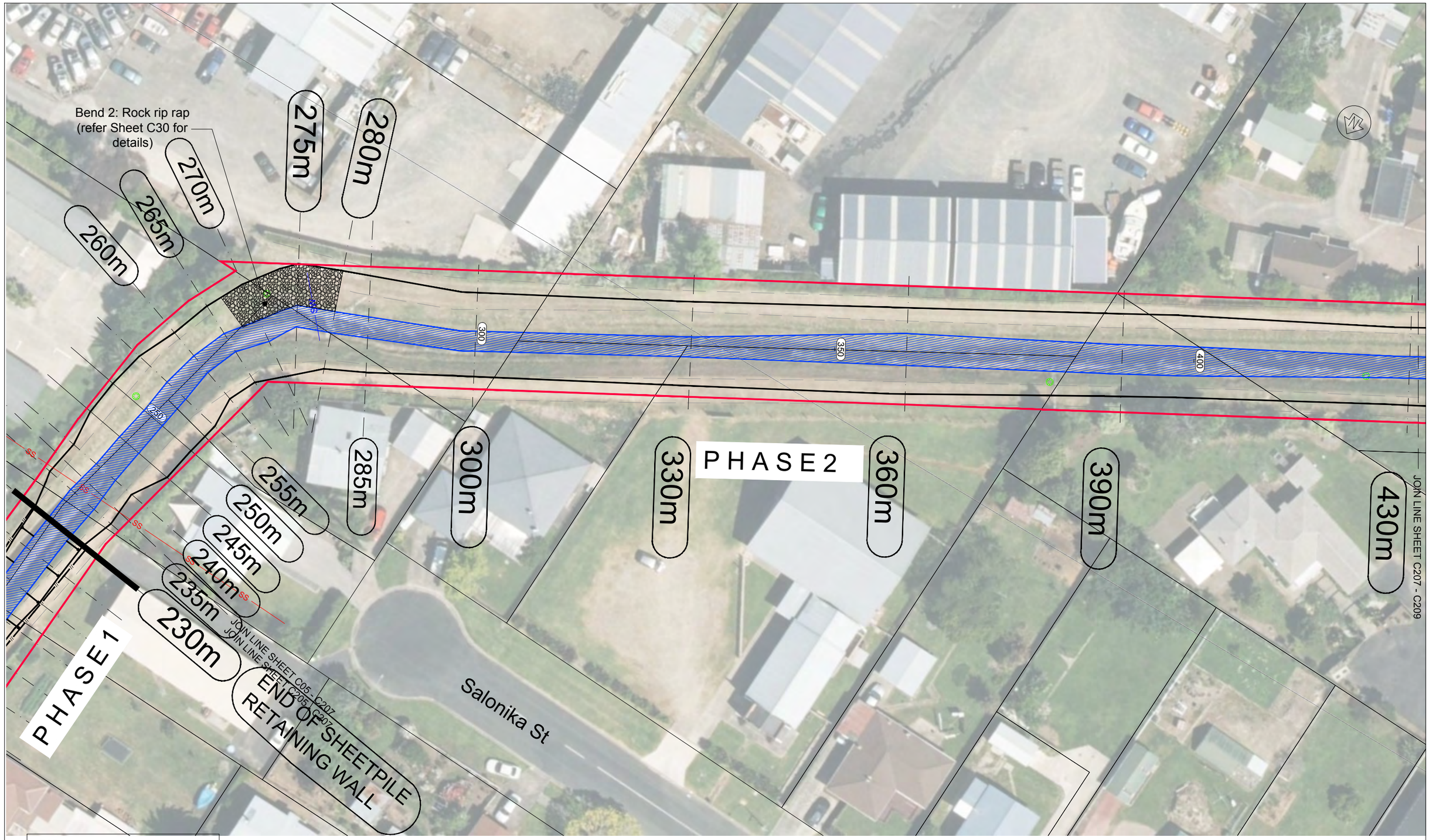
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 23m to 80m

Project No.	Sheet. No.	Revision
2-34250.06	C206A	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:50:52 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C206A[1]



LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION
- DEADMAN

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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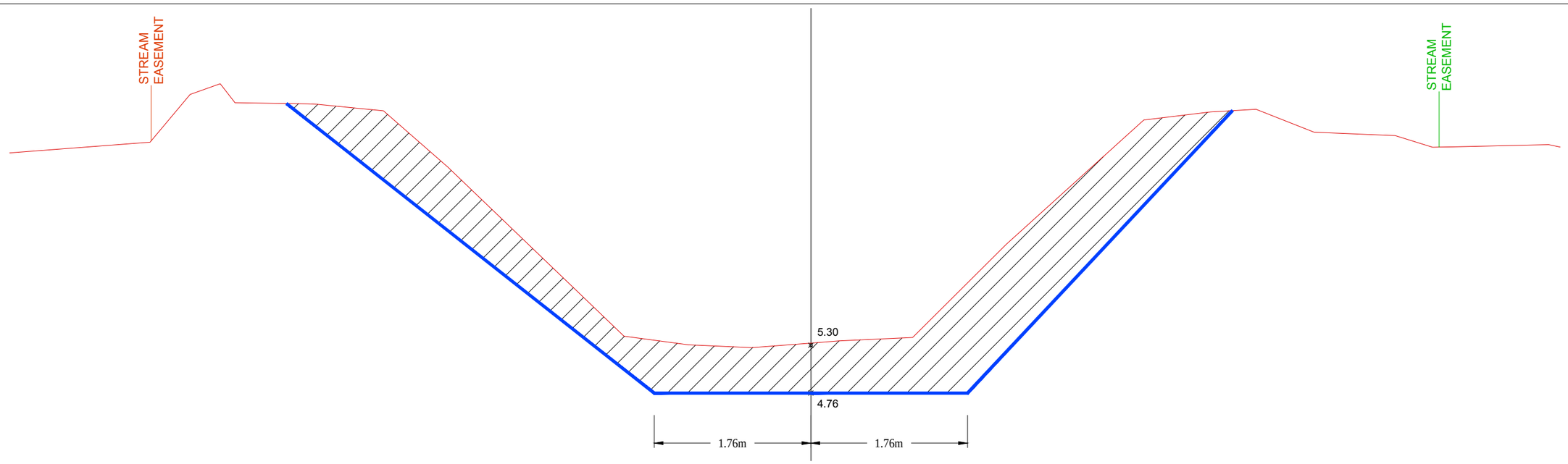
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

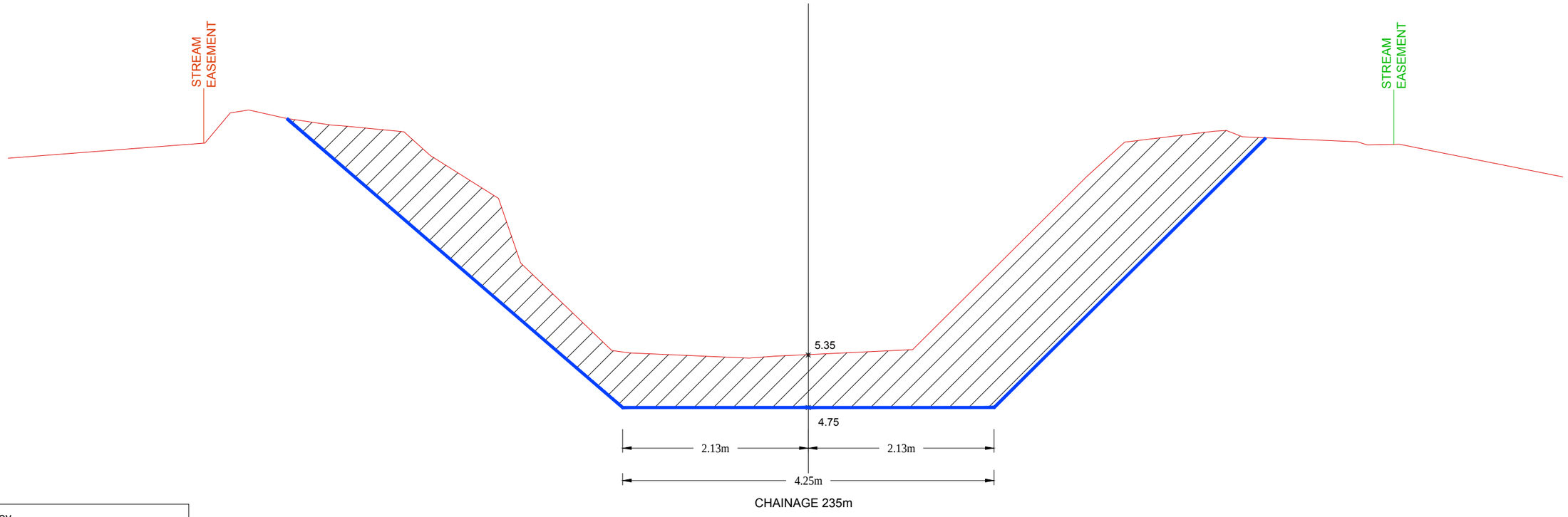
Sheet
EARTHWORK SITE PLAN
CHAINAGE 230m to 435m

Project No.	Sheet. No.	Revision
2-34250.06	C207	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:51:37 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C207[1]



CHAINAGE 240m



CHAINAGE 235m

Key

- Existing channel slope
- Design bed & slope
- Cut (channel)

1:25@ A1
1:50@ A3
0 400 800 1200 1600 2000 2400 mm

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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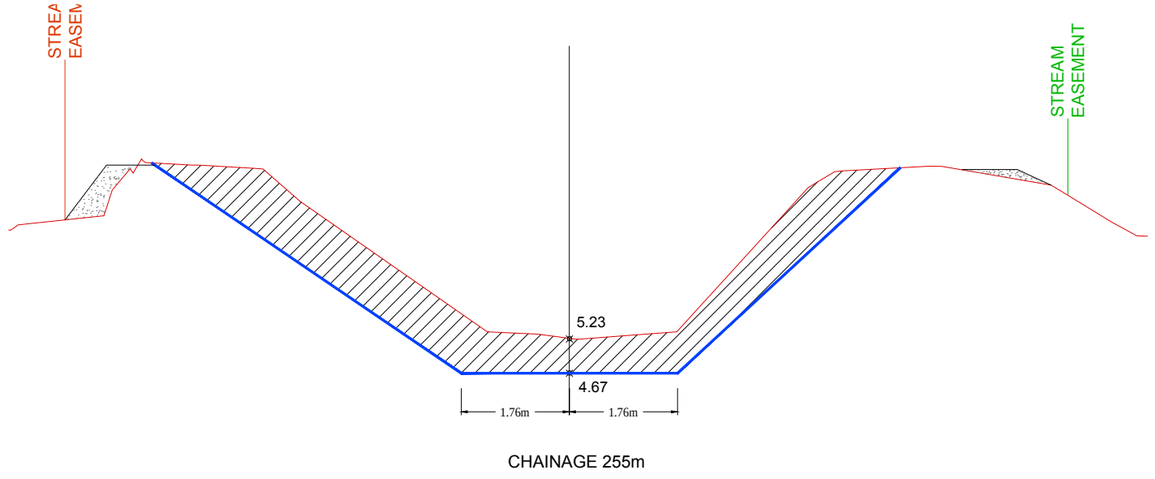
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

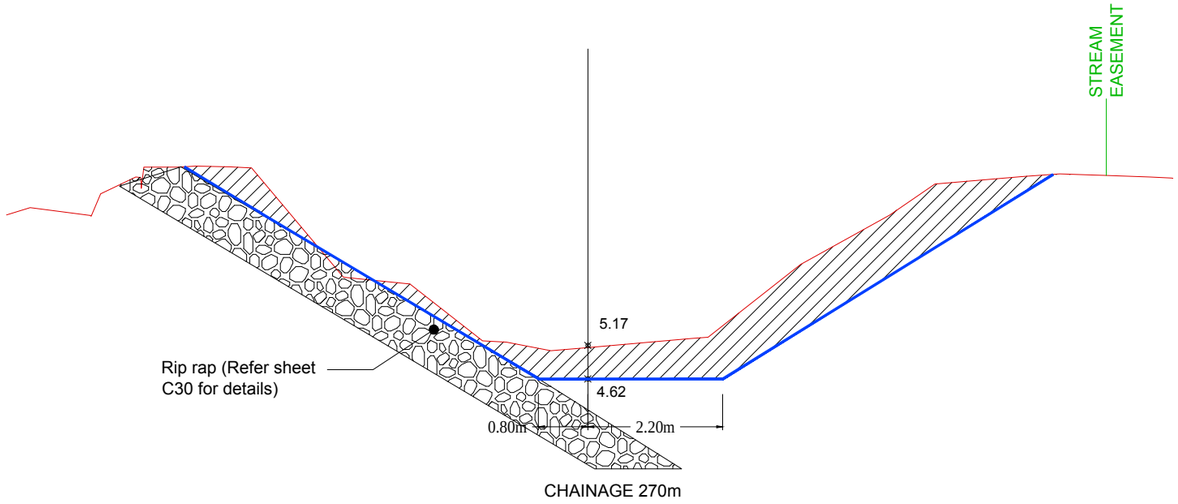
Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 235m & 240m

Project No.	Sheet. No.	Revision
2-34250.06	C208	1

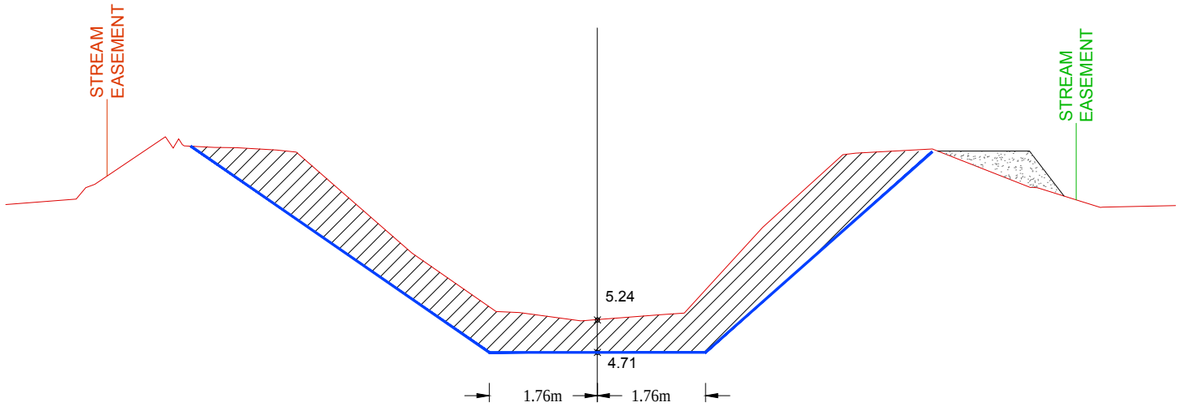
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:52:17 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C208[1]



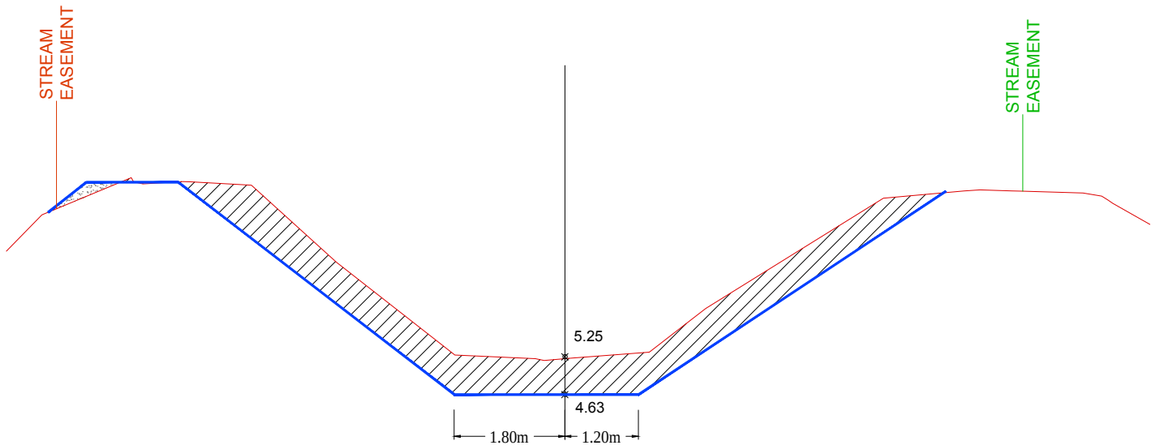
CHAINAGE 255m



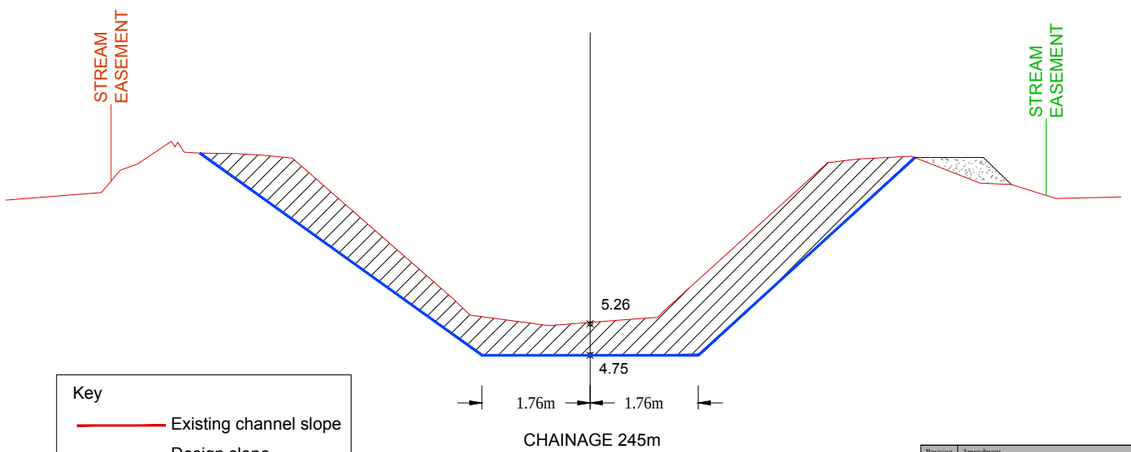
CHAINAGE 270m



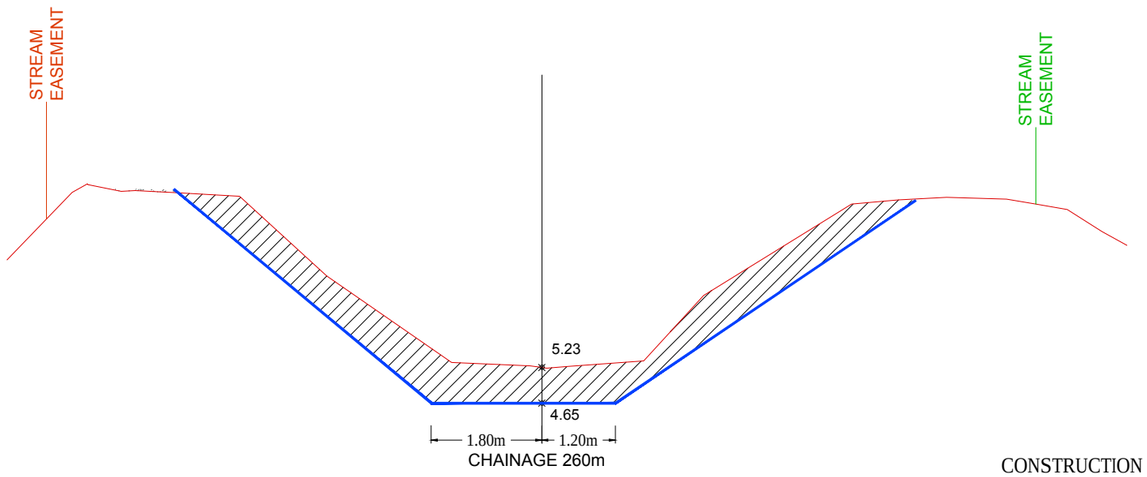
CHAINAGE 250m



CHAINAGE 265m



CHAINAGE 245m



CHAINAGE 260m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
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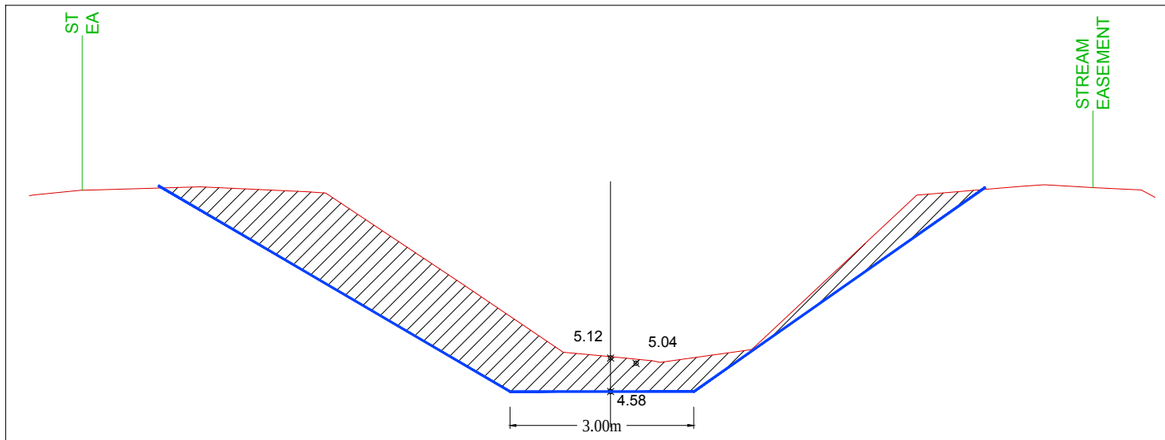
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015

Drawn	Scales	Project No.	Sheet. No.	Revision
P.WOHLERS	AS SHOWN	2-34250.06	C209	1

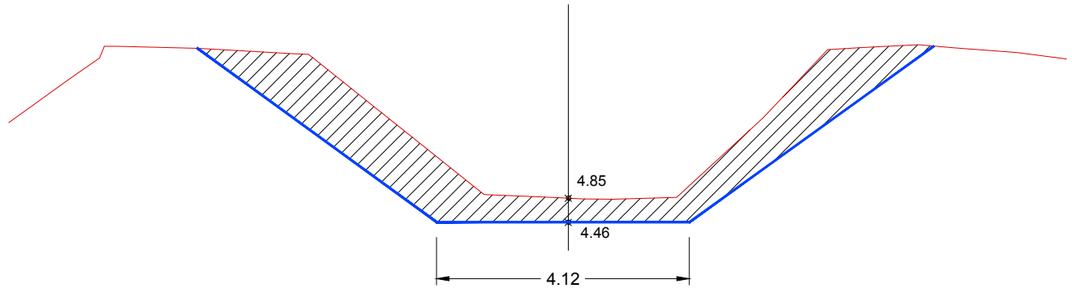
Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 245m to 270m

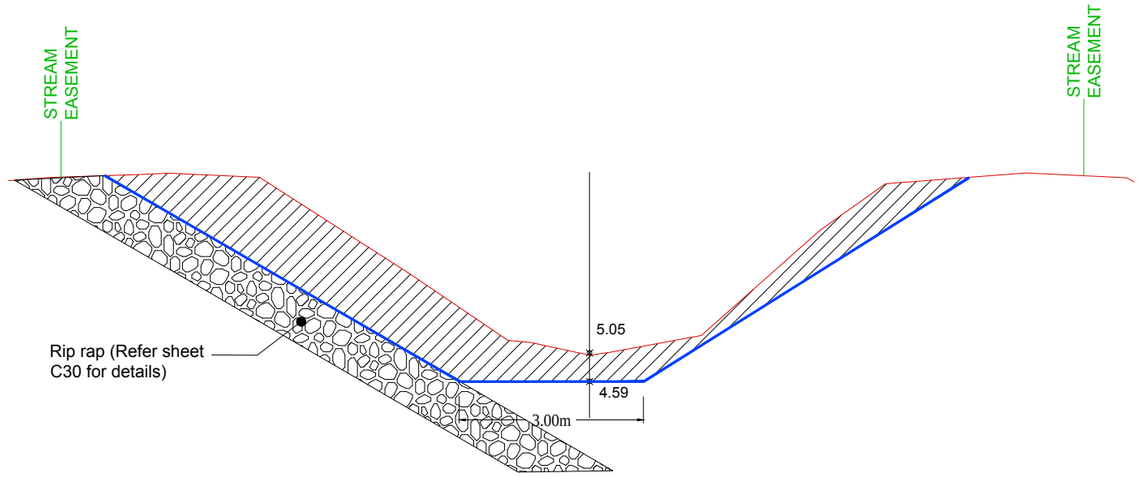
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:53:01 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C209[1]



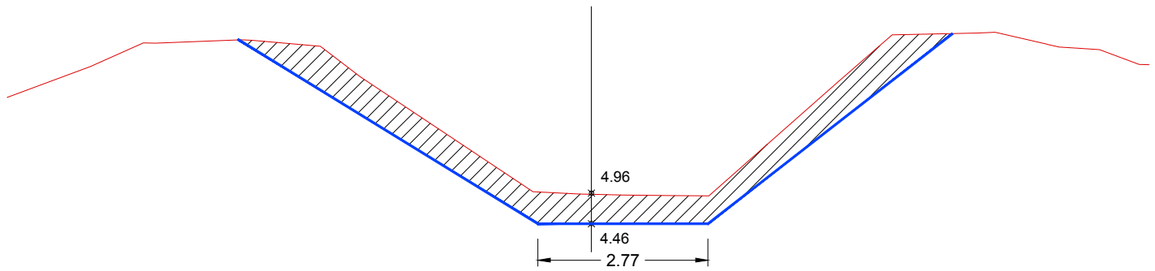
CHAINAGE 285m



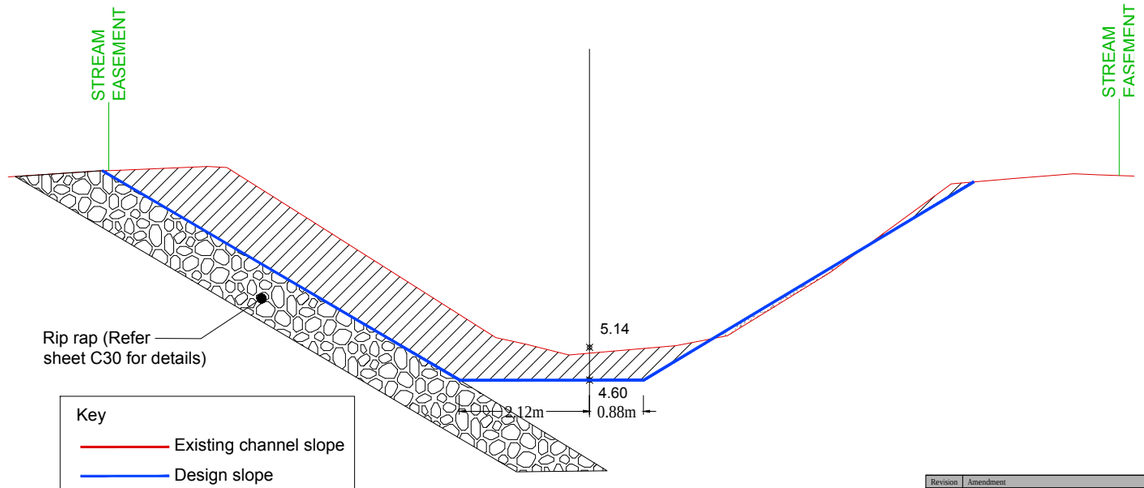
CHAINAGE 360m



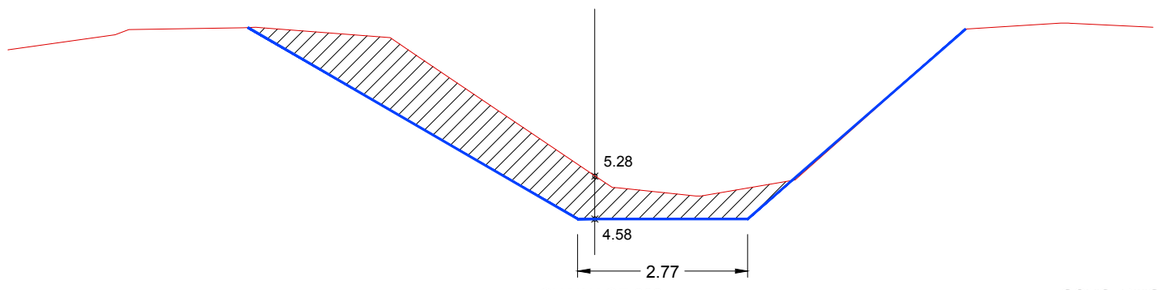
CHAINAGE 280m



CHAINAGE 330m



CHAINAGE 275m



CHAINAGE 300m

CONSTRUCTION

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015

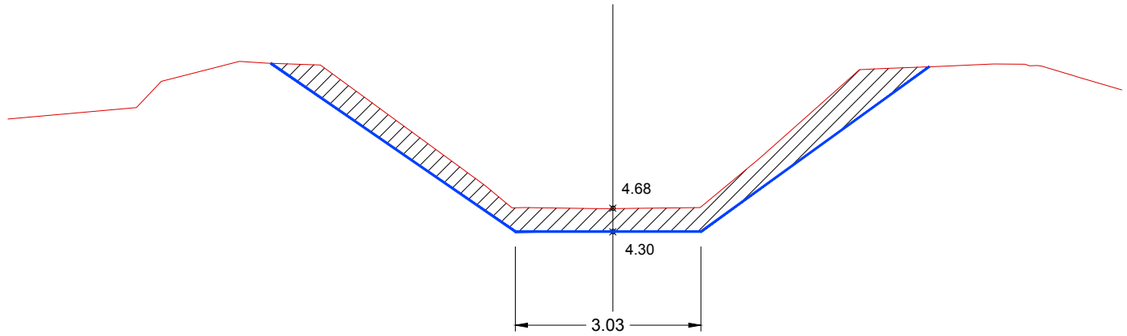
Drawn	Scales
P.WOHLERS	AS SHOWN

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

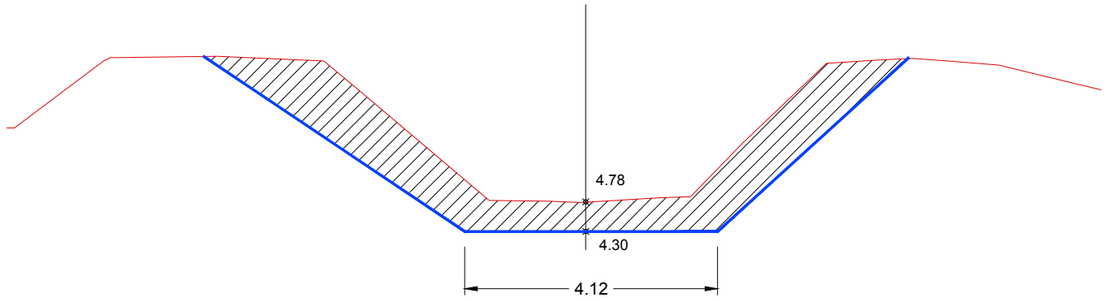
Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 275m to 360m

Project No.	Sheet. No.	Revision
2-34250.06	C210	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:53:50 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C210[1]



CHAINAGE 430m



CHAINAGE 390m

300 mm
200
100
50
10 mm
0

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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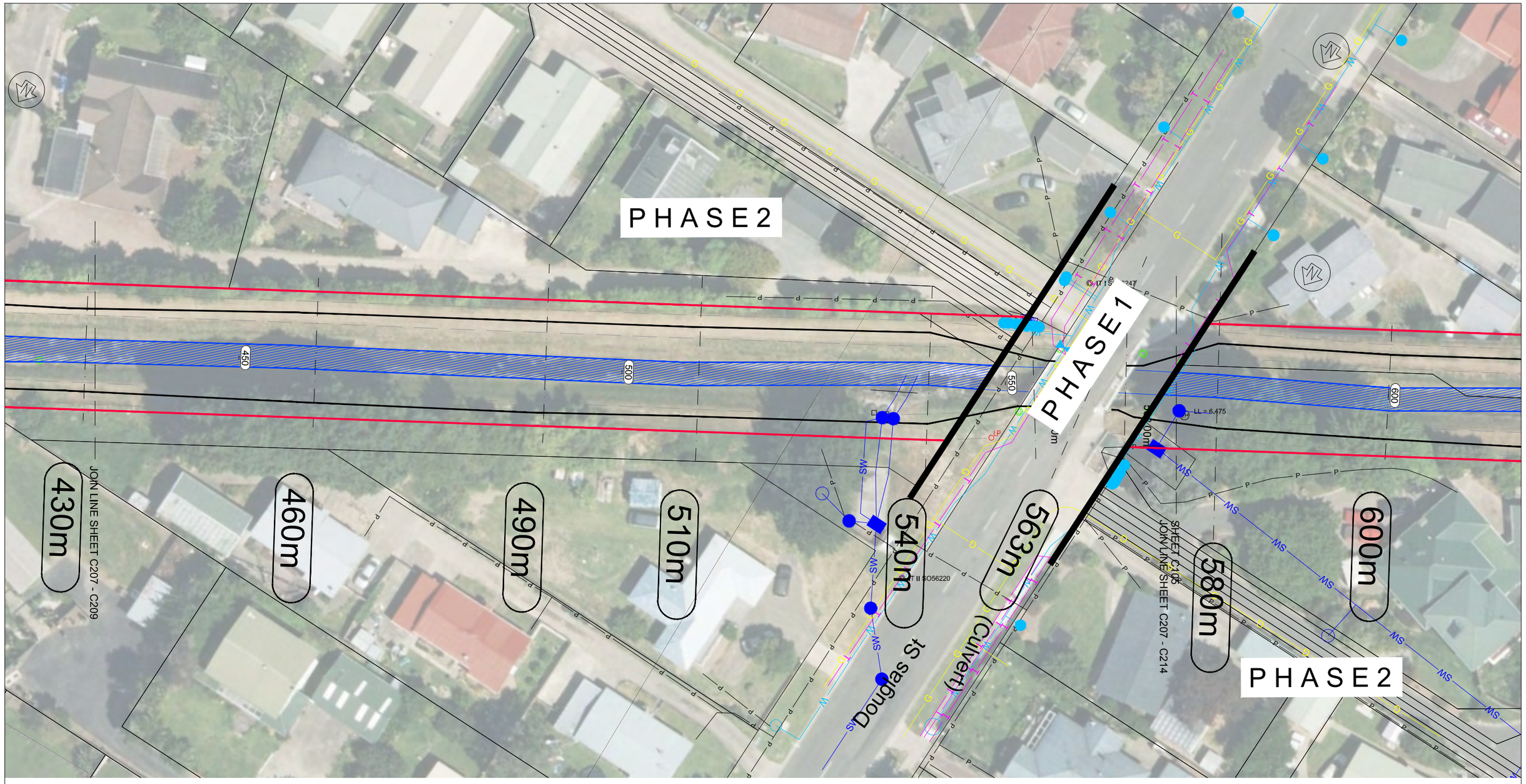
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 390m to 430m

Project No.	Sheet. No.	Revision
2-34250.06	C211	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:55:05 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C211[1]



LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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New Zealand

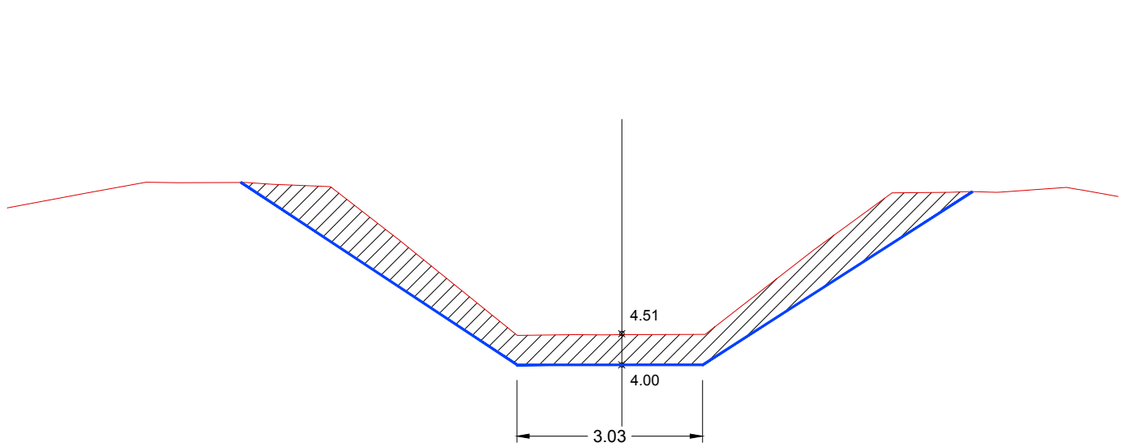
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

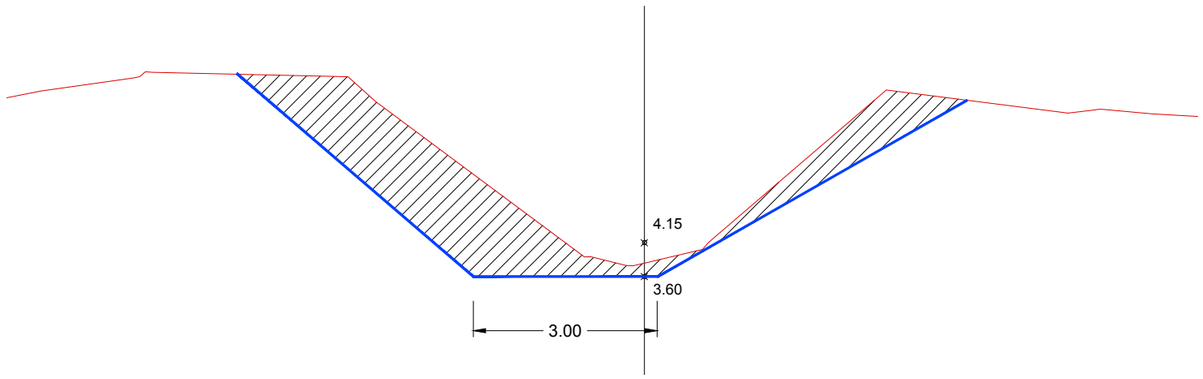
Sheet
EARTHWORK SITE PLAN
CHAINAGE 435m to 575m

Project No.	Sheet. No.	Revision
2-34250.06	C212	1

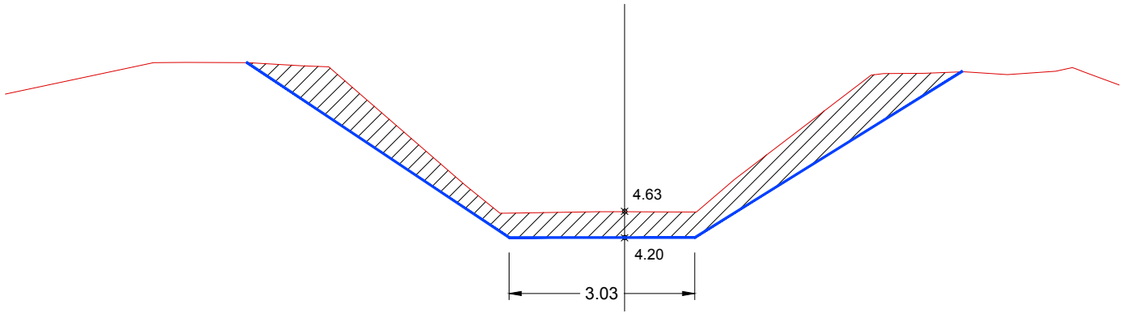
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:56:38 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C212[1]



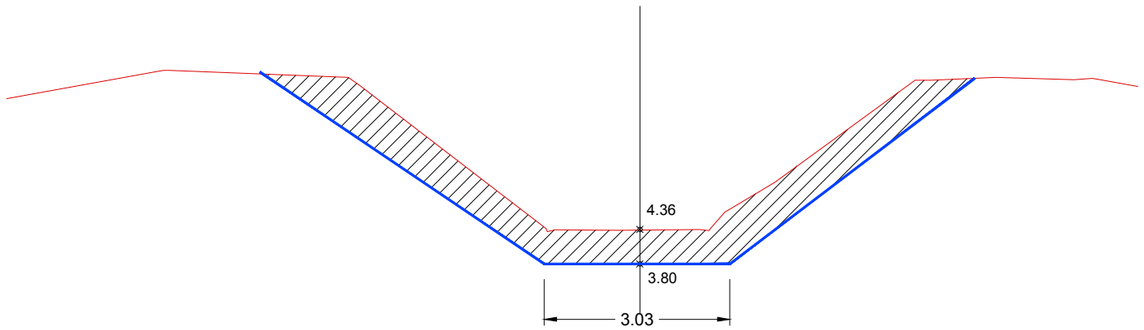
CHAINAGE 490m



CHAINAGE 540m



CHAINAGE 460m



CHAINAGE 510m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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New Zealand

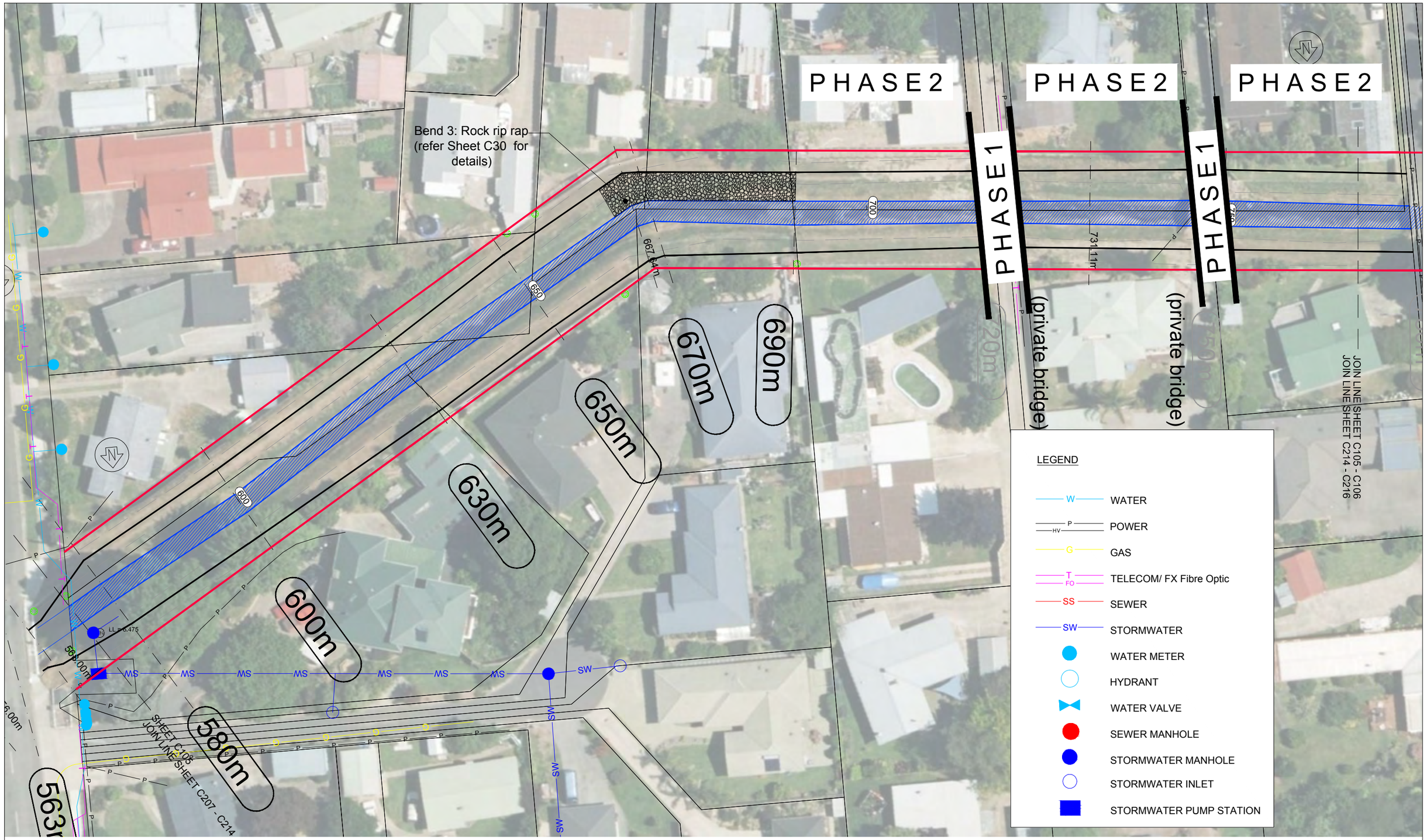
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 460m to 540m

Project No.	Sheet. No.	Revision
2-34250.06	C213	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:57:39 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C213[1]



LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015

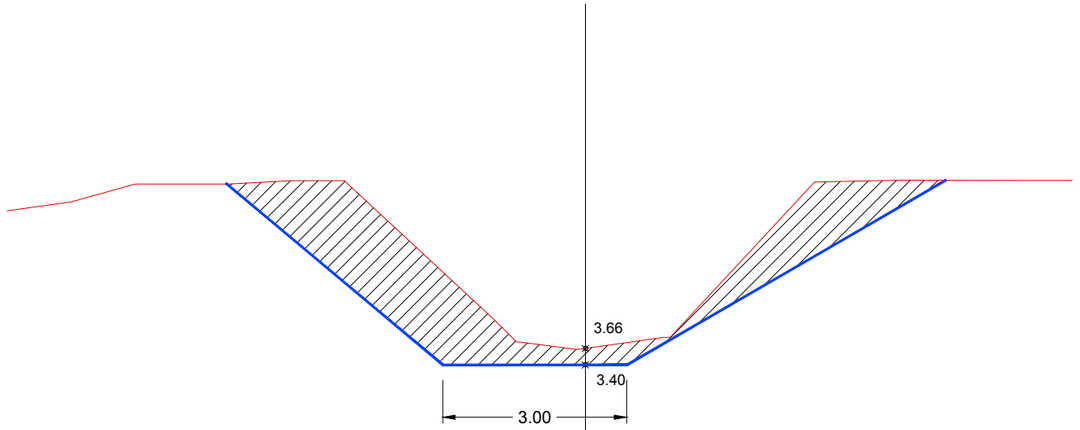
Drawn	Scales
P.WOHLERS	AS SHOWN

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

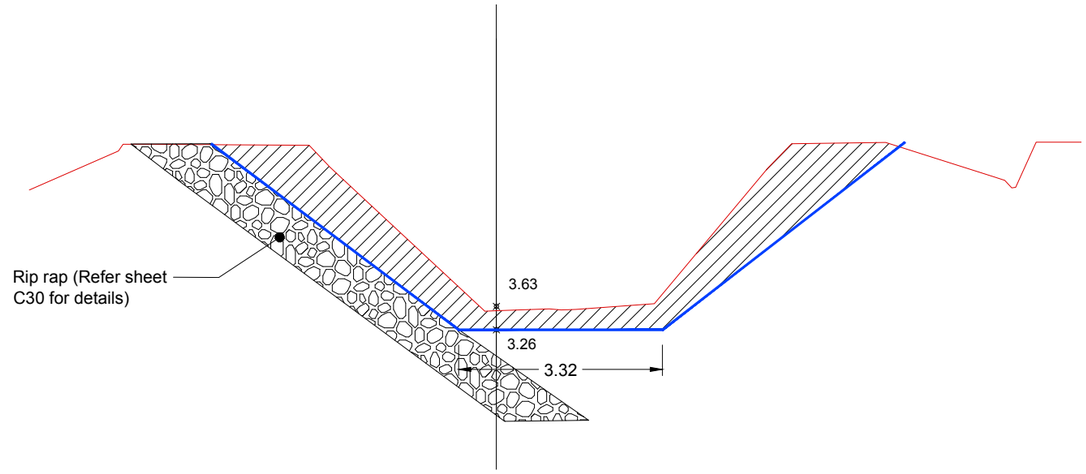
Sheet
EARTHWORK SITE PLAN
CHAINAGE 575m to 770m

Project No.	Sheet. No.	Revision
2-34250.06	C214	1

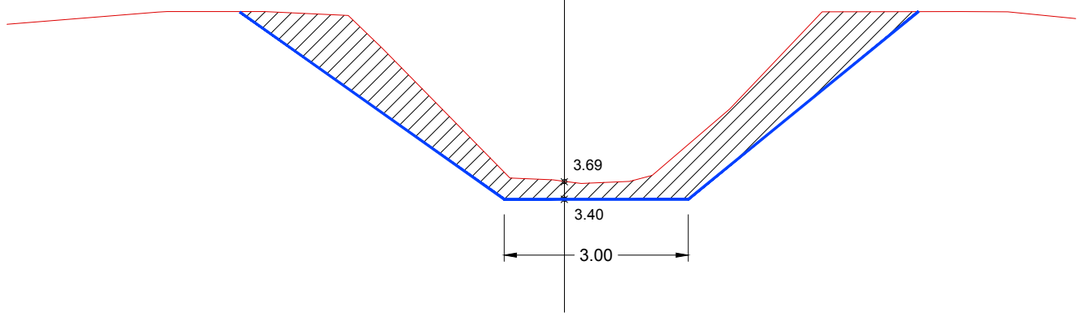
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:58:50 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C214[1]



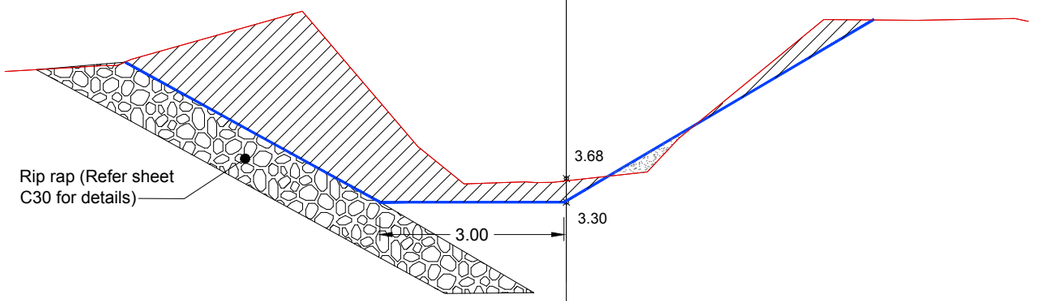
CHAINAGE 630m



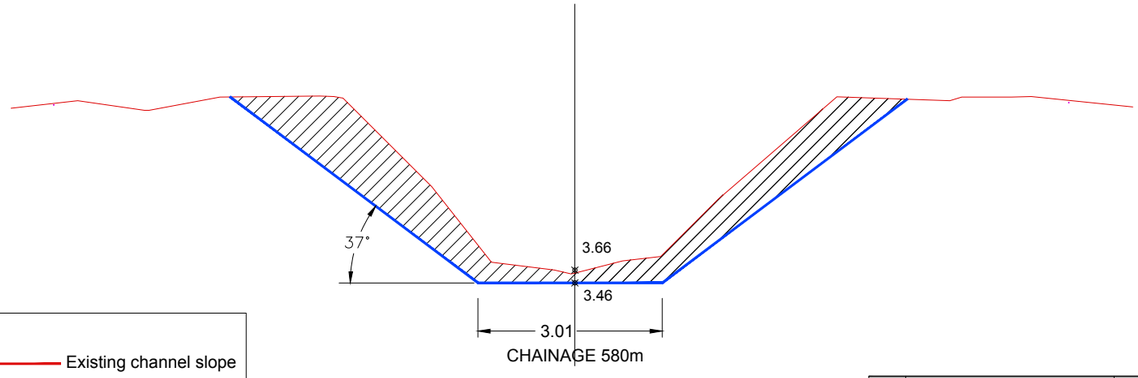
CHAINAGE 690m



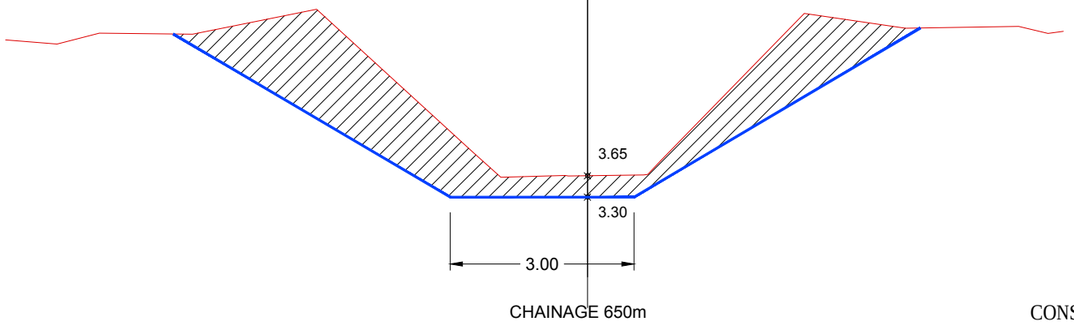
CHAINAGE 600m



CHAINAGE 670m



CHAINAGE 580m



CHAINAGE 650m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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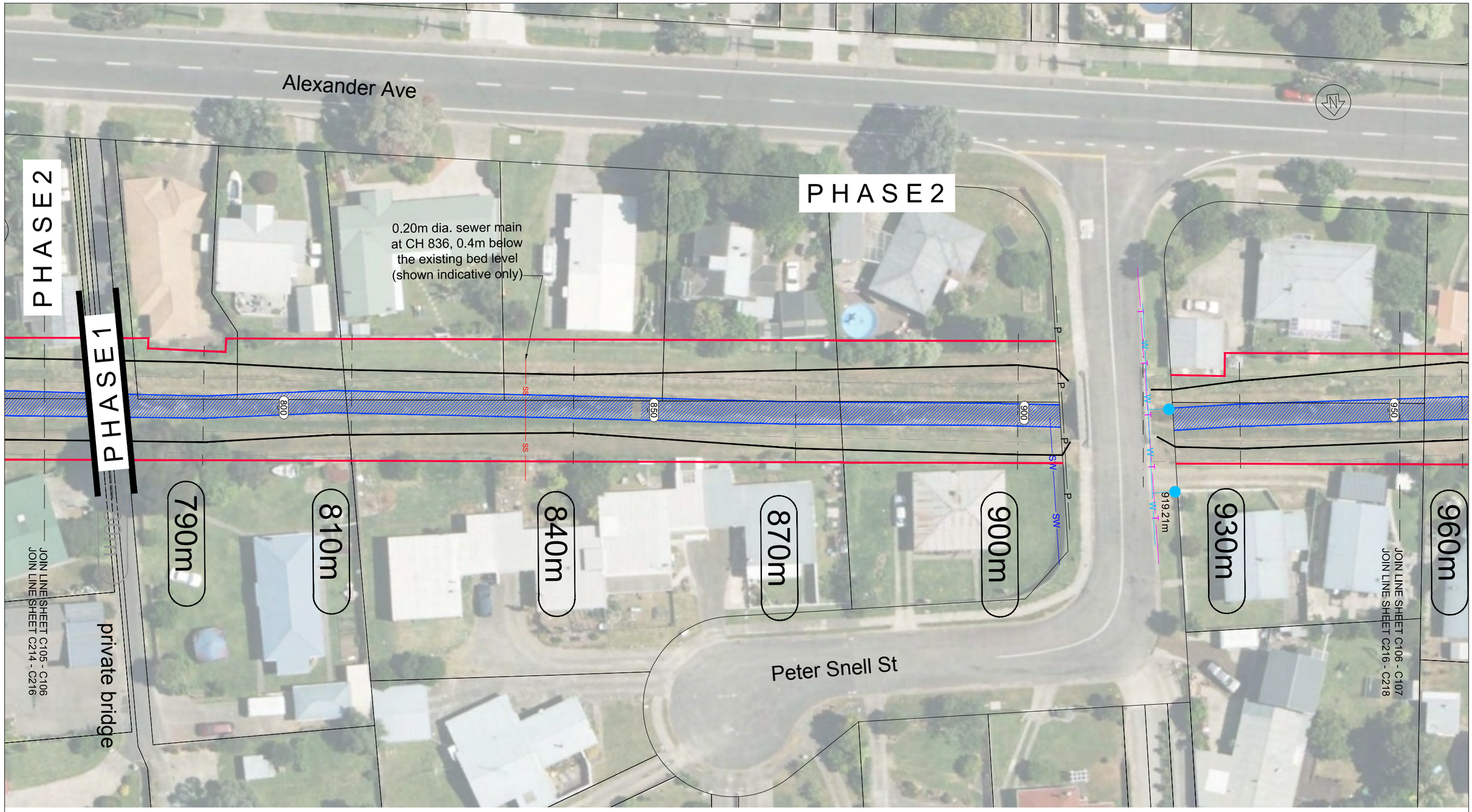
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 580m to 690m

Project No.	Sheet. No.	Revision
2-34250.06	C215	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 10:59:58 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C215[1]



LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
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1	EASEMENT & EARTHWORK	G.F.	29.04.16

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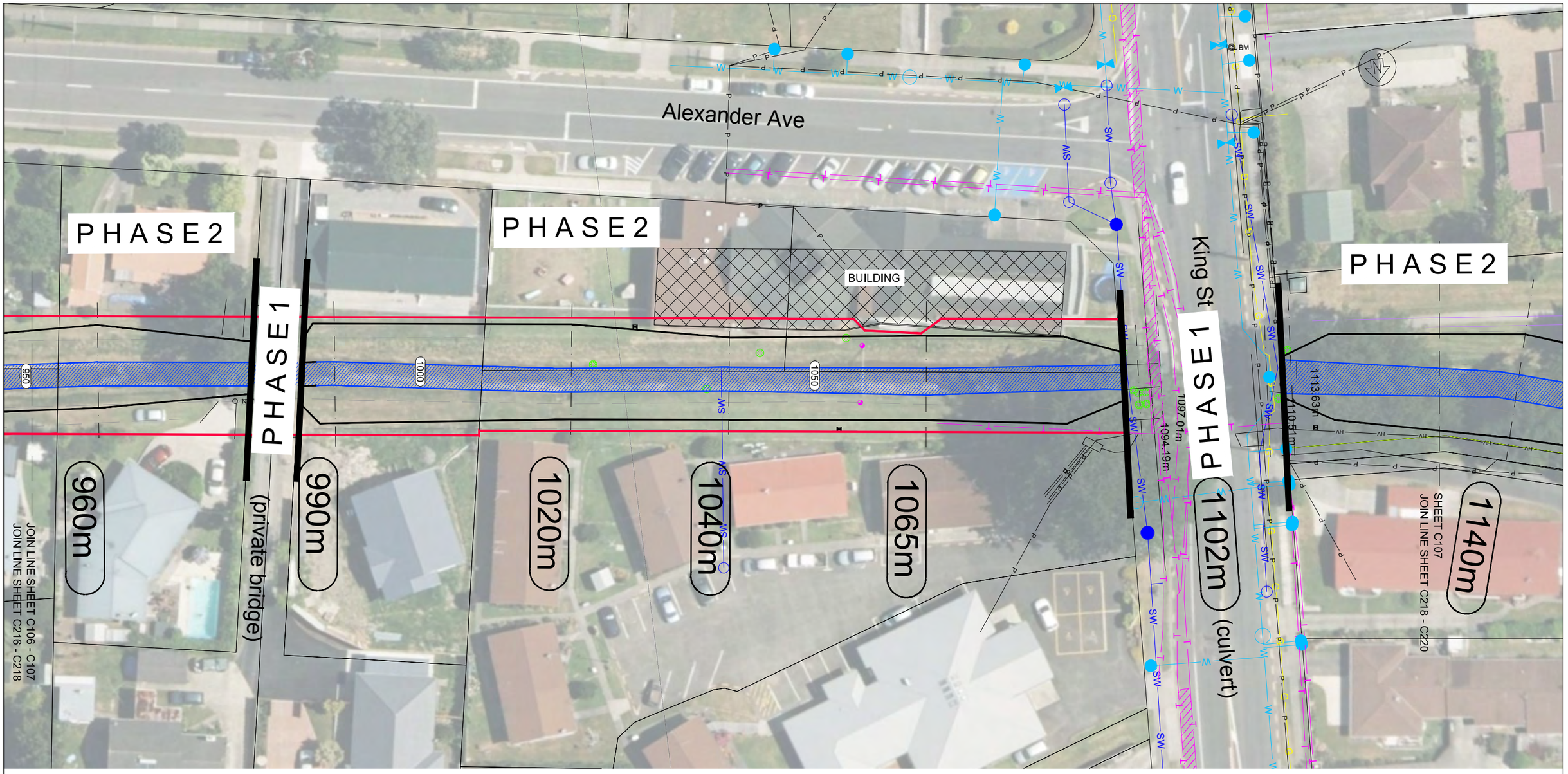
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

Sheet
EARTHWORK SITE PLAN
CHAINAGE 770m to 950m

Project No.	Sheet. No.	Revision
2-34250.06	C216	1

Original Sheet Size A1 [841x594] Plot Date 2016-05-02 at 10:21:42 a.m. Path \\tgsv01\GroupLib\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C216[1]



WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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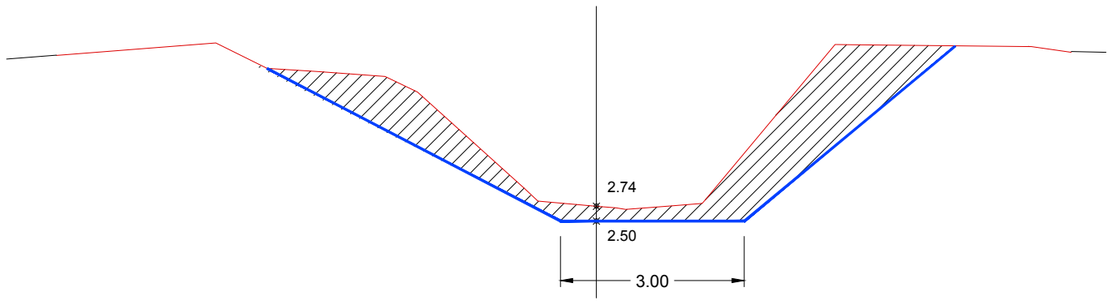
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

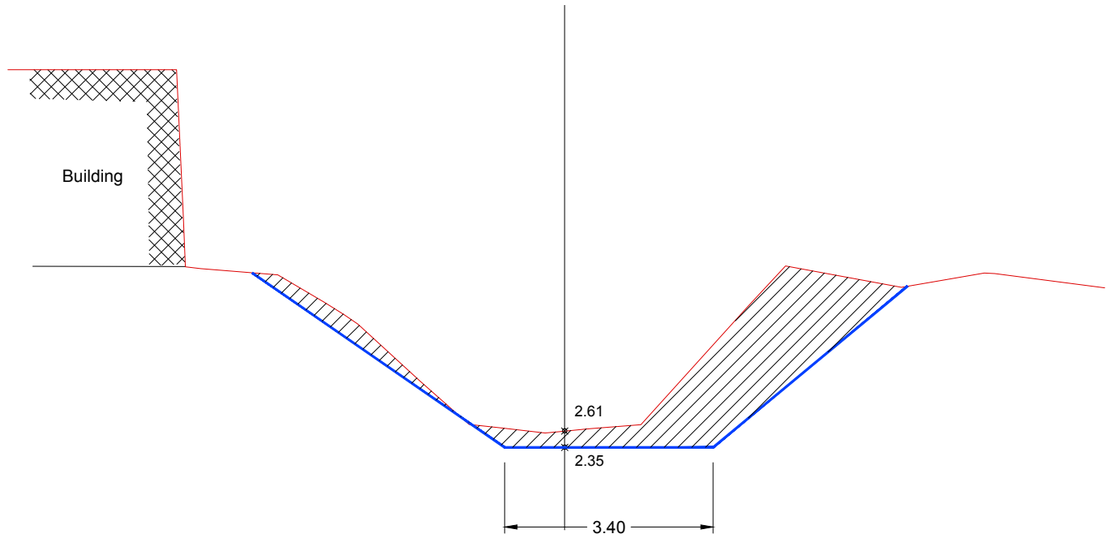
Sheet
EARTHWORK SITE PLAN
CHAINAGE 950m to 1135m

Project No.	Sheet. No.	Revision
2-34250.06	C218	1

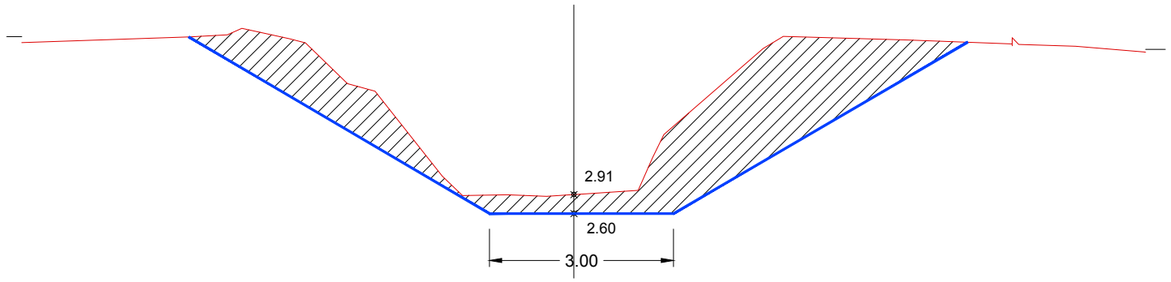
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:02:04 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C218[1]



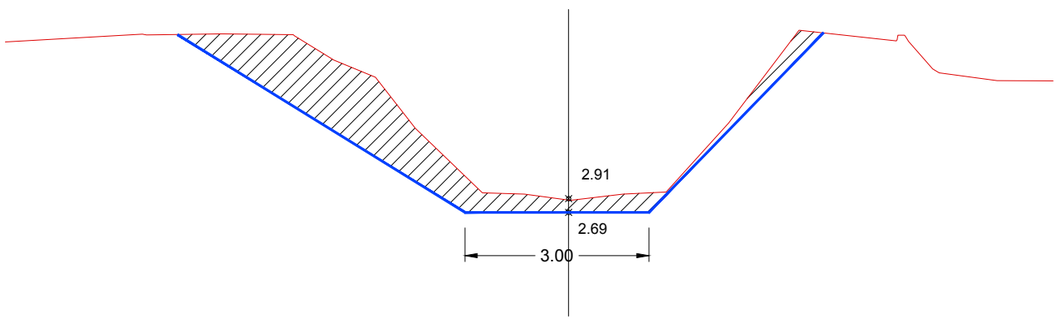
CHAINAGE 1020m



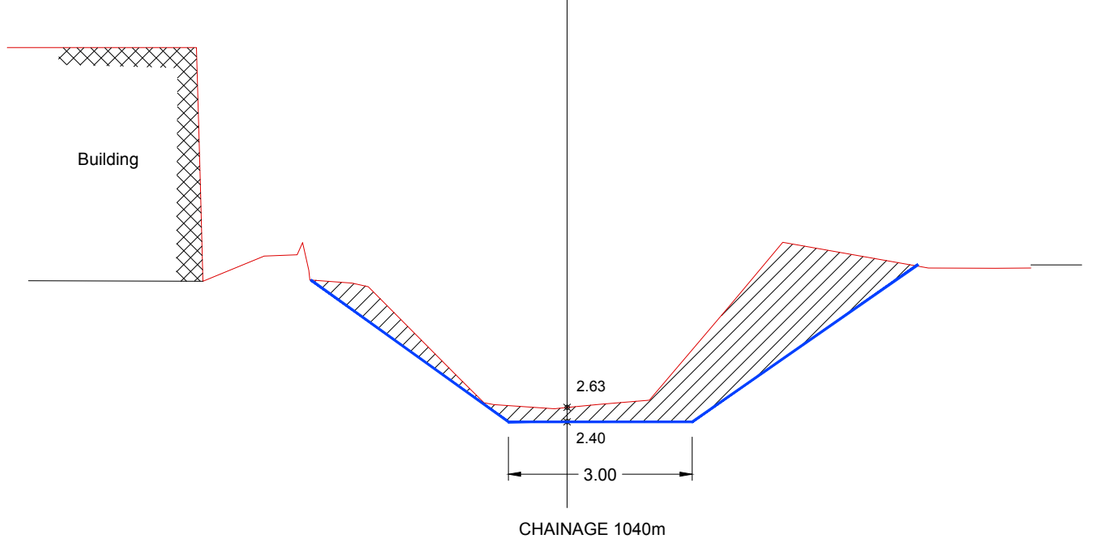
CHAINAGE1065m



CHAINAGE 990m



CHAINAGE 960m



CHAINAGE 1040m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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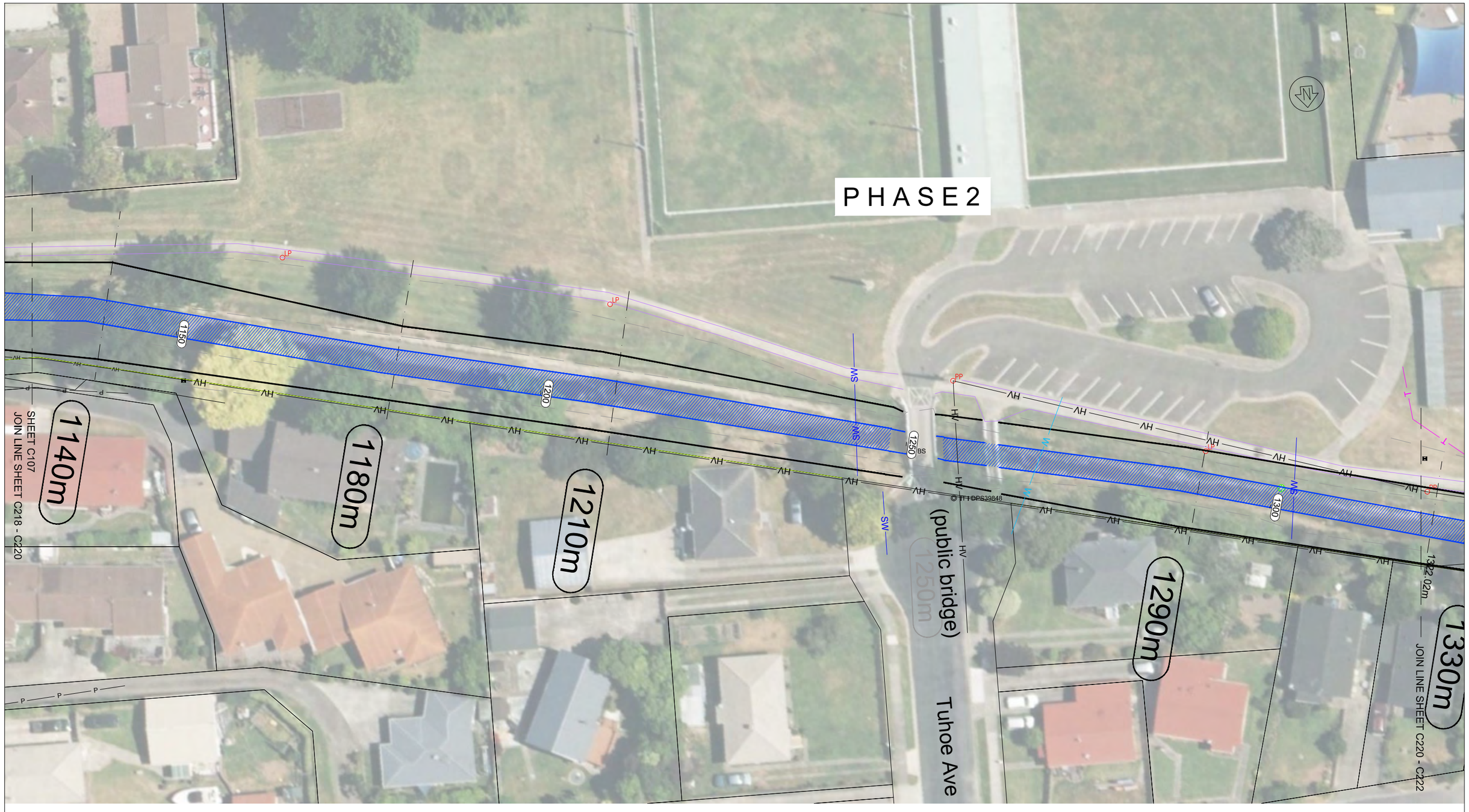
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015

Drawn	Scales	Project No.	Sheet. No.	Revision
P.WOHLERS	AS SHOWN	2-34250.06	C219	1

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 960m to 1065m

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:02:51 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C219[1]



LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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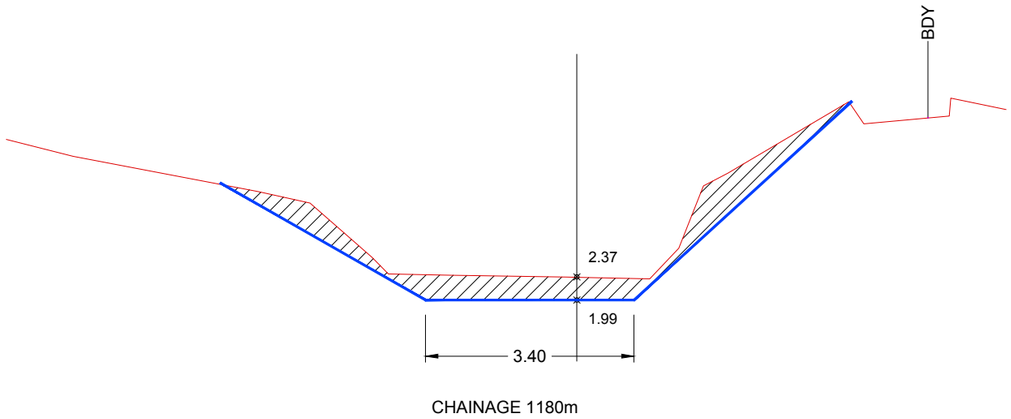
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

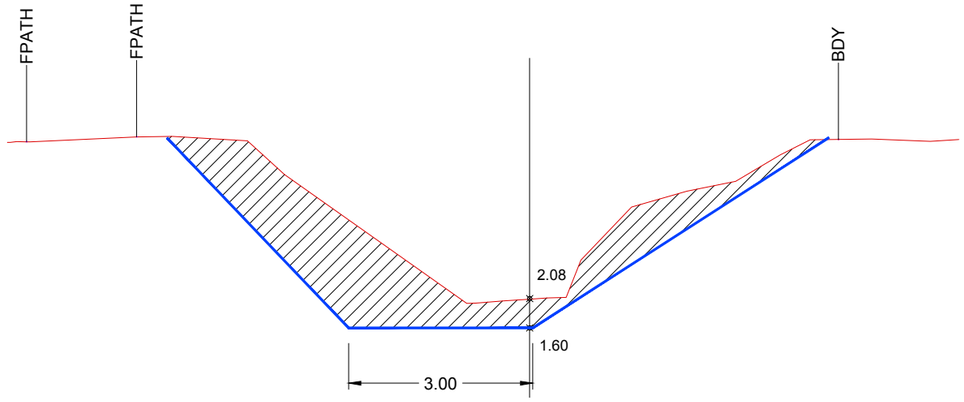
Sheet
EARTHWORK SITE PLAN
CHAINAGE 1135m to 1320m

Project No.	Sheet. No.	Revision
2-34250.06	C220	1

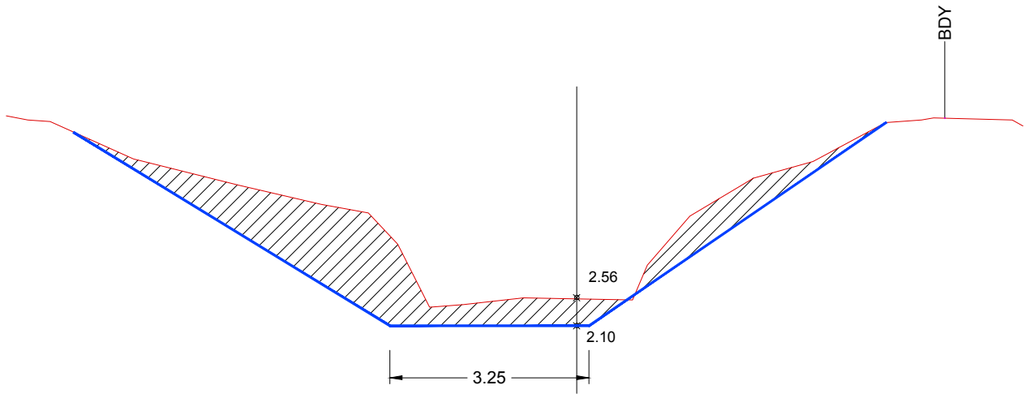
Original Sheet Size A1 [841x594] Plot Date 2016-05-02 at 10:22:20 a.m. Path \\tgsv01\GroupLib\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C220[1]



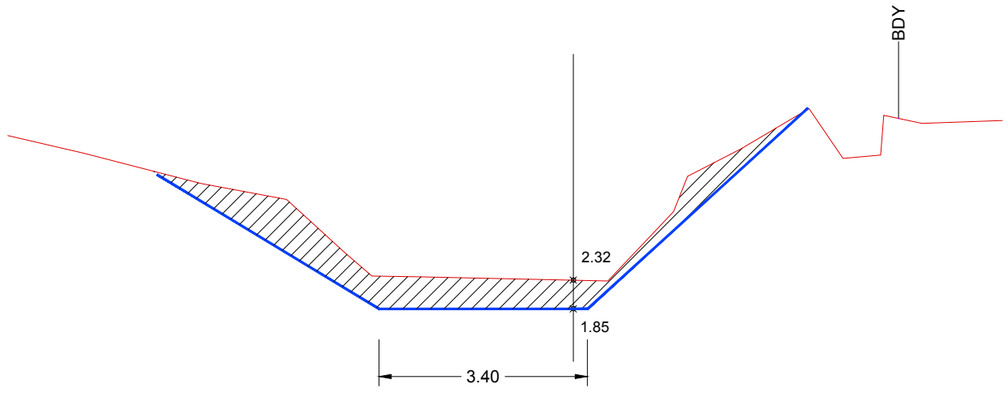
CHAINAGE 1180m



CHAINAGE 1290m



CHAINAGE1140m



CHAINAGE 1210m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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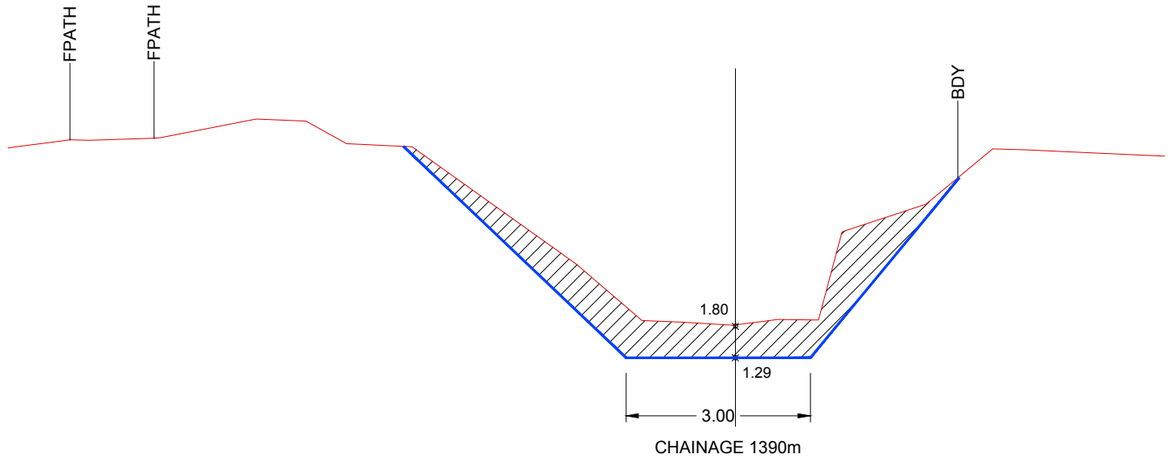
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

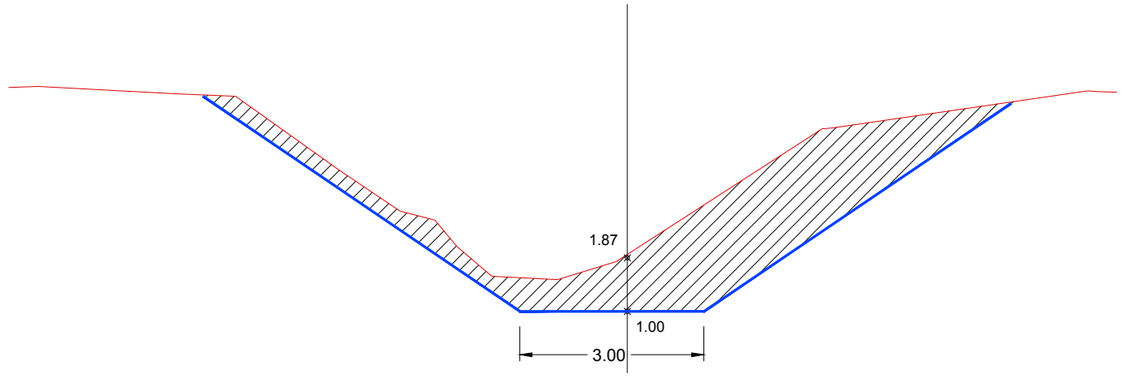
Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 1140m to 1290m

Project No.	Sheet. No.	Revision
2-34250.06	C221	1

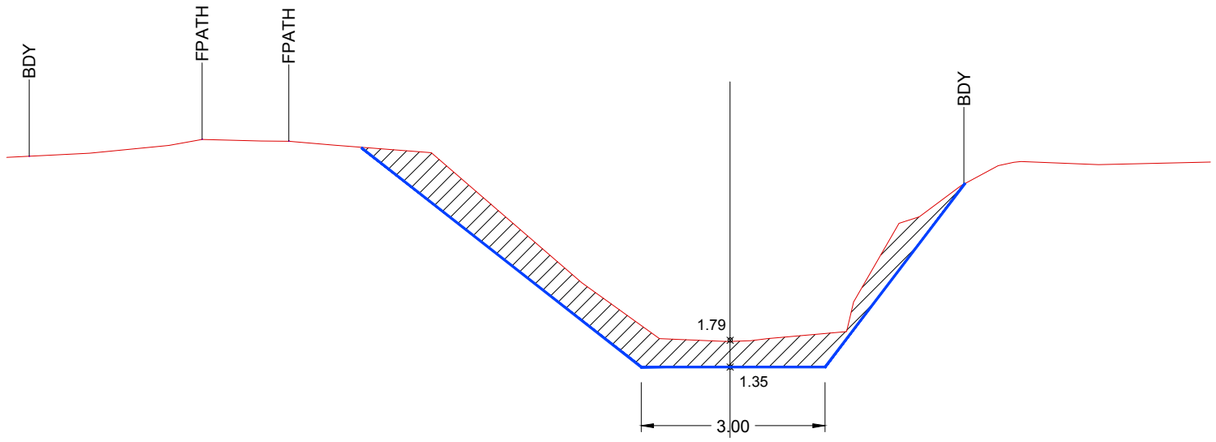
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:05:11 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C221[1]



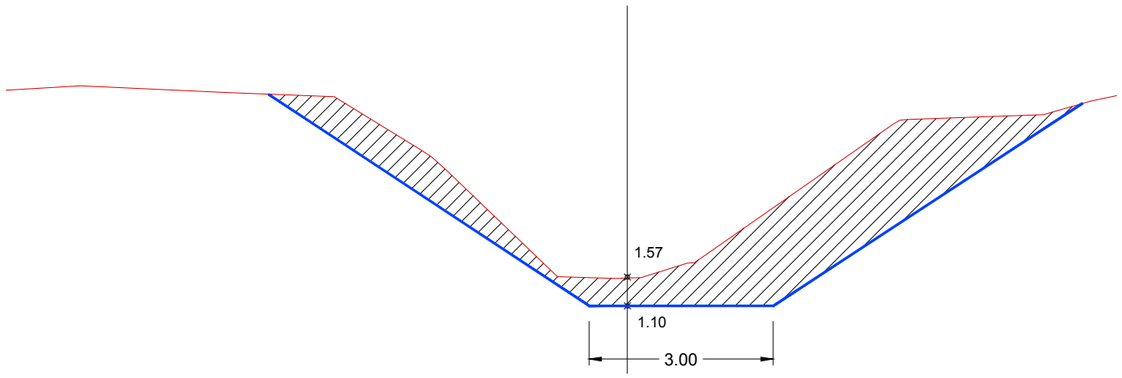
CHAINAGE 1390m



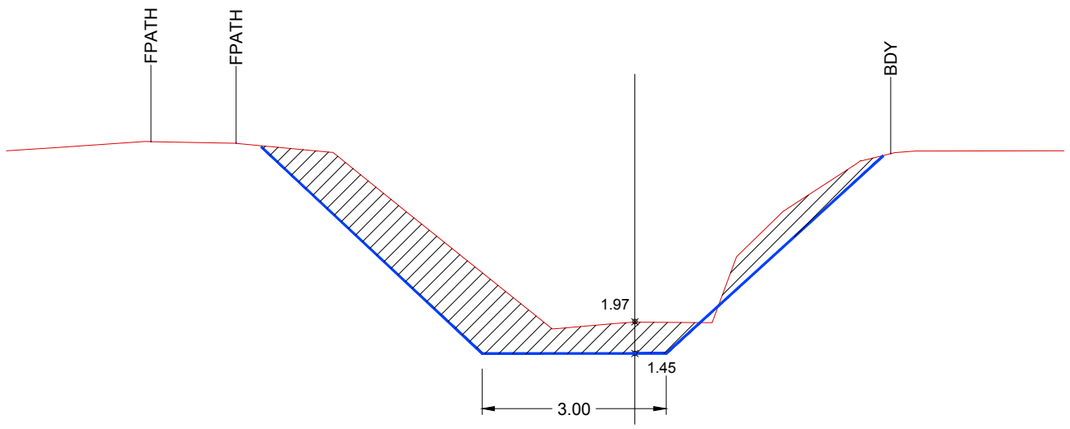
CHAINAGE 1490m



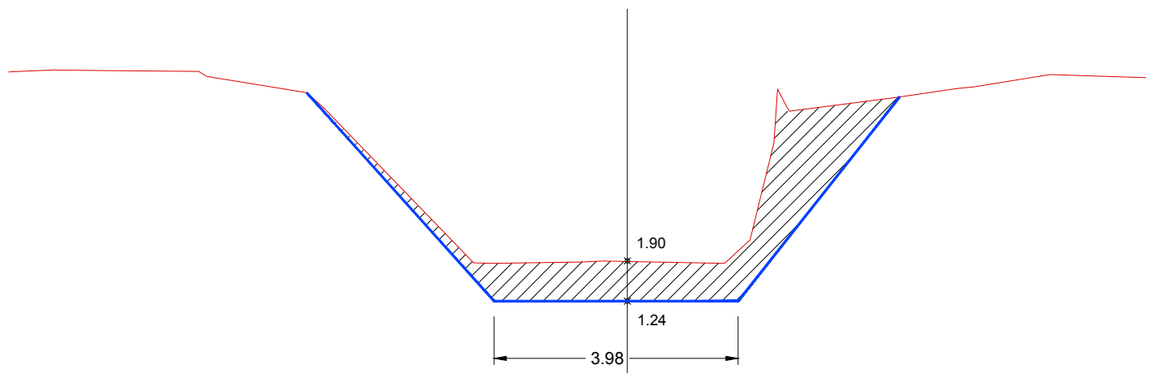
CHAINAGE1370m



CHAINAGE 1450m



CHAINAGE 1330m



CHAINAGE 1410m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 1330m to 1490m

Project No.	Sheet. No.	Revision
2-34250.06	C223	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:06:34 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C223[1]

LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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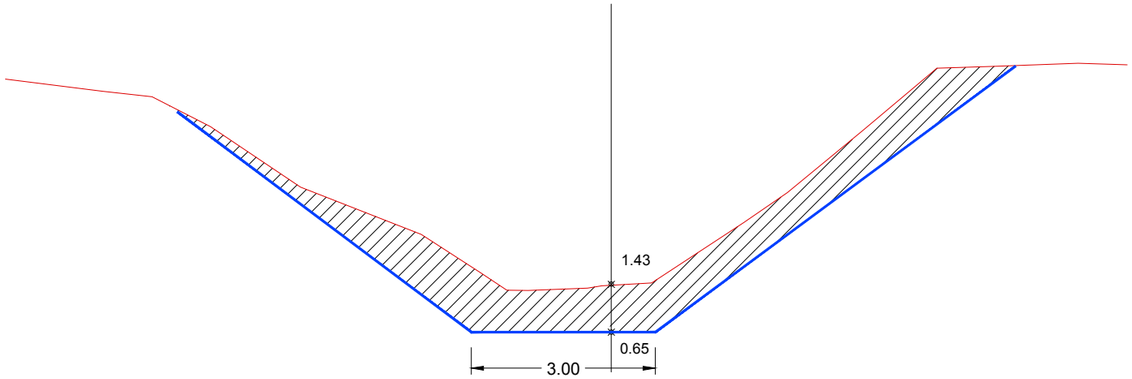
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

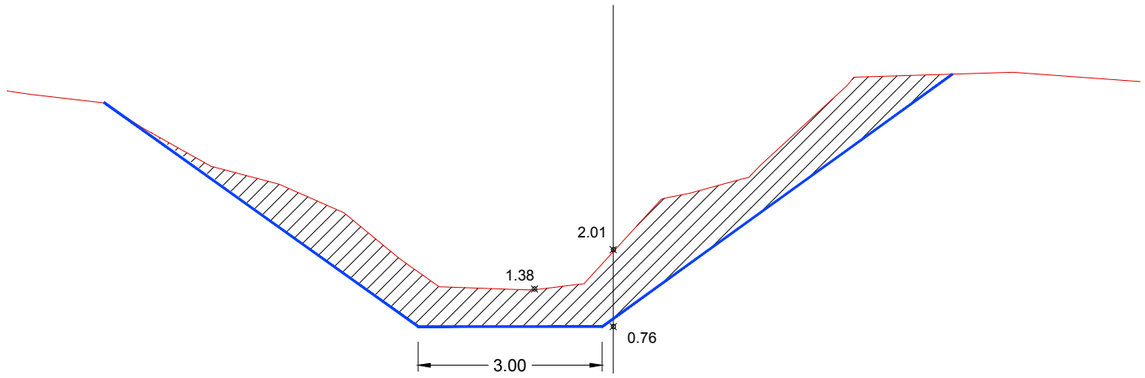
Sheet
EARTHWORK SITE PLAN
CHAINAGE 1510m to 1695m

Project No.	Sheet. No.	Revision
2-34250.06	C224	1

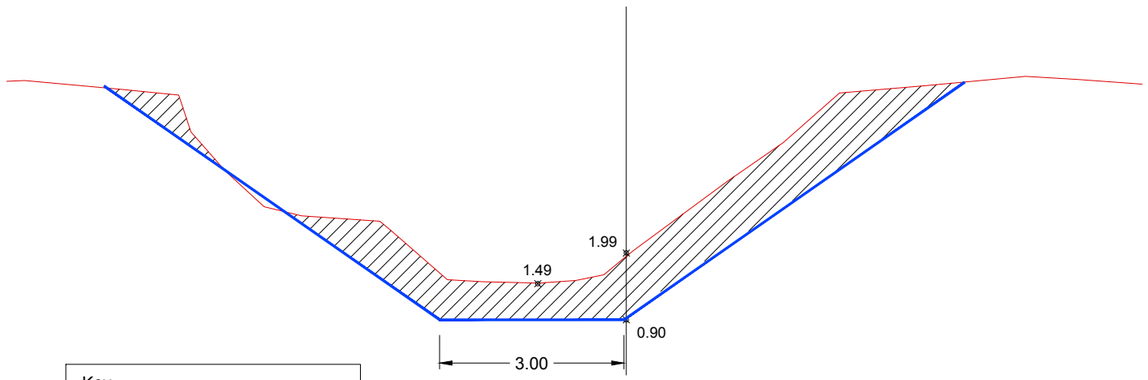
Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:07:03 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C224[1]



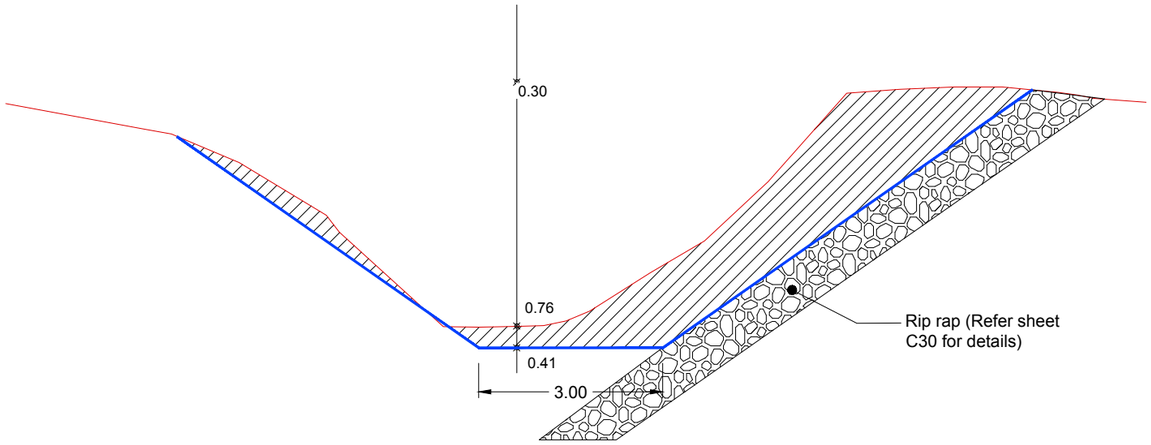
CHAINAGE 1610m



CHAINAGE1570m



CHAINAGE 1530m



CHAINAGE 1690m

CHAINAGE 1650m

Key

- Existing channel slope
- Design slope
- Cut
- Fill

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015

Drawn	Scales
P.WOHLERS	AS SHOWN

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
EARTHWORK DESIGN CROSS SECTIONS
CHAINAGE 1530m to 1690m

Project No.	Sheet. No.	Revision
2-34250.06	C225	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:07:55 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C225[1]

LEGEND:

- EASEMENT BOUNDARY
- TOP OF DESIGN SLOPE
- WIDTH OF DESIGN STREAM BED
- CROSS SECTION

1:250 @ A1
1:500 @ A3
0 4 8 12 16 20 24 m

WAINUI TE WHARA CHANNEL

SCALE A1 1:250 A3 1:500

CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	TENDER ISSUED	G.F.	02.10.15
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	EASEMENT & EARTHWORK	G.F.	29.04.16

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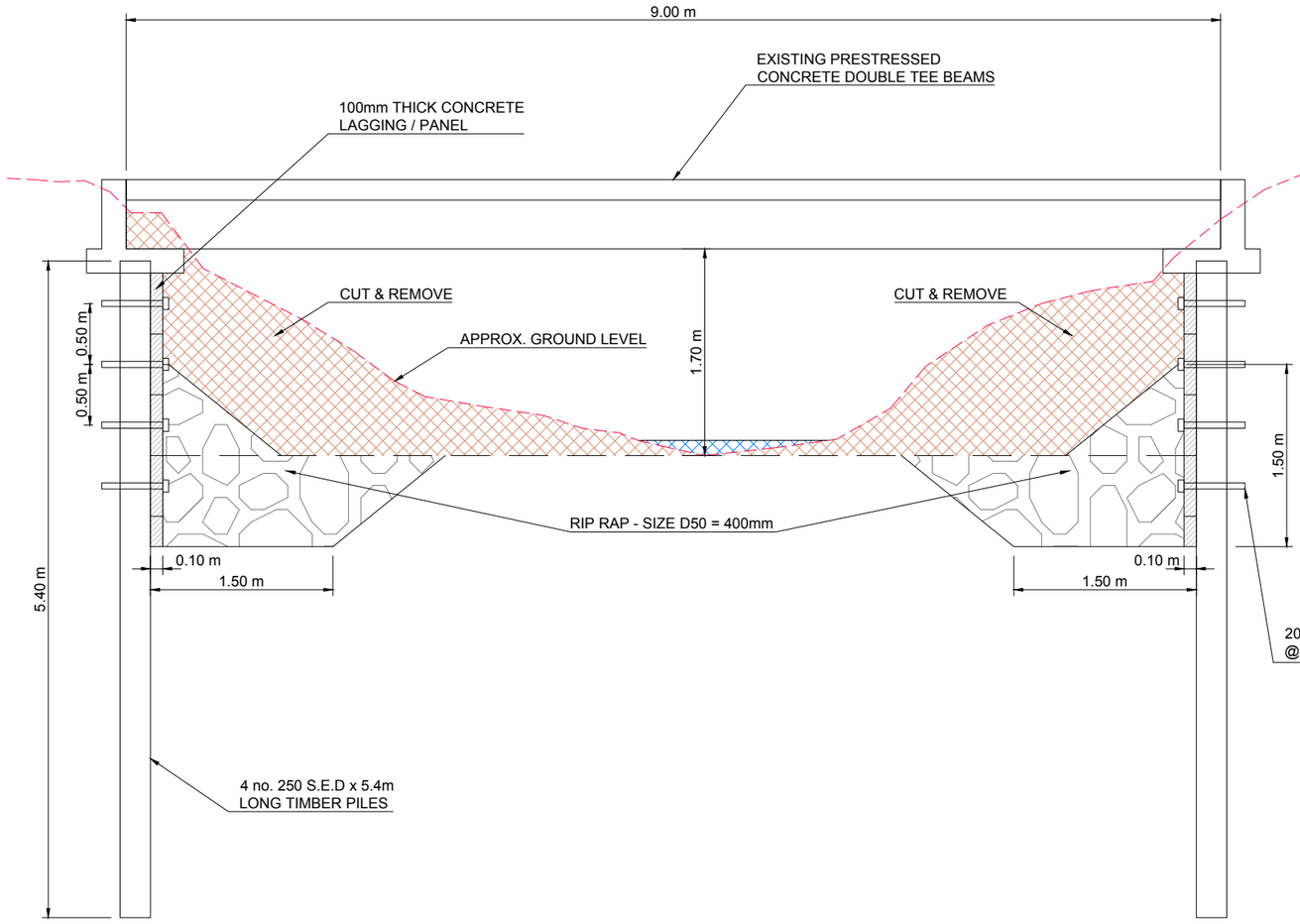
Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA STREAM UPGRADE

Sheet
EARTHWORK SITE PLAN
CHAINAGE 1700m to 1730m

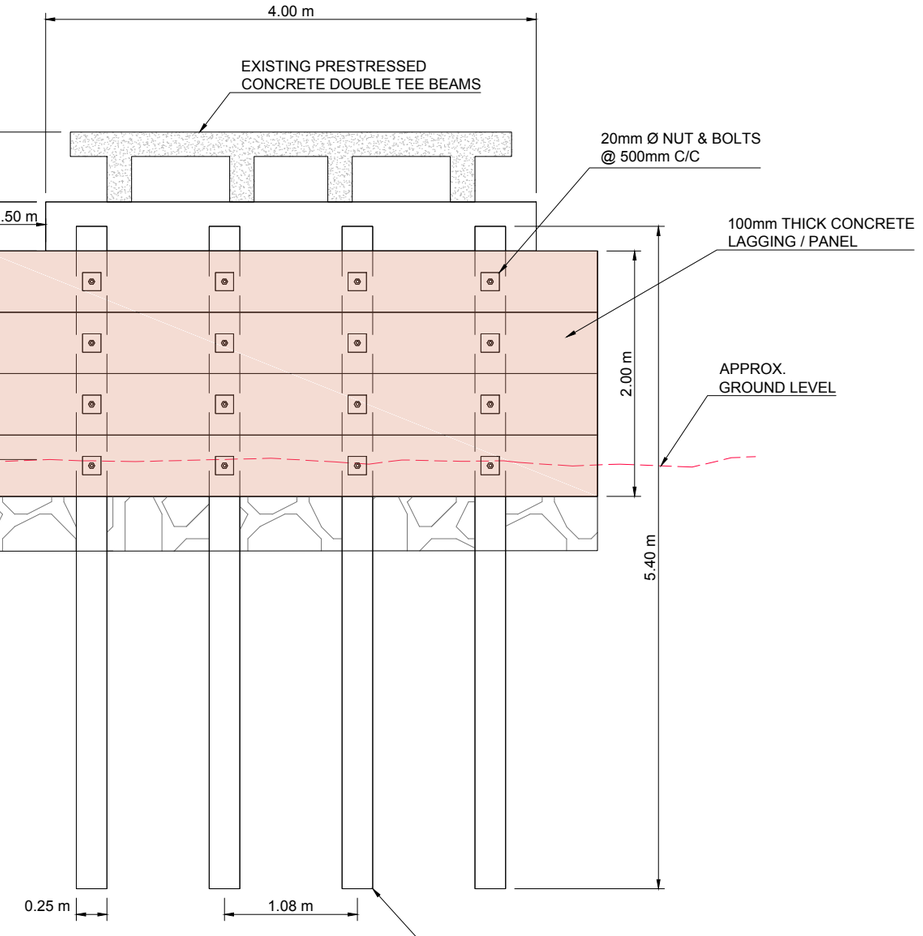
Project No.	Sheet. No.	Revision
2-34250.06	C226	1

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:08:21 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C01-C05,C09-C43.dwg C226[1]



LONGITUDINAL SECTION (DOWNSTREAM)

SCALE 1:25(A1) 1:50(A3)



CROSS SECTION

SCALE 1:25(A1) 1:50(A3)

NOTES:

1. BRIDGE DETAIL BASED ON AS BUILT DRAWINGS SUPPLIED.

DRAWING IN PROGRESS

PLOTTED ON 2016-5-2 AT 10:23 a.m.

FOR CONSTRUCTION

Revision	Amendment	Approved	Revision Date
1	FOR CONSTRUCTION	G.F.	29.04.16

OPUS
Tauranga Office
+64 7 578 2089
PO Box 646
Tauranga 3140
New Zealand

DESIGNED	Approved	Approved Date
A.Khanal	G.Francis	29.04.2016
Drawn	Scales	
A.Gordine	AS SHOWN	

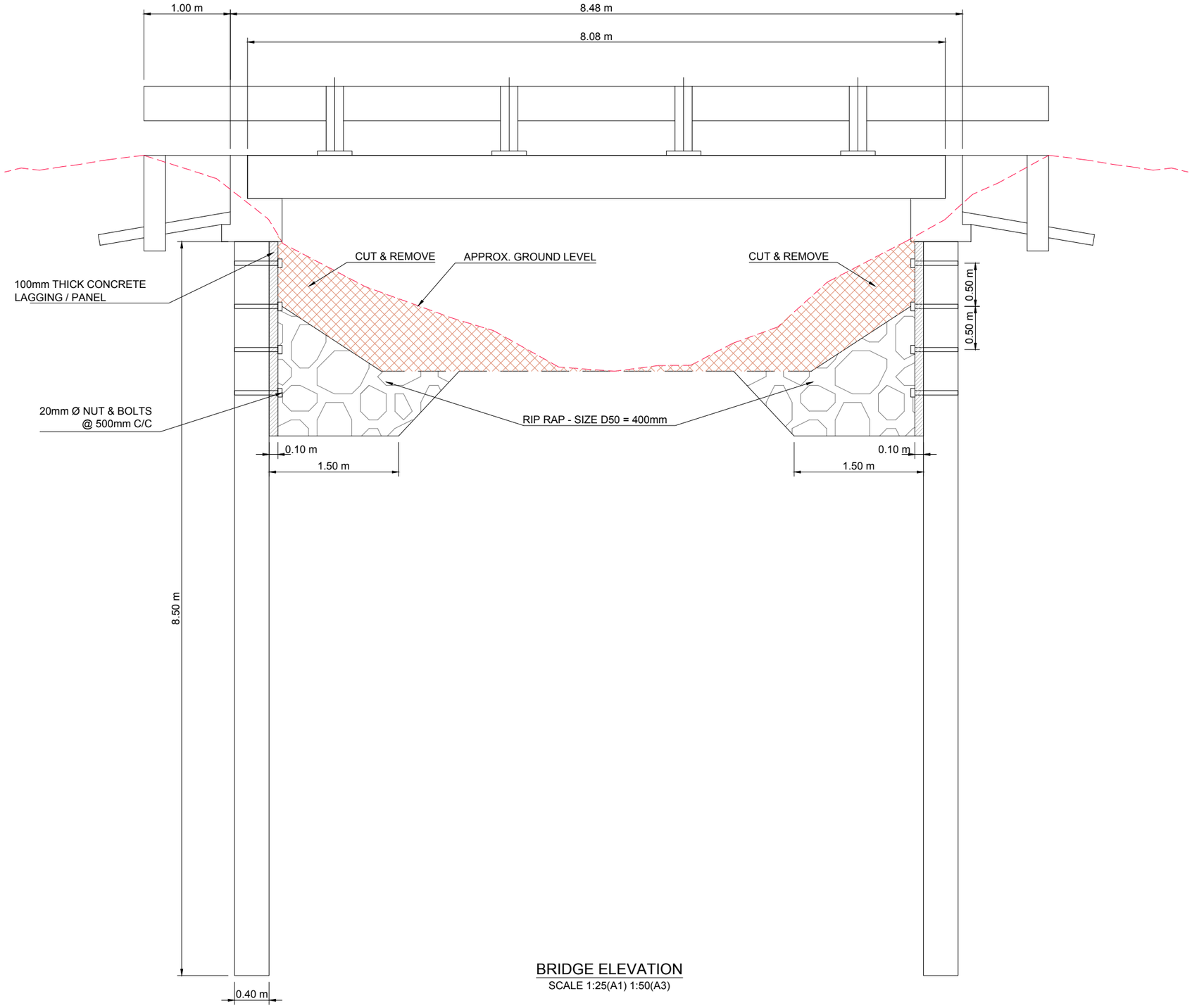
Project: WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA

Sheet: TUHOE AVENUE - BRIDGE UPGRADE

Project No.	Sheet. No.	Revision
2-34250.06	C227	1

1:25 @ A1
1:50 @ A3
0 400 800 1200 1600 2000 2400 mm

Original Sheet Size A1 [841x594] Plot Date 2016-05-02 at 10:23:55 a.m. Path \\tgsv01\GroupLib\5project\34250.06_Wainui_te_Whara\Geotechnical\Design Calculation\Bridges\Tuhoe Ave bridge\Tuhoe Ave Access Bridge.dwg C227



BRIDGE ELEVATION

SCALE 1:25(A1) 1:50(A3)

DRAWING IN PROGRESS

PLOTTED ON 2016-5-2 AT 10:24 a.m.

FOR CONSTRUCTION

NOTES:

1. BRIDGE DETAIL BASED ON AS BUILT DRAWINGS SUPPLIED.

Revision	Amendment	Approved	Revision Date
1	FOR CONSTRUCTION	G.F.	29.04.16

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PO Box 646
Tauranga 3140
New Zealand

DESIGNED	Approved	Approved Date
A.Khanal	G.Francis	29.04.2016
Drawn	**Scales**	
A.Gordine	AS SHOWN	

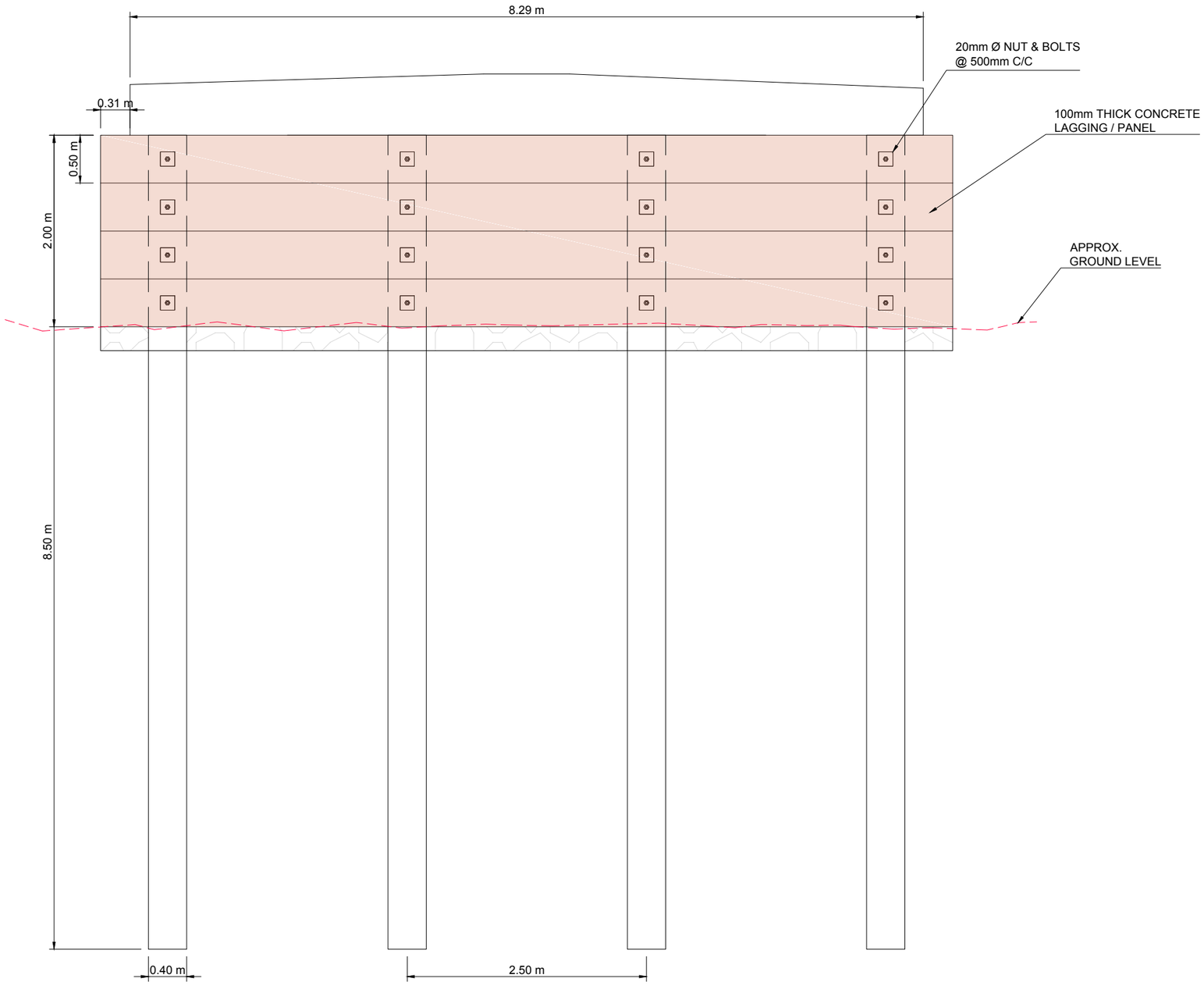
Project: WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA

Sheet: PETER SNELL STREET - BRIDGE UPGRADE

Project No.	Sheet. No.	Revision
2-34250.06	C228	1

1:25 @ A1
1:50 @ A3
0 400 800 1200 1600 2000 2400 mm

Original Sheet Size A1 [841x594] Plot Date 2016-05-02 at 10:24:23 a.m. Path \\tgsv01\GroupLib\5project\34250.06_Wainui_te_Whara\Geotechnical\Design Calculation\Bridges\Tuhoe Ave bridge\Tuhoe Ave Access Bridge.dwg C228



BRIDGE SECTION A-A

SCALE 1:25(A1) 1:50(A3)

DRAWING IN PROGRESS

PLOTTED ON 2016-5-2 AT 10:24 a.m.

FOR CONSTRUCTION

NOTES:

1. BRIDGE DETAIL BASED ON AS BUILT DRAWINGS SUPPLIED.

Revision	Amendment	Approved	Revision Date
1	FOR CONSTRUCTION	G.F.	29.04.16

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New Zealand

DESIGNED	Approved	Approved Date
A.Khanal	G.Francis	29.04.2016
Drawn	**Scales**	
A.Gordine	AS SHOWN	

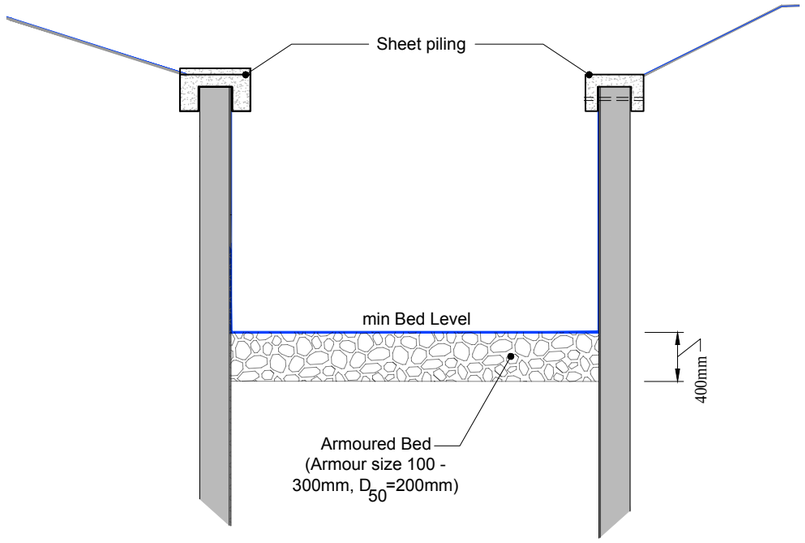
Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA

Sheet
PETER SNELL STREET - BRIDGE UPGRADE

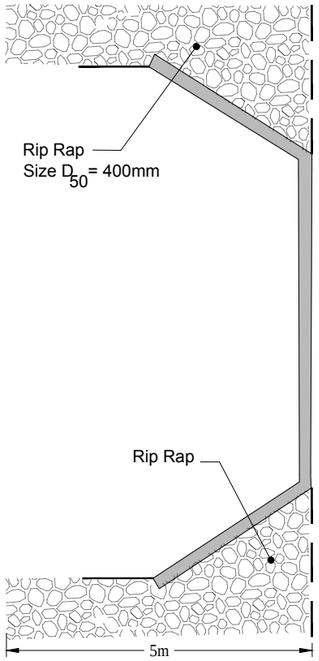
Project No.	Sheet. No.	Revision
2-34250.06	C229	1

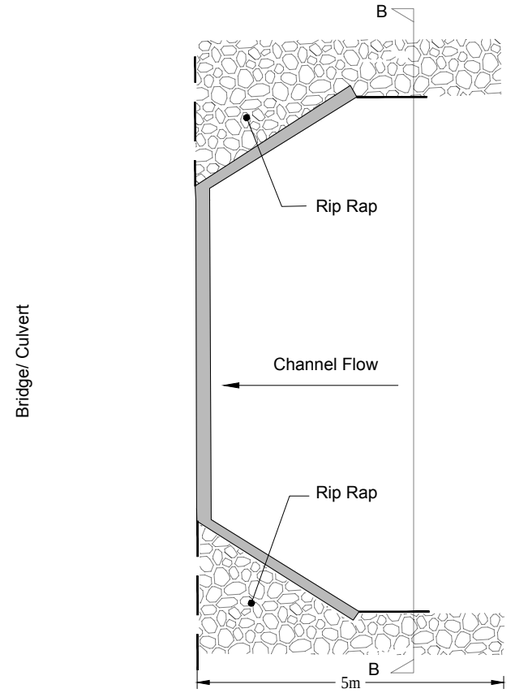
1:25 @ A1
1:50 @ A3
0 400 800 1200 1600 2000 2400 mm

Original Sheet Size A1 [841x594] Plot Date 2016-05-02 at 10:24:38 a.m. Path \\tgsv01\GroupLib\5project\34250.06_Wainui_te_Whara\Geotechnical\Design Calculation\Bridges\Tuhoe Ave bridge\Tuhoe Ave Access Bridge.dwg C229

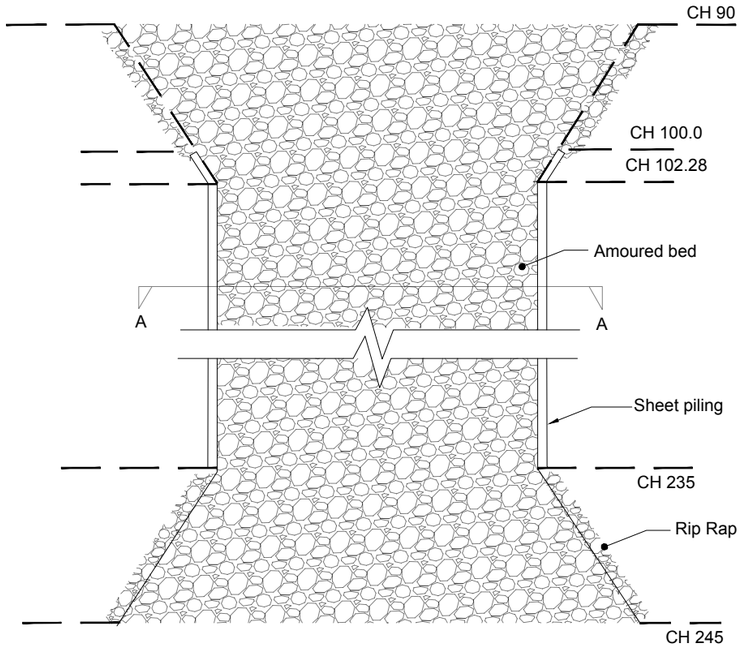


TYPICAL CROSS SECTION A-A
SCALE: 1:50 @ A3

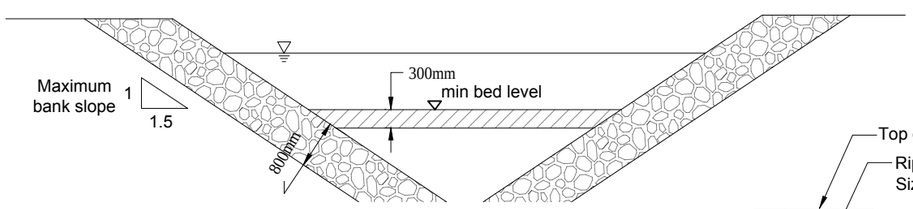




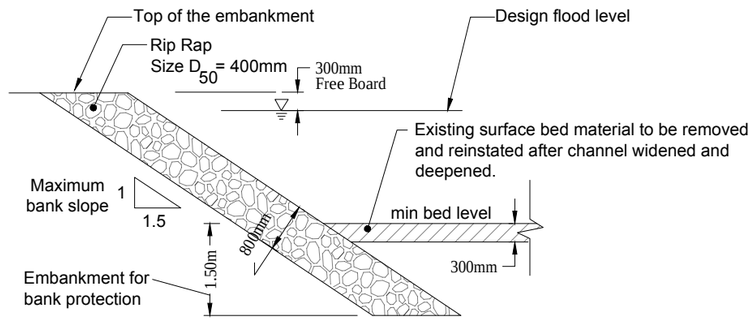
TYPICAL BANK PROTECTION DETAILS CULVERTS
SCALE: 1:100 @ A3



TYPICAL BANK PROTECTION DETAILS AMOURED BED
SCALE: 1:100 @ A3



TYPICAL CROSS SECTION B-B
SCALE: 1:100 @ A3



TYPICAL BANK PROTECTION DETAILS ON STREAM BENDS 1 TO 4
SCALE: 1:100 @ A3

FOR CONSTRUCTION

Revision	Amendment	Approved	Revision Date
A	NOT ISSUED	--/--	--/--
B	DRAFT FOR REVIEW BY WDC	G.F.	04.11.15
B	TENDER ISSUED	G.F.	18.11.15
1	FOR CONSTRUCTION	G.F.	23.12.15
2	REVISED STREAM EASEMENT BOUNDARY	G.F.	29.04.16

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New Zealand

Designed	Approved	Approved Date
A. KHANAL	G. FRANCIS	02.10.2015
Drawn	Scales	
P.WOHLERS	AS SHOWN	

Project
WHAKATANE DISTRICT COUNCIL
WAINUI TE WHARA CHANNEL IMPROVEMENT WORKS

Sheet
TYPICAL BANK AND STREAM BED PROTECTION DETAILS 1-4

Project No.	Sheet. No.	Revision
2-34250.06	C30	2

1:5 @ A1
1:10 @ A3
0 50 100 150 200 250 300 350 400 450 500 mm

1:25 @ A1
1:50 @ A3
0 400 800 1200 1600 2000 2400 mm

Original Sheet Size A1 [841x594] Plot Date 2016-04-29 at 11:09:51 a.m. Path G:\5project\34250.06_Wainui_te_Whara\Drawings\current\34250.06_C30-C31,C227.dwg C30[2]

Appendix 2 – Proclamation S365489

S365489

An Easement over Land Taken for Drainage Purposes and Flood-protection Works in the Borough of Whakatane

BERNARD FERGUSSON, Governor-General

A PROCLAMATION

PURSUANT to the Public Works Act 1928, I, Brigadier Sir Bernard Edward Fergusson, the Governor-General of New Zealand, hereby proclaim and declare that the easement described in the First Schedule hereto is hereby taken for drainage purposes and flood-protection works over the land described in the Second Schedule hereto, and shall vest in the Mayor, Councillors, and Citizens of the Borough of Whakatane, as from the date hereinafter mentioned; and I also declare that this Proclamation shall take effect on and after the 12th day of December 1966.

FIRST SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Description of Easement

1. The full and free right for the Whakatane Borough Council (hereinafter called "the grantee") from time to time, and at all times hereafter, to construct and install open drains and/or drainage pipes or concrete conduits through and under those pieces of land described in the Second Schedule hereto, and to discharge, convey, and drain into and through such open drains and/or drainage pipes or concrete conduits all water, whether rain, tempest, spring, surface, soakage, seepage water, or water from any stream or river, in any quantities, from the Borough of Whakatane and/or neighbouring localities.

2. The right to repair, alter, construct, or reconstruct a stopbank on the easement strip; and to increase or decrease the height or dimensions of any such stopbank so erected, and otherwise maintain it in a due state of efficiency.

3. The right to enter upon the easement strip for the purposes of taking therefrom any earth, clay, stone, boulders, gravel, sand, or other materials placed thereon for the purposes of giving effect to the easement and not as a *profit à prendre*.

4. The right to repair, cleanse, or maintain all such open drains and/or pipes or concrete conduits, including any manholes, valves, or surface boxes as may be constructed, laid down, or erected in, or under, the easement strip in a good and efficient state of repair.

5. The right to enter on to the easement strip at all times, by day or by night, by the grantee's engineers, officers, agents, and workmen, and, with or without vehicles and machinery, loaded or unloaded, to pass through or over the easement strip for the purposes of constructing, reconstructing, altering, repairing, and maintaining the stopbank and drain, and generally to do and perform such acts and things in or upon the easement strip as may be necessary or proper for, or in relation to, any of the purposes aforesaid; and for that purpose, in the case of an emergency, to make temporary roads or approaches over the servient land in order to gain access to the stopbank and easement strip, doing thereby no unnecessary or avoidable damage.

6. The right to plant, sow, and maintain trees, shrubs, plants, or grasses on the easement strip.

7. The right to lay or deposit on the easement strip any material whatsoever to be used on the stopbank, and to erect on the easement strip any temporary shelter for workmen or other persons, causing thereby as little damage or inconvenience as may be.

8. The right to dig and excavate the soil at the said easement strip to such extent and depth as the grantee shall deem to be necessary for the purpose of carrying out or performing any of the provisions of the said easements: provided, however, that on entering onto the easement strip for the purposes of constructing, reconstructing, repairing, or maintaining the stopbank and drain, such work will be carried out and completed with as little disturbance to the surface of the easement strip as possible, and on completion of such work the surface of the easement strip will be restored at the cost of the grantee.

9. The right to remove any private bridges situated on the easement strip: provided that such bridges are put back in the same state and condition as they were prior to removal.

SECOND SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Land Over Which Easement is Taken

ALL those pieces of land, situated in the Borough of Whakatane, described as follows:

A.	R.	P.	Being
0	0	10·7	Part Lot 1, D.P. 29308; coloured yellow on plan M.O.W. 20765 (S.O. 42972).
0	0	10·1	Part Lot 2, D.P. 29308; coloured blue on plan M.O.W. 20765 (S.O. 42972).
0	0	13·7	Part Lot 1, D.P. 35030; coloured sepia on plan M.O.W. 20765 (S.O. 42972).
0	0	1·8	Part Lot 2, D.P. 35030; coloured yellow on plan M.O.W. 20765 (S.O. 42972).
0	0	1·8	Part Lot 3, D.P. 35030; coloured blue on plan M.O.W. 20765 (S.O. 42972).
0	0	14·5	Part Lot 4, D.P. 35030; coloured sepia on plan M.O.W. 20765 (S.O. 42972).
0	0	8·2	Part Lot 1, D.P. S. 6304; coloured yellow on plan M.O.W. 20765 (S.O. 42972).
0	0	11	Part Lot 2, D.P. S. 6304; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	9·6	Part Lot 9, D.P. S. 6304; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	2·6	Part Lot 10, D.P. S. 6304; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	1·3	Part Lot 1, D.P. 36843; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	10	Part Lot 2, D.P. 36843; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	1·3	Part Lot 3, D.P. 36843; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	1·3	Part Lot 4, D.P. 36843; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	10·5	Part Lot 5, D.P. 36843; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	10·1	Part Lot 6, D.P. 36843; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	9·6	Part Lot 7, D.P. 36843; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	8·5	Part Lot 8, D.P. 36843; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	8·2	Part Lot 9, D.P. 36843; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	7·9	Part Lot 10, D.P. 36843; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	8·3	Part Lot 11, D.P. 36843; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	13·5	Part Lot 3, D.P. 29308; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	12·4	Part Lot 4, D.P. 29308; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	0·3	Part Lot 5, D.P. 29308; coloured orange on plan M.O.W. 20764 (S.O. 42382).
0	0	8·6	Part Lot 9, D.P. 29308; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	23·3	Part Lot 10, D.P. 29308; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	19·5	Lot 2, D.P. 29306, and part Lot 27, D.P. 11056; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	21·1	Part Lot 54, D.P. 11056; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	2	28	Part Lots 52 and 53, D.P. 11349, and part Lots 59 and 60, D.P. 11056; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	12·1	Part Lot 2, D.P. S. 6082; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	15·5	Part Lot 1, D.P. S. 106; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	18·8	Part Lot 62, D.P. 11056; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	8	Part Lot 62, D.P. 11056; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	15·6	Part Lot 61, D.P. 11056; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	5·7	Part Lot 61, D.P. 11056; coloured sepia on plan M.O.W. 20765 (S.O. 42972).
0	0	5·6	Part Lot 108, D.P. 11056; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	2·1	Part Lot 108, D.P. 11056; coloured yellow on plan M.O.W. 20765 (S.O. 42972).
0	0	5·4	Part Lot 107, D.P. 11056; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	2	Part Lot 107, D.P. 11056; coloured blue on plan M.O.W. 20765 (S.O. 42972).
0	0	4	Part Lot 106, D.P. 11056; coloured yellow on plan M.O.W. 20765 (S.O. 42972).
0	0	2	Part Lot 106, D.P. 11056; coloured sepia on plan M.O.W. 20765 (S.O. 42972).
0	0	5·4	Part Lot 105, D.P. 11056; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	5·2	Part Lot 105, D.P. 11056; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	5·4	Part Lot 104, D.P. 11056; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	2	Part Lot 104, D.P. 11056; coloured blue on plan M.O.W. 20765 (S.O. 42972).
0	0	5·4	Part Lot 103, D.P. 11056; coloured yellow on plan M.O.W. 20764 (S.O. 42382).
0	0	2	Part Lot 103, D.P. 11056; coloured sepia on plan M.O.W. 20765 (S.O. 42972).
0	0	5·4	Part Lot 102, D.P. 11056; coloured blue on plan M.O.W. 20764 (S.O. 42382).
0	0	2·1	Part Lot 102, D.P. 11056; coloured yellow on plan M.O.W. 20765 (S.O. 42972).
0	0	8·7	Part Lot 92, D.P. 11056; coloured sepia on plan M.O.W. 20764 (S.O. 42382).
0	0	18·4	Part Lot 93, D.P. 11056; coloured blue on plan M.O.W. 20765 (S.O. 42972).
0	0	0·6	Part Lot 94, D.P. 11056; coloured yellow on plan M.O.W. 20765 (S.O. 42972).

As the same are more particularly delineated on the plans marked and coloured as above mentioned, and deposited in the office of the Minister of Works at Wellington.

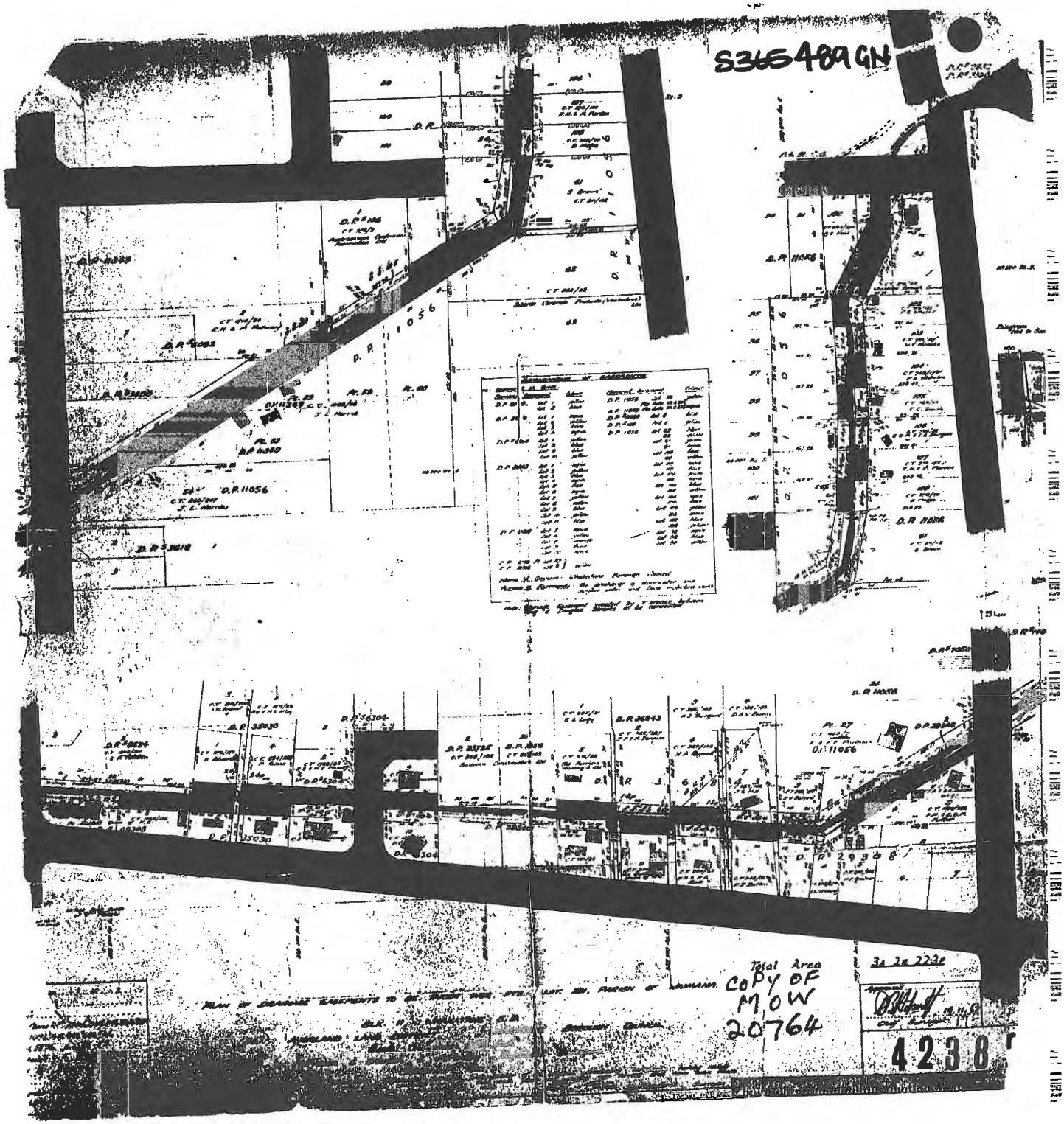
Given under the hand of His Excellency the Governor-General, and issued under the Seal of New Zealand, this 13th day of October 1966.

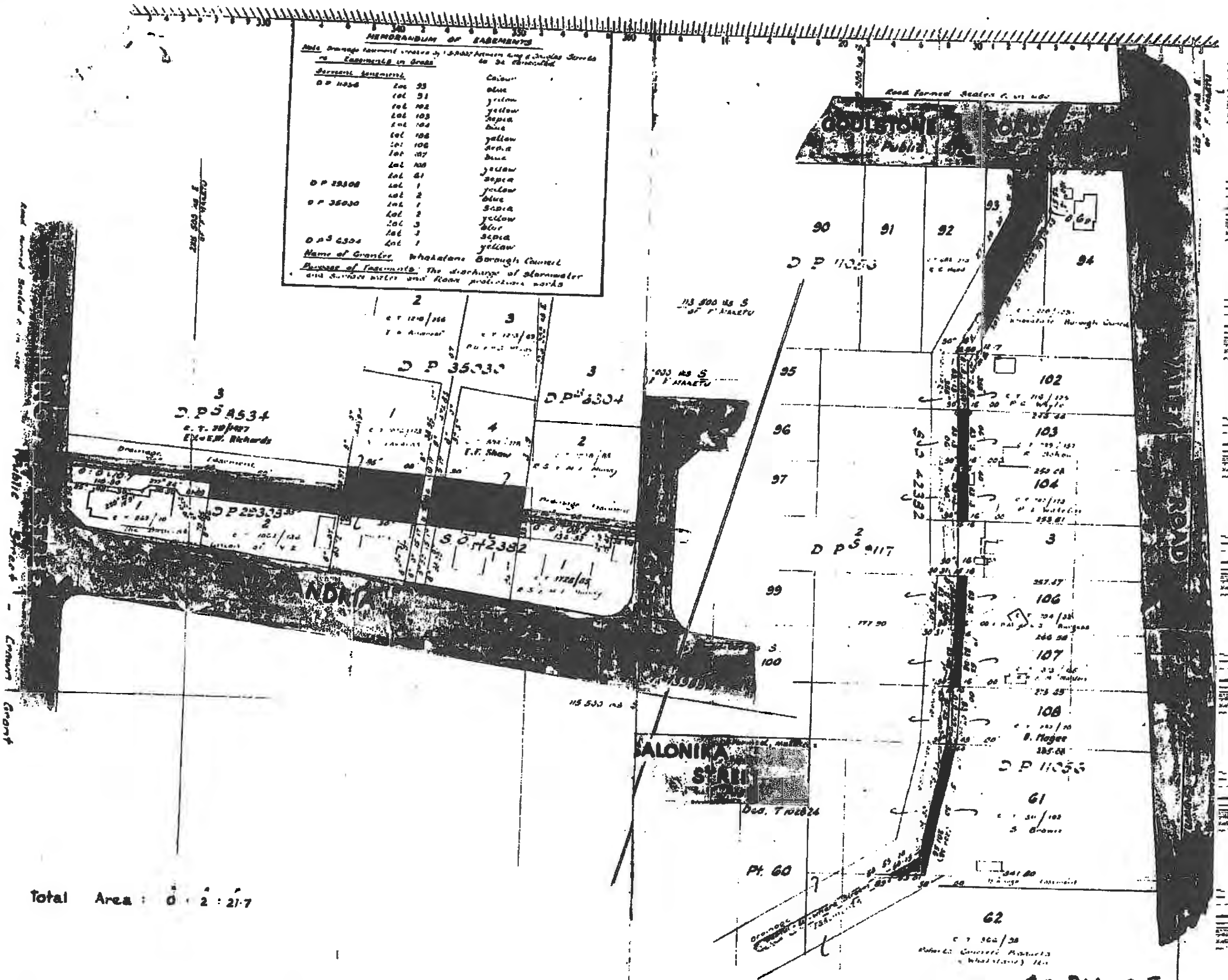
[L.S.] PERCY B. ALLEN, Minister of Works.

GOD SAVE THE QUEEN!

(P.W. 53/524; D.O. 43/8/0)

R. E. OWEN, Government Printer, Wellington, New Zealand


S365489GN
D.P. 11056
Total Area
COPY OF
MOW
20764
3s 2e 22-3e
4238



PLAN OF DRAINAGE EASEMENTS TO BE TAKEN OVER PTS. ALLOT. 261 PARISH OF WAIMANA

COPY OF MOW 20765

Cross Referenced
21.4.65
11/93
Reference Plans SO 42382
Checked by
Passed for approval
8.6.65

Survey Block & District BLK. II WHAKATANE S.D.
Land District SOUTH AUCKLAND Local Body WHAKATANE BOROUGH COUNCIL
Scale One chain to an inch Compiled by HARRISON & GRIERSON & PARTNERS Date MARCH 1965

I, Barry Lindsay Stone of Whakatane Registered Surveyor and holder of an annual practising certificate, hereby certify that this plan has been made correct and has been made in accordance with the regulations under the Surveyors Act, 1938

Dated at Whakatane this 16th day of April 1965

Registered Surveyor.

Approved
Chief Surveyor 11/6/65

This space reserved for plan numbers

42972

COPY OF M.O.W. 20765

995/31
Glen Edwin Rigg. Whakatane Married.
(M. 9158)
L.D. .8 55.

955/228 Hatanekot Union of N.Z.
M. S 122863 L.D. N.M. S. 122863 13.3.61.

1062/16 Hatanekot Union of N.Z.
L.D. T. S. 202145. 13.3.61.

1068/8.
Anthony Ellwood - Whakatane - Retired Army Officer.
L.D. T. S. 287961. 1.7.64.

1076/13. The Public Trustee L.D. Tsm. S. 319216.

1080/132 Elsie Dora May Fuller - Widow - Whakatane
D.L. Tsm S. 359943 27.10.66.

1210/56. Sean Audrey - Whakatane Market Gardener
M. S. 219047 (M. S. 265475)
29.8.63.

1213/9
William George Baty. Edgecumbe - Whakatane.
(M. S. 370370 15.3.67)
L. D

1728/5. Richard Seymour Mundy - Whakatane Farmer
& Margaret Eva Mundy - wife. L.D. T. S. 268455
7.10.63.

1714/54 Roland Harry Mahoney. Whakatane. Wir...
Rosemary ... Mahoney - wife. M. S. 165466
L.D. ... S. 197799.
M. S 197797.

1752/14 Peter Colin Cooper. Edgecumbe - Factory employee
(M. S 225152).
L.D. 2.1.62.

365489

Proclamation

PARTICULARS ENTERED IN THE REGISTER BOOK
VOL 270 FOLIO 123, 292/70, 311/102, 366/98, 373/155,
THE 9th DAY OF January 1967
AT 10.35 O'CLOCK.

T. Jones
Assistant Land Registrar
SOUTH AUCKLAND

DISTRICT LAND REGISTRAR AUCKLAND STH., N.Z.

✓684/270, ✓719/125, ✓739/157, ✓742/173, ~~787/79~~, ✓794/33, ✓858/188, ✓860/247, ~~861/98~~, ✓869/10, ✓882/274, ✓894/228, ✓896/136

✓944/23, ✓948/229, ✓955/227,228, ✓973/205, ✓976/2, ✓976/88, ✓983/166, ✓989/85, ✓989/122, ✓986/182, ✓986/183, ✓995/31, ~~956/228~~

✓1062/136, ✓1068/68, ✓1076/173, ✓1080/282, ✓1210/256, ✓1213/69, ✓1728/85, 1714/54, 44A/95, ✓1752/94, ✓1D/815

✓3D/780, ✓5A/1284, 308/231

684/270 Alfred Ferguson L.D. T. S. 131994

270/125 ✓ Burrows ... Whakatane

L.D. T. ... 28.3.41.

292/70 ✓

L.D. T. ... 20.2.46.

311/102 ✓

Roy ... L.D. ...

366/98 Robert Concrete (Whakatane) Limited

M. S 97149, M S 204307, M. S. 334870

M. S. 345264 ✓

L.D. chd N. S. 363147.

373/155 Richard Harold Marden Whakatane Salesman & Matilda Marden wife

~~M. S. 255150~~, FRC. (S. 255151) 22.1.60

Recorded on DP 29306 ... 8/1

DPS 6304

DPS 6082

DPS 106

DPS 6893

DP 11349

Shts 7 and 10 Whakatane Borough.

J.H.R. 16.2.67

976/2. Australian Conference Association Limited. 13.9.1950.

L.D. Title issuing

976/88. The Farmers Trading Company Limited. (M. S. 68211) NF 14/4/67

(L.D. 21.9.50).

983/166. John ... Hill Whakatane Signwriter.

M. S. 14228 L.D. DM. S. 14229 3.10.52. NF 19/4/67

see within

Phyllis Grace Whyte Whakatane Married,

D.M. 280852 - 29.4.52.

739/157 Robert Samuel Richards - Whakatane - Television Technician

(M. S. 370584)

L.D. 17.3.67

742/173. ... Whakatane ... Mill ...

(M. S 31319)

L.D. 28.4.52.

794/33. Edna Dorothy ... Burgess ... George Burgess Whakatane Inspector of ...

L.D. T. 51679 23.5.50.

858/188 Jack Verdun Bilyard Whakatane ... Proprietor.

(M. 344018)

L.D. 29.3.50.

860/247 ... Whakatane Retired ... Officer. L.D. Tsf. S 287961.

869/10. The Baptist Union of N.Z.

M. S. 122863. L.D. VM. S 122863 13.3.61.

882/274 John Winfred McHardy Taneatua Farmer. L.D. 20.12.51

894/228 Elspeth Frances Shaw - Whakatane. Widow.

L.D. T. S 287962.

896/136 Herbert Ellis Gulver. Whakatane Concrete worker.

321 S. 761 (M. S. 54334)

L.D. 25/8/53.

944/23. James Percival Rowe Whakatane - Post & Telegraph employee & Norma Alison ... wife. M. S. 194318 TBC S 19...

L.D. J.F.H S. 197274 16.12.60.

948/229 ... Dalton Whakatane Manager (M. S. 215584)

L.D. S. 215584

Appendix 3 – Property legal descriptions

Legal Description	Location	Owner	Subject to a drainage and flood protection works right (in gross) in favour of the Whakatāne District Council imposed by S365489
Lot 7 DPS 83203	1 KARAKA LANE	ALAN RAYMOND BILYARD	Yes
Lot 7 DPS 83203		JUDITH ANNE BILYARD	Yes
Lot 7 DPS 83203		FOCUS TRUSTEE COMPANY LIMITED	Yes
Lot 1 DPS 18803	1 SALONIKA STREET	TAIT FREDERICK KORA	Yes
Lot 11 DP 36843	1/46 ALEXANDER AVENUE	DAVID MELVILLE SMITH	Yes
Lot 7 DP 36843		SHEM WALTER CLARKE	Yes
Lot 7 DP 36843		SHAWNEE REBECCA MANSON	Yes
Lot 4 DP 36843	1/46B ALEXANDER AVENUE	GABRIEL JOHANNES ROSSOUW	Yes
Lot 4 DP 36843		MARCELL BARON	Yes
Lot 1 DPS 67982	1/50A ALEXANDER AVENUE	STEPHEN RICHARD OSTERMANN	Yes
Lot 1 DPS 67982		MAXIME MARGREET OSTERMANN	Yes
Lot 1 DPS 86750	1/52 ALEXANDER AVENUE	TANIA MAREE SAMAL	Yes
Lot 4 DP 35030	1/72 ALEXANDER AVENUE	JOHN EDWARD ISRAELSON	Yes
Lot 4 DPS 9108	1/8 PETER SNELL STREET	ELIZABETH GAY TURNER	Yes
Lot 4 DPS 9108		JOHN TURNER	Yes
Lot 92 DP 11056	1/9 GOULSTONE ROAD	HERMANUS ANDREAS VAN DER WERFF	Yes
Lot 1 DPS 4214	10 KIRK STREET	MARY ANN DEAR	Yes
Lot 1 DPS 4214		FASTCO TRUSTEES LIMITED	Yes
Lot 9 DPS 6304	10 PETER SNELL STREET	MIRIAMA HIMIONA	Yes
Lot 2 DPS 89917	10 VALLEY ROAD	PETER MARIO BRUNETTI	Yes
Lot 2 DPS 4214	12 KIRK STREET	RICKY TAUROA	Yes
Lot 2 DPS 4214		LISA MAREE CASTLE	Yes
Lot 104 DP 11056	12 VALLEY ROAD	DAVID JOHN DOBBIN	Yes
Lot 104 DP 11056		HELEN DIANA DOBBIN	Yes
Lot 104 DP 11056	12A VALLEY ROAD	SHARON MAREE YEATES	Yes
Lot 104 DP 11056		GERARDUS JOSEPHUS MARIA HOOGENBOOM	Yes
Lot 104 DP 11056		RONA JESSIE HOOGENBOOM	Yes
Lot 3 DPS 4214	14 KIRK STREET	DIRK FABRIE	Yes
Lot 3 DPS 9117	14 VALLEY ROAD	BENJAMIN RICHARD CLARKE	Yes
Lot 2 DP 427878	143 KING STREET	TAURANGA COMMUNITY HOUSING TRUST	Yes
Lot 4 DPS 4214	16 KIRK STREET	HOUSING NEW ZEALAND LIMITED	Yes
Lot 3 DPS 12703	16 VALLEY ROAD	BRUYS INVESTMENT LIMITED	Yes
Lot 4 DPS 37031	162B KING STREET	RICHARD MARK HARDING	Yes
Lot 4 DPS 37031		GILLIAN MARGARET HARDING	Yes
Lot 37 DPS 582	164 KING STREET	WHAKATANE DISTRICT COUNCIL	Yes
Lot 3 DPS 12703	16A VALLEY ROAD	BRUYS INVESTMENT LIMITED	Yes
Lot 2 DPS 78342	18 VALLEY ROAD	RUSSELL BRETT LILLEY	Yes
Lot 2 DPS 78342		LYDIA PARAGAS LILLEY	Yes
Lot 2 DPS 77319	1A SALONIKA STREET	RICHARD ALASTAIR BUCHANAN	Yes
Lot 2 DPS 77319		ELAINE NICOLA BOOKER	Yes
Lot 2 DPS 13648	1B SALONIKA STREET	JASON DAVID HUNT	Yes
Lot 2 DPS 13648		HAYLEY MARIE HUNT	Yes
Lot 6 DPS 83203	2 KARAKA LANE	ALAN RAYMOND BILYARD	Yes
Lot 6 DPS 83203		JUDITH ANNE BILYARD	Yes
Lot 6 DPS 83203		FOCUS TRUSTEE COMPANY LIMITED	Yes
Lot 2 DPS 13648	2 SALONIKA STREET	JAMES NELSON MARTIN	Yes
Lot 2 DPS 13648		BETTY LORRAINE MARTIN	Yes
Lot 2 DPS 13648		GRANT ANTONY MISSEN	Yes
Lot 11 DP 36843	2/46 ALEXANDER AVENUE	ROBERT JAMES HEDGES	Yes
Lot 11 DP 36843		MARY MICHELLE KILGARRIFF	Yes
Lot 7 DP 36843	2/46A ALEXANDER AVENUE	TIMOTHY JOHN TWIGG	Yes
Lot 7 DP 36843		DONNA MAREE TWIGG	Yes
Lot 4 DP 36843	2/46B ALEXANDER AVENUE	SHARON MAREE YEATES	Yes
Lot 4 DP 36843		GERARDUS JOSEPHUS MARIA HOOGENBOOM	Yes
Lot 4 DP 36843		RONA JESSIE HOOGENBOOM	Yes
Lot 2 DPS 67982	2/50A ALEXANDER AVENUE	LESLIE CHARLES BRINKLEY	Yes
Lot 2 DPS 67982		CUSHLA SHARON MARY BRINKLEY	Yes
Lot 2 DPS 86750	2/52 ALEXANDER AVENUE	SANJAY SHARMA	Yes
Lot 4 DPS 9108	2/8 PETER SNELL STREET	FREDRICK DAVID FINUCANE	Yes
Lot 4 DPS 9108		LYNLEY MAY BEDINGHAM	Yes
Lot 4 DPS 9108		PAUL NORRIS	Yes
Lot 4 DPS 9108		MARGRET EVELYN NORRIS	Yes
Lot 92 DP 11056	2/9 GOULSTONE ROAD	HERMAN VAN DER WERFF	Yes
Lot 1 DP 404258	20 GARAWAY STREET	HOUSING NEW ZEALAND LIMITED	Yes
Lot 4 DPS 43669	20 KIRK STREET	HOUSING NEW ZEALAND LIMITED	Yes

Lot 1 DPS 13648	20A VALLEY ROAD	HAMISH WILLIAM LOVEDAY	Yes
Lot 1 DPS 13648	20B VALLEY ROAD	TANIA MARIE GIBSON	Yes
Lot 3 DPS 43669	22 KIRK STREET	HOUSING NEW ZEALAND LIMITED	Yes
Lot 1 DPS 69055	22 VALLEY ROAD	ROBERT HILTON COUCH	Yes
Lot 1 DPS 69055		RUTH ANTONIA COUCH	Yes
Lot 1 DPS 69055		FORWARD TRUSTEES LIMITED	Yes
Lot 2 DPS 43669	24 KIRK STREET	HOUSING NEW ZEALAND LIMITED	Yes
Lot 1 DPS 43669	26 KIRK STREET	HOUSING NEW ZEALAND LIMITED	Yes
Part Lot 63 DP 11056	26 VALLEY ROAD	ROBERT JOHN BARKER	Yes
Part Lot 63 DP 11056		CHRISTINE JOY BARKER	Yes
Part Lot 63 DP 11056		PETER BARKER TRUSTEES LIMITED	Yes
Lot 62 DP 11056		ROBERT JOHN BARKER	Yes
Lot 62 DP 11056		CHRISTINE JOY BARKER	Yes
Lot 62 DP 11056		PETER BARKER TRUSTEES LIMITED	Yes
Part Lot 63 DP 11056	26A VALLEY ROAD	KERRY DONALD WESTLEY	Yes
Part Lot 63 DP 11056		JOYCE LYNETTE WESTLEY	Yes
Lot 62 DP 11056		KERRY DONALD WESTLEY	Yes
Lot 62 DP 11056		JOYCE LYNETTE WESTLEY	Yes
Lot 2 DPS 6082	27A DOUGLAS STREET	RHONDA MARCELLA CONNOR	Yes
Lot 1 DPS 22814	28B KIRK STREET	DOROTHY IRIS SAWYER	Yes
Lot 1 DPS 22814		WAITAKERE TRUSTEES LIMITED	Yes
Lot 11 DPS 39848	29 GARAWAY STREET	HOUSING NEW ZEALAND LIMITED	Yes
Lot 1 DPS 1400	29A DOUGLAS STREET	JASON MICHAEL BIDOIS	Yes
Lot 1 DPS 1400	29B DOUGLAS STREET	ELIZABETH ARANETA DEY	Yes
Lot 1 DPS 1400	29C DOUGLAS STREET	SATISH CHAND	Yes
Lot 1 DPS 1400		KANTA MANI CHAND	Yes
Lot 1 DPS 33827	3 ANZAC AVENUE	LEANNE JANE CARLIN	Yes
Lot 1 DPS 33827		RICHARD DEREK KAVANAGH	Yes
Lot 1 DPS 89917		LEANNE JANE CARLIN	Yes
Lot 1 DPS 89917		RICHARD DEREK KAVANAGH	Yes
Lot 5 DPS 83203	3 KARAKA LANE	TAKATUA STANLEY RIKIRIKI	Yes
Lot 2 DPS 6304	3 PETER SNELL STREET	ELSIE DOROTHY ROSE FILIPIAK	Yes
Lot 1 DPS 106	3 SALONIKA STREET	ASSEMBLY OF GOD (WHAKATANE) TRUST BOARD	Yes
Lot 4 DPS 9108	3/8 PETER SNELL STREET	STEVEN KEITH BLOOR	Yes
Lot 92 DP 11056	3/9 GOULSTONE ROAD	MERRIN BRUCE PEARSE	Yes
Lot 92 DP 11056		LOUISE WINIFRED TAYLOR	Yes
Lot 28 DPS 582	31 TUHOE AVENUE	WINIFRED ZEENA TE ARE	Yes
Part Lot 63 DP 11056	32A VALLEY ROAD	DAVID IVOR JONES	Yes
Part Lot 63 DP 11056		MARIE JUNE JONES	Yes
Lot 62 DP 11056		DAVID IVOR JONES	Yes
Lot 62 DP 11056		MARIE JUNE JONES	Yes
Lot 1 DP 399339	33 DOUGLAS STREET	STEPHEN JOHN HORIDE	Yes
Lot 2 DPS 82975	34B TUHOE AVENUE	HOUSING NEW ZEALAND LIMITED	Yes
Lot 1 DPS 82975	34C TUHOE AVENUE	HOUSING NEW ZEALAND LIMITED	Yes
Lot 3 DPS 39848	34D TUHOE AVENUE	HOUSING NEW ZEALAND LIMITED	Yes
Lot 2 DPS 69344	35 DOUGLAS STREET	IAN LOWE	Yes
Lot 2 DPS 69344		THI MINH CHAU LOWE	Yes
Lot 1 DPS 69344	35A DOUGLAS STREET	HENNA HULSE	Yes
Lot 1 DPS 71466	35B DOUGLAS STREET	CARLA MITCHELL	Yes
Lot 1 DPS 78343	35C DOUGLAS STREET	GERALD NEVILLE NAIDOO	Yes
Lot 1 DPS 78343		ANITA NAIDOO	Yes
Lot 2 DPS 78343	35D DOUGLAS STREET	ROBERT BRUCE FERGUSON	Yes
Lot 2 DPS 78343		PAULA CATHERINE FERGUSON	Yes
Lot 3 DPS 81123	35E DOUGLAS STREET	DARE HOLDING LIMITED	Yes
Lot 4 DPS 81123	35F DOUGLAS STREET	BETTY FLORENCE SUTTRON	Yes
Lot 5 DPS 81124	35G DOUGLAS STREET	PHILIP JOHN VAN DUSSCHOTEN	Yes
Lot 5 DPS 81124		STEPHANIE ANNE VAN DUSSCHOTEN	Yes
Lot 8 DPS 39848	36 TUHOE AVENUE	HOUSING NEW ZEALAND LIMITED	Yes
Lot 13 DPS 5131	36A GARAWAY STREET	SKYHOG LIMITED	Yes
Lot 13 DPS 5131	36B GARAWAY STREET	JOS MICHAEL BOONEN	Yes
Lot 1 DPS 76978	39A GARAWAY STREET	THREE SPARKS LIMITED	Yes
Lot 2 DPS 76978	39B GARAWAY STREET	THREE SPARKS LIMITED	Yes
Lot 3 DPS 76978	39C GARAWAY STREET	THREE SPARKS LIMITED	Yes
Lot 4 DPS 76978	39D GARAWAY STREET	THREE SPARKS LIMITED	Yes
Lot 1 DPS 33827	3A ANZAC AVENUE	ROBYN ELIZABETH ROUBOS	Yes
Lot 1 DPS 33827		KEVIN MAX ROUBOS	Yes
Lot 1 DPS 89917		ROBYN ELIZABETH ROUBOS	Yes
Lot 1 DPS 89917		KEVIN MAX ROUBOS	Yes
Lot 1 DPS 33827	3B ANZAC AVENUE	RAEWYN MARGARET FROST	Yes
Lot 1 DPS 89917		RAEWYN MARGARET FROST	Yes

Lot 2 DPS 6304	3B PETER SNELL STREET	CASSANDRA GAY FRYER	Yes
Lot 4 DPS 9108	4/8 PETER SNELL STREET	MATCHONE CO LIMITED	Yes
Lot 92 DP 11056	4/9 GOULSTONE ROAD	MERRIN BRUCE PEARSE	Yes
Lot 92 DP 11056		LOUISE WINIFRED TAYLOR	Yes
Lot 2 DPS 81793	40 ALEXANDER AVENUE	CHARL NAUDE	Yes
Lot 10 DPS 83203	40 DOUGLAS STREET	AMY LOUISE SMITH	Yes
Part Lot 4 DP 29308	42 ALEXANDER AVENUE	MARK SHANNON	Yes
Part Lot 4 DP 29308		LURLEEN CATHERINE SHANNON	Yes
Lot 9 DP 29308	42 DOUGLAS STREET	GAVIN JOHN HAYDON	Yes
Lot 9 DP 29308		JULIE ANN HOWARD	Yes
Lot 3 DPS 76293	42H VALLEY ROAD	HADDOCK HOLDINGS LIMITED	Yes
Lot 9 DPS 83203	44 ALEXANDER AVENUE	FRASER JOHN BARLOW	Yes
Lot 10 DP 36843	48 ALEXANDER AVENUE	SHELLEY BREMNER	Yes
Lot 6 DP 36843	48A ALEXANDER AVENUE	JOHN FARRELL NGAMOKI	Yes
Lot 6 DP 36843		ALISON GAYE NGAMOKI	Yes
Lot 3 DP 36843	48B ALEXANDER AVENUE	VALERIE DAWN THURGOOD	Yes
Lot 9 DP 36843	50 ALEXANDER AVENUE	MATHIEUS BOONEN	Yes
Lot 9 DP 36843		SUSANNE BOONEN	Yes
Lot 9 DP 36843		JULIANNA BOONEN	Yes
Lot 3 DPS 67982	50A ALEXANDER AVENUE	JOSEPH FITZGERALD DONOVAN	Yes
Lot 3 DPS 67982		MARY DONOVAN	Yes
Lot 5 DP 36843	52A ALEXANDER AVENUE	CARL ANTHONY SCHULER	Yes
Lot 5 DP 36843		ERIKA MARIA SCHULER-SPICHTIG	Yes
Lot 1 DP 36843	52B ALEXANDER AVENUE	LINCOLN ABRAHAM	Yes
Lot 1 DP 36843		PAULETTE MESSINES SKIPPER	Yes
Lot 1 DPS 9108	54 ALEXANDER AVENUE	SHIRLEY ANN MARGORIE MAYNARD	Yes
Lot 2 DPS 9108	56 ALEXANDER AVENUE	MARGARET COLLEEN CAMPBELL	Yes
Lot 3 DPS 9108	58 ALEXANDER AVENUE	ARTHUR RAYMOND CAMPBELL	Yes
Lot 3 DPS 9108		VALERIE CELIA CAMPBELL	Yes
Lot 2 DP 458742	6 KIRK STREET	LAUREL MARGARET MARTIN	Yes
Lot 10 DPS 6304	60 ALEXANDER AVENUE	JOANNA MAREE YOUNG	Yes
Lot 1 DPS 6304	70 ALEXANDER AVENUE	RICHARD EARLE HUDSON	Yes
Lot 1 DPS 6304		JOAN HUDSON	Yes
Lot 3 DP 35030	72A ALEXANDER AVENUE	BERNARD CHARLES WEBSTER	Yes
Lot 3 DP 35030		GINA FRANCIS WEBSTER	Yes
Lot 3 DP 35030		QUAY TRUSTEE SERVICE NO. 3 LIMITED	Yes
Lot 4 DP 35030	72B ALEXANDER AVENUE	TINA MABEL MURRAY	Yes
Lot 4 DP 35030		MAXWELL ALLAN HOLDER	Yes
Lot 1 DP 35030	74 ALEXANDER AVENUE	JOHN LESTER MAYRICK	Yes
Lot 1 DP 35030		RUTH BEATRICE GERZON	Yes
Lot 2 DP 35030	74A ALEXANDER AVENUE	JOHN LESTER MAYRICK	Yes
Lot 2 DP 35030		RUTH BEATRICE GERZON	Yes
Lot 1 DP 29308	76 ALEXANDER AVENUE	BIZZY BUDDYZ LIMITED	Yes
Lot 2 DP 29308		BIZZY BUDDYZ LIMITED	Yes
Lot 1 DP 458742	8 KIRK STREET	LYNETTE MARGARET MARTIN-CLARK	Yes
Part Lot 102 DP 11056	8 VALLEY ROAD	ALAN NEIL PASK	Yes
Part Lot 102 DP 11056		MADELAINE MARGARET PASK	Yes
Lot 1 DPS 12703	9A ANZAC AVENUE	BRENT ANTHONY SMITH	Yes
Lot 1 DPS 12703		SHARON LEE RAMSAY	Yes
Lot 2 DPS 12703	9B ANZAC AVENUE	JOHN LLOYD CHELLEY	Yes
Lot 2 DPS 12703		KAREN EDITH NORA CHELLEY	Yes
Lot 1 DPS 78342		JOHN LLOYD CHELLEY	Yes
Lot 1 DPS 78342		KAREN EDITH NORA CHELLEY	Yes
Lot 104 DP 11056	9C ANZAC AVENUE	BRENT ANTHONY SMITH	Yes
Lot 104 DP 11056		SHARON LEE RAMSAY	Yes

Appendix 4 – Draft construction works management plan (CWMP)

Draft construction management plan

Wainui Te Whara stage two works

Approvals:

Prepared by: _____

Approved by: _____

Client Representative: _____

REV NO	DATE
xx	xx

Contract Details

Client:

Contract Name:

Description of Works:

Location of Worksite:

Construction Period:

Authorised Hours of Work:

Contract Personnel

Personnel employed on this worksite are aware of their responsibilities with regard to the Health and Safety in Employment Act and the Company's Health and Safety Policy. Most staff are trained in first aid and will be identified on site (as will the locations of first aid kits).

Key Personnel

Name:	Role:	Phone:	Email:
	Project manager		
	Special Projects Supervisor		
	Health and Safety Rep		
	Operations Manager		
	Contracts Manager		

Emergency Contacts

The following personnel are the Emergency Contacts for this job who will arrange for any emergency works to make the site safe should this be required:

1. Insert Emergency Contact Name and Number.
2. Insert Emergency Contact Name and Number.
3. Insert Emergency Contact Name and Number.

Environmental Objectives

The proposed environmental objectives for this project are:

1. Carry out construction works in a socially and environmentally responsible manner
2. Comply fully with all relevant Resource Consents, Relevant District Plans, Regional Plans, By-Laws and Acts and Regulations.
3. Ensure that environmental and social impact is kept to a minimum during the contract works.
4. Integrate environmental and social management into all aspects of the contract works.
5. Promote a high level of environmental and social awareness in all staff.

Mitigation Measures

At commencement all personnel on site shall be inducted as to the requirements of this Environmental Management Plan and all relevant resource consents. This will ensure that mitigation measures are brought to the attention of all concerned and these will be updated via regular toolbox meetings.

At all times during this project best management practices shall be maintained to ensure that environmental impact is kept to a minimum. This plan shall be maintained in a constant state of review and improvements made as and when necessary. All measures shall be taken to remain in compliance with the conditions of the Contract documents and as per instructions from relevant staff at the BoPRC and/or WDC

Management of Stockpiled Material:

The Construction Methodology is intended to keep all stockpiles to a minimum (both in terms of time and extent. The stockpiling of material will be contained to those identified on the resource consent and be be actively managed.

Erosion and Sediment Control:

Prior to commencing this Contract (and as work proceeds) continuous monitoring will be carried out to ensure the following controls remain in place, are effective and whether further mitigation controls need to be put in place:

PRINCIPAL:	CONTROL MEASURE:
Minimise disturbance:	Minimise erosion and subsequent sediment runoff by only working areas required.
Progressively Stabilise Disturbed Areas:	Stage work so that daily work areas are as complete as possible at the end of each day.
Control Erosion at Source:	Works are reshaping and will be compacted daily.
Install detention devices:	Installation of bunds with control overflow where necessary.
Retain Sediment on Site:	Our Erosion and Sediment Control Plan will be reviewed Monthly. However, on site environmental controls will be reviewed daily on the Hazard Control Form. Should any notable item be raised the EMP would then be reviewed and updated accordingly.

PRINCIPAL:	CONTROL MEASURE:
Protect Critical Areas:	Stage work so that daily work areas are as complete as possible at the end of each day. Protect culverts and cesspits with silt control removable geofabric.
Protect water courses:	Stormwater inlets, mountable headwalls, cesspits, flumes and drainage channel will be functional each day.
Inspect and Maintain:	As per Contract it is the Contract Managers responsibility to ensure inspections and maintenance is carried out. An Environmental Management Plan Checklist will be completed at least weekly throughout the contract period and immediately after heavy rainfall events.

Reduction of Noise

Construction working hours will be stipulated in the resource consent conditions during which time all practical measures shall be taken to maintain noise at an acceptable level:

- Works will only be carried out between approved hours of work which will be as follows:

  Monday – Saturday (inclusive): 0730 – 1800

  Sunday and public holidays: No works (unless for emergency response purposes)
- All site personnel must adhere to the site health and safety requirements in relation to use of appropriate personal protective equipment when operating, or in the vicinity of noise generating plant/equipment.
- Noise and vibration awareness discussions between all site staff including subcontractors as part of site induction and tool-box meetings.
- Vehicles will not be left turned on or idling at the site for longer than minimum amount of time required to complete site activities. Consideration should be given for working in close proximity to habited dwellings
- Machines/equipment used intermittently during construction activities. Plant will be shut down, as practicably achievable, in the period between work activities rather than allowed to idle.
- Regular and effective plant/equipment maintenance will be completed in order to ensure all machinery is in good working order and use does not generate excess noise/vibration.
- The audible squawk from backing vehicles should be limited as to minimize the noise generated from backing vehicles

Reduction of Dust:

Throughout the contract works period all practical measures shall be taken to maintain sufficient moisture levels as to keep dust nuisance to a minimum. Dust shall be constantly monitored and should it appear that large amounts are being created then damping down shall be used to control airborne dust. Should wind conditions render dust control impractical any machinery that is generating airborne dust will cease operation until effective dust control can be re-established.

A watercart will either be on site, or at a nearby depot, to enable a quick response if required. Transporting of material from site will be done in such a manner as to avoid dust generation off site.

Management of Fuel and Oils on Site:

All trucks and machinery shall be regularly inspected to ensure that they are leak free. All site personnel shall be notified of the fuelling procedures at their induction on site and emphasis shall be made regarding the importance to avoid oil spill, but also what measures are to be taken in the event that a spill occurs. This will also be reinforced at the regular toolbox meetings. Spill kits will be held on site.

Fuelling of machinery on site will be by Tank on the back of a utility vehicle with cut off valves. All trucks will refuel at the depot.

In the event of any spillage the Engineer shall be notified immediately and arrangements made to ensure that any contaminated material be removed by the method set out below:

When Dealing with Fuel or oil Spills:

- wear protective safety gear
- safely stop the source of the spill as soon as possible (use bunds, sand etc)
- block off access to stormwater grates, waterways, or anything absorbent (rags, sand or sawdust)
- be prompt, don't leave contamination in an area where it may be washed into stormwater drains
- clean the area, and any equipment used
- dispose of contaminated substances safely
- Notify management, the relevant agency, local or regional authority, and/or police or fire brigade.
- Complete a Incident Report.

To Clean Up:

- isolate the spill and soak it up with inert absorbent material such as clay or sand
- Collect all the contaminated material including the full depth of any contaminated soil.
- Dispose of the liquid in an approved waste disposal facility (from MSDS).

Management and Reduction of Waste:

Working areas will be kept in a reasonably clean and tidy state at all times. Rubbish and waste material will be collected and disposed of on a daily basis.

Controls for Reducing Waste:

Control	Method	Solution
Reduce:	Use cleaner production techniques. Only order what is needed. Maintain construction standards.	Buy items in bulk to reduce packaging. Match sizes or quantities to suit the job. Minimise rejected materials.
Reuse:	Salvage materials.	Reuse materials and structural components where possible. Use non-reactive solid waste materials in fills (e.g. waste concrete).
Recycle:	Identify and separate recyclable materials.	Recycle paper, glass, aluminium, cardboard, concrete, and steel.

Promotion of Energy Efficiency:

- Limit the number of vehicles travelling to site and plan trips carefully to avoid unnecessary travel.
- Keep vehicles well maintained.
- Endeavour to have little fuel remaining in site plant each night. Vandalism and fuel theft is a major problem.

Procedures

Liaison with affected Parties:

Residents in the area of works will be notified (in writing) by letter drop prior to establishing on site. Throughout the construction period the contractor would continue to liaise with the property owners and programme work to ensure a minimum amount of disruption.

Complaints Management

All public complaints would be logged and processed through WDC's 24 hours request for service system. This log will record the following:

- Name and Contact Details,
- Time, Nature and Scope of Complaint
- Action taken to resolve it.

Each complaint will be investigated to determine the likely source of the problems. Once the investigation has been completed the complainant will advised of the outcome and actions taken to minimise the likelihood of a reoccurrence. Significant complaints will be referred to the Engineer as soon as practical. The contractor will nominate personnel who are able to respond to urgent issue on a 24/7 basis.

Accidental Discovery of Artifacts	All works will be undertaken in accordance with the approved archaeological authority. For works areas outside of the area covered by the authority an accidental discovery protocol should be followed. Should Koiwi or Taonga be discovered while carrying out this Contract works within a 100m radius would immediately cease and the following steps would be taken: ▪ All construction equipment and activity will be shut down within the area or removed from site if able to do so without detriment. . ▪ Leave the area and the discovered archaeological material in place and advise the site supervisor. ▪ Immediate steps would then be taken to secure the area to ensure archaeological matter remains undisturbed. ▪ Works in the site area will not recommence until authorised by the Engineer. ▪ All works would be in accordance with any accidental discovery protocol with form part of the resource consent conditions
Monitoring and Auditing	Daily site inspections will be carried out by the Site Supervisor to identify any environmental or social issues and rectify them immediately. All incidents with possible significant effects or outcomes to the environment will be reported immediately to the Engineer. Where near misses or non conformances of this Environmental Management Plan are identified a Non Conformance Report will be completed by the appropriate staff member. Non-conforming work is clearly identified or segregated, as appropriate, until agreed remedial actions have been decided and acted upon. When corrective action is necessary, controls will ensure that the intended action has been performed and is effective. The Quality Manager will ensure that the non-conformance/corrective action process is followed as documented.
Silt and dewatering control	Where required this could involve but is not limited to constructing a temporary sediment control pond outside the immediate working area and be slowly decanted the treated water back into the waterway. The use of flocculent promoting material will be used in instance where additional treatment is required

Environmental Management Checklist

Client: _____ **Contract No.** _____

Contract Name: _____ **Date:** _____

Location: _____ **Job No.** _____

INSPECTION ITEM:	YES	NO	N/A	COMMENTS
EROSION AND SEDIMENT CONTROL				
Completed working Areas Hydroseeded				
Erosion and Control Measures in place				
Sediment Control devices in place				
Sediment Traps free of silt and sediment				
Water Courses Protected				
Site entrance/exit onto public road free of mud				
NOISE AND DUST CONTROL				
Dust at Acceptable Levels				
Stockpiles covered or watered				
Plant and Equipment well maintained				
FUELS AND OILS				
Plant and Equipment Inspected				
Fuelling Procedures being followed				
Spill Kits on Site				
REDUCTION OF WASTE				
Recyclable Materials identified and recycled				
Rubbish removed from Site Daily				
Site in Clean and Tidy Condition				
MISCELLANEOUS				
Affected parties advised of Works				
Chemicals properly labelled stored				
Damage to surrounding plants and vegetation				
Fire Extinguisher on site				

GENERAL COMMENTS:

Signed: _____ **Date:** _____

Appendix 5a – Resource consent application forms (BOPRC)

Bay of Plenty REGIONAL COUNCIL

File ref:			
	SEEN		SEEN

Office Use Only

Telephone: 0800 884 880
Facsimile: 0800 884 882
Email: info@boprc.govt.nz
Website: www.boprc.govt.nz
Pollution Hotline: 0800 884 883
International: +64 7 922 3390

Application for a Resource Consent – Resource Management Act 1991 (s.88)

1A Culverts, Bridges, Fords, Erosion, Protection, Pipes, and Associated Works

Before you make an application it is recommended that you talk or meet with a Consents Officer to discuss it. A Consents Officer may also be able to undertake a site visit to provide further advice. Noting that a pre-application service charge may apply.

If you would like to arrange this, please phone 0800 884 880.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

See notes to Applicant (last pages of form) before proceeding with application form.

Land and/or bed disturbing activities within and near water bodies may be subject to rules in the Regional Water and Land Plan and the Regional Coastal Environment Plan. In addition, gravel extraction activities are subject to the Regional Gravel Management Plan, and activities within the Tarawera River Catchment are subject to the Tarawera River Catchment Plan.

These plans can be found on our website http://www.boprc.govt.nz/knowledge-centre/plans/.

Reviewing and understanding the rules and assessment criteria applicable to your activity will assist you with preparation of your assessment of environmental effects.

Which rules of the above plan(s) are applicable for your activity?

71

What is the activity status of your consent application?

- ☐ Controlled
- ☐ Restricted Discretionary
- ☑ Discretionary

If you need assistance determining which rules and activity status are applicable for your activity please call 0800 884 880 and ask to speak to the duty Consents Officer for guidance.

Under Section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

PART 1

1 **Full name of applicant(s)** *(the name that will be on the consent)*

Surname: .....

First names: .....

OR

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name: .....

Trustees' name: .....

OR

Company name: WHAKATANE DISTRICT COUNCIL

Contact person: GLENN COOPER

Postal address: PRIVATE BAG 1002
WHAKATANE 3158

.....

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 306-0500

☐ Cell (0) .....

Facsimile .....

Email Glenn.Cooper@whakatane.govt.nz

---

2 **Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name: OPUS INTERNATIONAL CONSULTANTS

Contact person: SIMON BANKS

Postal address: PO BOX 646
TAURANGA 3140

.....

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 571-5767

☐ Cell (0) .....

Facsimile .....

Email Simon.Banks@opw.co.nz

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

☑ Applicant ☐ Consultant

Preferred method of contact:

☑ Email ☐ Post

---

3 **Name and address of owner/occupier** *(of the site relating to application)*

Owner: See application

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Occupier: .....

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Please note: *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

---

4 **Consent(s) being applied for from Bay of Plenty Regional Council**

(a) You will need to fill in a separate form for each of the activities you propose to undertake. You may also need consent for one or more of the following.

Land Use

☑ Form 1A Culverts, Bridges, Fords, Erosion Protection, Pipes and Associated Works

☑ Form 1B Disturbance In or Around a Water Body (e.g. diversion, dredging, wetland disturbance, grave extraction)

- ☐ Form 1C Lake Structures *(new and existing)*
- ☑ Form 2A Land Disturbing Activities *(e.g. earthworks and quarrying)*
- ☐ Form 2B Land Disturbing Activities *(forest harvesting/vegetation clearance)*

***Discharge** (including coastal)*

- ☐ Form 3A Onsite Effluent Discharge
- ☐ Form 3B Discharge Farm Dairy Effluent
- ☐ Form 3C Land Use Activities in the Catchments of Lake Ōkāreka, Rotoehu, Ōkaro, Rotorua and Rotoiti
- ☑ Form 4A Discharge Stormwater to Water and/or Land from Urban Residential, Rural
- ☐ Form 4B Industrial Discharges to Water or Land *(including stormwater)*
- ☐ Form 4C Discharge Contaminants to Air

***Water** (including coastal)*

- ☐ Form 5A Water Permit Application (s.14) – Take Surface Water *(includes intake structure (s.13))*
- ☐ Form 5B Water Permit Application (s.14) – Take Groundwater
- ☐ Form 5C Dam Water
- ☑ Form 5D Divert Water
- ☐ Form 6A Geothermal Take and Discharge – Domestic and Light Commercial/Industrial

Coastal *(see point 4 of **Notes to Applicant** for explanation of the Coastal Marine Area)*

- ☐ Form 7A Application for Consent for Coastal Structures *(including associated occupation and disturbance)*
- ☐ Form 7B Application to Disturb Coastal Marine Area *(no structure)*

(b) In which district is the activity located?

- ☑ Whakatāne District
- ☐ Ōpōtiki District
- ☐ Rotorua District
- ☐ Kawerau District
- ☐ Western Bay of Plenty District
- ☐ Tauranga District
- ☐ Taupō District

(c) Is this application to replace an existing or expired consent(s)? ☐ Yes ☑ No

If Yes, please state the consent number(s)

.....

(d) What rule under which plan is the activity applied for? Refer to http://www.boprc.govt.nz/knoweldge -centre/plans/ for the regional plans. 71

(e) Please specify the duration sought for your consent(s).

..... 35 years ..... 0 months

Start date 01 / 11 / 2016

Completion date *(if applicable)* 30 / 04 / 2017

(f) Do you also require resource consent(s) from a district council? ☑ Yes ☐ No

Type of consent required Landuse - earthworks volumes that exceed permitted limit

Has it been applied for? ☑ Yes ☐ No

Has it been granted? *(If Yes, please attach)* In progress ☐ Yes ☐ No

---

5 **Location description of activity**

Site address See application

Legal description *(legal description can be obtained from your Certificate of Title, valuation notice, or rate demand)*

Map reference NZTM, *(if known)*

Name of water body

PART 2

1 **Description of activity** *(tick all that apply)*

- ☑ Erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed of a stream or river.
- ☑ Excavate, drill, tunnel, or otherwise disturb the bed of a stream or river.
- ☑ Deposit any substance in, on, or under the bed of a stream or river.
- ☐ Reclaim or drain the bed of a stream or river.
- ☐ Wetland disturbance.
- ☐ Other *(please specify)*

1.1 Please describe the proposed activity.

Purpose of activity See application

Materials to be used

Duration and timing of works .....

Volume of extraction .....

.....

Machinery to be used .....

.....

.....

Access to site .....

.....

.....

1.2 For all activities, please provide: See application

(a) A site plan showing location of works in relation to property boundaries.

*If you do not have access to mapping software, we recommend you use the regional mapping system available on our website (**www.boprc.govt.nz** **keywords 'regional mapping**). The mapping system includes property boundary and contour layers, and allows you to carry out a property search, and view and/or print topographic maps or aerial photography.*

(b) To support your application please include, a catchment analysis and sizing assessment, undertaken by an engineer, showing how your design meets the standards outlined in our Hydrological and Hydraulic Guidelines, or why they are not relevant. For bridges and culverts, refer to tables 4.1 and 4.2 from the Hydrological and Hydraulic Guidelines, shown below, for catchment analysis and sizing. For all other works, refer to the Hydrological and Hydraulic Guidelines, which are available on our website **www.boprc.govt.nz** **keyword 'guidelines'.** If you are unsure whether you need engineering assessment, please contact a Bay of Plenty Regional Council Consents Officer.

Hydrological and Hydraulic Guidelines Table 4.1

Road type	Definition
Major road	Either: (a) A state highway, or (b) Within 1 km of any urban area or settlement, or (c) Carrying more than 750 vehicles per day.
Rural road	Any other road except as described below.
Remote road	Public or private roads accessing property that does not have dwellings and which cross a waterway with a contribution catchment of less than 50 km^2.
Access tracks	Rural roads that cross a waterway with a contributing catchment of less than 100 ha.

Hydrological and Hydraulic Guidelines Table 4.2

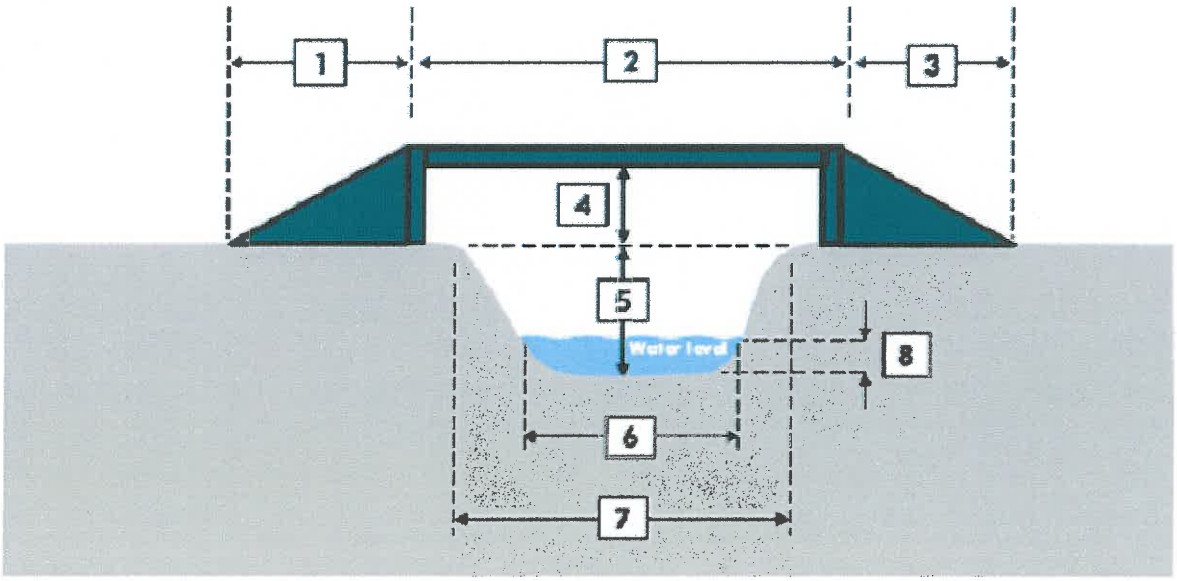
Road type	Bridge standard	Culvert standard
Major road	Passage of the 100-year return period flood with minimum clearance of 0.6 m normally, but with up to 1.2 m where large trees can be transported in the river.	• Passage of the 100-year return period flood by heading up to a maximum 0.5 m below the road surface, and • Passage of the 10-year flood without heading up.
Rural road	Passage of the 50-year return period flood with a minimum clearance of 0.6 m.	• Passage of the 50-year return period flood by overtopping the embankment to a maximum depth of 0.2 m, and • Passage of the 2-year return period flood with no heading up.
Remote road	Passage of the 20-year return period flood with a minimum clearance of 0.3 m.	• Passage of the 20-year return flood with no freeboard, and • Passage of the 2-year return period flood with no heading up.
Access track	Passage of the 10-year return period flood with a minimum clearance of 0.3 m.	• Passage of the 10-year return period flood by heading up to a maximum 0.3 m below road level.

2 Bridge construction, placement, and use

Location of bridge abutments:

❒ Outside banks of waterway ❒ Inside banks of waterway ❒ In bed of waterway

Please fill in the dimensions shown in the list below.



1 Length of bridge approach	.....m	5 Height of natural ground level above stream bed	..... m
2 Length of bridge	.....m	6 Bed width of stream channel	..... m
3 Length of bridge approach	.....m	7 Top width of stream channel	..... m
4 Height of bridge underside above natural ground level	.....m	8 Average depth of water in the stream	..... m

If there is to be a spillway, please indicates its dimensions:

Depth of spillway .....m Width of spillway ..... m

---

3 Culvert construction and use

What is the proposed culvert made of *(e.g. concrete, pvc)*?.....

Length of culvert ..... m

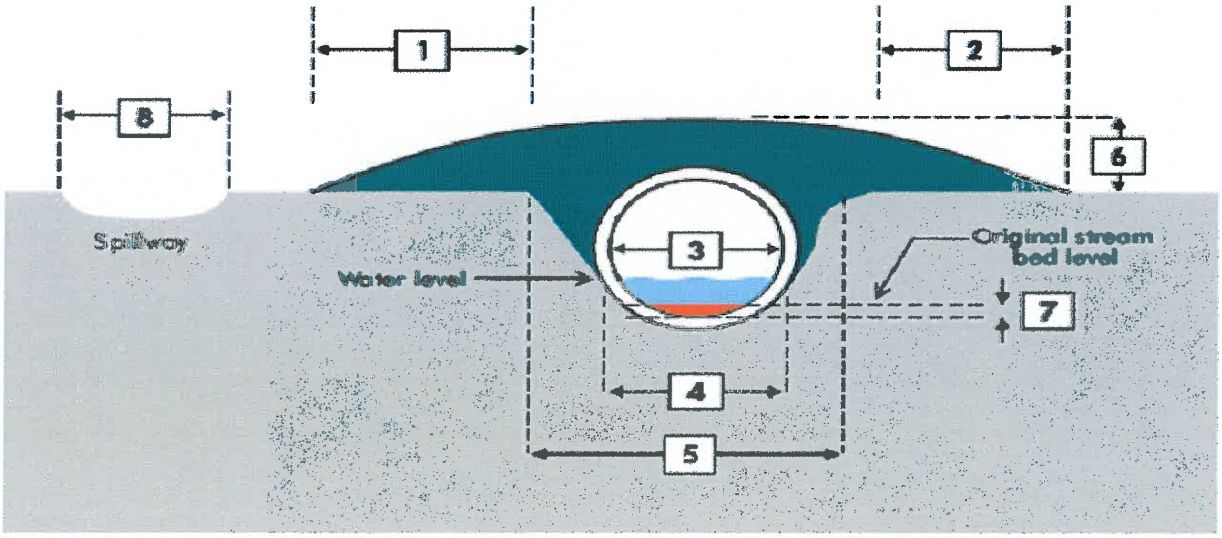
Number of sections of culvert pipe .....

Gradient at which culvert will be laid in the stream bed .....

Surface material of spillway *(e.g. rock, grass, geotextile)* .....

Proposed fill material .....

Please fill in the dimensions shown on the diagram in the list below. If the culvert design is different from that shown below, please include a diagram showing all dimensions.



1	Length of culvert approach	.....m	5	Top width of original stream channel	..... m
2	Length of culvert approach	.....m	6	Depth of fill over culvert	..... m
3	Circular culvert diameter	.....m	7	Depth of culvert base below original stream bed level	..... m
	OR Box culvert Width	.....m	8	Spillway width	..... m
	Height	.....m			
4	Bed width of original stream channel	.....m			

5 **Other in-stream works** *(e.g. bank stabilisation, erosion protection features, retaining works, fords, pipes).*

Please provide detailed structural plans, to scale, on good-quality paper of minimum A4 size, including:

- Dimensions.
- Length and width of the bed and banks that will be affected.

6 **Description of site**

Describe the physical attributes of the site (e.g. topography, ecology, bed materials, wildlife habitats, recorded archaeological sites and other significant features). Council's Regional Water and Land Plan includes schedules of some of the region's water bodies and their listed qualities. It would be useful to include photographs.

See application

6 **Assessment of Environmental Effects (AEE)** See application

Describe the actual and potential effects that the proposed activity could have on the environment.

(a) Effects of immediate activity/construction *(e.g. disturbance of stream bed, sediment release, immediate vicinity)*.

.....

.....

.....

.....

(b) Effects of the completed works or structure on the riverbed, both upstream and downstream, both in typical and extreme conditions *(e.g. flooding upstream and/or downstream, ongoing erosion).* Please provide an assessment and any supporting calculations.

.....

.....

.....

.....

(c) Effects on water quality (sedimentation effects, etc.).

.....

.....

.....

.....

(d) Effects on fish passage *(e.g. perched culverts),* and proposed measures to avoid them *(e.g. burying culvert invert below streambed, fish ladders).*

.....

.....

.....

.....

(e) Any other effects *(refer to the Concrete Fact Sheet on our website* **www.boprc.govt.nz** ***keywords 'fact sheets')***.

See application

(f) During construction

Refer to the Bay of Plenty Regional Council Erosion and Sediment Control Guidelines for further information.

What methods or actions will be used to reduce or prevent any identified environmental effects and stabilise the exposed earth?

See application

Can the work area be isolated? ☐ Yes ☑ No

Can a temporary diversion be put in place? ☐ Yes ☑ No

(g) Post construction

What methods or actions will be used to reduce or prevent any identified environmental effects after construction *(e.g. grassing and planting of fill batters, metalling of approaches, stabilisation of abutments by gabion baskets)*?

See application

---

7 Alternative options

Describe any alternative options considered, and reasons why these are not proposed.

See application

8 Monitoring

What, if any, monitoring do you propose to carry out?

See application

9 Cultural effects

Please provide an assessment of the cultural effects associated with the activities you propose.

The Regional Council's Regional Policy Statement is clear that only tangata whenua can identify their relationship with an area. It is good practice to consult with tangata whenua in relation to your application so that you can provide the correct information to answer this question.

The Regional Council can provide a list of tangata whenua who have registered an interest in the site of your activity so that you can undertake the assessment. We can also provide other information e.g. access to iwi and hapū management plans, details about identified archaeological sites and details of any Statutory Acknowledgements relevant to the site. Please contact the Consents Team on 0800 884 880 to get more information.

10 Persons likely to be affected

Affected persons or parties may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council, relevant iwi and hapū and community groups.

If you do not think there will be affected parties, you do not need to fill out this section; however, the Bay of Plenty Regional Council will make the final assessment of whether a person or party is affected by your proposal, and it is recommended as best practice to consult with those persons.

In order for your application to be considered for ***non-notification*** *you* ***must*** *gain written approval from all persons who may be affected by the proposal. The Bay of Plenty Regional Council can help you identify people/organisations that are likely to be affected, and the form 'Affected Person's Written Approval', which can be filled out by the affected party and attached to this application, can be found at* ***www.boprc.govt.nz*** ***keywords 'resource consent forms'.***

Please provide details below of those you have identified as parties who may be affected. If you have discussed your proposal with any of these parties, please record any comments made by them and your response to them, and submit this with your application.

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

[Continue on a separate sheet if necessary]

---

11 Extending timeframes

The Resource Management Act 1991 (RMA) specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however these timeframes can be extended, if necessary, with the Applicant's agreement.

Do you agree to the Bay of Plenty Regional Council extending RMA consent processing timeframes?

❒ Yes, provided that I can continue to exercise my existing consent until processing of this application is completed *(renewal application only).*

☑ Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.

❒ Yes, provided that the application process is completed before ..... /...../.....

❒ No.

12 **Deposit fee**

A deposit fee of $774.00, inclusive of GST, is payable with this application. This may be paid online, by cheque, or by eftpos at one the Regional Council's reception desks.

- Bay of Plenty Regional Council's bank account number is **06 0489 0094734 00.** Please use the Applicant's name as the reference. A GST invoice marked "PAID" will be issued on receipt of payment.
- An application will not be accepted as a complete application until the deposit fee has been paid. **Please note:** while we are happy to hold the forms in the meantime, the processing time will not start until payment is received.
- Additional charges are usually incurred, and will vary depending on the resources we use in the course of processing your application *(e.g. staff time)*. Staff can give an estimate of expected costs. Please see the schedule of fees attached.

Checklist

The following information must be included in your application to ensure it is accepted.

If you have dealt with a staff member regarding your consent application, please provide their name here: Paula Golsby - PMG planning consultant

- ☑ Complete all details in this application form.
- ☑ Include an Assessment of Environmental Effects (AEE) of the activity, as set out in Schedule 4, summarised at the back of this form and Section 6.
- ☑ Supply written approval from all affected persons, if any, and/or summary of consultation carried out.
- ☑ Include a site plan.
- ☑ Sign and date the application form.
- ☑ Pay the required deposit. Please charge to PO# 103412
- ☑ Include any other information you think relevant *(e.g. Certificate of Title, details from the Companies Register, etc.)*
- ☑ If your application is a large application, please submit an electric version on CD, and one hard copy.
- ☑ Assessment of cultural impacts (refer Section 9 of this form).

Please be aware any unchecked boxes may result in your application being returned under s.88.

Information privacy issues

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application, and to assist in the management of the region's natural and physical resources.

The information will be held by Bay of Plenty Regional Council, Quay Street, Whakatāne. This information is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public. If there is any information that you would like to remain confidential please contact a Consents Officer to discuss.

Failure to provide this information will mean that Bay of Plenty Regional Council will be unable to process your application.

---

1 **I confirm that I have authority to sign on behalf of the party/ies named as the applicants for this consent.**

2 **I have read, and understand, all of the information contained on this application form, including the requirement to pay additional costs that will be itemised.**

3 **I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature ..... Date 01 / 08 / 2016

Bay of Plenty REGIONAL COUNCIL

File ref:			
	SEEN		SEEN

Office Use Only

Telephone: 0800 884 880
Facsimile: 0800 884 882
Email: info@boprc.govt.nz
Website: www.boprc.govt.nz
Pollution Hotline: 0800 884 883
International: +64 7 922 3390

Application for a Resource Consent – Resource Management Act 1991 (s.88)

1B Disturbance In or Around a Water Body (e.g. diversion, dredging, wetland disturbance, gravel extraction)

Before you make an application it is recommended that you talk or meet with a Consents Officer to discuss it. A Consents Officer may also be able to undertake a site visit to provide further advice. Noting that a pre-application service charge may apply.

If you would like to arrange this, please phone 0800 884 880.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

See notes to Applicant (last pages of form) before proceeding with application form.

Land and/or bed disturbing activities within and near water bodies may be subject to rules in the Regional Water and Land Plan and the Regional Coastal Environment Plan. In addition, gravel extraction activities are subject to the Regional Gravel Management Plan, and activities within the Tarawera River Catchment are subject to the Tarawera River Catchment Plan.

These plans can be found on our website http://www.boprc.govt.nz/knowledge-centre/plans/.

Reviewing and understanding the rules and assessment criteria applicable to your activity will assist you with preparation of your assessment of environmental effects.

Which rules of the above plan(s) are applicable for your activity?

71

What is the activity status of your consent application?

- ☐ Controlled
- ☐ Restricted Discretionary
- ☑ Discretionary

If you need assistance determining which rules and activity status are applicable for your activity please call 0800 884 880 and ask to speak to the duty Consents Officer for guidance.

Under Section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

PART 1

1 **Full name of applicant(s)** *(the name that will be on the consent)*

Surname: .....

First names: .....

OR

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name: .....

Trustees' name: .....

OR

Company name: WHAKATANE DISTRICT COUNCIL

Contact person: GLENN COOPER

Postal address: PRIVATE BAG 1002
WHAKATANE 3158

Telephone *(please tick preferred contact number)*

☐ Residential (0) ..... ☑ Business (07) 306-0500

☐ Cell (0) .....

Facsimile .....

Email Glenn.Cooper@whakatane.govt.nz

---

2 **Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name: OPUS INTERNATIONAL CONSULTANTS

Contact person: SIMON BANKS

Postal address: PO BOX 646
TAURANGA 3140

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 571-5767

☐ Cell (0) .....

Facsimile .....

Email Simon.Banks@opus.co.nz

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

☑ Applicant ☐ Consultant

---

3 **Name and address of owner/occupier** *(of the site relating to application)*

Owner: See application

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Occupier: .....

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Please note: *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

---

4 **Consent(s) being applied for from Bay of Plenty Regional Council**

(a) You will need to fill in a separate form for each of the activities you propose to undertake. You may also need consent for one or more of the following.

Land Use

☑ Form 1A Culverts, Bridges, Fords, Erosion Protection, Pipes and Associated Works

☑ Form 1B Disturbance In or Around a Water Body (e.g. diversion, dredging, wetland disturbance, gravel extraction)

☐ Form 1C Lake Structures *(new and existing)*

☑ Form 2A Land Disturbing Activities *(e.g. earthworks and quarrying)*

☐ Form 2B Land Disturbing Activities *(forest harvesting/vegetation clearance)*

Discharge *(including coastal)*

- ☐ Form 3A Onsite Effluent Discharge
- ☐ Form 3B Discharge Farm Dairy Effluent
- ☐ Form 3C Land Use Activities in the Catchments of Lake Ōkāreka, Rotoehu, Ōkaro, Rotorua and Rotoiti
- ☑ Form 4A Discharge Stormwater to Water and/or Land from Urban Residential, Rural
- ☐ Form 4B Industrial Discharges to Water or Land *(including stormwater)*
- ☐ Form 4C Discharge Contaminants to Air

Water *(including coastal)*

- ☐ Form 5A Water Permit Application (s.14) – Take Surface Water *(includes intake structure (s.13))*
- ☐ Form 5B Water Permit Application (s.14) – Take Groundwater
- ☐ Form 5C Dam Water
- ☑ Form 5D Divert Water
- ☐ Form 6A Geothermal Take and Discharge – Domestic and Light Commercial/Industrial

Coastal *(see point 4 of **Notes to Applicant** for explanation of the Coastal Marine Area)*

- ☐ Form 7A Application for Consent for Coastal Structures *(including associated occupation and disturbance)*
- ☐ Form 7B Application to Disturb Coastal Marine Area *(no structure)*

(b) In which district is the activity located?

- ☑ Whakatāne District
- ☐ Rotorua District
- ☐ Western Bay of Plenty District
- ☐ Taupō District
- ☐ Ōpōtiki District
- ☐ Kawerau District
- ☐ Tauranga District

(c) Is this application to replace an existing or expired consent(s)? ☐ Yes ☑ No

If Yes, please state the consent number(s)

.....

(d) What rule under which plan is the activity applied for? Refer to http://www.boprc.govt.nz/knoweldge -centre/plans/ for the regional plans.

(e) Please specify the duration sought for your consent(s).

..... 35 ..... years ..... 0 ..... months

Start date ..... 01 ../ ..... 11 ../ 2016

Completion date *(if applicable)* ..... 30 ../ ..... 04 ../ 2017

(f) Do you also require resource consent(s) from a district council? ☑ Yes ☐ No

Type of consent required Earthworks - exceeding permitted levels

Has it been applied for? ☑ Yes ☐ No

Has it been granted? *(If Yes, please attach)* In progress ☐ Yes ☐ No

---

5 **Location description of activity**

Site address See application

.....

Legal description *(legal description can be obtained from your Certificate of Title, valuation notice, or rate demand)*

.....

Map reference NZTM, *(if known)* .....

Name of water body.....

PART 2

1 **Description of activity** *(tick all that apply)*

- ☑ Excavate, drill, tunnel, or otherwise disturb the bed.
- ☑ Deposit any substance in, on, or under the bed.
- ☐ Reclaim or drain the bed.
- ☐ Wetland disturbance.
- ☐ Other *(please specify)*.....

Please note: If the activity includes damming or diversion of the water body also complete form 5C and/or 5D.

1.1 What is the name, if any, of the watercourse or wetland? *(If the stream is unnamed, give the name of the watercourse to which it is a tributary.)*

See application

1.2 Please describe the proposed activity. See application

Purpose of activity .....

.....

.....

Materials to be used .....

.....

.....

Duration of works.....

Volume of extraction.....

.....

Machinery to be used

.....

.....

Access to site .....

.....

.....

1.3 For all activities, please provide: See application

(a) A site plan showing location of works in relation to property boundaries.

*If you do not have access to mapping software, we recommend you use the regional mapping system available on our website (**www.boprc.govt.nz** **keywords 'regional mapping**). The mapping system includes property boundary and contour layers, and allows you to carry out a property search, and view and/or print topographic maps or aerial photography.*

(b) Concept plans, to scale, on good-quality paper of minimum A4 size.

(c) A cross section of the proposed site.

(d) Cross sections 50 m upstream and downstream of the site.

Note: A cross section involves the following measurements:

- *the width between the top of each bank,*
- *the width across the bed of the waterway, and*
- *the height of each bank above the bed of the waterway.*

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2 Site description

(a) Describe the physical attributes of the site(s) (e.g. topography, ecology, bed materials, wildlife habitats, recorded archaeological sites, cultural and scientific features). It would be useful to include photographs.

See application.....

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[Continue on a separate sheet if necessary]

(b) Please provide any hydrological date if available. These *include: stream flow and gradient, catchment characteristics (e.g. steep, forested catchment, or easy pastoral catchment).*

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[Continue on a separate sheet if necessary]

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3 **Assessment of Environmental Effects (AEE)** See application

Describe the actual and potential effects that the proposed activity/operation could have on the environment.

(a) Effects of immediate activity/construction *(e.g. disturbance of stream bed, sediment)* on the immediate vicinity.

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(b) Effects of the completed works or structure on the bed, both upstream and downstream, in both typical and extreme conditions *(e.g. flooding upstream and/or downstream).* Please provide an assessment and any supporting calculations.

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(c) Effects on water quality.

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(d) Effects on ecological values including fish passage and proposed measures to mitigate these *(e.g. perched culverts, burying culvert invert below stream bed).*

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(e) Any other effects.

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The effects assessed above shall include mitigations measures proposed, alternative options assessed and any monitoring proposed.

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4 **Cultural effects** See application

Please provide an assessment of the cultural effects associated with the activities you propose.

The Regional Council's Regional Policy Statement is clear that only tangata whenua can identify their relationship with an area. It is good practice to consult with tangata whenua in relation to your application so that you can provide the correct information to answer this question.

The Regional Council can provide a list of tangata whenua who have registered an interest in the site of your activity so that you can undertake the assessment. We can also provide other information e.g. access to iwi and hapū management plans, details about identified archaeological sites and details of any Statutory Acknowledgements relevant to the site. Please contact the Consents Team on 0800 884 880 to get more information.

5 **Persons likely to be affected** See application

Affected persons may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council, relevant iwi and hapū and community groups.

If you do not think there will be affected persons, you do not need to fill out this section; however, the Bay of Plenty Regional Council will make the final assessment of whether a person is affected by your proposal, and it is recommended as best practice to consult with those persons.

*In order for your application to be considered for **non-notification** you **must** gain written approval from all persons who may be affected by the proposal. The Bay of Plenty Regional Council can help you identify people/organisations that are likely to be affected, and the form 'Affected Person's Written Approval', which can be filled out by the affected party and attached to this application, can be found at **www.boprc.govt.nz** **keywords 'resource consent forms'.***

Please provide details below of those you have identified as persons who may be affected. If you have discussed your proposal with any of these persons, please record any comments made by them and your response to them, and submit this with your application.

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

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Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

[Continue on a separate sheet if necessary]

6 **Extending timeframes**

The Resource Management Act 1991 (RMA) specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however these timeframes can be extended, if necessary, with the Applicant's agreement.

Do you agree to the Bay of Plenty Regional Council extending RMA consent processing timeframes?

- ☐ Yes, provided that I can continue to exercise my existing consent until processing of this application is completed *(renewal application only).*
- ☑ Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.
- ☐ Yes, provided that the application process is completed before..... /...../.....
- ☐ No.

7 **Deposit fee**

A deposit fee of $774.00, inclusive of GST, is payable with this application. This may be paid online, by cheque, or by eftpos at one the Regional Council's reception desks.

- Bay of Plenty Regional Council's bank account number is **06 0489 0094734 00.** Please use the Applicant's name as the reference. A GST invoice marked "PAID" will be issued on receipt of payment.
- An application will not be accepted as a complete application until the deposit fee has been paid. **Please note:** while we are happy to hold the forms in the meantime, the processing time will not start until payment is received.
- Additional charges are usually incurred, and will vary depending on the resource we use in the course of processing your application *(e.g. staff time)*. Staff can give an estimate of expected costs. Please see the schedule of fees attached.

Checklist

The following information must be included in your application to ensure it is accepted.

If you have dealt with a staff member regarding your consent application, please provide their name here: Paula Colsby - PMG planning consultant

- ☑ Complete all details in this application form.
- ☑ Include an Assessment of Environmental Effects (AEE) of the activity, as set out in Schedule 4, summarised at the back of this form. *(For minor activities, complete the relevant section in the activity application form. For major activities, a more detailed AEE must be attached to the application.)*
- ☑ Supply written approval from all affected parties, if any, and/or summary of consultation carried out.
- ☑ Include a site plan.

- [x] Sign and date the application form.
- [x] Pay the required deposit.
- [x] Include any other information you think relevant *(e.g. Certificate of Title, details from the Companies Register, etc.)*
- [x] If your application is a large application, please submit an electric version on CD, and one hard copy.
- [x] Assessment of Cultural Effects.

Please be aware any unchecked boxes may result in your application being returned under s.88.

Information privacy issues

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application, and to assist in the management of the region's natural and physical resources.

The information will be held by Bay of Plenty Regional Council, Quay Street, Whakatāne. This information is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public. If there is any information that you would like to remain confidential please contact a Consents Officer to discuss.

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1 **I confirm that I have authority to sign on behalf of the party/ies named as the applicants for this consent.**

2 **I have read, and understand, all of the information contained on this application form, including the requirement to pay additional costs that will be itemised.**

3 **I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature ..... Date 01 / 08 / 2016

Bay of Plenty REGIONAL COUNCIL

File ref:			
	SEEN		SEEN

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Pollution Hotline: 0800 884 883
International: +64 7 922 3390

Application for a Resource Consent – Resource Management Act 1991 (s.88)

2A Land Disturbing Activities (e.g. earthworks and quarrying)

Before you make an application it is recommended that you talk or meet with a Consents Officer to discuss it. A Consents Officer may also be able to undertake a site visit to provide further advice.

If you would like to arrange this, please phone 0800 884 880.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

See notes to Applicant (last pages of form) before proceeding with application form.

Land disturbing activities are subject to rules in the Regional Water and Land Plan. This plan can be found on our website at http://www.boprc.govt.nz/knowledge-centre/plans/.

Reviewing and understanding the rules and assessment criteria applicable to your activity will assist you with preparation of your assessment of environmental effects.

Which rules of the above plan(s) are applicable for your activity?

1C

What is the activity status of your consent application?

- ☐ Controlled
- ☐ Restricted Discretionary
- ☑ Discretionary

If you need assistance determining which rules and activity statuses are applicable for your activity please call 0800 884 880 and ask to speak to the duty Consents Officer for guidance.

Under Section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

PART 1

1 **Full name of applicant(s)** *(the name that will be on the consent)*

Surname: .....

First names: .....

OR

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name: .....

Trustees' name: .....

OR

Company name: WHAKATANE DISTRICT COUNCIL

Contact person: GLENN COOPER

Postal address: PRIVATE BAG 1002
WHAKATANE 3158

.....

Telephone *(please tick preferred contact number)*

☐ Residential (0) ..... ☑ Business (07) 306-0500

☐ Cell (0) .....

Facsimile .....

Email Glenn.Cooper@whakatane.govt.nz

---

2 **Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name: OPUS INTERNATIONAL CONSULTANTS

Contact person: SIMON BANKS

Postal address: PO BOX 646
TAURANGA 3140

.....

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 571-5767

☐ Cell (0) .....

Facsimile .....

Email Simon.Banks@opus.co.nz

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

☑ Applicant ☐ Consultant

Preferred method of contact:

☑ Email ☐ Post

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3 **Name and address of owner/occupier** *(of the site relating to application)*

Owner: See application

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Occupier: .....

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Please note: *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

---

4 **Consent(s) being applied for from Bay of Plenty Regional Council**

(a) You will need to fill in a separate form for each of the activities you propose to undertake. You may also need consent for one or more of the following.

Land Use

☑ Form 1A Culverts, Bridges, Fords, Erosion Protection, Pipes and Associated Works

☑ Form 1B Disturbance In or Around a Water Body (e.g. diversion, dredging, wetland disturbance, grave extraction)

☐ Form 1C Lake Structures *(new and existing)*

☑ Form 2A Land Disturbing Activities *(e.g. earthworks and quarrying)*

☐ Form 2B Land Disturbing Activities *(forest harvesting/vegetation clearance)*

***Discharge** (including coastal)*

☐ Form 3A Onsite Effluent Discharge

☐ Form 3B Discharge Farm Dairy Effluent

☐ Form 3C Land Use Activities in the Catchments of Lake Ōkāreka, Rotoehu, Ōkaro, Rotorua and Rotoiti

☑ Form 4A Discharge Stormwater to Water and/or Land from Urban Residential, Rural

☐ Form 4B Industrial Discharges to Water or Land *(including stormwater)*

☐ Form 4C Discharge Contaminants to Air

***Water** (including coastal)*

☐ Form 5A Water Permit Application (s.14) – Take Surface Water *(includes intake structure (s.13))*

☐ Form 5B Water Permit Application (s.14) – Take Groundwater

☐ Form 5C Dam Water

☑ Form 5D Divert Water

☐ Form 6A Geothermal Take and Discharge – Domestic and Light Commercial/Industrial

Coastal *(see point 4 of **Notes to Applicant** for explanation of the Coastal Marine Area)*

☐ Form 7A Application for Consent for Coastal Structures *(including associated occupation and disturbance)*

☐ Form 7B Application to Disturb Coastal Marine Area *(no structure)*

(b) **In which district is the activity located?**

☑ Whakatāne District ☐ Ōpōtiki District

☐ Rotorua District ☐ Kawerau District

☐ Western Bay of Plenty District ☐ Tauranga District

☐ Taupō District

(c) Is this application to replace an existing or expired consent(s)? ☐ Yes ☑ No

If Yes, please state the consent number(s)

.....

(d) Please specify the duration sought for your consent(s).

35 years 0 months

Start date 01 / 11 / 2016

Completion date *(if applicable)* 30 / 04 / 2017

(e) Do you also require resource consent(s) from a district council? ☑ Yes ☐ No

Type of consent required Landuse - earthworks volumes that exceed permitted limits

Has it been applied for? ☑ Yes ☐ No

Has it been granted? *(If Yes, please attach)* In progress ☐ Yes ☐ No

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5 **Location description of activity** See application

Site address

Legal description (legal description can be obtained from your Certificate of Title, valuation notice, or rate demand)

Map reference NZTM, *(if known)*

PART 2

1 **Description of activity** See application

(a) What is the nature of the activity you propose to undertake *(e.g. urban subdivision, farm re-contouring)*?

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Note: *If you are doing works in a stream, river, or wetland, you must also fill in consent application Form 1B.*

Noted in application

(b) Total area of earthworks ..... m^2 Stage(s) ..... m^2 per stage

..... m^2 per stage

(c) Total volume of earthworks..... cut m^3 Stage(s)..... cut m^3 per stage

..... fill m^3 Stage(s)..... fill m^3 per stage

(d) Will there be movement of material off or on site? ☐ Yes ☐ No

If yes, where is it coming from? ...See application.....

.....

and/or

Where is it going to?.....

(e) Winter earthworks.

The *winter earthworks exclusion period is from 1 May to 15 September (inclusive) of any year.*

Are you proposing to undertake winter earthworks during this period? ☐ Yes ☑ No

(f) Is the site potentially contaminated? *(see National Environmental Standard for Contaminated Land for further guidance).* See application ☑ Yes ☐ No Air NES assessment

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2 Schedule of works See application

Describe the estimated timing of each stage of the earthworks, including the installation/removal of erosion and sediment controls, and any other relevant works.

Stage	Description (site preparation, erosion and sediment control installation, topsoil clearance, etc.)	Expected start date	Expected completion date
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

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3 Site information See application

Dominant slope

Depth to water table *(from ground level)*

Existing vegetation type

Existing land use (your property)

Previous land use *(your property)*

Historical land use *(up to 50 years)*

Neighbouring land use(s)

Soil type and geology

If any of the following apply to your site and the receiving environment, please describe them:

(a) Streams/drains *(including permanently and intermittently flowing)*.

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(b) Wetland

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(c) Identified archaeological and/or sites of cultural significance and proximity to site.

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(d) Neighbouring roads, power lines, railway lines, etc.

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(e) Protected natural areas or sites of ecological importance.

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(f) Ocean/harbour

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4 **Site plan** See drawings & application

Please provide detailed scaled and contoured site plans showing the site and surrounding area, including:

(a) An existing site plan detailing:

- Surface features *(e.g. streams, wetlands)*.
- The name(s) of the current owner(s) and occupiers of the site and adjoining properties.
- Drainage patterns.

(b) A proposed final site plan *(post-development)* detailing:

- Proposed finished contour *(heights)*. This includes ground levels in relation to neighbouring properties.
- Drainage patterns.

(c) Proposed development plan(s) detailing:

- Area of proposed activity.
- Areas of cut.
- Areas of fill.
- Stockpile area *(e.g. topsoil and fill)*.

(d) For each stage, an erosion and sediment control plan(s) detailing:

- Location and types of erosion and sediment controls, including types of controls *(e.g. sediment ponds, bunds, silt fences)*.
- Control design details *(including cross section)*.
- Clean water diversions and internal contour drains.
- Discharge locations.

(e) Winder earthworks plan, where applicable, detailing:

- Winter earthworks areas of the site, including stabilised and exposed catchment areas.
- Location and types of erosion and sediment controls.
- Control design details *(including cross sections)*.
- Clean water diversions and internal contour drains.
- Discharge locations.

*If you do not have access to mapping software, we recommend you use the regional mapping system available on our website (**www.boprc.govt.nz** **keywords 'regional mapping'**). The mapping system includes property boundary and contour layers, and allows you to carry out a property search, and view and/or print topographic maps or aerial photography.*

5 **Erosion and sediment control details** See AEE/application

(a) Please provide supporting calculations for your proposed erosion and sediment control as shown in your erosion and sediment control plan(s), including any relevant winter earthworks controls. *(For help, refer to Erosion and Sediment Control Guidelines at **www.boprc.govt.nz**, Knowledge Centre, Our Library, Guideline Publications)*

Control type				
Catchment e.g. area, slop, length, percentage of catchment.				
Capacity of control e.g. control dimensions.				
Outlet location(s) and details e.g. number of decants, spillway width/depths.				
Erosion protection e.g. inlet/outlet.				

(b) Please specify surface stabilisation techniques at the completion of works, and the sequence/timing.

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(c) Do you propose to use treatment chemicals? ❒ Yes ❒ No

If yes, please provide a chemical treatment plan. The chemical treatment plan should detail:

- Sediment settlement *(bench testing)* results, including determination of appropriate chemical, and the application rate.
- Methods of application, including supporting calculations.
- Treated water discharge locations.

- Expectant discharge parameters and limits.
- Contingency management.
- Record keeping details.
- Storage details.
- Expectant discharge parameters and limits.

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6 **Dust control** See AEE/application

Please provide details of dust control, which considers the following:

- How water will be applied *(e.g. how sprinklers and/or water cart systems will be used, their capacities and hours of operation, the source of water, and the source capacity and availability)*. Please provide written confirmation that the district council can supply sufficient water for dust control, or confirm an alternative source.
- The use and access to binding agents/dust suppressants for use in the water carts or sprinkler systems. If dust inhibitors are to be used, please detail arrangements for their availability for the duration of any earthworks at the activity site.
- Restriction on total exposed area *(e.g. staging)*.
- The erection of a sign displaying a 24-hour contact telephone number for the site contractor for dust and other complaints. This does not replace the pollution hotline service, but should provide a further incentive for the site supervisor to maintain adequate dust control.
- The use of wind-break fencing in problem areas.
- Covering exposed areas with durable temporary windshield cloth or geotextile fabrics.
- Other options to be taken should attempts to manage dust nuisance be successful.

(a) What dust control measures are proposed?

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[Continue on a separate sheet if necessary]

(b) How will you prevent tracking of dust and sediment by vehicle movement off the work site *(e.g. stabilised site entrance, etc.)*?

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7 **Risk assessment** See application/AEE

Please provide a basic risk assessment for the proposed earthworks.

Factor	Effect	Severity	Likelihood	Significance	Measures to avoid, remedy, mitigate
		Low Very severe 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	
		Low Very severe 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	
		Low Very severe 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	
		Low Very severe 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	
		Low Very severe 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	Low High 1 2 3 4 5 Please circle	

8 **Contaminated site assessment** See application

Has any site on the property ever been an orchard, market garden or commercial greenhouses growing any type of fruit or vegetable crop? ☐ Yes ☑ No

If yes, describe the crop type(s), period of time of use and a full list of any chemical or organic sprays used during the period of orcharding.

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Was the property ever in agricultural land use over the last 50 years? ☐ Yes ☑ No

If yes, describe the stock type(s) and period of time (e.g. Dairy 1946-2010) and advise if any livestock dipping or spray races were located on the site as well as the types of agrichemicals and fertilisers used on the land.

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HAIL site assessment See application

The HAIL is the current edition of the Hazardous Activities and Industries List, as held by the Ministry for the Environment.

Is an activity described on the HAIL currently being undertaken on the piece of land to which this application applies? ☐ Yes ☐ No

Has an activity described on the HAIL ever been undertaken on the piece of land to which this application applies? ☐ Yes ☐ No

Is it more likely than not that an activity described on the HAIL is being or has been undertaken on the piece of land to which this application applies? ☐ Yes ☐ No

If YES, to any of the above, then the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health may apply. Check the five activities to which the NES applies:

Is the activity you propose to undertake removing or replacing a fuel storage system or parts of it? ☐ Yes ☐ No

Is the activity you propose to undertake sampling soil? ☐ Yes ☐ No

Is the activity you propose to undertake disturbing soil? ☐ Yes ☐ No

Is the activity you propose to undertake subdividing land? ☐ Yes ☐ No

Is the activity you propose to undertake changing the use of the land? ☐ Yes ☐ No

If also YES to any of the above activities, then the NES for Assessing and Managing Contaminants in Soil to Protect Human Health is likely to apply.

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9 **Cultural effects** See application

Please provide an assessment of the cultural effects associated with the activities you propose.

The Regional Council's Regional Policy Statement is clear that only tangata whenua can identify their relationship with an area. It is good practice to consult with tangata whenua in relation to your application so that you can provide the correct information to answer this question.

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Affected persons may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council, relevant iwi and hapū and community groups.

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Address .....

.....

.....❒ Written approval supplied *(attached).*

Name.....

Address .....

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Name.....

Address .....

.....

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Name.....

Address .....

.....

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11 **Extending timeframes**

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Do you agree to the Bay of Plenty Regional Council extending RMA consent processing timeframes?

❒ Yes, provided that I can continue to exercise my existing consent until processing of this application is completed *(renewal application only).*

☑ Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.

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- ☑ If the site has been identified as a HAIL site OR contaminated site please provide the following with your application: a remedial action plan (if this is a site remediation project) and/or a management and monitoring plan.
- ☑ Supply written approval from all affected parties, if any, and/or summary of consultation carried out.
- ☑ Include a site plan.
- ☑ Sign and date the application form.
- ☑ Pay the required deposit.
- ☑ Include any other information you think relevant *(e.g. Certificate of Title, details from the Companies Register, etc.)*
- ☑ If your application is a large application, please submit an electric version on CD, and one hard copy.
- ☑ Assessment of Cultural Effects (refer Section 9 of this form).

Please be aware any unchecked boxes may result in your application being returned under s.88.

Information privacy issues

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application, and to assist in the management of the region's natural and physical resources.

The information will be held by Bay of Plenty Regional Council, Quay Street, Whakatāne. This information is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public. If there is any information that you would like to remain confidential please contact a consents officer to discuss.

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2 **I have read, and understand, all of the information contained on this application form, including the requirement to pay additional costs that will be itemised.**

3 **I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature ..... Date 01 / 08 / 2016

Bay of Plenty REGIONAL COUNCIL

File ref:			
	SEEN		SEEN

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Email: info@boprc.govt.nz
Website: www.boprc.govt.nz
Pollution Hotline: 0800 884 883
International: +64 7 922 3390

Application for a Resource Consent – Resource Management Act 1991 (s.88)

4A Discharge Water or Stormwater to Water and/or Land from Urban Residential/Rural Areas

Before you make an application it is recommended that you talk or meet with a Consents Officer to discuss it. A Consents Officer may also be able to undertake a site visit to provide further advice noting that a pre-application service charge may apply.

If you would like to arrange this, please phone 0800 884 880.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

See notes to Applicant (last pages of form) before proceeding with application form.

Stormwater discharge activities are subject to rules in the Regional Water and Land Plan. This plan can be found on our website at http://www.boprc.govt.nz/knoweldge -centre/plans/.

Reviewing and understanding the rules and assessment criteria applicable to your activity will assist you with preparation of your assessment of environmental effects.

Which rules of the above plan(s) are applicable for your activity?

37

What is the activity status of your consent application?

- ☐ Controlled
- ☐ Restricted Discretionary
- ☑ Discretionary

If you need assistance determining which rules and activity statuses are applicable for your activity please call 0800 884 880 and ask to speak to a Consents Officer for guidance.

Under Section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

PART 1

1 **Full name of applicant(s)** *(the name that will be on the consent)*

Surname: .....

First names: .....

OR

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name: .....

Trustees' name: .....

OR

Company name: WHAKATANE DISTRICT COUNCIL

Contact person: GLENN COOPER

Postal address: PRIVATE BAG 1002
WHAKATANE 3158

Telephone *(please tick preferred contact number)*

☐ Residential (0) ..... ☑ Business (07) 306-0500

☐ Cell (0) .....

Facsimile .....

Email Glenn.Cooper@whakatane.govt.nz

2 **Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name: OPUS INTERNATIONAL CONSULTANTS

Contact person: SIMON BANKS

Postal address: PO BOX 646
TAURANGA 3140

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 571-5767

☐ Cell (0) .....

Facsimile .....

Email Simon.Banks@opus.co.nz

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

☑ Applicant ☐ Consultant

---

3 **Name and address of owner/occupier** *(of the site relating to application)*

Owner: See application

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Occupier: .....

Postal address: .....

.....

.....

☐ Residential (0)..... ☐ Business (0) .....

Please note: *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

---

4 **Consent(s) being applied for from Bay of Plenty Regional Council**

(a) You will need to fill in a separate form for each of the activities you propose to undertake. You may also need consent for one or more of the following.

Land Use

☑ Form 1A Culverts, Bridges, Fords, Erosion Protection, Pipes and Associated Works

☑ Form 1B Disturbance In or Around a Water Body (e.g. diversion, dredging, wetland disturbance, grave extraction)

☐ Form 1C Lake Structures *(new and existing)*

☑ Form 2A Land Disturbing Activities *(e.g. earthworks and quarrying)*

☐ Form 2B Land Disturbing Activities *(forest harvesting/vegetation clearance)*

***Discharge** (including coastal)*

- ☐ Form 3A Onsite Effluent Discharge
- ☐ Form 3B Discharge Farm Dairy Effluent
- ☐ Form 3C Land Use Activities in the Catchments of Lake Ōkāreka, Rotoehu, Ōkaro, Rotorua and Rotoiti
- ☑ Form 4A Discharge Stormwater to Water and/or Land from Urban Residential, Rural Areas
- ☐ Form 4B Industrial Discharges to Water or Land *(including stormwater)*
- ☐ Form 4C Discharge Contaminants to Air

***Water** (including coastal)*

- ☐ Form 5A Water Permit Application (s.14) – Take Surface Water *(includes intake structure (s.13))*
- ☐ Form 5B Water Permit Application (s.14) – Take Groundwater
- ☐ Form 5C Dam Water
- ☑ Form 5D Divert Water
- ☐ Form 6A Geothermal Take and Discharge – Domestic and Light Commercial/Industrial

Coastal *(see point 4 of **Notes to Applicant** for explanation of the Coastal Marine Area)*

- ☐ Form 7A Application for Consent for Coastal Structures *(including associated occupation and disturbance)*
- ☐ Form 7B Application to Disturb Coastal Marine Area *(no structure)*

(b) In which district is the activity located?

- ☑ Whakatāne District
- ☐ Rotorua District
- ☐ Western Bay of Plenty District
- ☐ Taupō District
- ☐ Ōpōtiki District
- ☐ Kawerau District
- ☐ Tauranga District

(c) Is this application to replace an existing or expired consent(s)? ☐ Yes ☑ No

If Yes, please state the consent number(s)

.....

(d) What rule under which plan is the activity applied for? Refer to http://www.boprc.govt.nz/knoweldge -centre/plans/ for the regional plans. 37

(e) Please specify the duration sought for your consent(s).

35 years 0 months

Start date 01 / 11 / 2016

Completion date *(if applicable)* 30 / 04 / 2017

(f) Do you also require resource consent(s) from a district council? ☑ Yes ☐ No

Type of consent required Landuse-earthworks volumes that exceed permitted limits

Has it been applied for? ☑ Yes ☐ No

Has it been granted? *(If Yes, please attach)* In progress ☐ Yes ☐ No

---

5 **Location description of activity**

Site address See application

.....

Legal description *(legal description can be obtained from your Certificate of Title, valuation notice, or rate demand)*

.....

Map reference NZTM, *(if known)* .....

PART 2

1 **Description of activity**

(a) Where is the stormwater discharged from? *(tick all that apply)*

- ☐ Roofs/buildings
- ☐ Car parks
- ☐ Other *(please specify)* Stream

(b) Is there an outlet structure in a water body? ☐ Yes ☑ No

If Yes, please provide a plan and specifications.

(c) What is the 10 minute 10% Annual Exceedence Probability (AEP) at your site? *(Your engineer can work this out for you or you can find information on the NIWA database/ online services/ HIRDS on www.niwa.co.nz).*

N/A

---

2 **Nature of discharge**

(a) What are the potential contaminants, and their concentrations, in the discharge? *(tick all that apply)*

- ☑ Suspended solids ~150 mg/L
- ☐ Copper ..... mg/L
- ☐ Total Petroleum Hydrocarbon ..... mg/L

❒ Zinc ..... mg/L

❒ Other .... mg/L

---

3 **Site plan** See application

On a separate piece of good quality A4 (minimum) paper, please provide a site plan showing location of the activity and receiving environment in relation to property boundaries.

*If you do not have access to mapping software, we recommend you use the regional mapping system available on our website (**www.boprc.govt.nz** **keywords 'regional mapping'**). The mapping system includes property boundary and contour layers, and allows you to carry out a property search, and view and/or print topographic maps or aerial photography.*

---

4 **Receiving environment** See application

Please fill out the receiving environment information for **either** (a) surface water, **or** (b) land soakage.

(a) Surface water body *(stream, pond, drain, etc.)* or water bodies it MAY enter.

Name(s) of water body(ies).....

.....

Sensitivity of water body .....

.....

Is the discharge:

☑ Diffuse *(discharge that does not occur at a specific, identifiable point).*

❒ In or to the Coastal Marine Area.

❒ Point source *(discharge at one location through outlet such as a pipe or channel).*

❒ To a reticulated stormwater network.

If discharge is point source, please describe erosion protection provided at the discharge point (attach design drawings or photographs in support).

.....

.....

.....

.....

.....

(b) Land soakage

Name of area where land soakage will occur.....

.....

Sensitivity of the land.....

.....

Is the discharge:

- ❒ Diffuse *(discharge that does not occur at a specific, identifiable point).*
- ❒ In the Coastal Margin (0-40 m from the Coastal Marine Area).
- ❒ Point source *(discharge at one location through outlet such as a pipe or channel).*

If Yes, please describe erosion protection provided at the discharge point (attach design drawings or photographs in support).

.....

.....

.....

What is the soil type of the area where land soakage will occur?.....

What is the drainage of the area where land soakage will occur?.....

.....

What is the distance to groundwater at the point of discharge?

---

5 **Assessment of Environmental Effects (AEE)** See application

NB: Where your discharge could have a significant adverse effect on the environment, a more detailed environmental assessment is required in accordance with the Fourth Schedule of the Resource Management Act 1991.

(a) The AEE shall include, but not be limited to:

- Treatment
- Storage/alteration
- Alternatives
- Maintenance
- Contingency
- Monitoring
- Erosion and scour
- Flooding
- Effects on neighbour's properties

(b) Any other effects relevant to the application.

*If your company has an Environmental Management Plan, please submit with your application. If you would like to put one together, check our Environmental Management Plan Checklist on our website (**www.boprc.govt.nz**).*

---

6 **Maintenance and contingency**

How will the equipment controlling the discharge be operated and maintained to prevent equipment failure, and what measures will be implemented to ensure that the effects of any malfunction are remedied?

See application

[Continue on a separate sheet if necessary]

---

7 **Monitoring**

What, if any, monitoring do you propose to carry out to ensure that the discharge does not have any adverse effect?

See application (CWMP)

[Continue on a separate sheet if necessary]

---

8 **Cultural Effects** See application

Please provide an assessment of the cultural effects associated with the activities you propose.

The Regional Council's Regional Policy Statement is clear that only tangata whenua can identify their relationship with an area. It is good practice to consult with tangata whenua in relation to your application so that you can provide the correct information to answer this question.

The Regional Council can provide a list of tangata whenua who have registered an interest in the site of your activity so that you can undertake the assessment. We can also provide other information e.g. access to iwi and hapū management plans, details about identified archaeological sites and details of any Statutory Acknowledgements relevant to the site. Please contact the Consents Team on 0800 884 880 to get more information.

9 **Persons likely to be affected** See application

Affected persons may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council, relevant iwi and hapū and community groups.

If you do not think there will be affected persons, you do not need to fill out this section; however, the Bay of Plenty Regional Council will make the final assessment of whether a person is affected by your proposal, and it is recommended as best practice to consult with those persons.

*In order for your application to be considered for **non-notification** you **must** gain written approval from all persons who may be affected by the proposal. The Bay of Plenty Regional Council can help you identify people/organisations that are likely to be affected, and the form 'Affected Person's Written Approval', which can be filled out by the affected person and attached to this application, can be found at **www.boprc.govt.nz** **keywords 'resource consent forms'.***

Please provide details below of those you have identified as persons who may be affected. If you have discussed your proposal with any of these persons, please record any comments made by them and your response to them, and submit this with your application.

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

[Continue on a separate sheet if necessary]

10 **Extending timeframes**

The Resource Management Act 1991 (RMA) specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however these timeframes can be extended, if necessary, with the Applicant's agreement.

Do you agree to the Bay of Plenty Regional Council extending RMA consent processing timeframes?

- ☐ Yes, provided that I can continue to exercise my existing consent until processing of this application is completed *(renewal application only).*
- ☑ Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.
- ☐ Yes, provided that the application process is completed before...../...../.....
- ☐ No.

---

11 **Deposit fee**

A deposit fee of $774.00, inclusive of GST, is payable with this application. This may be paid online, by cheque, or by eftpos at one the Regional Council's reception desks.

- Bay of Plenty Regional Council's bank account number is **06 0489 0094734 00.** Please use the Applicant's name as the reference. A GST invoice marked "PAID" will be issued on receipt of payment.
- An application will not be accepted as a complete application until the deposit fee has been paid. **Please note:** while we are happy to hold the forms in the meantime, the processing time will not start until payment is received.
- Additional charges are usually incurred, and will vary depending on the resource we use in the course of processing your application *(e.g. staff time)*. Staff can give an estimate of expected costs. Please see the schedule of fees attached.

Checklist

If you have dealt with a staff member regarding your consent application, please provide their name here: Paula Golsby - PMG planning consultant

The following information **must** be included in your application to ensure it is accepted.

- ☑ Complete all details in this application form.
- ☑ Include an Assessment of Environmental Effects (AEE) of the activity, as set out in Schedule 4, summarised at the back of this form.
- ☑ Supply written approval from all affected parties, if any, and/or summary of consultation carried out.
- ☑ Include a site plan.
- ☑ Sign and date the application form.
- ☑ Pay the required deposit.

- [x] Include any other information you think relevant *(e.g. Certificate of Title, details from the Companies Register, etc.)*
- [x] If your application is a large application, please submit an electric version on CD, and one hard copy.
- [x] Assessment of cultural effects (refer Section 8 of this form).

Please be aware any unchecked boxes may result in your application being returned under s.88.

Information privacy issues

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application, and to assist in the management of the region's natural and physical resources.

The information will be held by Bay of Plenty Regional Council, Quay Street, Whakatāne. This information is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public. If there is any information that you would like to remain confidential please contact a consents officer to discuss.

Failure to provide this information will mean that Bay of Plenty Regional Council will be unable to process your application.

---

1 **I confirm that I have authority to sign on behalf of the party/ies named as the applicants for this consent.**

2 **I have read, and understand, all of the information contained on this application form, including the requirement to pay additional costs that will be itemised.**

3 **I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature ..... Date 01 / 08 / 2016

Bay of Plenty REGIONAL COUNCIL

File ref:			
	SEEN		SEEN

Office Use Only

Telephone: 0800 884 880
Facsimile: 0800 884 882
Email: info@boprc.govt.nz
Website: www.boprc.govt.nz
Pollution Hotline: 0800 884 883
International: +64 7 922 3390

Application for a Resource Consent – Resource Management Act 1991 (s.88)

5D Divert Water

Before you make an application it is recommended that you talk or meet with a Consents Officer to discuss it. A Consents Officer may also be able to undertake a site visit to provide further advice. Noting that a pre-application service charge may apply.

If you would like to arrange this, please phone 0800 884 880.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

See notes to Applicant (last pages of form) before proceeding with application form.

Water take, diversion and/or damming activities are subject to rules in the Regional Water and Land Plan. Activities within the Tarawera River Catchment may also be subject to the Tarawera River Catchment Plan.

These plans can be found on our website http://www.boprc.govt.nz/knowledge-centre/plans/.

Reviewing and understanding the rules and assessment criteria applicable to your activity will assist you with preparation of your assessment of environmental effects.

Which rules of the above plan(s) are applicable for your activity?

48

What is the activity status of your consent application?

- ☐ Controlled
- ☐ Restricted Discretionary
- ☑ Discretionary

If you need assistance determining which rules and activity statuses are applicable for your activity please call 0800 884 880 and ask to speak to a consents officer for guidance.

Under Section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

PART 1

1 **Full name of applicant(s)** *(the name that will be on the consent)*

Surname: .....

First names: .....

OR

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name: .....

Trustees' name: .....

OR

Company name: WHAKATANE DISTRICT COUNCIL

Contact person: GLENN COOPER

Postal address: PRIVATE BAG 1002
WHAKATANE 3158

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 306-0500

☐ Cell (0) .....

Facsimile .....

Email Glenn.Cooper@whakatane.govt.nz

---

2 **Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name: OPUS INTERNATIONAL CONSULTANTS

Contact person: SIMON BANKS

Postal address: PO BOX 646
TAURANGA 3140

Telephone *(please tick preferred contact number)*

☐ Residential (0)..... ☑ Business (07) 571-5767

❒ Cell (0) .....

Facsimile .....

Email .....

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

❒ Applicant ❒ Consultant

---

3 **Name and address of owner/occupier** *(of the site relating to application)* See application

Owner: .....

Postal address: .....

.....

.....

❒ Residential (0)..... ❒ Business (0) .....

Occupier: .....

Postal address: .....

.....

.....

❒ Residential (0)..... ❒ Business (0) .....

Please note: *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

---

4 **Consent(s) being applied for from Bay of Plenty Regional Council**

(a) You will need to fill in a separate form for each of the activities you propose to undertake. You may also need consent for one or more of the following.

Land Use

☑ Form 1A Culverts, Bridges, Fords, Erosion Protection, Pipes and Associated Works

☑ Form 1B Disturbance In or Around a Water Body (e.g. diversion, dredging, wetland disturbance, grave extraction)

❒ Form 1C Lake Structures *(new and existing)*

☑ Form 2A Land Disturbing Activities *(e.g. earthworks and quarrying)*

❒ Form 2B Land Disturbing Activities *(forest harvesting/vegetation clearance)*

Discharge *(including coastal)*

- ☐ Form 3A Onsite Effluent Discharge
- ☐ Form 3B Discharge Farm Dairy Effluent
- ☐ Form 3C Land Use Activities in the Catchments of Lake Ōkāreka, Rotoehu, Ōkaro, Rotorua and Rotoiti
- ☑ Form 4A Discharge Stormwater to Water and/or Land from Urban Residential, Rural
- ☐ Form 4B Industrial Discharges to Water or Land *(including stormwater)*
- ☐ Form 4C Discharge Contaminants to Air

Water *(including coastal)*

- ☐ Form 5A Water Permit Application (s.14) – Take Surface Water *(includes intake structure (s.13))*
- ☐ Form 5B Water Permit Application (s.14) – Take Groundwater
- ☐ Form 5C Dam Water
- ☑ Form 5D Divert Water
- ☐ Form 6A Geothermal Take and Discharge – Domestic and Light Commercial/Industrial

Coastal *(see point 4 of **Notes to Applicant** for explanation of the Coastal Marine Area)*

- ☐ Form 7A Application for Consent for Coastal Structures *(including associated occupation and disturbance)*
- ☐ Form 7B Application to Disturb Coastal Marine Area *(no structure)*

(b) In which district is the activity located?

- ☑ Whakatāne District
- ☐ Rotorua District
- ☐ Western Bay of Plenty District
- ☐ Taupō District
- ☐ Ōpōtiki District
- ☐ Kawerau District
- ☐ Tauranga District

(c) Is this application to replace an existing or expired consent(s)? ☐ Yes ☑ No

If Yes, please state the consent number(s)

.....

(d) Please specify the duration sought for your consent(s).

..... 35 ..... years ..... 0 ..... months

Start date ..... 01 / ..... 11 / 2016

Completion date *(if applicable)* ..... 30 / ..... 04 / 2017

(e) Do you also require resource consent(s) from a district council? ☑ Yes ☐ No

Type of consent required Land use-earthworks volumes exceeding permitted limits

Has it been applied for? ☑ Yes ☐ No

Has it been granted? *(If Yes, please attach)* In progress ☐ Yes ☐ No

---

5 **Location description of activity** See application

Site address.....

.....

Legal description *(legal description can be obtained from your Certificate of Title, valuation notice, or rate demand)*

.....

Map reference NZTM, *(if known)* .....

PART 2

If you are both damming AND diverting water, you will need to fill out both Form 5C AND Form 5D

1 **Details of diversion**

The diversion is: ☐ Existing ☑ Proposed

If the diversion is in the Coastal Marine Area, a coastal permit is required. You can make the application on this form.

2 **Description of activity**

(a) What is the purpose of the diversion *(e.g. stormwater control, river works, stream realignment, etc.)*? See application

.....

(b) What is the name, if any, of the watercourse to be diverted? *(If the stream is unnamed, give the name of the watercourse to which it is a tributary.)*

Wainui Te Whara

.....

(c) What is the rate at which water will: See application

Be diverted? ..... L per second

(d) The diversion will be: ☐ Intermittent ☑ Continuous

If intermittent, what will be the maximum operating period?

..... hours per day ..... days per week ..... weeks per year

(e) The diversion also involves *(tick all that apply)*:

☐ Taking water, if yes fill out Form 5A.

☐ Damming water, if yes fill out Form 5D.

☑ Discharging, if yes fill out Form 4A.

☐ Structures (provide plans/details on a separate sheet), if yes fill out Form 1C or Form 7A as appropriate.

---

3 Site description

(a) Describe the bed of the watercourse in the vicinity of the diversion site *(e.g. is it gravelly, muddy, or sandy?)*

See application

---

4 Site plan See application

On a separate piece of good quality A4 *(minimum)* paper, please show the location of your diversion on a map in relation to your property and neighbouring properties.

If you do not have access to mapping software, we recommended you use the regional mapping system available on our website (**www.boprc.govt.nz keywords 'regional mapping**). The mapping system includes property boundary and contour layers, and allows you to carry out a property search, and view and/or print topographic maps or aerial photography.

---

5 Assessment of Effects See application

This assessment of environmental effects will need to address the effects (in accordance with Schedule Four of the Resource Management Act 1991 (RMA)) as a separate document. If you are unsure how to complete this section, please contact a consents officer at Bay of Plenty Regional Council.

(a) In your assessment of environmental effects assess the effects on water availability to downstream users, and/or access to neighbouring properties.

.....

.....

.....

.....

(b) Describe what adverse effects your diversion may have, and the steps you propose to take to mitigate these. If the adverse effect is significant, describe alternative locations or methods you have considered for undertaking the diversion.

See application

(c) Assess the effects of the diversion in terms of:

- Fish passage.
- Stream ecology.
- Erosion and scour.
- Flooding.
- Effects on neighbouring properties.

See application

(d) Any other effects relevant to the application.

See application

---

6 **Cultural effects** See application

Please provide an assessment of the cultural effects associated with the activities you propose.

The Regional Council's Regional Policy Statement is clear that only tangata whenua can assess the effect on them of an activity that is proposed. It is good practice to consult with tangata whenua in relation to your application so that you can provide the correct information to answer this question.

The Regional Council can provide a list of tangata whenua who have registered an interest in the site of your activity so that you can undertake the assessment. We can also provide other information e.g. access to iwi and hapū management plans, details about identified archaeological sites and details of any Statutory Acknowledgements relevant to the site. Please contact the Consents Team on 0800 884 880 to get more information.

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7 **Persons likely to be affected** See application

Affected persons or parties may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council, relevant iwi and hapū and community groups.

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Please provide details below of those you have identified as parties who may be affected. If you have discussed your proposal with any of these parties, please record any comments made by them and your response to them, and submit this with your application.

Name.....

Address .....

.....

..... ❒ Written approval supplied *(attached).*

Name.....

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Address .....

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[Continue on a separate sheet if necessary]

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Checklist

If you have dealt with a staff member regarding your consent application, please provide their name here: Paula Colsby - PMG planning consultant

- ☑ Complete all contact details in this application form.
- ☑ Include an Assessment of Effects of the activity, as set out in Schedule 4, summarised at the back of this form.
- ☑ Assessment of cultural impacts.
- ☑ Supply written approval from all affected parties, if any, and/or summary of consultation carried out.
- ☑ Include a site plan.
- ☑ Sign and date the application form.
- ☑ Pay the required deposit.

☑ Include any other information you think relevant *(e.g. Certificate of Title, details from the Companies Register, etc.)*

☑ If your application is a large application, please submit an electric version on CD, and one hard copy.

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2 **I have read, and understand, all of the information contained on this application form, including the requirement to pay additional costs that will be itemised.**

3 **I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature ..... Date 01 / 08 / 2016

Appendix 5b – Resource consent application forms (WDC)

Application for Resource Consent

Address all correspondence to :
Chief Executive Whakatane District Council Private Bag 1002 Whakatane 3158 I Phone 07 306 0500 I Fax 07 307 0718

APPLICANT 1 DETAILS			
First Name	Whakatane District Council	**Second Name**	Attn: Glenn Cooper
Surname	Three Waters Group	**Known As**	-
Physical Address			
House/Unit Number	-	**Street**	Commerce Street
RD Number	-	**Suburb/Area**	-
Town	Whakatane	**Post Code**	3158
Postal Address (if different from Physical address)			
Private Bag 1002, Whakatane 3158			
Home Phone	-	**Work Phone**	07 306 0500 ext 7510
Mobile Phone	027 268 2355	**Date of Birth**	-
Email Address	glenn.cooper@whakatane.govt.nz		

APPLICANT 2 DETAILS			
First Name		**Second Name**	
Surname		**Known As**	
Physical Address			
House/Unit Number		**Street**	
RD Number		**Suburb/Area**	
Town		**Post Code**	
Postal Address (if different from Physical address)			
Home Phone		**Work Phone**	
Mobile Phone		**Date of Birth**	
Email Address			

Hereby apply for	☑ Land Use Consent	☐ Subdivision Consent	☑ Outline Plan Approval

AGENT DETAILS *(See Note 8)*			
First Name		**Second Name**	
Surname		**Known As**	
Physical Address			
House/Unit Number		**Street**	
RD Number		**Suburb/Area**	
Town		**Post Code**	
Postal Address (if different from Physical address)			
Home Phone		**Work Phone**	
Mobile Phone		**Date of Birth**	
Email Address			

First point of contact for communications with the Council (all communications will be directed to this person) ☑ Applicant ☐ Agent ☐ Other	
Name:	See above
Postal Address	

DESCRIPTION OF ACTIVITY *(See Note 1)*					
Describe the proposal clearly:					
Wainui Te Whara Stream Channel Improvement Works - Earthworks, channel reshaping, deepening and realignment - see application for details					
MARKET NAME					
LOCATION OF ACTIVITY/SITE ADDRESS *(See Note 2)*					
The site to which this application relates is described as:					
Site No 1					
No		**Street**	Valley Road to Hinemoa Street	**Locality**	Whakatane
Legal description:	Varies - see application for details				
Certificate of Title:	/	Designating Authority:	Whakatane DC	Designation No:	D168 / D169
Site No 2					
No		**Street**		**Locality**	
Legal description:					
Certificate of Title	/	Designating Authority		Designation No:	

ADDITIONAL RESOURCE CONSENT APPLICATIONS *(See Note 3)*			
Are resource consents required from Environment Bay of Plenty for this proposal?			☑ Yes ☐ No
If yes, please detail which consents are required:			
☐ Coastal Permit	☑ Water Permit	☑ Discharge Permit	☑ Land Use Consent
Has consent been granted?	☐ Yes	☐ Declined	☐ Not yet applied for

Aplication lodged concurrently

OWNER OF THE SITE THAT IS THE SUBJECT OF THIS APPLICATION					
State the name(s) and address of the owner(s) of the site described above. *(If these are the same as for the applicant, tick this box.)*					❒
Name	Varies - see application for details				
Postal address				**Email**	
Phone (day)		**Cell**		**Fax**	

CONSULTATION *(See Note 5)*		
Have you talked to a Council Planner about your application (pre-application meeting)?		❒ No ☑ Yes Name: John Mandemaker
Have you consulted with any potentially affected or interested party?		❒ No ☑ Yes
If yes, who did you consult with:		See application for details
Name	**Address**	

Did they have any concerns?	❒ No ❒ Yes
If yes please provide detail (Continue on a separate sheet where necessary)	
How have you addressed these concerns? (Continue on a separate sheet where necessary)	

APPROVAL OF AFFECTED PARTIES *(See Note 5)*

I/We have obtained the written approval of the following affected persons:

Name	**Address**	**Owner** *(tick if applicable)*	**Occupier** (tick if applicable)

(Continue on a separate sheet where necessary)

Please note: Written forms (available from the Council) are to be completed by affected persons and are to be attached to this application form. Each affected party should sign a copy of the plans and your application forms.

DETAILS OF ACTIVITY

Please give details of the proposed activity and reasons why Council should consider approving your application:

See application for details

Continue on a separate sheet where necessary

ASSESSMENT OF ENVIRONMENTAL EFFECTS (AEE) *(See Note 6)*

What are the effects of your proposal on the environment? If you think there are no effects, please explain why you believe this to be the case.

See application for details

Continue on a separate sheet where necessary

INVOICES FOR EXTRA CHARGES *(See Note 4)*

If extra charges are incurred in processing this application, please send invoices to:

☑ Applicant ☐ Owner ☐ Agent ☐ Other party as detailed below

Name:

Postal address: Email

DRAFT CONDITIONS

I wish to see draft conditions for my comment before any consent is granted and I agree that my application will be placed on hold for this period. ☑ Yes ☐ No

ANNEXURES

I attach	☑	Deposit fee of $1756 (as per the Fees and Charges Schedule) - Landuse Consent + Outline Plan
	☑	Written explanation of what is proposed and reasons for application. *(See Note 1)*
	☑	Details of consultation with affected parties/written consents of affected parties *(See Note 5)*
	☑	Assessment of Environmental Effects *(See Note 6)*
	☑	Plans to scale (eg, site plan, elevation details, floor plan)
	☑	Other information *(See Note 7)* ☐ A building consent has been applied for #

Please note that the deposit fee and all of the above information is required to be submitted with your application. Failure to include the deposit fee and all of the required information will mean that the Council and will not accept your application for lodgement. Please refer to the Notes below.

SIGNATURE

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct. I undertake to pay all actual and reasonable application costs incurred by the Whakatane District Council.

Signature of Applicant 1 : _____ Date: _____

Signature of Applicant 2: _____ Date: _____

NOTES:

1. Give full description of the activity you are proposed to undertake. Continue on a separate paper if necessary.
2. Describe the location in a manner which will allow it to be readily identified, eg, the street address, the legal description, the name of any relevant stream, river, or other water body to which the application may relate, proximity to any well-known landmark, the grid reference (if known), etc.
3. Some activities require more than one resource consent. Although it is not mandatory to make all applications at once, in some circumstances, Council can decide not to proceed with an application until another resource consent has been obtained. In some cases, a joint hearing or combined hearing may be required. You may apply for two or more resource consents that are needed for the same activity on the same form.
4. The initial lodgement deposit paid on application may not cover the total cost of processing this application. The Council charges for receiving, processing and granting of consents on an actual cost basis. You may receive a refund or an account for additional costs.
5. Some types of applications require you to have consulted with, and if possible, obtain the written consent of any party who may be adversely affected by the proposal. This may include individuals such as your neighbours, or organisations such as the Department of Conservation, Transit New Zealand of iwi. Consultation should occur prior to an application being received. The written consent of affected parties will be required for some applications for resource consent to avoid the Council publicly notifying the application for submissions.
6. **Assessment of Environmental Effects (AEE) -** An AEE is an essential part of the application. If no AEE is provided, Council will not start processing the application. The AEE should discuss all the actual and potential effects (both positive and negative) on the environment arising from this proposal. The amount of detail provided must reflect the nature, scale and significance of the effects. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects should be included in the AEE. Information from specific experts such as a geotechnical engineer, acoustic consultant or traffic engineer may be required. If the effects of the proposal are very minor, then a less detailed AEE can be submitted.
7. The District Plan will require specific information to be submitted with most applications. Copies of the Plan are held in the District Council offices (Whakatane and Murupara) and the District Libraries. The Resource Management Act 1991 and regional plans may also specify additional information that is required. It is important to check out these requirements before lodging your application.
8. **A <u>lodgement meeting</u> is required prior to lodging this consent application with the Council unless the application has been prepared by a planning consultant or surveyor. A lodgement meeting is also required if the application has already been returned by the Council once because of insufficient information. Please contact the duty Planner at the Council to arrange for a time to lodge this application.**

OR OFFICE USE ONLY			
RC ID		Date received	
Receipt No		CSO Initials	