



RESOURCE CONSENT

Land Use Permit

In accordance with the provisions of the Resource Management Act 1991, and subject to the attached conditions, the Hawke's Bay Regional Council (the Council) grants a resource consent for a non-complying activity to:

Ravensdown Limited

Private Bag 6012
Napier 4142

to undertake vegetation clearance and soil disturbance activities in the Coastal Margin associated with:

- Erection, reconstruction, placement, alteration, extension, removal, or demolition of stormwater and process water treatment and discharge structures; and
- Wetland restoration activities (refer to Plan D).

LOCATION

Address of site

200 Waitangi Road, Awatoto

Legal description

SECS 26 44 50 56 60 PT SECS 32 43 LOT 4 DP 8546 LOTS 1 2 DP 16060 BLK I CLIVE SD, LOTS 6 & 7 DP 25683

Map reference

E1937000 N5613781 (NZTM)

CONSENT DURATION

This consent is granted for a period expiring on 19 December 2032.

Martin Williams

Hearing Commissioners

Under authority delegated by Hawke's Bay Regional Council
19th December 2022

Conditions

1. The activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects dated 30 November 2021 and associated management plans and other information supplied as part of the application for this resource consent. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail. Where a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
2. The planting and associated works authorised by this consent shall be undertaken in the area and for the purposes described in *Ravensdown Napier Works, Habitat Abundance and Restoration Plan, December 2022*.
3. Within six months from the commencement date of this consent, the consent holder shall re-convene the HARP Advisory Group made up of Mana Whenua, HBRC (landowner) representatives and other interest stakeholders.
4. The consent holder shall ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. The person responsible for the work on site shall be familiar with the consent conditions and a copy of this consent shall be present on site at all times while the work is being undertaken.
5. All practicable measures shall be implemented to minimise sediment discharges into waterbodies.
6. All disturbed areas shall be stabilised as soon as practicable following completion of the works.
7. The earthworks and vegetation clearance shall occur in accordance with an Erosion and Sediment Control Plan (ESCP). The objective of the ESCP shall be to detail the best practicable erosion and sediment control measures that will be taken to ensure compliance with this resource consent. The Plan shall be prepared as far as practicable to be in accordance with the Hawke's Bay Water Guidelines: Erosion and Sediment Control (2009).

Advice Note:

The requirement for a ESCP for these works is also contained in the associated Napier City Council resource consent and only one Plan is required for certification by both Councils).

8. The ESCP shall be provided to the Council at least 20 working days prior to the earthworks and/or vegetation removal commencing, for certification that it meets the objective set out in condition 7 and is prepared as far as practicable to be in accordance with the Hawke's Bay Water Guidelines: Erosion and Sediment Control (2009).
9. Earthworks and vegetation clearance shall not commence until certification of the ESCP has been received from Council. Notwithstanding this, if 10 working days have passed and no correspondence has been received from the Council regarding the adequacy of the ESCP, the works may commence.
10. The ESCP may be amended at any time. Any amendments shall be:
 - a) Only for the purpose of improving the efficiency of the erosion and sediment control measures or the management of contaminated soil and shall not result in reduced efficacy of the management;
 - b) Consistent with the conditions of this resource consent; and
 - c) Submitted in writing to the Council, prior to any amendment being implemented.
11. The consent holder shall check, clean and dry machinery used in the bed of the waterbody or drain to limit the spread of aquatic and plant pests.

12. Where, for any cause (accidental or otherwise), contaminants associated with the consent holder's operations escape to water other than in conformity with the consent, the consent holder shall:
 - a) Immediately stop all works authorised by this resource consent; and,
 - b) Immediately take all practicable steps to contain and then remove the contamination from the environment,
 - c) Immediately notify the Council of the escape; and,
 - d) Report to the Council, in writing and within 7 days, describing the manner and cause of the escape and the steps taken to control it and prevent its reoccurrence.

13. In the event of any archaeological site or waahi tapu being uncovered during the exercise of this consent, activities in the vicinity of the discovery shall cease. The consent holder shall contact the Council (Manager Compliance) to obtain contact details of the relevant tangata whenua. The consent holder shall then consult with the relevant local hapū or marae and the Heritage New Zealand Pouhere Taonga, and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga and tangata whenua approvals to damage, destroy or modify such sites have been obtained.

14. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128 to 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The conditions may be reviewed for any of the following purposes:
 - a) To deal with any adverse effect on the environment which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
 - b) To require that the discharge is consistent with requirements in a regional plan or a National Environmental Standard;
 - c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
 - d) To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan.

Administration

Notification of Changes to Details

1. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

2. Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine Monitoring

3. "Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that

non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA, which states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

4. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

Debt Recovery

5. It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

REASONS FOR DECISION

The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA, the National Policy Statement for Freshwater, the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, the Resource Management (Measurement and Reporting of Water Takes Regulations) 2010, and with all relevant plans and policies.

CONSENT HISTORY

Consent No. (Version)	Date	Event	Relevant Rule / Regulation	
			Number	Plan
AUTH-127890-01	19/12/2022	Consent initially granted	8 39, 42 and 54 (b)	Regional Coastal Environment Plan (2014) National Environmental Standards for Freshwater (2020)
AUTH-127890-01	12/01/2023	S133A (RMA) minor corrections	8 39, 42 and 54 (b)	Regional Coastal Environment Plan (2014) National Environmental Standards for Freshwater (2020)

Plans

Plan D – Plan Showing Water Discharge point, Ravensdown Drain and HARP Area

