

# KJ Sutherland

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Gravelling & Agricultural Contractor

2475 Orawia – Clifden Highway, Orawia, RD2 Otautau 9682

Phone: H. 03 225 5716 M. 0274 367 934 E. [kj.ar@velocitynet.co.nz](mailto:kj.ar@velocitynet.co.nz)



December 14, 2017

Environment Southland

Private Bag 90116

**Invercargill 9840**

Attention: Matt Hoffman – Senior Consents Officer

Dear Matt

**Reference: APP-20171589 – Request for Further Information under Section 92(1) of the Resource Management Act 1991 – Application for Land Use Consent, KJ Sutherland**

Please find attached my report covering responses to the above request for further information relating to my proposed gravel extraction activity located on the true left bank of the Waiiau River at Clifden.

Sincerely yours

**KJ Sutherland**



**environment  
SOUTHLAND**

Cnr North Road and Price Street  
(Private Bag 90116)  
Invercargill

Telephone (03) 211 5115  
Fax No. (03) 211 5252  
Southland Freephone No. 0800 76 88 45

To: Environment Southland  
Private Bag 90116  
Invercargill 9840

## WRITTEN APPROVAL FORM

**Affected Person's written approval to an activity that is the subject of a resource consent application**

### To be completed by the person requesting approval

Applicant: K J Sutherland - Agricultural Contracting

Application Number: \_\_\_\_\_ Officer in Charge: \_\_\_\_\_

Type of Resource Consent: Land Use Consent - Gravel Extraction

Proposed Activities: Over a seven year period extract up to 80,000m<sup>3</sup> of varying grades of gravel from the site providing commercial aggregate supply needs of local markets. Area A) Form dry pit and reshape surrounding area, Area A1) Skim/re-shape berm, Area B) Skim/reshape beach, install/remove as required 1200 mm dia. pipe for temporary access across flowing water to the proposed work site.

Location: At one site on the left bank of the Waiau River at Clifden approx. 600 metres upstream o

### To be completed by the person giving his or her approval:

Name: Dean Whaanga

and/or Organisation: Te Ao Marama Inc

Street Address: 408 Tramway Road, Invercargill

I am the owner/occupier of the following property and have authority to sign on behalf of all other owners/occupiers of the property: \_\_\_\_\_ *\*Delete if not applicable*

I/we have studied the application for resource consent and give my/our written approval to the proposed activity/ activities.

In signing this written approval, I/we understand that the consent authority must decide that I/we am/are no longer an affected person(s), and the consent must not have regard to any adverse effects on me/us.

Comments:

 \_\_\_\_\_ 13 / 11 / 17 \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 (Signature) (Date) (Signature) (Date)

**Notes: If you do not understand this form and/or any details regarding the application for resource consent, then you should provide your written approval.**

Date: / /

This approval is specific to the above application and is for the purposes of s95 RMA only. It is not indicative of any associated arrangement with the Commissioner of Crown Lands or other statutory approval which may be required from Land Information New Zealand in regards to the proposed activity. You are required to obtain authorisation from the Commissioner of Crown Lands in order to undertake any activities on land owned or administered by Land Information New Zealand. We look forward to receiving your application in the near future.



Richard Summerlee  
Portfolio Manager  
Crown Property



**environment  
SOUTHLAND**

Cnr North Road and Price Street  
(Private Bag 90116)  
Invercargill

Telephone (03) 211 5115  
Fax No. (03) 211 5252  
Southland Freephone No. 0800 76 88 45

File No: \_\_\_\_\_  
Officer in Charge: \_\_\_\_\_

To: KJ Sutherland  
2475 Ohai Clifden Road  
RD 2  
Otautau 9682  
Attention: Kevin Sutherland

## WRITTEN APPROVAL OF A POTENTIALLY AFFECTED PARTY

Approval by Person(s) Potentially Affected by an Application for a  
Resource Consent

To be completed by the person requesting approval

**Applicant:** *KJ Sutherland - Agricultural Contracting*

**Type of Resource Consent:** *Land Use – Disturbance of the bed of a river – Gravel Extraction*

**Proposed Activity:** *Over a Seven year period extract up to 80,000 m3 of varying grades of gravel from the site providing commercial aggregate supply needs of local markets. Area A) Form dry pit and reshape surrounding area, Area A1) Skim/re-shape berm, Area B) Skim/reshape beach, install/remove as required 1200 mm. dia. pipe for temporary access across flowing water to the proposed work site.*

**Location:** *At one site on the left bank of the Waiau River at Clifden approximately 600 meters upstream of the Clifden Bridge. Location Co-ordinates: 1238289E – 48930656N as detailed on Location Plan Appendix 1*

To be completed by the person giving his or her approval:

**Name:** *Land Information New Zealand, C/- Colliers International*


**Street/Road Address:** *PO Box 416, Queenstown 9348 Attention: Mr. S Ashworth*

I/we have sighted all the attached plans and supporting information for the above activity.

I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.

I/we understand that, if I give my approval, Environment Southland shall not take into account any effects that the proposed activity may have on me, when considering the application (Section 104(3)(b) of the Resource Management Act 1991).

  
(Signature)

  
(Date)

**NOTE: IF YOU DO NOT UNDERSTAND WHAT THIS FORM IS, OR DETAILS ABOUT THE APPLICATION ASSOCIATED WITH THIS FORM, DO NOT SIGN IT.**

**Richard Summerlee**  
Written Approval  
Portfolio Manager Crown Property  
Land Information New Zealand

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of the Southland Regional Council



**environment  
SOUTHLAND**

Cnr North Road and Price Street  
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Invercargill

Telephone (03) 211 5115  
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Southland Freephone No. 0800 76 88 45

File No: \_\_\_\_\_  
Officer in Charge: \_\_\_\_\_

To: KJ Sutherland  
2475 Ohai Clifden Road  
RD 2  
Otautau 9682  
Attention: Kevin Sutherland

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**Approval by Person(s) Potentially Affected by an Application for a  
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To be completed by the person requesting approval

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To be completed by the person giving his or her approval:

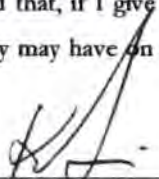
Name: *Southland District Council*

Street/Road Address: *PO Box 903, Invercargill 9840 Attention: Mr. Kevin McNaught*

I/we have sighted all the attached plans and supporting information for the above activity.

I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.

I/we understand that, if I give my approval, Environment Southland shall not take into account any effects that the proposed activity may have on me, when considering the application (Section 104(3)(b) of the Resource Management Act 1991).

  
\_\_\_\_\_  
(Signature)

*31/10/17*  
\_\_\_\_\_  
(Date)

**NOTE: IF YOU DO NOT UNDERSTAND WHAT THIS FORM IS, OR DETAILS ABOUT THE  
APPLICATION ASSOCIATED WITH THIS FORM, DO NOT SIGN IT.**

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## **Guidelines for Potentially Affected Parties Request for Written Approval**

### **Why is your written approval required?**

If you have been asked to sign this form, it will be because someone is proposing an activity that requires a resource consent and you have been identified as a potentially affected party.

For a resource consent application to be processed as a non-notified, the applicant will need to:

- a. show that the proposed activity has no more than minor effects on the environment; and
- b. obtain the written approval of any person the Council considers may be potentially affected.

Because your written approval is being sought it does not mean you are affected. You may have been deemed a potentially affected party simply because you are a neighbour. The process is designed to give you an opportunity to consider the proposal and decide for yourself whether you are affected or not, and if so to what extent.

### **What should you do?**




1. Study the application and plans (if any) of the proposed activity. These should help you understand any potential effects.
2. Decide whether the proposal will have any effect on you – and if so to what extent.
3. If you are happy with the proposal and wish to give your approval, you may do so by signing the written approval form, and copies of any associated plans.

If you are worried about giving your written approval you may wish to discuss the proposal with the applicant and/or Environment Southland. Discussing the proposal may assist with resolving any issues of concern. If you continue to be concerned with the proposal, you do not have to sign the form, however it is important that you let Environment Southland and the applicant know you will not be giving your approval and why. If after assessing your reasons for not signing, Environment Southland still considers you a potentially affected party, the application will be notified (publicly advertised and submissions sought).

**Note:** (1) By signing the written approval form you still retain the right to contact Environment Southland or lodge a complaint if you become concerned that the applicant is not complying with the requirements of their resource consent, or the proposal you gave written approval to.

- (2) This approval may be withdrawn in writing up to the time that the application is considered and determined.

**For Further Assistance** – contact Environment Southland's Consents Officers, via

 03 211 5115 or 0800 76 88 45  
 (fax) 03 211 5252  
 Private Bag 90116, Invercargill

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SOUTHLAND**

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Southland Freephone No. 0800 76 88 45

File No: \_\_\_\_\_  
Officer in Charge: \_\_\_\_\_

To: KJ Sutherland  
2475 Ohai Clifden Road  
RD 2  
Otautau 9682  
Attention: Kevin Sutherland

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Approval by Person(s) Potentially Affected by an Application for a Resource Consent

To be completed by the person requesting approval

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Location: *At one site on the left bank of the Waiau River at Clifden approximately 600 meters upstream of the Clifden Bridge. Location Co-ordinates: 1238289E - 48930656N as detailed on Location Plan Appendix 1*

To be completed by the person giving his or her approval:

Name: *Fish & Game Southland*

Street/Road Address: *PO Box 159, Invercargill 9840, Attention: Mr Zane Moss / Mr Jacob Smyth*

I/we have sighted all the attached plans and supporting information for the above activity. ✓

I/we hereby give approval for the proposal to be considered by Environment Southland without public notification. ✓

I/we understand that, if I give my approval, Environment Southland shall not take into account any effects that the proposed activity may have on me, when considering the application (Section 104(3)(b) of the Resource Management Act 1991). ✓

*Jacob Smyth*  
\_\_\_\_\_  
(Signature)

*10/11/2017*  
\_\_\_\_\_  
(Date)

**NOTE: IF YOU DO NOT UNDERSTAND WHAT THIS FORM IS, OR DETAILS ABOUT THE APPLICATION ASSOCIATED WITH THIS FORM, DO NOT SIGN IT.**

*Fish & Game - Southland*

Environment Southland is the brand name  
of the Southland Regional Council

# KJ Sutherland

---

Gravelling & Agricultural Contractor

2475 Orawia – Clifden Highway, Orawia, RD 2 Otautau 9682

Phone: H. 03 225 5716 M. 0274 367 934 E. kj.ar@velocitynet.co.nz

December 14, 2017

Environment Southland

Private Bag 90116

**Invercargill 9840**

Attention: Matt Hoffman – Senior Consents Officer

Dear Matt

## **Reference: APP-20171589 – KJ Sutherland - Application for Land Use Consent to Extract Gravel from the Waiau River at Clifden**

In response to discussions with Department of Conservation staff regarding concerns expressed to the future stability of the historic nesting site for the endangered Black-billed Gull marked as Area B on Appendix 2 of the Application Report, the decision has been made to exclude from the application all reference to extraction occurring on Area B.

In reflection of that decision the following key points to the application are submitted.

- The proposed activity will now relate only to Areas A and A1.
- The term of consent sought still remains at 7 years.
- The total volume of gravel remains at 80,000 m<sup>3</sup>.

To retain the 80,000 m<sup>3</sup> commercial value of the proposed activity, the 16,000 cubic metres originally intended to be extracted from Area B, that volume will instead be extracted from the proposed habitat pond through increasing the overall depth by 800 mm to 2.8 m.

I enclose the following documents that reflect the above changes to the application:

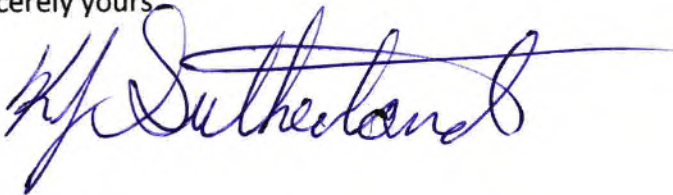
- Revised Version – Application Report
- Revised Appendix 1 – Locality Plan – Proposed Gravel Extraction Activity;
- Revised Appendix 2 – Extraction Area Site Plan – Proposed Gravel Extraction Activity;
- Revised Appendix 3 – Land Legal Description – Proposed Gravel Extraction Activity;



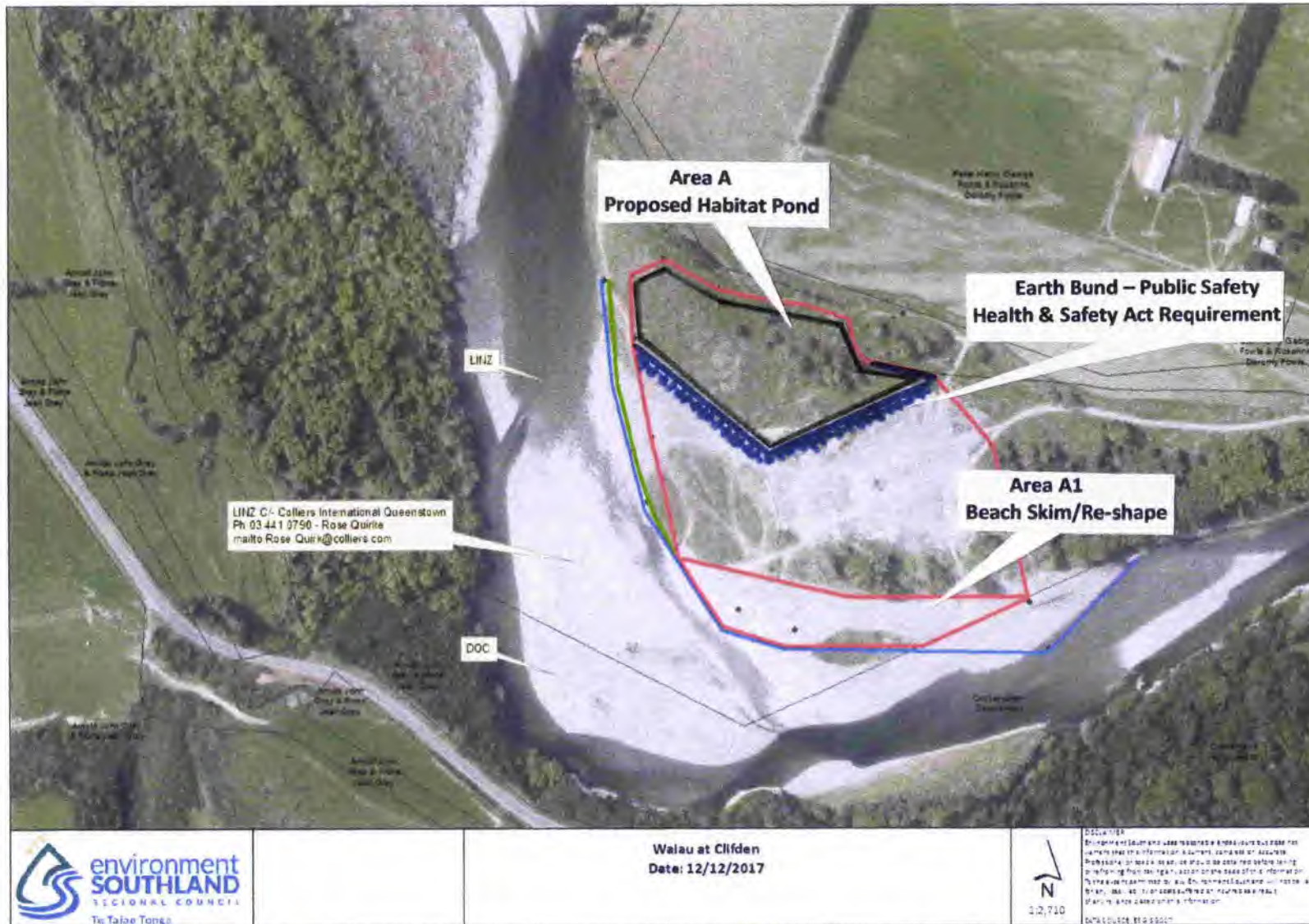
- Report – Responses to Environment Southland Request for Further Information.

Note: Regarding the report covering responses to the further information request, all responses relating Area B (now excluded from the application) are to be disregarded.

Sincerely yours

A handwritten signature in blue ink, appearing to read 'KJ Sutherland', with a long horizontal flourish extending to the right.

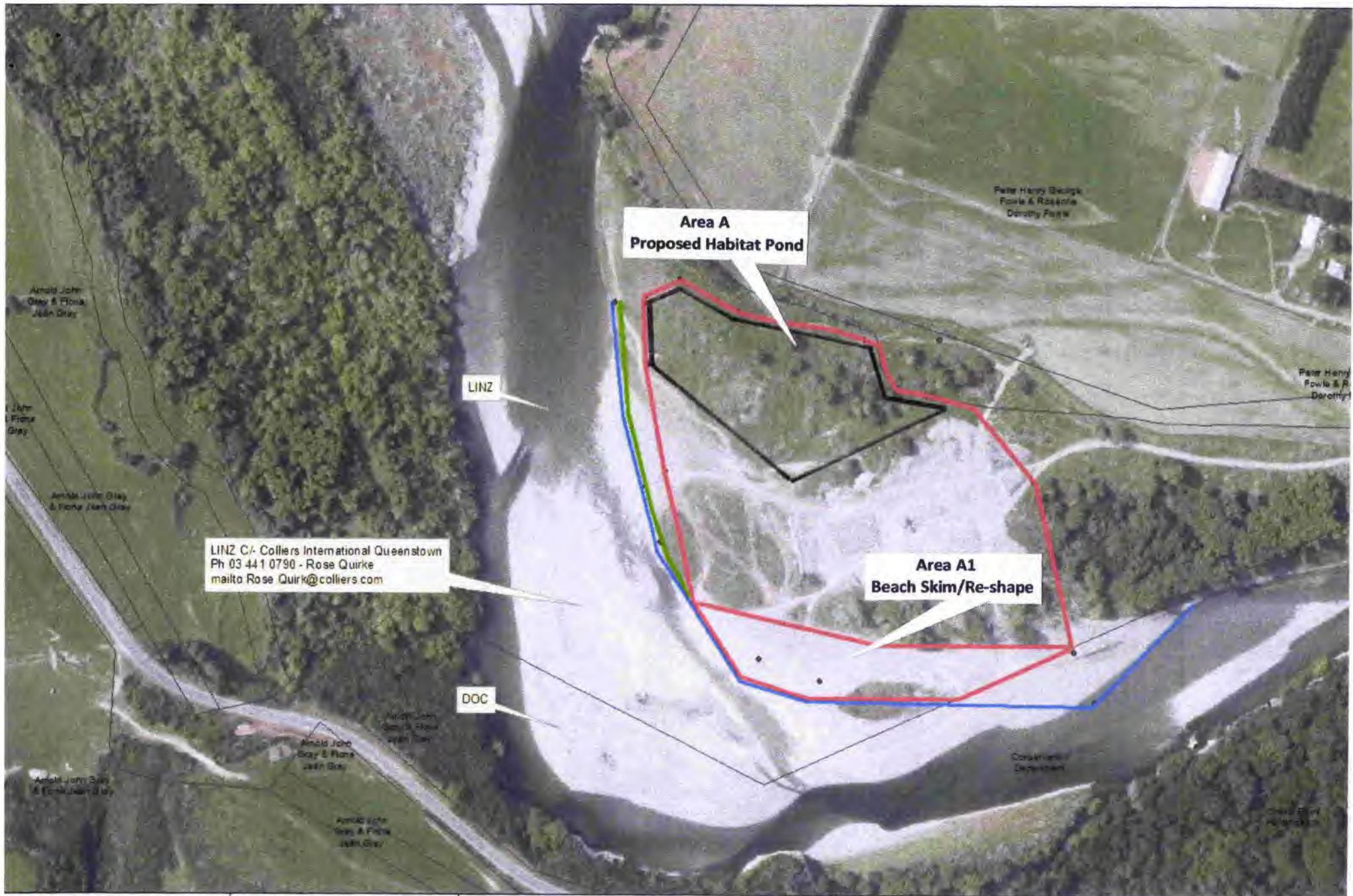
**KJ Sutherland**



**Revised Appendix 1 – Locality Plan Proposed Gravel Extraction Activity**  
**KJ Sutherland – Waiau River, Clifden**



**Revised Appendix 2 – Extraction Area Site Plan Proposed Gravel  
Extraction Activity  
KJ Sutherland - Waiau River, Clifden**



**Revised Appendix 3 – Land Legal Description Plan Proposed Gravel  
Extraction Activity  
KJ Sutherland – Waiau River, Clifden**

## **Ann And Kevin Sutherland**

---

**From:** "Ann And Kevin Sutherland" <kj.ar@velocitynet.co.nz>  
**Date:** Thursday, 14 December 2017 4:36 PM  
**To:** "Ryan Hepburn" <Ryan.Hepburn@ngaitahu.iwi.nz>  
**Cc:** "Ken and Judy McGraw" <wild.trout@xtra.co.nz>  
**Subject:** Re: Resource Consent Application

Hi Ryan,

Te Ao Marama Inc have indeed given approval on the 13 Nov 2017. Environment Southland had indicated that approval would need to be given by your department as well. Is this correct?

Very happy with the outcome. Thank you for your timely attention to this matter.

Kind regards

Ann Sutherland

**From:** Ryan Hepburn  
**Sent:** Thursday, December 14, 2017 3:55 PM  
**To:** Kenneth McGraw  
**Cc:** kj.ar@velocitynet.co.nz  
**Subject:** RE: Resource Consent Application

Kia ora,

Thanks for sending through that information. When I read the details I did recognise it and managed to find the correspondence. It turns out I had actually forwarded it through to Te Ao Marama Inc (who represent the four Papatipu Rūnanga from Southland) and it is them who provide feedback on the proposal. However, as they haven't yet provided feedback I have sent them a reminder.

If they don't provide feedback soon I can provide you with a contact number for you to get in touch with them if you would like?

Thanks,

Ryan

**From:** Kenneth McGraw [mailto:wild.trout@xtra.co.nz]  
**Sent:** Thursday, 14 December 2017 2:36 p.m.  
**To:** Ryan Hepburn  
**Cc:** kj.ar@velocitynet.co.nz  
**Subject:** Resource Consent Application

Kia ora Ryan

Regarding Statutory Acknowledgement consideration of an application to Environment Southland by Kevin and Ann Sutherland for consent to extract up to 80,000 cubic meters of gravel via construction of a habitat pond and beach re-shape skimm process located on a section of the left bank of the Waiau River some 600 metres upstream of the Clifden historic Suspension Bridge please find attached a replacement copy of the application report in revised form along with a Potentially Affected Party form for your consideration to sign-off and Appendix 1 Plan.

As the file is larger than I am able to send as one unit I will send Appendix 2 & 3 by separate message.

---

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Neither the recipient nor any other person should act upon it without our separate written authorization of reliance. If you have received this message in error, please notify us immediately and destroy this message.

**Ann And Kevin Sutherland**

---

**From:** "Ryan Hepburn" <Ryan.Hepburn@ngaitahu.iwi.nz>  
**Date:** Thursday, 14 December 2017 3:55 PM  
**To:** "Kenneth McGraw" <wild.trout@xtra.co.nz>  
**Cc:** <kj.ar@velocitynet.co.nz>  
**Subject:** RE: Resource Consent Application

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Thanks,

Ryan

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**From:** Kenneth McGraw [mailto:wild.trout@xtra.co.nz]  
**Sent:** Thursday, 14 December 2017 2:36 p.m.  
**To:** Ryan Hepburn  
**Cc:** kj.ar@velocitynet.co.nz  
**Subject:** Resource Consent Application

Kia ora Ryan

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As the file is larger than I am able to send as one unit I will send Appendix 2 & 3 by separate message.

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Neither the recipient nor any other person should act upon it without our separate written authorization of reliance. If you have received this message in error, please notify us immediately and destroy this message.

REPORT – WAIAU RIVER,  
CLIFDEN, SOUTHLAND  
PROPOSED GRAVEL  
EXTRACTION – REVISED  
VERSION 1

*Application for Land Use Consent – KJ  
Sutherland*

*Revised Version 1*

Authored by: Ken McGraw – River Pathways Consulting  
October 2017





October 2017

## REPORT – WAIAU RIVER, CLIFDEN, SOUTHLAND PROPOSED GRAVEL EXTRACTION – REVISED VERSION 1

Application for Land Use Consent – KJ Sutherland

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## **1. Preamble**

This report provides detailed information supporting an application for resource consent by KJ Sutherland of Orawia (the applicant) to undertake a suite of works for the purpose of river-run gravel for supply to local commercial markets.

A current consent for gravel extraction and processing at this site is held by Mr. Sutherland.

The details of that consent are discussed in Section 7.

The proposed activity discussed in this report involves excavation and processing of various grades of aggregate from three areas within a defined site located on the true left bank of the Waiau River some 700 meters upstream of the Orawia – Tuatapere State Highway 99 Bridge.

Included are matters that must be considered by Environment Southland when deciding whether or not to grant consent for a proposed activity over the bed of the section of Waiau River discussed in this report.

Data provided in this report is the result of site knowledge, a study of landscape reports aerial photography and Environment Southland (ES) catchment flow data.

The positioning and dimensions of the proposed activity have been developed using that data along with an on-site survey/inspection with ES Catchment Management Division - River Engineer Paul Pollard.

The limits of potential gravel available from the proposed location using the three areas have been calculated using site measurements, visual assessments and gravel studies, reports and recommendations developed by ES.

The relevance of sustainability values associated with the proposed activity discussed in this report are generally in accordance with the findings, objectives and recommendations contained in the following report:

- Southland Regional Council Publication No. 2007-01-An Overview of Gravel Extraction Activities in Southland, Compiled by Steven Leddington - Water Resources Scientist.

That document provides a broad overview of past and present gravel extraction activities in Southland including a brief description of gravel extraction methods and processes of eight regions around New Zealand.

The effects of instream mining (including beach skimming) are considered, as are the impacts of floodplain mining (habitat ponds). Although 10 years old, the information, objectives and recommendations contained in this document remain relevant to many present day river-run gravel extraction activities.

Of particular relevance, ES Publication No. 2007-01 notes the value of the extraction and use of river sourced aggregates being instrumental in the social and economic well-being and growth of the Southland Region. The on-going development and maintenance of the

regional road network, construction industry, farming needs and other infrastructure needs are drivers behind the continued need for river based aggregate extraction and processing.

River based extraction not only requires a clear understanding of resource availability but also the relationship between supply and exploitation, and the consequential impacts that the latter may have under the current re-supply regime. These matters are further discussed in Section 21 - Assessment of Effects.

Some of those impacts may include the degradation of river form, bed destabilization, impacts on aquatic habitats and riverine dwelling birds, particularly the endangered Black-billed Gull, Banded Dotterel, Black-fronted Tern and South Island Oyster Catchers. The balance of effects and extent of these impacts on these nationally important riverine dwelling birds depends on an array of factors, including complete destruction of quality habitat values, disturbance during nesting and molt periods, loss of food sources and exposure to increased predation.

Although river systems are not the only source of aggregates in Southland, historically they have become the preferred source of raw material over out of river deposits because of the perceived limitless availability, ease of extraction, proximity to end use markets and aggregate quality (strength, grading, and durability) and relatively clean composition.

Out of river extraction is generally favored by agencies such as Fish and Game Southland for reason it avoids interference with the active river bed and can provide opportunities for enduring riparian habitat for both fish (refuges where river reaches are ephemeral) and game birds.

It should be noted that past and present commercial gravel extractions from the Waiau River have been/are relatively small with the majority of extractions occurring through the Clifden to Tuatapere reach. Other relatively short term extractions have occurred on tributary systems with the main sites being the Wairaki and Orauea Rivers.

The Southland Catchment Board (SCB) and more recently ES have managed the approval process that gives contractors access to these river based gravel sources. CMD have also successfully used these activities as a river management tool to assist in maintaining river system flood carrying capacity and to assist in mitigating river bank erosion.

If gravel extraction operations were to relocate to land based pit operations outside the river systems per se then this river management component would be lost unless ES undertakes such work when required and when sufficient funds are available. If that were to happen then the burden of increased river management costs would fall back on the community in one way or another.

A final recommendation of the ES Publication 2007-01 confirms management skimming of aggradational bars should continue. These activities are considered an important tool to maintaining floodway capacity and minimize the risk of floodbank overtopping. However the report also confirms that river sourced gravel removal quantities needs to be limited ensuring re-supply and accumulation rates are sufficient to avoid negative impacts on channel morphology and wildlife habitats.

October 2017

Within the context that the proposed activity discussed in this report sits within a reach that demonstrates continuous re-supply and aggradational behavior, it is considered the proposed activity is compliant with those objectives and recommendations.

## **2. Purpose**

The purpose of the proposed activity is to:

- Provide KJ Sutherland with a commercial quantity of locally sourced gravel over a 7 year period.
- Provide a range of quality aggregate products to meet the needs of the Western Southland rural community and wider regional needs;
- Provide elements of floodway capacity maintenance at no cost to river scheme ratepayers;
- Provide elements of good habitat values for a range of riverine birds;
- Provide elements of continuous all weather vehicle/foot access to the Waiau River immediately upstream of the Clifden Historic Suspension Bridge.

## **3. Objectives**

Undertake a bed load excavation and removal activity in a way that complies with established/agreed conditions of consent and ensuring positive objectives embodied by the purpose of the activity are delivered.

## **4. Deliverables**

The proposed activity will provide a number of benefits through delivery of the following;

- 1) Provide a reliable yield of quality river based aggregates needed to satisfy demands of the local Western Southland construction industry, and continuing social, cultural and economic well-being of the community/region;
- 2) Provide a positive river management outcome associated with maintenance of an unobstructed floodway;
- 3) Provide increased safe habitat values for riverine dwelling/nesting birds, particularly the endangered Black-billed Gull, Banded Dotterel, Black Fronted Tern and South Island Oyster Catchers.

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- 4) Maintain natural river processes through the reach via a professionally managed gravel extraction process over a ten year period.

## **5. Proposed Activity Management Statement**

All components of the proposed activity discussed in this report will be managed and delivered exclusively by KJ Sutherland.

Mr. Sutherland is a local resident and contractor who has provided aggregate supplies meeting the needs of the Western Southland district over many years.

Additionally, Mr. Sutherland is a person who demonstrates a sound understanding regarding the finite and fragile nature of sustaining valuable-river based gravel supplies required for his business continuance. Mr. Sutherland also possess a strong belief in the value of strong partnerships in terms of community and organizational focused beneficial outcomes from gravel extractive activities and its effects on water quality and environmental matters through working genuinely with key partners such as Environment Southland, Fish and Game Southland, Department of Conservation, Te Ao Marama representing Iwi and Land Information New Zealand.

## **6. Site Location and Description**

The proposed gravel extraction site is located on the true left bank of the Waiau River some 700 meters upstream of the Tuatapere to Manapouri State Highway 99 Bridge.

Site data is as follows:

- Location Plan: Refer to Appendix 1

- Map References (central point):

Work Area A - Habitat Pond: 1190546E – 48890550N

Work Area A – Processing & Stockpile site: 1190546E – 4889050N

Work Area A1 – Beach Skimming – 1190511E – 4888939N

- Total Area: 10.6 ha.
  - Area A – 9.10 ha.
  - Area A1 – 1.50 ha.

The proposed activity site is positioned along the edge of a major meander flowing against a high rock formation along the true right bank. Overall the river reach consisting upstream and downstream of the proposed activity site is of a single thread form migrating within a floodway demonstrating significant variations in width.

Through the reach immediately upstream of the proposed activity site the channel is split into two, channels of generally equal flows. At that point the active floodway extends over a width of 560 meters.

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By comparison the reach immediately downstream of the proposed activity site is held incised by rock formations to a width of 142 meters.

These upstream and downstream features determines the incidence of the high rate of aggradational behavior present at the location of the proposed activity.

Generally the maximum elevation above normal water level of the proposed activity site is in the order of 2.2 – 2.8 meters.

## **7. Existing Land Use Consent**

KJ Sutherland holds a current Land Use Consent to extract gravel from the section of the Waiau Riverbed located within parts of the area discussed in this new application for consent.

A renewal of the existing consent is not sought for reason significant changes to the position of the river and formation of floodway beaches and island at the site.

Those changes offer a more sustainable supply of a range of aggregate grades than available within the current consent boundaries.

Detail of current Land Use Consent:

- Holder – KJ Sutherland
- Consent No.: 301651
- Term: 5 years
- Volume: Maximum of 50,000 m<sup>3</sup>
- Expiry Date: 14 January 2018
- Total volume of gravel removed as at September 2017: 32,400 m<sup>3</sup>

## **8. New Resource Consent Sought from Environment Southland**

- Applicable Act – Resource Management Act 1991
  - Section 13 (restrictions on certain uses of beds of lakes and rivers).
  - Section 15 (discharge of contaminates into the environment).
- Resource consent sought – Land Use Consent – River bed activity including;
  - Disturbance of the bed of a river – remove bed load gravel
    - Relevant Plan – Regional Water Plan for Southland
    - Relevant Rule – Rule 41 and 48 (standard conditions)
    - Activity Status – Discretionary Activity

- Dry screening and crushing;
  - Relevant Plan – Regional Air Plan for Southland
  - Relevant Rule – Rule 5.5.3 (10)
  - Activity Status – Permitted Activity (operating at less than 100 tonnes in any hour)
  
- Install and remove single span bridge;
  - Relevant Plan – Regional Water Plan for Southland
  - Relevant Rule – Rule 26 (Standard Conditions)
  - Activity Status – Permitted Activity
  
- The proposed activities to which this application for Land Use Consent
  - Establish and maintain site access;
  - Set out permitted work site outer boundaries and excavation depths;
  - Install / remove as required temporary bridge providing dry access to Area B (see Appendix 2 – Site Plan);
  - Excavation and removal of aggraded bed load;
  - Dry screening and crushing material as required;
  - Temporary storage of processed material out of riverbed floodway;
  - Maintain access to the river for recreation activities;
  - Secure active work site in compliance with the requirements of the Health and Safety at Work Act 2015 (and amendments);
  - Completion / compliance with all conditions of consent throughout duration and completion of activity.

## **9. Term of Land Use Consent Sought**

The term of consent sought: **7 Years**

The rationale for a 7 year timeframe is that it provides KJ Sutherland with a degree of certainty to operate the proposed site in a progressive manner while having regard to delivery of community aggregate needs within a variable commercial demand environment.

The time frame also matches sustainability of the volume sought in terms of continuous bed load re-supply and aggradational behavior throughout the Blackmount / Clifden river reach and extending to the severely over supplied coastal reach downstream of the Tuatapere Township Bridge.



## **10. Volume of Gravel Sought**

The total maximum volume of gravel sought: **80,000 m<sup>3</sup>**

Anticipated annual quantities from the proposed site based on historic records held by Mr. Sutherland and having consideration of use fluctuations are in the order of 7,000 – 10,000 m<sup>3</sup>.

The various grades of aggregate again depend on fluctuating district construction, farming and, road network maintenance needs.

Due to the significant changes to the river position of the main river flow and aggradation of gravel from continuing lateral erosion through the river reach immediately upstream of the proposed site, a better mix of grades associated with finer aggregate needs for concrete work is now available in greater sustainable volumes from Area A1 than previously available.

Generally the various grades of raw material from each area (annually) are:

- Area A – Larger stone size (50mm +) suitable for base material and crushing;
- Area A1 – Smaller stone size (5mm– 10mm) and fine sand/aggregate for concrete mixtures.

Annual volumes of the various grades from each of the three areas again depends of district needs that continually fluctuate due to a number of factors impacting rural communities.

However, based on historic records it is anticipated that a maximum of 11,400 m<sup>3</sup> annually will be extracted with estimated volumes from each of the Areas as follows:

- Area A            7,980 m<sup>3</sup> (70%)
- Area A1          3,420 m<sup>3</sup> (30%)

## **11. Legal Status Of The Land Within The Activity Area**

Land tenure at the proposed work site is Crown Land - Hydro managed by Land Information New Zealand.

Refer to: Appendix 3 – Legal Descriptions - Waiau River, Clifden

## **12. Status of the Proposed Activity**

The proposed activity discussed in this report is not new. Persons and organizations who have been approached by commercial and casual contractors seeking gravel from river based sources and having consulted ES CMD river managers about gravel extraction activities and how they may be linked to beneficial outcomes for river management and providing enduring environmental outcomes will be familiar with them.

The type of activity discussed in this report and requiring authorization are based on the provisions of the Resource Management Act 1991 (the Act) specifically:

Section 13 – Restrictions on certain uses of beds of lakes and rivers.

Within that context the various activities for which consent is sought include the following:

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- The excavation and disturbance of the river bed for the purpose of:
  - Removing gravel
  - Placement / removal of a temporary site access bridge
  - Screening and crushing of gravel.

### **13. How the Proposed Activity Will Be Carried Out**

The proposed activity will be based on the construction of a habitat pond on a part of Area A and the skimming of the beach Area A1.

Refer to Appendix 2 for the position of each activity site.

All work will be carried out using an Elevator Scraper for beach skimming and a Hydraulic excavator loading trucks as part of the pit excavation activity. Following excavation the gravel will be transported to the central processing site, or immediate delivery to markets.

Gravel will be extracted from Area A1 by a skimming process. That activity will commence at the downstream end of the area at 300 mm above normal water level and extracting on a shallow gradient away from the water's edge.

All areas will be operated in a manner that ensures the proposed activity sites are tidy, with natural contours of Area A1 maintained.

Material temporarily stockpiled is positioned out of the active floodway.

### **14. Days/Hours of Work**

Extraction and processing and cartage of gravel from the proposed activity site will be:

- Monday to Friday – 7.00 am to 6.00 pm
- Saturday – 7.00 am to 5.00 pm
- Sunday – Nil

Ensuring mitigation of potential negative effects to the public enjoyment of the river system, work will not occur on the following days:

- Days of National significance
- Through the official Christmas holiday period.

The above Days/Hours of work are compliant with the Southland District Plan - Section 2.11 – Noise, Rural Zone – Section 3.1.

## 15. Machinery, Processing and Temporary Stockpiling

Machinery to be utilized in undertaking the proposed activity

- Hydraulic excavator
- Elevator Scraper
- Trucks
- Wheeled loader
- Mobile screening / crushing plant

All gravel will be extracted using a hydraulic excavator. Once excavated the gravel will be dealt with in the following ways:

- River-run material will be loaded directly into truck units as unprocessed material for delivery to markets;
- River-run gravel loaded to trucks and carted to the on-site mobile screening plant for processing and delivery to markets;

**Note:** The screening operation is a dry screening process therefore, no water take or discharge consent is sought for this activity.

- A range of screened larger stone size material to be crushed to provide a range of chip material for delivery to markets.
- Stockpiling – The following rational and duration for stockpiling is as follows:
  - To mitigate the potential spread of Diddymo to other water bodies raw gravel to be stockpiled for a minimum of four weeks prior to delivery to off-site markets;
  - Various grades of processed gravel stored on high ground prior to market delivery.

**Note:** Discharge of Contaminates to Air – Regarding a potential discharge to air of dust from the screening and crushing activity, all processing will be within the following *Permitted Activity* status:

Regional Air Quality Plan for Southland.

Rule 5.5.3 (10) any gravel extraction process operating at 100 tonnes or less in any hour.

**Dust** – During dry climatic periods dust is likely to be generated by operational machinery (trucks/screening plant working on the proposed activity site).

Ensuring compliance with Rule 5.5.3 (10) suppression of dust (if required) will occur using sprayed water (sprinkler hose and or water truck) abstracted from an on-site storage pond as a permitted activity under Rule 18 (a), (i), (ii), (iii) of the Regional Water Plan for Southland.

## 16. Waiiau River – Catchment Data and Environmental Setting

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The Waiau River catchment lies on the eastern edge of Fiordland and is Southlands largest catchment at 8,173 square kilometres.

It is the outflow of Lake Te Anau flowing from it into Lake Manapouri 10 kilometres to the south, and from there flows south for 70 kilometres before reaching Foveaux Strait 8 kilometres south of Tuatapere. It also receives water from Lake Monowai.

Major tributaries of the Waiau River above the Mararoa Weir, include the Mavora Lakes and Mararoa River, Eglington, Upukerora and Whitestone Rivers and Lakes Te Anau and Manapouri. Below the weir, major tributaries include the Borland Burn, Lake Monowai, and Monowai River, Dean, Lill and Alton Burns, and the Wairaki, and Orauea Rivers.

The Waiau River has been developed for hydro-electric power generation, with the Manapouri Hydro-Electric Power Scheme operating on the western arm of Lake Manapouri, resulting in the diversion of up to 90% of the flow in the catchment.

The environmental setting of the Waiau River as discussed in Section 16 can only be described as stunning with the river winding its way through a mixture of highly modified farmland and lush beach forests the environment full of spectacular natural diversity continues to deliver a feeling of an untouched wilderness so great that the section of the Upper Waiau River between Lake Manapouri and Te Anau doubled as the fictional River Anduin in the Lord of the Rings film trilogy such is the strength of the natural spectacular landscape of the area.

## **17. Waiau River – Catchment Area and Hydrological Data**

Note: Hydrological data detailed in this report has been provided through a study of Environment Southland Waiau Catchment water level recorders.

- Catchment Area - 8,173 km<sup>2</sup>
- Normal water level – 2.3 m at Sunnyside
- Flood Level highest recorded at Sunnyside = 5.07 m above normal
- Highest recorded flow – 2,021 m<sup>3</sup>sec. 27.1.1984
- Peak flow last 7 days as at 22.10.2017 – 61.67 m<sup>3</sup>sec.
- Average summer low flows – 18 m<sup>3</sup>sec.

Note: Sunnyside hydrological measurement site is positioned 28 km upstream of the proposed activity site at Clifden.

## **18. Climate**

The climate of Western Southland is variable. In general Southland has a cool temperate climate. Typical daytime temperatures in the summer range from 16 deg.C to 23 deg.C and in winter from 8 deg.C to 12 deg.C. On average Southland annual rainfall is 1,000 mm.

The proposed gravel extraction site at Clifden is located some 11.5 km from the coastal

Climatic conditions throughout the Waiau Catchment varies from the coastal environment at Tuatapere township having mean daily temperature variations from 5.2 deg.C in July to 14.9 deg. C in January. Rainfall varies from 900 mm to 1300 mm annually.

By contrast the mid to upper section of the Western Southland district adjacent to Fiordland National Park and extending to Lakes Manapouri and Te Anau has a wet mountain climate. In this area rainfall is the highest in New Zealand and varies between 6,500 mm to 7,000 mm annually.

Considering the upper limits of the Waiau catchment receive the highest rainfall values sudden impacts on river rises are controlled by the Upper Waiau and Mararoa River control structures as part of hydroelectric generation through the Manapouri power station.

Although that control is designed to control the level of Lakes Te Anau and Manapouri through manipulation of flows down the Waiau River, significant river level and flow fluctuations through the river reaches downstream of the hydroelectric control structures do occur.

Generally these events occur following high rainfall events throughout the major Waiau sub-catchments, particularly the Wairaki, Orauea and Lillburn Rivers.

Impact of river flow rises on the proposed operation will generally be limited to Area A1 and Area B. The plant storage and processing location sits on higher ground within Area A. Should this area come under threat of inundation, all plant fuel and other equipment will be moved off-site.

## **19. Consideration of Alternatives**

Although the potential adverse effects of the proposed activity are considered to be less than minor, alternatives have been considered in accordance with the Fourth Schedule of the RMA.

Due to the nature of the activity and identified local community and wider district benefits in providing a needed resource in addition to protection of habitat values for Black-billed Gulls, floodway benefits and all weather vehicle access to a reach of the Waiau River for recreation.

Investigations for other sites delivering similar benefits in close proximity to the proposed site were negative.

The only alternative to the activity proposed at this location would be to adopt a “do nothing” approach.

That approach would result in the following negatives:

- Loss of a viable commercial opportunity to provide a sustainable strategically positioned gravel resource meeting community needs without risk of environmental negatives;
- Loss of potential benefits assisting in providing protection of the historic nesting site for the endangered Black-billed Gull;
- Loss of valuable formed all weather public access to river beach for recreation on a river system that has limited public access.

## **20. Statutory Considerations**

### **20.1 Resource Management Act 1991**

In reaching a decision on a resource consent application, Council has to be satisfied by granting the application, Part 2 – Purpose and Principals of the RMA will be achieved.

That purpose is to promote the sustainable management, use development, and protection of natural and physical resources in a way or rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

The purpose and rational underpinning the proposed activity discussed in this report are considered to be consistent with the purpose of the RMA as defined by Part 2.

### **20.2 Regional Policy Statement**

The Regional Policy Statement for Southland (RPS) provides an overview of the resource management issues for the region. It sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management.

The proposed activity discussed in this report are considered to be consistent with RPS policies (particularly 5.6 Lakes, Rivers and Wetlands and 5.15 Natural Hazards in the RPS and the Proposed Regional Policy Statement for Southland (PRPS)).

Conclusion - In particular, the proposed works are consistent with respect to maintaining river form and stability, and erosion mitigation. The provision of an important community resource (gravel) as discussed in this report is consistent with the sustainable management of a natural resource.

### **20.3 Regional Water Plan for Southland**

The Regional Water Plan for Southland (Water Plan) provides the statutory framework for the management of Southlands water resources. The following objective and policy are of particular significance to the proposed activity discussed in this report.

*Objective 10 – Habitats and ecosystems.*

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*To maintain or embrace the diversity and integrity of aquatic riverine habitats and ecosystems.*

*Policy 32 – Manage structures and bed disturbance activities in the beds of rivers and lakes to avoid, remedy or mitigate adverse effects on:*

- a) Water quality and quantity;*
- b) Habitats, ecosystems and fish passage where that is expected to naturally occur;*
- c) Indigenous biological diversity;*
- d) Heritage, cultural and spiritual values;*
- e) Public access (except in circumstances where public health and safety are at risk) and amenity values;*
- f) Natural character and outstanding natural features;*
- g) River morphology and dynamics, including erosion and sedimentation;*
- h) Flood risk;*
- i) Infrastructure assets;*
- j) Navigational safety.*

Rule 1 of the Water Plan addresses discharges to surface water bodies where the discharge meets specific water quality standards.

It is certain that the water quality requirements throughout the undertaking of the proposed activities will be met due to the short timeframe associated in the placement and removal of the temporary site access bridge across a minor dry/wet braid through the center of the proposed activity site.

The gravel extraction activity will occur away from and out of flowing water at all times throughout the extraction and rehabilitation process thereby avoiding damage to or disruption to aquatic animals and ecosystems.

Any sediment issues created during the extraction process will be contained at all times via construction of a bund as necessary to fully contain any potential sediment outflow from the proposed activity.

The proposed activity will be staged and managed to adjust to and manage the possible impacts of a high flow event overrunning the proposed activity as it progresses and to avoidance of disturbance of riverine nesting birds, particularly the nesting and fledging of Black-billed Gulls.

For these reasons the proposed activity is consistent with Objective 10 – Habitats and Ecosystems.

Conclusion - The proposed activity is also considered to be consistent with Policy 32 (g.) (river morphology and dynamics) as it will clearly assist in maintaining a stable river form.

## 20.4 Regional Air Quality Plan for Southland

Section 5.5.3 – Any discharges of contaminants into the air from the following industrial or trade premises are permitted activities, provided that the criteria which follow the list (1) – (12) are met:

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Rule 5.5.3 (10) Any gravel extraction process operating at 100 tonnes or less in any hour.

Conclusion - The proposed activity discussed in this report will be managed in a way that ensures compliance with Rule 5.5.2 (10).

## 20.5 Te Tangi Au Tairua – The Cry of the People – Ngai Tahu ki Natural Resource and Environmental Iwi Management Plan

The relevant section of the Iwi Management Plan with regard to this proposed activity is 3.5.15 Activities in the Beds and Margins of Rivers – Issues. Bullet point 6 – Stream bed degradation and bank erosion is relevant.

To Maori water is considered as taonga (treasure) because it is life sustaining and central to Maori wellbeing and forms an important part of Mahinga kai – Te Runanga o Ngai Tahu in terms of customary freshwater fisheries management.

Ngai Tahu interests in traditional food and other natural resources and the places where those resources are gathered are particularly relevant to the proposed activity discussed in this report.

Loss of Mahinga Kai includes access, disruption of fish movement and migration.

Ngai Tahu Murihiku policies on gravel extraction and other activities in the beds of rivers and margins of rivers focus on balancing the protection of river environments, and the cultural values associated with such environments, while recognizing the need to ensure supply of gravels and aggregates, and to undertake flood works.

Conclusion - It is considered the proposed activity discussed in this report is in accordance with the Ngai Tahu Murihiku policies and values associated with the Mahinga Kai.

## 20.6 Southland District Plan

Part 3.1 Manawhenua – The RMA imposes statutory duties on District Councils to recognize the principals of the Treaty of Waitangi, and it also imposes duties in respect to other Maori issues.

Objective MAO.1 Kaikiakitanga – *To have particular regard to the concept of kaitianga in relation to managing the use, development and protection of natural and physical resources.*

Objective MAO.5 Wai (water) – *To recognize the significance of water to Kai Tahu traditions and culture and to provide for such traditions and culture.*

Note: The above objectives are relevant to the proposed activity discussed in this report therefore, full discussion regarding the activity and mitigation measures proposed with Te Ao Marama Inc. will occur as part of the consultation process.

Part 3.8 Natural Hazards and 3.13 Public Works and Network Utilities of the Southland District Plan (SDP) contains the objectives and policies relevant to this proposed activity.



Objective NHZ.1 – Non Structural Approach – To reduce the adverse effects from any actual or potential natural hazard by providing a non-structural strategy to avoid and/or mitigate these effects.

*Explanation – The principal reason for adopting a non-structural approach to natural hazard mitigation is because the level of structural defenses is now reasonably well developed, particularly in regard to flooding. The protection provided however, is far from absolute and certainly on its own, be considered to constitute sustainable management of the rural flood plains of Southland. To place undue reliance on structural protection (flood banks) as a standalone flood management tool could leave a community very vulnerable to a flood event. Therefore, further measures are needed to compliment the migratory works that are in place. By identifying and planning for potential natural hazards, the economic and social impacts of such events should not be as devastating or costly as in the past and therefore regional development will be more sustainable.*

Part 3.13.2 – The Issues – The development and continued maintenance of public works and network utilities are an important component in providing for the social, economic, and cultural well-being of the people of the district.

*Explanation – Public works and network utilities provide services that are essential to the functioning and well-being of the districts communities. These utilities provide such services as electricity, telecommunication, water and sewerage not only to households, but to commercial and industrial uses also.*

The community benefit outcomes of the proposed activity relate to river management, floodway capacity and efficiency needs, assist in the prevention of lateral erosion and potential damage to existing erosion prevention works located immediately downstream of the Clifden – Tuatapere SH 99 Bridge.

Conclusion - It is therefore considered the proposed activity discussed in this report meets the objectives of SDP to protect communities from the adverse effects of natural hazards.

## **21. Assessment of Effects**

### **21.1 Overview**

Section 104 of the RMA requires that the consent authority, when making a decision on a resource consent application to have regard to the actual and potential effects on the environment of allowing the activity.

The environmental effects of the proposed activity are assessed in this section of the report.

### **21.2 Positive Effects**

The primary purpose of the proposed activity is to provide a 7 year supply period of river sourced gravel for commercial needs throughout the Western Southland area. However, through working with ES CMD Waiiau Catchment manager Mr. Paul Pollard the activity delivers factors associated with regard to river management.

Additional positive effects of the proposed activity are:

- Undertaking a gravel extraction activity within a reach of the Waiau River where long term availability of resource is identified as available and sustainable with regard to river form and natural river processes;
- Provides a full managed no community cost solution to floodway capacity and efficiency issues within a naturally aggrading river form;
- Provides a degree of protection of the historically well used beach high point for the endangered Black-billed Gulls and clean gravel areas for other riverine nesting birds as discussed in Section 21.9.

Conclusion - Overall it is considered the proposed activity will deliver a number of positive benefits to riverine nesting birds and providing important quality access to the Waiau River corridor at a crossing point for local and international visitors to the area.

### 20.3 Effects on River Form and Character

The following description is provided on the form of the Waiau River concentrating primarily on the reach upstream and downstream of the proposed activity site. The selection of this section of the river has been made for reason that any effects to river form from the carrying out of the proposed activity are easily absorbed by the local environment and fitting within the landscape.

As discussed in Section 21.7 Landscape and Section 16 Catchment Data and Environmental Setting the middle reaches of the Waiau River consist of an incised channel generally single thread form with occasional channel splits and braids scattered throughout the reach.

This form is consistent with the characteristics of the Clifden reach immediately up and downstream of the proposed activity site.

Although the proposed activity consists of the removal of gravels from a floodway center line and outer floodway edge of the proposed work activity meander, the proposed activity will not alter the meander form or shape (other than height) within the context of the river reach or landscape.

From a visual perspective the existing channel form and braid features present throughout the reach will not be altered by the activity.

Conclusion - The default island of Area B is a feature within a river reach dominated by point bars, cut off islands and long meanders together providing bed stability within a rock bar dominated environment.

*Explanation: River form can be viewed as the outcome of the continuous struggle between erosive potential of the river and the resistance of the valley floor materials. Over time, rivers develop a channel which is able to carry their normal flow. The form of this channel affects the flow of water in it and, through erosion and deposition, the flow modifies the form. The channel acts as a conveyor belt for the transport of sediment (gravels) moving intermittently towards the sea.*

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*Rivers which exhibit characteristics of braiding and meandering form are known as “wandering” gravel rivers. They are highly dynamic and migrate irregularly across their floodplains. They have an active channel which is a zone of frequent channel change within the wider floodplain. Channel change affecting the rest of the floodplain occurs only during major high energy floods. Channel patterns vary through time as a result of flood events of different sizes.*

*These natural river processes are interrupted by human intervention associated with industry (hydro-electric generation), agricultural production and protection of communities from the effects of erosion and flooding through confining rivers and construction of river control/management infrastructure. Retention and maintenance of river control structures forms part of the equilibrium between preserving a balance of natural processes and national/ local community well-being.*

The above describes the Waiau River planform within the environment.

#### 20.4 Effects on Water Quality

As discussed in Section 12 (Status of the Activity the only likely effect on water quality will be associated with a less than minor short term discharge of sediment during placement and removal of the temporary bridge providing access across a minor flow path to Area B as required. Generally this flow path is only active during above normal flows.

It is therefore considered this potential effect will be of a minor nature.

#### 20.5 Effects on Recreation and Rural Residents

Recreation values over the Waiau River environment are held in high regard as providing opportunities for a wide range of quality activities including:

- Kayaking
- Swimming
- Picnics
- Jet Boating
- Angling
- Hiking

The Upper Waiau in particular is known for its world class fly fishing for large wild rainbow and brown trout.

In terms of effects on nearby rural residents, visually the activity is out of site being below a low terrace riser and generally screened by mature crack willows surrounding the downstream boundary of the proposed activity.

Conclusion - The most significant effects of the proposed activity on recreation and rural residents can best be described as positive with respect to continuous maintenance of quality access (foot/cycle/vehicle) to the beach areas and river in the vicinity of the works site.

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## 20.6 Noise

Noise will be generated by machinery working on site. This will include hydraulic excavators, processing (screening / crushing) and truck movements to entering and exiting the site.

As the proposed activity site is confined to a section of the outer floodway and riverbed at the base of a low terrace riser and a buffer stand of crack willows, mitigation of noise generated by the activity will be achieved.

All machinery units to be used on the proposed activity site are of modern design in terms of noise suppression and fully compliant with operational noise requirements when working close to residential and urban environments.

Specifically noise generated by the proposed activity will comply with the rules defined by the Southland District Plan (Appeal Version September 2016) Section 2.11 - Noise, Rural Zone - Section 3.1.

Objective NSE.1 – To control the adverse effects of noise emissions and manage the potential for conflict between land use activities.

Policy NSE.2 Avoid, remedy or mitigate reverse sensitivity effects arising from noise emissions.

Straight line distances to the residences closest to the proposed activity site are:

- On terrace riser along the true left bank – 1,000 metres
- On cliff top along the true right bank Lillburn Valley Road – 546 metres

Conclusion – It is determined the proposed activity will have no negative impacts regarding noise on the surrounding community.

## 20.7 Landscape Values

The Waiau River although generally occupying a relatively wide highly modified floodplain upstream and downstream of the proposed activity site, the river remains largely a natural meandering form without river intervention works associated with erosion control, flood banking and river control works. Restraints to river form are generally limited to natural elements associated with the geology and landform.

Although surrounded by intensive beef, sheep and dairy farming operations the landscape is spectacularly scenic, a natural place that gives a genuine feeling of being barely touched by civilization and still wild at heart.

The Waiau River valley forms part of the west coast wilderness flowing in part adjacent to the Fiordland National Park. Soaring mountains and endless bush clad valleys make up an endless wild landscape of a truly grand scale and wilderness setting.

The proposed activity site siting within this landscape requires a significant degree of care to ensure the natural values of the landscape are not spoilt while at the same time providing a district needed resource.

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Mr. Sutherland holds a strong awareness of those values through operation of the site to mitigate the negative aspects of a commercial operation within such a landscape through careful placement of processing plant, temporary small scale stockpiles and machinery not in use away from the floodway beach sites.

Of consideration is the location of the Category 1 Historic Place Clifden Suspension Bridge managed by the New Zealand Historic Places Trust being a major tourist attraction as part of the Southern Scenic Route.

At the same location is the Clifden Historic Bridge Conservation Campsite popular with travelers using the Southern Scenic Route.

Having regard to the location of the proposed activity within the environment discussed above Mr. Sutherland being a member of the local community and contractor is committed to ensuring mitigation of any components of the proposed activity on other users of the special landscape in which his activity is positioned.

The proposed activity processing site located on Area A is generally hidden from the view of those enjoying the upstream view and walk across the Historic Suspension Bridge.

Conclusion - After full and careful assessment of the identified effects on the landscape of the area it is considered any effects will be less than minor and absorbed within the infrequency and small scale of the various components of the proposed activity.

## 20.8 Effects on the Environment and Instream Life

Using data provided by the New Zealand Freshwater Fisheries Miscellaneous Report No. 9 – Review of Fish Distribution In The Waiau River Catchment Southland by: JW Hayes, SF Davis, DJ Jellyman, IG Jowett. The Waiau River is recorded as supporting twenty five native fish species and four exotic species with many of the fish, mostly native species, are sea going at some stage in their life cycle

On a national basis the size and number of Rainbow and Brown Trout throughout the Waiau River, particularly the reach between Lake Manapouri and Lake Te Anau held in high regard as a natural wilderness experience by fly fisher folk throughout the world.

By comparison the lower river reach in the location of the proposed activity discussed in this report although not supporting the large numbers (70 – 100 large trout per km) of brown and rainbow trout as the upper reach (300 – 400 large trout per km) it is an integral and extensively used part of the overall high quality angling experience.

**Note:** Trout population numbers per kilometer provided by Fish and Game Southland data.

Conclusion - Potential effects and mitigation with regard to the proposed activity on the environment and instream life values will be less than minor being linked only to the placement and removal of the temporary bridge providing machine access across the occasionally active river overflow runner between Area A and Area B.

## 20.9 Effects on Riverine Dwelling Birds

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Various reaches of the Waiau River is highly regarded as valuable habitat for a range of nationally significant and threatened riverine dwelling bird species as discussed in Section 1 - Preamble

Historically the endangered Black-billed Gull has been observed as nesting on a high point of the floodway gravel bar marked Area B - Appendix 1.

**Note:** *Observation as above is qualified as within the past two nesting seasons by overfly inspections of the river system as part of river management by ES CMD staff and involvement in Black-billed Gull nesting surveys.*

The Waiau River also provides good habitat for populations of several other riverine dwelling birds some of which are also endangered, notably Banded Dotterels, Black Fronted Terns and South Island Oyster Catchers.

From a bird nesting and habitat perspective river based gravel extraction has the potential to impact riverine bird ecology particularly by exposing nests and chicks to flood risk due to the lowering and flattening of river point bars and island features.

By contrast the proposed activity seeks to provide retention of the island safe high point used by the gulls through planned extraction of fine gravel and sand deposits at the downstream area of the island. That action will assist in a continuous river overflow through the bridged runner thereby providing a degree of protection to the gulls and chicks against predation by land based introduced predators such as cats, stoats and ferrets.

At the time of writing this report no other species of riverine dwelling birds were found nesting or inhabiting Areas A and A1. In the event that situation changes and other species are found nesting, mitigation as described in Section 13 will apply to the activity.

Having regard for the needs of riverine dwelling birds it is considered the proposed activity will provide positive benefits via a qualified response to the presence of any riverine bird species found to be utilizing the activity areas via mitigation of potential negative effects detailed in Section 13 - How the Works Will be Carried Out.

Additional positive benefits provided for riverine nesting birds are discussed in Section 4 – Deliverables.

Other possible negative impacts within the proposed five year Land Use Consent timeframe sought, are considered as visual in terms of commercial plant operating within a river bed environment and the raw nature of excavated surfaces until such time as weather and flood flows re-establish a natural appearance.

In conclusion of an assessment of the scope and nature of adverse effects arising from the proposed activity discussed in Section 12 - Status of Activity are less than minor and can be avoided or mitigated.

Mitigation actions specifically regarding riverine nesting birds is based on “best management practice” established by KJ Sutherland when working within a riverbed environment.

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That process requires that should any of the riverine bird species as described in Section 13 – How the Works Will be Carried Out be observed as establishing nesting on the proposed activity site the following mitigation actions will occur:

- Cease operations at that location and mark out a temporary safe distance boundary isolating the birds to avoid initial disturbance;
- Contact Department of Conservation – Southland Conservancy requesting advice to determine safe work continuance distances and or mitigation of on-going disturbance of the nesting birds;
- Should safe distance requirements not able to be achieved, a re-plan of work stages and timeframes will be undertaken.

Conclusion - It is considered the above mitigation processes confirms Mr. Sutherlands commitment to ensuring mitigation is not only qualified, it is appropriate for any given situation that may arise.

It also demonstrates his knowledge and understanding of the potential impacts on the habitat values of riverine dwelling birds when operating a gravel extraction business in river bed environments.

## **22. Negative Effects and Mitigation**

While some adverse effects are avoidable, overall it is considered that any adverse effects arising from the proposed activity can be avoided or mitigated as discussed and provided via several sections of this report.

Specifically, with respect to the potential for negative impacts on aquatic and riparian habitat and ecosystems, fish passage and biodiversity, the proposed work site is part of the significant ecological diversity of the Waiau River positioned within a world renowned outstanding landscape.

In considering all the ecological threats associated with the site, the only identified negative impact or threat arising from the proposed activity discussed in this report relates to the human activity associated with the small scale gravel extraction activity proposed at the Clifden site.

Conclusion - While some adverse effects arising from human activity are unavoidable and balanced against the values of the activity proposed, it has been determined that the potential adverse effects arising from the proposed activity discussed throughout this report, are less than minor and can be effectively avoided or mitigated.

## **23. Work Site Rehabilitation**

Rehabilitation and general tidiness of the work sites will be continuous throughout the term of consent. The shallow extraction pit proposed within Area A will be continually shaped

with a long shallow batter as the extraction activity progresses. The area surrounding the shallow pit will be kept in a tidy state maintaining in sympathy with the natural contours of the site.

## 24. Environment Southland and the Proposed Activity

The detail and data relating to the proposed activity discussed in this report primarily for the purpose of providing river run aggregate supplies for the Western Southland district is supported by ES CMD in responding to its functions associated with river management and the wellbeing, and social and cultural environment of the people of the region.

Western Southland township of Tuatapere via State Highway 99.

## 25. Consultation and Potentially Affected Parties

Written approvals to the proposed gravel extraction activity detailed in this report will be sought from the following potentially affected parties.

Potentially Affected Party	Address
Fish and Game – Southland Region	PO Box 159, Invercargill 9840 Attention: Mr. Zane Moss / Mr. Jacob Smyth Phone: 03 215 9117
Te Ao Marama Inc.	PO Box 7078, South Invercargill 9844 Attention: Stevie-Rae Blair Phone: 03 216 7400
Southland District Council	PO Box 903, Invercargill 9840 Attention: Mr. Kevin McNaught Phone: 0800 732 732
Land Information New Zealand	C/- Colliers International, PO Box 416, Queenstown 9348 Attention: Mr. Sam Ashworth Phone: 03 441 0790
Department of Conservation – Southland Conservancy	PO Box 743, Invercargill 9840 Attention: Mr. Phil Melgren / Jane Bowen Phone: 03 211 2400
Te Runanga o Ngai Tahu – Statutory Acknowledgements	Natural Resource Units, PO Box 13 – 046, Christchurch 8141 Attention: Cathy Begley Phone: 03 371 2781 or 03 366 4344
Fraser & Sharron Hampton	806 Lillburn Valley Road, RD 1, Tuatapere 9691 Phone: 03 2266 186
Arnold Gray	1889 Ohai Clifden Highway, Orawia, RD 2, Otautau 9682 Phone: 03 22 55 821
Peter Fowle	Clifden, RD 2, Otautau 9682



	Phone: 03 22 55 842
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## 26. Appendices- Maps and Plans

Appendix 1	Locality Plan
Appendix 2	Site Layout Plan
Appendix 3	Land Tenure Plan

## 27. Glossary and Abbreviations

<b>Term</b>	<b>Meaning</b>
ES	Environment Southland
CMD	Catchment Management Division
SCB	Southland Catchment Board
WP	Regional Water Plan for Southland
RPS	Regional Policy Statement for Southland
PRPS	Proposed Regional Policy Statement for Southland
RMA	Resource Management Act 1991
SDC	Southland District Council
SDP	Southland District Plan
DOC	Department of Conservation
LINZ	Land Information New Zealand
MALF	Mean Average Low Flow
NWL	Normal Water Level
km	Kilometres
m	Metres
mm	Millimeters
m <sup>3</sup>	Cubic metres
m <sup>3</sup> sec	Cubic metres a second
m <sup>2</sup>	Square metres
cumecs	Cubic metres a second
deg.C	Degrees centigrade

## 28. References

- Leddington S. February 2007 *An Overview of Gravel Extraction in Southland*.  
 Environment Southland Publication No. 2007-01. 20 pages.
- Hudson HR. 1997 *An Adaptive Management Strategy for Environmentally Sensitive Aggregate Management in High Energy Rivers in Southland*.  
 Environment Southland Publication No. 97-03 Prepared by Environmental Management Associates Ltd. 82 pages.

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Hudson HR. 2000 *Monitoring Requirements to Establish the Rates of Replenishment of River Aggregates in Southland Rivers.*

Environment Southland Publication No. 2000-03 Prepared by  
Environmental Management Associates Ltd. 8 pages.

MAF 1992 New Zealand Freshwater Fisheries Miscellaneous Report No. 9 – *Review of Fish Distribution in the Waiau River Southland.* By: JW Hayes, SF Davis, DJ Jellyman, IG Jowett.

# WAIAM RIVER CLIFDEN, SOUTHLAND PROPOSED GRAVEL EXTRACTION, FURTHER INFORMATION RESPONSE

*Application for Land Use Consent – KJ  
Sutherland*

Response to Request for Further Information

Authored by: Ken McGraw – River Pathways Consulting  
December 2017



WAIAM RIVER CLIFDEN, SOUTHLAND PROPOSED GRAVEL  
EXTRACTION, FURTHER INFORMATION RESPONSE  
Application for Land Use Consent – KJ Sutherland

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## 1. Preamble

Following lodgment by KJ Sutherland of an application to Environment Southland for a land use consent to extract up to 80,000 cubic metres of gravel from the left bank of the Waiau River, above the Clifden Bridge, a request has been made for further information under Section 92(1) of the Resource Management Act 1991.

Note: A copy of the request Reference No. APP-20171589, dated 14 November 2017 is attached.

The following information is provided by KJ Sutherland as responses in full to all further information requested in the order as laid out in the request letter.

Information provided has been prepared using the best available data, local knowledge and operational experience as a professional gravel supply contractor/owner.

KJ Sutherland as owner operates the business in a highly a professional manner and being fully compliant with the Health and Safety at Work Act and, and the holder of a Certificate of Competence as a B Grade Quarry Manager (Certificate # 1095).

Compliance with legislative obligations associated with owning and managing an extractive operation such as alluvial (gravel) extraction whether it be fully enclosed on private land or land open to public access are very significant. Being the holder of a Quarry Managers Certificate brings with it an extensive range of core elements that must be met and subject to frequent site inspection and audit by government agencies.

In that regard Mr. Sutherland is committed to full compliance with all associated regulations leaving no room for less than “a no nonsense approach” to the safety and well-being of those employed as part of his gravel extractive business and of the members of the public accessing the river site adjacent to his operations site to recreate.

## 2. Responses

### 2.1 Map References

#### Response

All map references provided in this report are shown in New Zealand Mercator 2000 (NZTM 2000) format.

- Work Area map references are shown from a centralized location within each area.
  - Area A – Processing and Stockpile site 1190546E 4889050N
  - Area A - Proposed Habitat Pond 1190430E 4889189N
  - Area A1 – 1190511E 4888939N
  - Area B – 1190286E 48889006N

Note: Appendix 4 map shows the location of each site map reference with a red marker.

### 2.2 Term of Consent Clarification

#### Response

Confirming the Term of Consent requested as **7 Years**.

### 2.3 Determination of Normal Water Level

#### Response

An extraction baseline tied to flow measurement at a joint Meridian Energy/Council monitoring site on the Waiau River at Sunnyside is as follows:

*Extraction shall not lower the beach levels of Area A1 and Area B at water's edge to less than 300 mm above the median flow of 42.14 cubic metres a second as gauged at the Meridian Energy maintained gauging site on the Waiau River at Sunnyside. Noting normal water level to be 2.2 metres.*

### 2.4 Maps

#### Response

The attached maps show in detail all components, locations and extent of the activity sites.

- Appendix 4 & 6 show the location of the gravel screening, crushing and stockpile sites;
- Appendix 5 shows the proposed work sites location in relation to the Clifden Historic Suspension Bridge and Department of Conservation Freedom Camp site;

- Appendix 6 shows the location of the screening, processing and stockpile sites and position of the water supply pond;
- Appendix 7 shows the limitations of where dust-suppressing water is to be used;
- Appendix 8 shows the proposed habitat pond, site safety bund and Black-billed Gull nesting area;
- Appendix 9 shows the current and proposed processing and stockpiling area.

## 2.5 Photographs

### Response

The attached photographs provide a full range of views at the proposed activity sites and how the activity sites are obscured from view from key public areas such as the Clifden Historic Swing Bridge and DOC Freedom Camp Site.

Map references relate to the spot where the photos were captured.

#### ➤ Appendix 9 - Site Photo Set

- Photo 1 – Looking south-east. Shows the access road entrance to the processing and stockpile area.
- Photo 2 – Looking south. Shows the separate road constructed and maintained by KJ Sutherland for recreation user access to riverbed. This access addresses potential health and safety issues of members of the public accessing the Waiau riverbed where machinery is operating.
- Photo 3 – Looking south-west. Shows the various stockpiles of processed gravel. The processing plant (blue) can be seen in the background over the top of the truck.
- Photo 4 – Looking north-west. View across beach area A1 and showing the processing plant in background.
- Photo 5 – Looking east. View looing downstream and across beach area A1.

- Photo 6 – Looking north-west. View across upper limit of beach area A1. The position of the proposed habitat pond on area A is on the grassed area in the background.
- Photo 7 – Looking west and upstream. Shows water supply pond and proposed habitat pond area extending forward and to the right of the photo.
- Photo 8 – Looking south. View of Black-billed gull nesting area located on DOC land at the lower and outside edge of area A1.

Note: To avoid unnecessary disturbance, photos of this area are limited due to the presence of a large number of gulls and chicks nesting on the site.

- Photo 9 – Looking south. View across to upper tip of area A1 also shows the main Waiau River flow against the opposite high bank.
- Photo 10 – Looking south. View opposite DOC Freedom Camp Site entrance. Shows the Clifden Historic Swing Bridge and access road entrance to gravel site.
- Photo 11 – Looking West – View from entrance to DOC Freedom Camp Site showing the view along the gravel activity access road.
- Photo 12 – Looking west. View from the northern end of the Clifden Historic Swing Bridge. KJ Sutherlands gravel processing and stockpile area is concealed from view by the large stand of willows.
- Photo 13 – View looking west and upstream from center of the Clifden Historic Swing Bridge. KJ Sutherlands gravel extraction areas, processing and stockpile sites are concealed from view by the large stand of willows positioned on the true left bank.
- Photo 14 – Looking south and downstream. Shows temporary access bridge in place across the active/inactive runner separating areas A1 and B.



## 2.6 Assessment of the effects of the gravel extraction activity on water quality within the Waiau River.

### Response

Water quality of the Waiau River will not be effected by the proposed activity for reason:

- No gravel extraction will occur in water;
- No vehicles associated with the activity will cross flowing water;
- A temporary (Baily) bridge will be used to provide machinery access over flowing water to Area B as and if required;
- Extraction at Area A, construction of the habitat pond is not physically connected to the river flow and with the closest point of the pond to the flowing river set at a minimum of 30 metres. Generally the river side edge of the habitat pond is positioned a minimum of 80 metres from the flowing river;
- Extraction at Area A1 will commence a distance of between 20 to 50 metres from water's edge, and 300 mm above mean average flow.;
- Extraction at Area B will commence a minimum of 20 metres from water's edge, and 300 mm above mean annual flow;
- Dust suppression around the processing site involves a water cart fitted with a non-mechanical pressurised spray boom releasing a low volume of water sufficient only to suppress dust, not flood the site;
- No run-off to the river flow from the site as a result of the dust suppression activity used on an as required and occasional basis at the processing, stockpile site and access road can occur.

This statement is made on the basis of the processing and stockpile site being a significant distance (100 – 150 metres) from the flowing river. In addition to the distance isolation factor, the surface of the site is flat not sloping towards the Waiau River, having a minimum 300 mm raised perimeter mound consisting of gravel, gravel stockpile barrier and further separated from the floodway edge by a large stand of willows.

## 2.7 Description of how the effects of gravel extraction activity on water quality within the Waiau River will be avoided, remedied or mitigated.

### Response

As described in Response 2.6 the water quality of the Waiau River will not be effected by the proposed activity for reason no part of the activity will occur in, near or over flowing water. In addition a range of actions in response to mitigation of any other potential negative effect on water quality resulting from excavation of the proposed habitat pond are described in Response 2.11 - Detail regarding Construction and Design of the Habitat Pond.

2.8 Consideration of the effects of the gravel extraction activity on water in terms of Policy 15 of the proposed Southland Water and Land Plan (pSWLP) and the Natural State Water Quality Standards set out in Appendix E of the pSWLP.

### Response

Policy 15 of the pSWLP discusses the maintenance and improvement of water quality by:

1. avoiding new discharges to surface water bodies that will reduce water quality beyond the zone of reasonable mixing;
2. avoiding point source and non-point source discharges to land that will reduce surface or groundwater quality, unless the adverse effects of the discharge can be avoided, remedied or mitigated;
3. avoiding land use activities that will reduce surface or groundwater quality, unless the adverse effects can be avoided, remedied or mitigated; and
4. avoiding discharges to artificial watercourses that will reduce water quality in a river, lake or modified watercourse beyond the zone of reasonable mixing;

So that:

1. water quality is maintained where it is better than the water quality standards specified in Appendix E "Water Quality Standards"; or
2. Water quality is improved where it does not meet the water quality standards specified in Appendix E "Water Quality Standards"; and
3. Water quality meets the Drinking-Water Standards for New Zealand 2005 (revised 2008); and
4. ANZECC sediment guidelines (as shown in Appendix C of this Plan) are met.

Appendix E – Water Quality Standards of the pSWLP classifies the Waiau River as a "Natural State Water" meaning - The natural quality of the water shall not be altered.

In consideration of the effects of the gravel extraction activity proposed by Mr. Sutherland it is determined the activity proposed will not alter the natural quality of the Waiau water for reason that no point source or non-point source sediment discharge will occur as a result of the exercise of the activity proposed.

The rationale supporting that determination relates to mitigation measures, actions and extraction/processing methods established that avoid potential adverse effects of sediment discharge to flowing water.

Those actions are:

- No extraction from flowing water;
- No vehicles associated with the proposed activity crossing flowing water;
- Extraction from Areas A1 and B to commence a minimum of 300 mm above the Mean Annual Flow discussed in this report as 2.3 Determination of Normal Water Level;
- The habitat pond on Area A has no physical connection to the flowing river and being a minimum distance of 30 metres at the closest point to the flowing river. Design and construction will of the habitat pond will be undertaken in a way that ensures any potential discharge of sediment via sub surface flows to the Waiau River are mitigated through the construction and monitoring plan described in 2.11.
- No sediment discharge from dust suppression at the processing and stockpile site will occur due to distance and isolation of the site from the river flow, flat site nature and a 300 mm raised perimeter mound as described in 2.6.

2.9 Confirmation as to whether the use of water from the storage pond as a dust suppressing measure will result in a discharge to the waters of the Waiau. If no discharge to either water or discharge to land in circumstances where the discharge may enter water will occur, describe how this will be prevented.

#### Response

The use of water from the storage pond for dust suppression will not result in any discharge to the water of the Waiau River or any discharge to land in circumstances where the discharge may enter water.

The rationale for that statement relates to the mitigation actions proposed, site description and location and distance of site in relation to the Waiau River.

Note: A full description of the processing and storage site and mitigation actions proposed are also described in 2.6.

- The area where dust suppression is proposed on an as required basis is detailed on Appendix 7 Dust Suppression Limits;
- The floor of the processing and stockpile site (the site) is flat and not sloping towards the Waiau River flow;
- Water volumes applied are sufficient only for suppression of dust, not flood the site;
- To ensure any discharges of water associated with the proposed activity are contained within the site (including run-off from heavy rain storm events, a

gravel mound of a minimum of 300 mm will be maintained around the perimeter of the site;

- The mitigation provided by the perimeter mound further strengthened by the location of the gravel stockpiles positioned around the outer perimeter of the site as shown by Photo 2 and 3 of this report.

2.10 Detail on the bund proposed (page 16 of the application), including the location, dimensions, design, function and purpose of the bund.

#### Response

The location of the bund discussed on page 16 of the application report is in error.

No bund is required to mitigate sediment discharge from extraction of gravel from Area A1 for reason that:

- No sediment discharge will occur as a result of the excavation of gravel from Area A1;
- Excavation commences approximately 50 metres from the edge of the Waiau River flowing water. See Appendix 2 of the Application Report and Photo 4 and 5 of this report;
- Excavation will not occur below a level of 300 mm above the median annual flow of 42.14 cubic metres a second being a normal water level of 2.2 metres as gauged at the Meridian Energy maintained gauging site on the Waiau river at Sunnyside;

2.11 Detail regarding construction and design of the habitat pond(s), including:

- its/their form and location;
- an outline of the excavation methodology;
- the direction in which the excavation will occur;
- description of measures taken to minimize release of sediment into flowing water when the excavated channel is open to the flowing channel, or when excavation otherwise occurs.

#### Response

- The location and form of the proposed habitat pond is detailed on Appendix 4 – Map Reference Data for Proposed Work Sites and Appendix 8 – Proposed Habitat Pond, Site Safety Bund and Black-billed Gull Nesting Area.
- The shape and dimensions of the proposed habitat pond are:

- A single pond of irregular shape covering an area of 20,000 m<sup>2</sup> representing 23% of the total area of Work Area A at 84,782 m<sup>2</sup>;
- Dimensions of the proposed habitat pond considering the shape to be irregular are:
  - Overall length – 200 m
  - Width – Maximum – 35 m Minimum – 50 m
  - Depth of Excavation (variable) – 2.0 – 3.0 m

Note: Rational for the variable depth of the pond is in response to discussions with Fish and Game who favor a high/low contour shape of the pond floor as promoting higher value habitat.

  - Depth of Overburden – 0.5 m
- Following stripping of overburden, excavation will commence by establishing a 50 m wide x 2 - 3 m deep work face at the north eastern boundary point of the pond being the point furthest from the Waiau River. Then working forward in a westerly direction for a distance of 100 m.

The process will then be repeated as a second unit commencing a second 50 m wide strip at the north eastern boundary point, again moving forward in a westerly direction to the 100 m point.

It is expected that each unit will provide up to 10, 000 – 13,000 m<sup>3</sup> of gravel for processing;

- Ensuring compliance with Health and Safety requirements for the activity a bund of 1.5 m high x 4 m base x 2 m top width will be constructed in front of the working face.

The purpose of the bund is to mitigate against members of the public or those working on site accidentally driving vehicles or machinery into the pond;

- The safety bund will be constructed using clean spoil from the overburden stripping process securing site safety around the pond face as excavation progresses;

- Because of the significant isolation distance and non connection of the pond to the active river sediment release to the main river flow may only occur via sub-surface flow characteristics of the site. As the presence of such flows are known from the fluctuating levels within the 3 m deep water supply pond shown on Appendix 6, no discharge of sediment to the Waiau River has been identified.

Mitigation should any such discharge be noticed during construction of the habitat pond will consist of:

- Establish the 50 m wide x 2 - 3 m deep work face.

After a 24 hour rest period, carry out an inspection along the edge of the Waiau River in front of and downstream of the proposed work site at Area A1 for any evidence of sediment discharge from the work site via sub-surface flows.

Should any sediment discharge be identified, a re-evaluation of the habitat pond excavation process be carried out and actioned ensuring that any further sediment release is mitigated.

Visual monitoring of the edge of the Waiau River will continue throughout excavation of the proposed habitat pond to determine the presence/or not of any sediment discharge resulting from the activity. Should an activity related discharge be identified, mitigation actions will be actioned taken to eliminate the discharge.

2.12 Detail regarding the temporary site access bridge proposed to be installed across the minor braid, including;

- Where the temporary bridge is proposed to be located;
- A design drawing of the temporary bridge;
- An assessment of whether the placement and use of the bridge requires resource consent under Rule 26 of the operative Water Plan for Southland and Rule 57 of the proposed Water and Land Plan.

#### Response

When required to access Area B the temporary (Baily) bridge will be positioned across the flow at the runner's narrowest point as shown on Appendix 5.

Design specifications and Engineers Certification of the temporary (Baily) bridge is attached as Copy Item 1 Temporary (Baily) Bridge.

Placement of the temporary bridge being of single span configuration and requiring no piling is fully compliant with the permitted activity status under Rule 26 of the operative Regional Water Plan for Southland and Rule 57 of the proposed Southland Water and Land Plan.

Conclusion: No resource consent is required for placement and use of the temporary bridge under Rule 26 Of the operational Water Plan for Southland or Rule 57 of the proposed Southland Water and Land Plan.

2.13 Confirmation that the Applicant will be able to comply with the following standard consent condition:

- *The consent holder shall ensure that during the exercise of this consent:*
  - *There are no works from within the wet bed of the watercourse;*
  - *The extraction does not extend below water level;*
  - *No heavy vehicles shall cross flowing water;*
  - *Fish passage is not impeded as a result of this consent;*
  - *Silt disturbance and instream works are kept to a minimum;*
  - *There shall be no damage to trees on the river bed or in riparian areas;*
  - *There shall be no stockpiling of gravel in the bed of the river, or within a floodway;*
  - *There shall be no washing or refueling of machinery in the bed of the water course; and*
  - *All construction equipment, machinery, plant and debris are removed from the site on completion of the works.*

### Response

The applicant confirms ability to compliance with all the standard consent condition as 2.13 above.

Qualification Note: The gravel stockpile area can be best described as being located out of the floodway on the berm area some 100 – 150 metres from the river edge, is flat to slightly concave and separated by a dense margin of willows.

2.14 Confirmation that the Applicant will be able to comply with the following standard consent condition:

- *The consent holder shall take all reasonable precautions to minimize the spread of pest plants and aquatic weeds. In particular, the consent holder shall:*
  - *Remove any vegetation caught on machinery;*
  - *Where, necessary, clear vegetation from the site before gravel is extracted;*
  - *Avoid working in areas where aquatic weeds such as Lagarosiphon major are known to be present (for information contact Environment Southland); and*

- *To avoid the spread of *Didymosphenia geminata* or any other pest plant, do not use machinery in the berm or bed of the river that has been used in any area where the pest plant(s) are known to be present in the previous 20 working days, unless it has been thoroughly cleansed.*

## Response

The applicant confirms acceptance to full compliance with the above standard consent condition as 2.14 above.

2.15 A detailed assessment of how the extent of the high point/preserved gull nesting area at Area B has been determined, including a map showing this extent.

## Response

The use of ground survey methods to develop contour data for Area B has not been possible due to avoidance of significant disturbance of the large colony of Black-billed Gulls and Black-fronted Terns currently nesting on the downstream extent of Area B.

Instead an assessment of the island contours and high point elevation via visual inspection, extensive knowledge of the site by Kevin Sutherland and use of aerial maps and photographs was made.

Detail: The highest point of the island on which the gulls nest is located at the downstream end of Area B (outlined by a red line) and marked with an **X** on Appendix 8.

This point is slightly upstream of the current nesting limits and assessed as being 1.5 – 2.0 metres above normal water level.

2.16 A detailed assessment of how the high point/preserved gull nesting area at Area B will be maintained (i.e., is this area excluded from extraction entirely? If not, to what extent does the applicant intend to avoid extracting from this area.

## Response

Being the highest point of the island, the area is progressively becoming covered with small woody vegetation and thick grass that DOC staff participating in a meeting on-site suggested to be unsuitable for nesting, hence the reason why the gulls are at present preferring the cleaner gravels below the highest point around the island tip and closer to the water's edge.

The activity proposed by Mr. Sutherland completely excludes extraction of gravel from the high point and any of the areas used by the gulls for nesting as shown on Appendix 8.

Any extraction as a beach skimming exercise will be limited to the island area upstream of the high point moving in an upstream manner away from the gull nesting area.



## 2.17 An assessment of the effects of the gravel extraction activity on bird nesting activities at sites A and A1.

### Response

Although KJ Sutherland is constantly aware of the potential for riverine birds, particularly Black-billed Gulls and Black-fronted Terns to establish nesting and or feeding regimes on any, or all of his current consented activity areas, at no time during the past five year duration of the current consented gravel extraction, screening, processing and stockpile activities have riverine birds been observed nesting or using any parts of sites A and A1.

However, should a nesting and or feeding regime occur on any part of areas A and A1 during the seven year consent period sought by this new application, disturbance mitigation actions as detailed in the report under sections;

- 13. How the Proposed Activity Will be Carried Out and;
- 20.9. Effects on Riverine Dwelling Birds.

Although the potential negative effects of gravel extractive activities on riverine birds, the matter of disturbance by recreation use of the river via the launching of jet boats, four wheel drive activities, swimming and picnicking being very significant in the vicinity of the proposed gravel winning activity and Black-billed Gull colony will continue to be a potential issue.

It is suggested that this situation positive/negative, is largely due to the high standard of road access to the beach areas and main-river provided as an integral part of Mr. Sutherlands gravel extraction activity.

Although not responsible for the actions and behavior of others, Mr. Sutherland more than meets professional obligations through provision at personal cost, a range of subtle actions e.g. maintains separate quality access to Area A1, boat launching site and clear picnicking area around the willow shade areas thereby assisting in no small way to the protection of habitat areas used by riverine nesting birds albeit, the driving of four wheel drive vehicles across the active/inactive runner separation Area A1 and B and other section of the river bed in this locality has been frequently observed.

## 2.18 An assessment of the effects of the proposed activity on fish passage.

### Response

There will be no effects on fish passage as a result of the proposed activity for the following reasons:

- The activity proposed as beach skimming on Areas A1 and B will commence a minimum of 300 mm above the median flow being 42.14 cubic metres a second as discussed in this report under 2.3 - Determination of Water Level;
- There will be no extraction from flowing water;
- No vehicles associated with the proposed activity will cross flowing water;
- Access to Island Area B will be via a temporary bridge (single span) in the case of the runner separating Areas A1 and B becomes active;
- Placement of the temporary bridge over the runner when required will not cause any obstruction to fish passage;
- Gravel extraction from the proposed habitat pond is totally isolated from the active river therefore no effects on fish passage.

## 2.19 An assessment of the effects of the gravel extraction on the morphology and function of the Waiau River.

### Response

In assessing the effects of the proposed gravel extraction activity on the morphology, form and function of the Waiau River it is considered the effects to be positive in terms of assisting floodway capacity and efficiency through the removal of aggraded bed load through the Clifden reach.

Geomorphic processes play a key role in river ecosystem functioning since spatial and temporal variability in the geomorphic template controls the type, range and abundance of physical and hydraulic habitat and the persistence of that habitat over time. The dynamics of a river system are reflected in its channel pattern and form and channel pattern is a strong indicator of how a river will respond to disturbance. Continuing land development and hillslope instability and gullying also provide potential sediment sources to the Waiau River system.

The Waiau River is typically a mountain sourced braided gravel bed river with a single wandering channel in the upper reaches between Lake Te Anau and Lake Manapouri. Whereas the mid reaches between the Manapouri Lake Control structure and Clifden the river shows a combination of a single wandering channel to a braided character existing in some reaches. The reach from Clifden to Tuatapere Township is generally of a single thread nature flowing over bedrock with point bars at low velocity points. The reach from Tuatapere downstream to the Te Waewae Lagoon is in major change mode to a multi thread character, significant lateral erosion and major bed aggradation issues causing increased flooding of farmland.

In its natural state a river constantly alters the landscape without restriction. That is in response to adjustment in form required to transport bed load to base level, which in the case of the Upper Waiau River is Lake Manapouri and the mid to low reaches is Foveaux Strait via Te Waewae Lagoon at the rate it is supplied by catchment erosion and other sediment sources.

In terms of assessing the morphology and function of the Waiau River in relation to the proposed gravel extraction activity described in this report, the matter is not straightforward due to complete destruction of historic geomorphic vales through damming of the Waiau River outlet at Lake Te Anau, the control of Waiau River flow from Lake Manapouri and Mararoa River through construction of the Manapouri Lake Control structure for hydroelectric generation.

Prior to damming of the Waiau River in 1969 the mean annual flow was in the order of 480 cubic metres a second (cumecs). That value today is in the order of 90 - 100 cumecs with flows managed by Meridian Energy under conditions set by Resource Consent.

It would be realistic to comment that the current flow regime and flow management conditions are the point of growing concern to Waiau catchment residents, particularly farmers concerned about the high and low flow management regime causing significant erosion thereby adding to bed load issues, particularly in the lower reaches and water availability.

Of note is an issue that major Waiau catchment tributaries such as the Wairaki River, Lillburn and Orauea Rivers located in sub-catchments uncontrolled in a hydraulic sense and where significant land development is continuing unchanged generating a continuing flow of significant quantities of bed load material into the present heavily controlled and modified flow regime of the Waiau River.

This major reduction to the Waiau River flow values coupled with the control of high flows have contributed to negative change in channel processes, land form and additional lateral erosion currently of concern to catchment residents.

In a given reach, a river has the potential both to scour material from its bed and banks and to transport material which has been brought into the reach from upstream. The rate of transport is determined (in part) by channel gradient, discharge (flow) and sediment size. The sediment moves either as bedload where the coarse material rolls or slides along the bed, or as suspended load where fine particles are moved in suspension or become dissolved in solution. The overall transport rate is also governed by the bed armoring. Lower flows (such as Waiau median flow 40 -50 cumecs) are unable to break the armor layer, so the quantity of sediment transported through the system is limited.

In the case of the Waiau River, only flood flows are generally capable of breaking the armor layer and it is then the majority of locked up bed load material is transferred downstream depositing at lower energy and beach lock up points such as the Clifden and downstream Motu reaches.

In consideration of the negative aspects of changes to the morphology of the Waiau River through flow management for hydroelectric generation the proposed gravel extraction activity discussed in this report will provide positive effects by assisting with the removal of aggraded bed load within the floodway at Clifden.

Those benefits albeit very minor in the scale of bed load issues impacting the Waiau River relate only to the proposed activity at Areas A1 and B.

The balance of the activity being development of the habitat pond on Area A that is totally outside of influences relating to the active river and floodway and representing 50% of the total activity gravel volumes.

2.20 A description of how the effects of the gravel extraction activity on the morphology and function of the Waiau River will be avoided, remedied or mitigated.

#### Response

As the effects of the proposed extraction activity on river morphology and function have been assessed as positive the relevant mitigation in delivery of those benefits to improving floodway capacity and efficiency will be to ensure extraction well planned through working the skimming process that mirrors the natural contours of the areas without leaving unnatural ledges encouraging erosion to occur. No holes will be dug on Areas A1 and B due to the excavation process involving an elevator scrapper to evenly skim the beaches.

2.21 Consideration of the effects of the gravel extraction activity in terms of Policy 29 of the pSWLP.

#### Response

The proposed activity is for the purpose of KJ Sutherland's business continuance in meeting the needs of the community with regard to availability a range of gravel products for district farming activities, construction, State Highway and district road construction and maintenance, and general urban community needs.

Through the activity proposed in providing that important community resource, it is considered that the benefits intended by Rule 29 of the pSWLP are met through the proposed activity being undertaken in a way that avoids, remedies or mitigates adverse effects on the Waiau River its margins and:

- Enhances riparian habitat via a Licence to Occupy the Site with Land Information New Zealand to control/remove unwanted vegetation, particularly gorse and broom from the site;
- Increases habitat values for waterfowl through the development of a significant habitat pond on Area A.;

- Provides and maintain quality access suitable for ordinary family vehicles to swim, picnic and enjoy the river and margins for recreation;
- Generally enhances flood protection and erosion control values through removal of excess gravel from the floodway without adversely impacting river gravel mobilization processes;
- Generally increases cultural and mahinga kai values through development of the habitat pond and river access;
- Will not incur any loss of habitat values in the river channel or floodplain for reason no extraction of gravel will occur in or close to flowing water;
- No plant or vehicles associated with the proposed activity will cross flowing water.

# Supporting Documents

COPY ITEM 1



GM DESIGNS

PROFESSIONAL ENGINEERS

- TOTAL DESIGN -

Head Office:  
21A The Crescent  
Level 2  
The Old National Bank  
P.O. Box 730  
INVERCARGILL  
NEW ZEALAND 9812

Direct Line Phone: +64-(0)3-2188910  
Fax: +64-(0)3-2188910

Mobile phone: +64-(0)21-323711  
Accounts office: +64-(0)3-2187782

## PRODUCER STATEMENT

### NON TRANSFERABLE

Tuesday, 9 October 2012

Original Issue Date: Friday, 16 Sep 2011

**For:** Sutherland K  
Pukemaori RD 2 Otautau  
Rapid Number 1790.  
Southland

**Job:** 3956 - Certification of transportable bridge (PS4)

#### **Configuration Covered by this investigation:**

This design certificate covers the 6.2m span transportable bridge. Each bridge beams consist of 2 outer 230PFC's with a central 200UB22 and a 10mm plate over. The plate over the  $\lambda$  and 200UB22 is 620mm wide and separated by a 1.2m gap. The ends sit on a 310UB32. 75PFC knee braces 600mm long are placed at both ends.

The bridge has been checked using a number of runs of microtran. As this bridge is described as a lightly trafficked rural bridge it is required to resist 0.85HN loading. The bridge is capable of resisting 0.85HN without a dynamic load factor with the following addition.

#### Specific Findings

This PS4 for the bridge is therefore issued for 0.85HN loading without a dynamic factor applied.

The gross vehicle weight allowed is 24 tonne.

#### Assurances

I Graeme Donald McMillan being registered under the provisions of the Chartered Professional Engineers Act and currently entitled to use the classification of CPEng (Civil & Structural) with annual Practising certificate No. 47102, and having current insurance cover with Aon Insurance Company Ltd for the set requirement as per the act of \$200,000, with a limitation to this of any total claims on one job of no more than 10 times the total consulting fee and no more than the above requirement do here by certify that I have under taken the following design investigation as detailed by this practice, and further more in respect of any appropriate reference to the requirements of all clauses of the NZBC for those parts as applicable to works described above. The design has been prepared in accordance with B1/VM1 where applicable on our plans only as per the approved documents issued by the Department of Building & Housing 2004 & including amendment 11, 2011. B2 /AS1 for the structural elements not covered by NZS3604 but itemised in this certificate as per our plans only. Sewerage disposal systems where non reticulated service connections are not provided shall be covered under G13/VM4. Note: This Certificate excludes any weather tightness of proprietary supplied elements or systems as defined by others being covered by warranties, Branz Appraisals and where appropriate any PS3 certificates for proprietary systems supplied for the building to be supplied to the Local Authority. A PS4 certificate may be issued which takes precedence over that of any PS1 and incorporates all previous design responsibilities. whether issued prior or not to this final inspection.

Job No: 3956 - page 1 of 2

I further certify that this design has been designed in accordance with sound and widely accepted engineering principles and comply with the relevant provisions of the NZ building codes where appropriate have been designed to support the loads specified in NZS1170 in accordance with limit State design methods when used in accordance with the Relevant codes to this application as set out in the following chapters of NZSS 3404 , NZS3603 Timber Design manual ,AS1250 Steel sections, 3402 Steel Bars, 4229 Block work, 4230 Masonry, 3101 concrete, and 3604 timber, NZS 1547 sewerage, and others and further certify that I have ascertained to the best of my ability that the stresses and above loads will not exceed the maxima to ensure the safety and stability but not subject to consideration from localised imponderables.

No modifications required at any stage to the design shall be made encumbering on the writer. This PS1 and or PS4 is offered as set out by IPENZ in accordance with their accepted definitions.

The structure shall NOT be subject specifically to any further PS4 certification by this practice prior to any code of compliance certificate being issued on this building or part thereof, in order that the site inspections and the construction compliance requirements can be verified in accordance with the original designer requirements.

No modifications required at any stage to the design shall be made encumbering on the writer. The structure shall not be subject specifically to any further inspection unless requested by the controlling local authority.

SIGNED BY:  
MCMILLAN CONSULTING ENGINEERS LTD

A handwritten signature in black ink, appearing to read 'G. McMillan', with a large loop at the end.

**Graeme McMillan**  
A.F.J.M. I.P.E.N.Z B.E. Hons. Reg. Chartered Eng.





COPY ITEM 2



## CERTIFICATE OF COMPETENCE

Health and Safety at Work  
(Mining Operations and Quarrying Operations) Regulations 2016

AWARDED TO

*Kevin Sutherland*

IS ISSUED A CERTIFICATE OF COMPETENCE AS A

*B Grade Quarry Manager*

CERTIFICATE NO: 1095

DATE OF ISSUE: 16/12/2016

DATE OF EXPIRY: 16/12/2021

A handwritten signature in black ink, appearing to read "Mark Pizey".

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Mark Pizey, Chairperson  
New Zealand Mining Board of Examiners

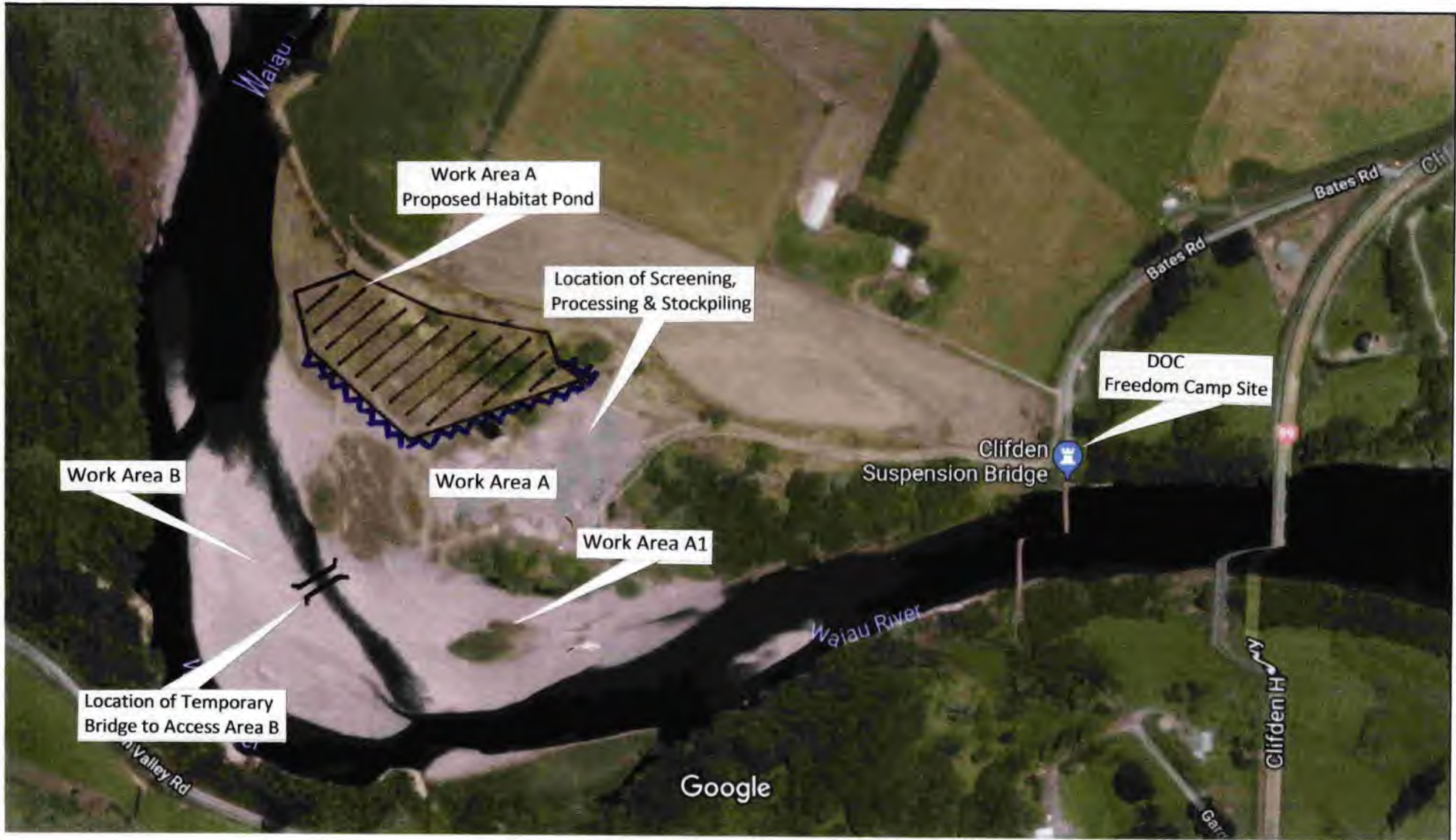


Print Find Draw Graphics Basemap Bookmark **Layout** Measure Marker Mobile Reset E-Data Open Data



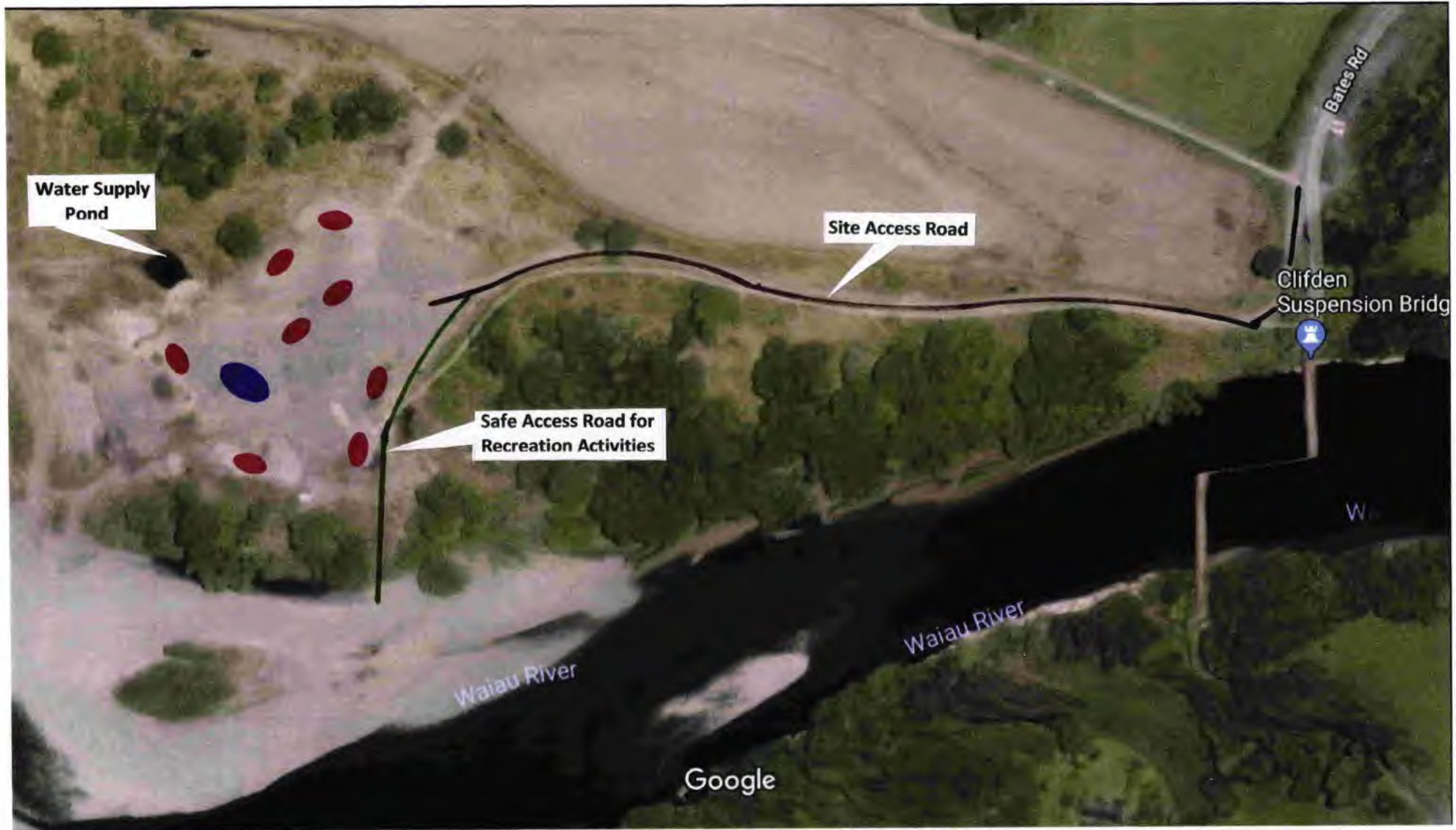
### Appendix 4 – Map Reference Data for Proposed Work sites

Format – New Zealand Transverse Mercator 2000 (NZTM 2000)



Imagery ©2017 DigitalGlobe, Map data ©2017 Google 100 m

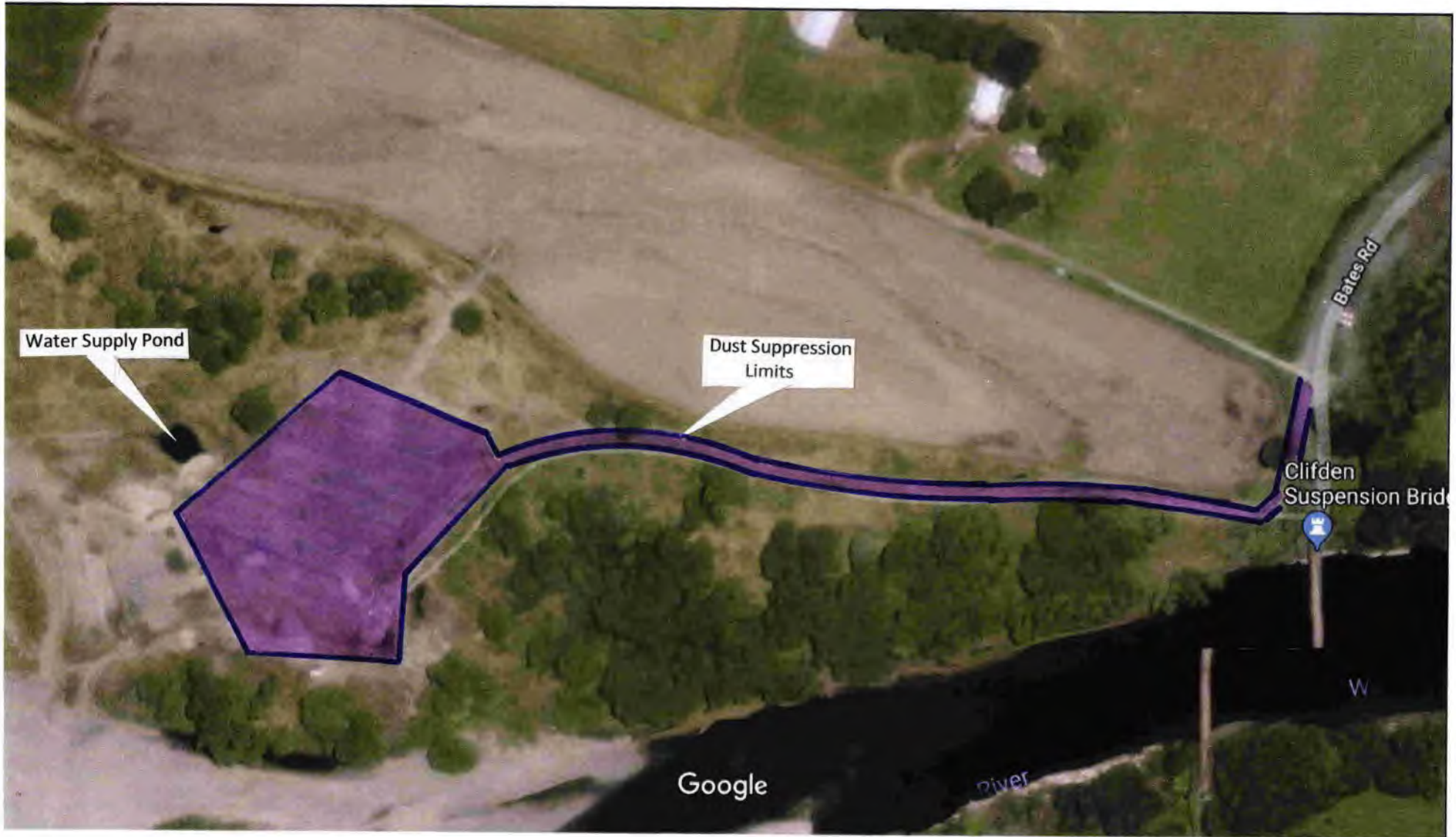
**Appendix 5 – Proposed Work Sites Location In Relation to:  
Clifden Historic Suspension Bridge & Department of Conservation  
Freedom Camp Site**



Imagery ©2017 DigitalGlobe, Map data ©2017 Google, MapData Sciences Pty Ltd, PSMA 50 m


### Appendix 6 – Location Map Screening, Processing, Stockpile Sites & Water Supply

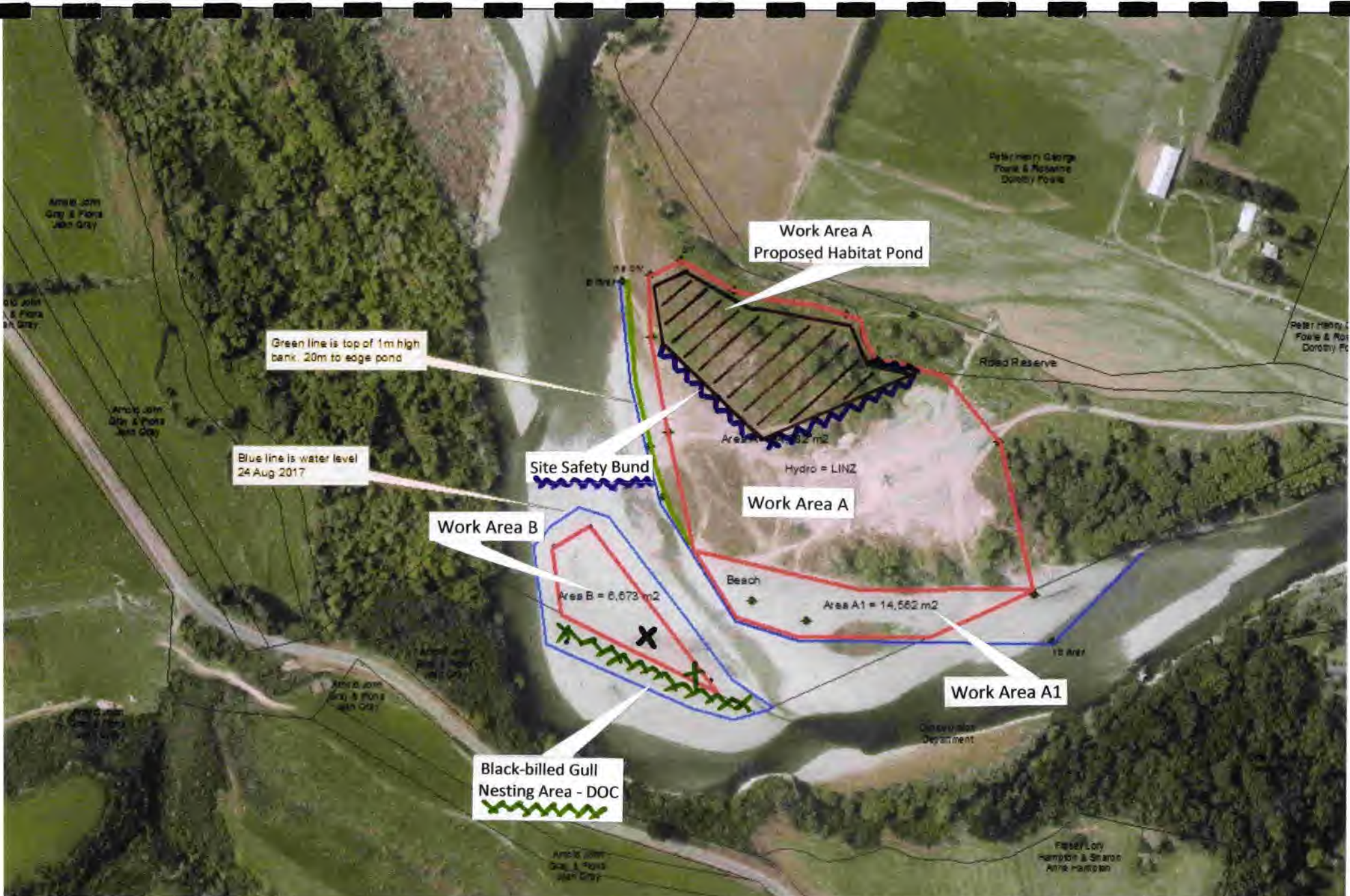
Legend: Gravel Stockpile = ● Screening/Processing Plant = ●



Imagery ©2017 DigitalGlobe, Map data ©2017 Google 50 m

### Appendix 7 – Dust Suppression Limits

Legend: Limits Shaded - 

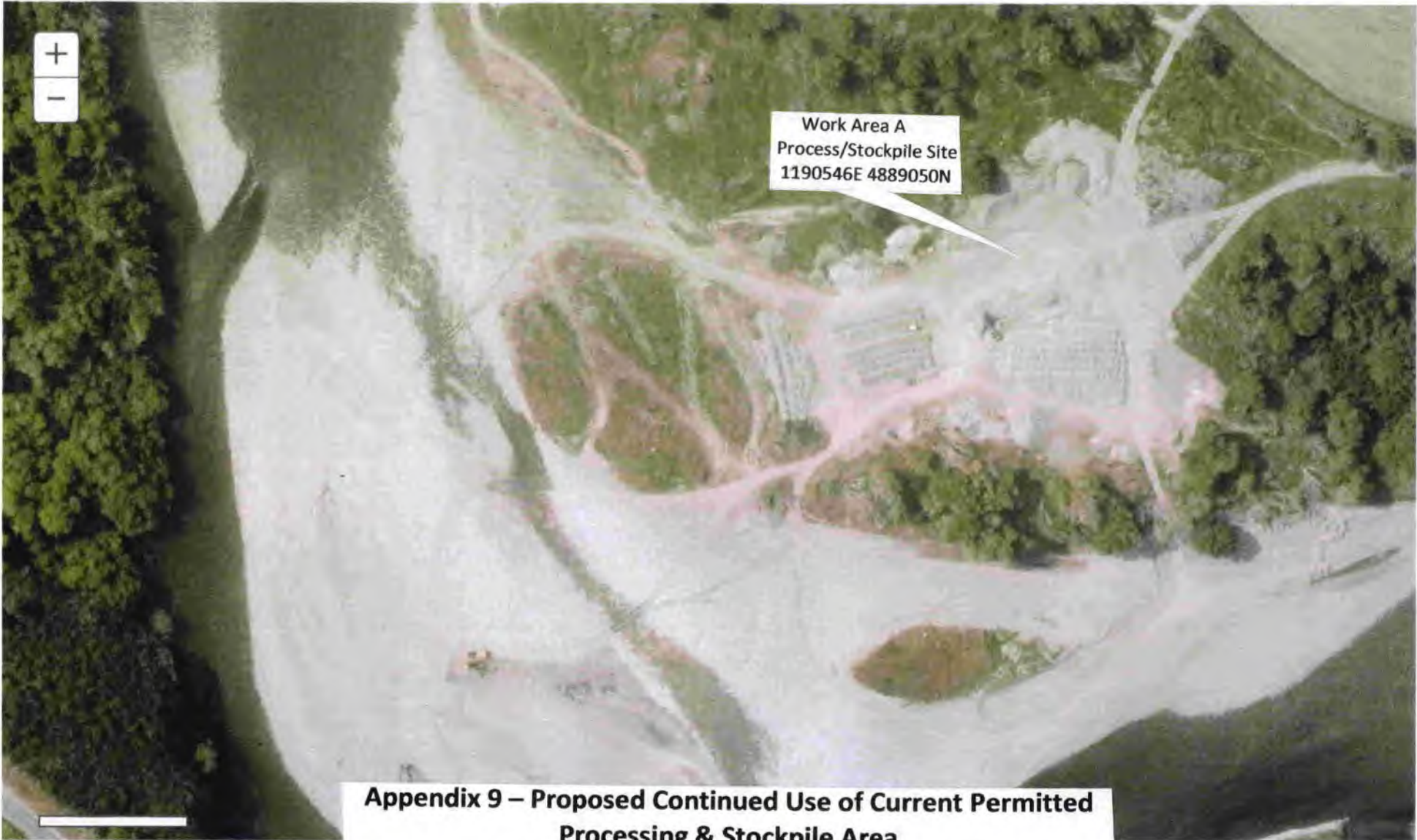


**Appendix 8 - Proposed Habitat Pond, Site Safety Bund & Black-billed Gull Nesting Area**



By ENVIRONMENT SOUTHLAND (WWW.ES.GOV.TZ)

Print Find Draw Graphics Basemap Bookmark **Layout** Measure Marker Mobile Reset E-Data Open Data



**Appendix 9 – Proposed Continued Use of Current Permitted Processing & Stockpile Area**





**Photo 1 - Looking South East**

Shows the Access Road Entrance to the Processing & Stockpile Area

Image Capture Position – X1190594E Y4889110N





**Photo 2 - Looking South**  
Shows Separate Road Constructed/Maintained  
by KJ Sutherland for Recreation User Access to Riverbed  
Image Capture Position – X1190594E Y4889110N



**Photo 3 - Looking South West**  
Shows Stockpile & Processing Area Across to Proposed  
Habitat Pond Area

Image Capture Position – X1190594E Y4889110N

IMG\_4233.JPG  
photos no 2


Open in browser tab  

**Ann And Keyin Sutherland**  
To Ken and Judy McGraw

2 attachments View Download

photos no 2

**Details**

19:46 

Name	IMG_4233.JPG
Size	10 MB
Modified	- wild.trout@xtra.co.nz
Shares	-



**Photo 4 - Looking North West View**  
**Across Beach Area A1 & Location of Processing Plant**  
**& Stockpile Area**

Image Capture Position – X1190478E Y4888952N



**Photo 5 - Looking East**  
**View Downstream Across Beach Area A1**  
Photo Capture Position – X1190478E Y4888952N

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**Ann And Kevin Sutherland**  
To Ken and Judy McGraw

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	wild.trout@xtra.co.nz
Shares	-



**Photo 6**  
**Looking North West**  
 View across Upper Limit of Beach Area A1 with  
 Proposed Habitat Pond Grassed Area in Background  
 Photo Capture Position – X1190353E Y4889109N



**Photo 7 - Looking West and Upstream**  
Shows Water Supply Pond & Proposed Habitat Pond Area  
Extending forward & to the Right of the photo  
Photo Capture Position – X1190518E Y4889086N



**Photo 8 - Looking South**  
View to the Black-billed Gull Nesting Area at the  
Lower End of Area A1

Photo Capture Position – X 1190453E Y4888908N





**Photo 9 - Looking South**  
View to the Upper Tip of Area A1  
Shows Main Waiau River Flow against High Bank  
Photo Capture Position – X1190317E Y4889126N



**Photo 10 - Looking South**

Opposite DOC Freedom Camp Site Entrance

Shows the Clifden Historic Swing Bridge and entrance to Gravel Site

Photo Capture Position – X1191009E Y4889198N



**Photo 11 - Looking West**

Standing in Entrance to DOC Freedom Camp Site  
Shows the View along the Gravel Activity Access Road

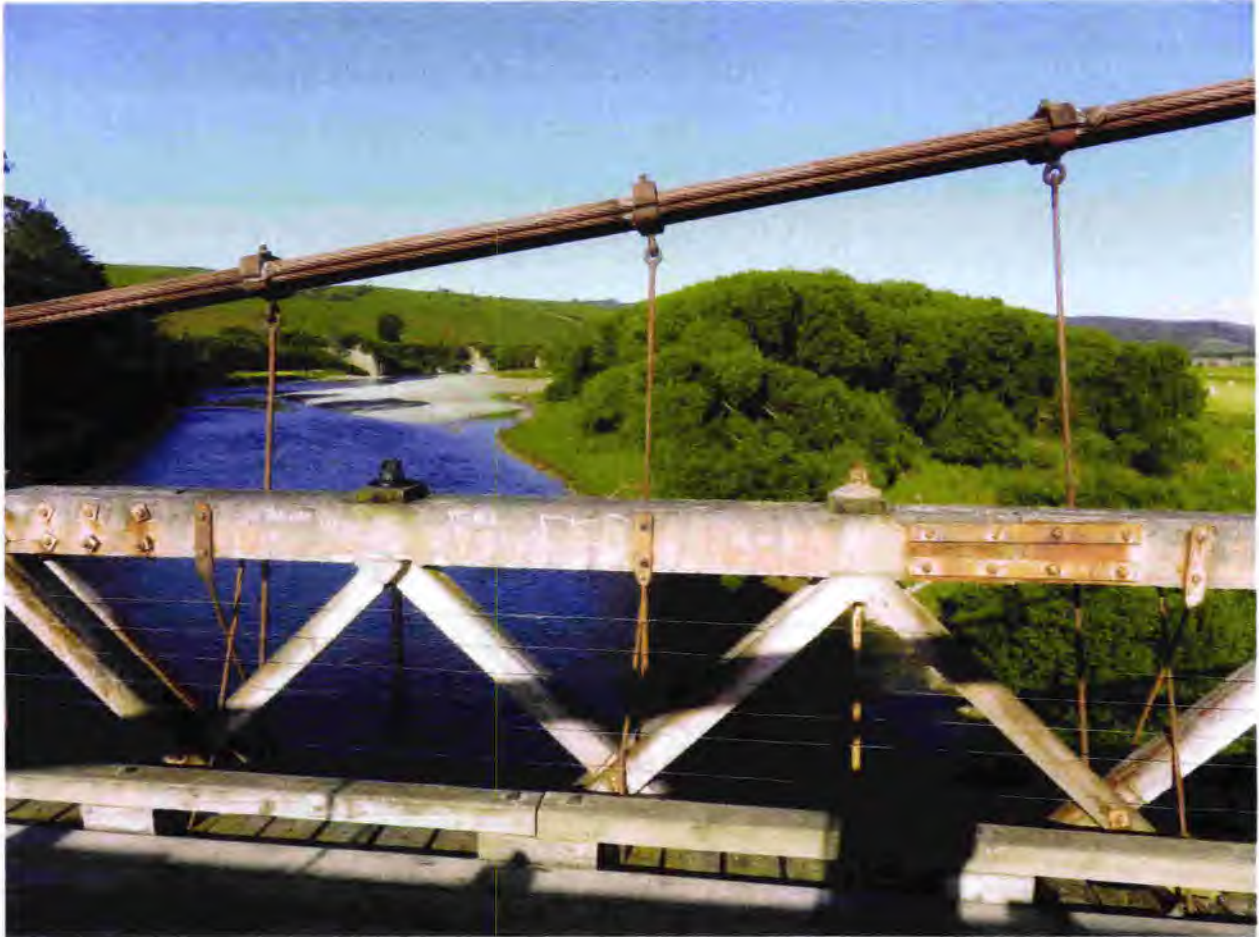
Photo Capture Position – X1191025E Y4889136N



**Photo 12 - Looking West**

Standing at Northern End of the Clifden Historic Swing Bridge  
Shows the View along the Gravel Activity Access Road

Photo Capture Position – X1191015E Y4889098N



**Photo 13 - Looking West and Upstream**  
View from the Clifden Historic Swing Bridge  
Proposed Gravel Extraction Areas, Processing Screening  
& Stockpile Area Concealed from View by Willows in Foreground  
Photo Capture Position – X1191018E Y4889054N



**Photo 14 – Looking South and Downstream**  
Shows Temporary Access Bridge Positioned Across Active/Inactive  
Runner Separating Areas A1 & B

Photo Capture Position – X1190401E Y4888949N

## Other Documents

Our reference: APP-20171589  
Enquiries to: Matt Hoffman  
Email: Matt.Hoffman@es.govt.nz



14 November 2017

Mr Ken McGraw  
River Pathways  
38 Pisa Moorings Road  
RD 3  
Cromwell 9383

Dear Ken

***Request for Further Information under Section 92(1) of the Resource Management Act 1991 - Application for a land use consent.***

Thank you for lodging an application to extract up to 80,000 cubic metres of gravel from the true left bank of the Waiau River at Clifden, above the Clifden Bridge.

I require further information before a determination can be made regarding notification of your application.

Please provide[1], in accordance with Section 92(1) of the Resource Management Act, the following information:

- map references showing the location of the site, in New Zealand Transverse Mercator 2000 format;
- clarification as to the term required for the consent –a term of 7 years on page 8 of the application, whilst a term of 5 years is requested on page 23 of the application;
- more detail as to how normal water level is determined. Most permits that use an extraction baseline tie back to flow measures at a Council monitoring site on the river as follows:

*Extraction shall not lower the beach at the water's edge to less than **XXX** mm above the median flow of **XXX** cubic metres per second as gauged at Environment Southland's flow gauging site on the **watercourse name** at **monitoring location**.*

- a map showing the location of the gravel screening, crushing and stockpiling sites, as well as where dust-suppressing water is to be used;
- a map showing the location of the gravel extraction, processing, and stockpiling activities in relation to the Clifden Historic Suspension Bridge, and Conservation Campsite;
- photographs of:
  - extraction areas A, A1, and B; and
  - the gravel processing and crushing site; and
  - the gravel stockpiling site.







- confirmation that the Applicant will be able to comply with the following standard consent condition:



*The consent holder shall take all reasonable precautions to minimise the spread of pest plants and aquatic weeds. In particular, the consent holder shall:*

- *remove any vegetation caught on the machinery;*
- *where necessary, clear vegetation from the site before gravel is extracted;*
- *avoid working in areas where aquatic weeds such as Lagarosiphon major are known to be present (for information, contact Environment Southland); and*
- *to avoid the spread of Didymosphenia geminata or any other pest plant, do not use machinery in the berm or bed of the river that has been used in any area where the pest plant(s) are known to be present in the previous 20 working days, unless it has been thoroughly cleansed.*

- a more detailed assessment of how the extent of the high point/preserved gull nesting area at Area B has been determined, including a map showing this extent;
- a more detailed assessment of how the of how the high point/preserved gull nesting area at Area B will be maintained (i.e., is this area excluded from extraction entirely? If not, to what extent does the Applicant intend to avoid extracting from this area?);
- an assessment of the effects of the gravel extraction activity on bird nesting activities at Sites A and A1;
- a description of how the effects of the gravel extraction activity on bird nesting activities at Sites A and A1 will be avoided, remedied or mitigated;
- an assessment of the effects of the proposed activity on fish passage;
- an assessment of the effects of the gravel extraction activity on the morphology and function of the Waiau River;
- a description of how the effects of the gravel extraction activity on the morphology and function of the Waiau River will be avoided, remedied or mitigated; and
- consideration of the effects of the gravel extraction activity in terms of Policy 29 of the pSWLP.

I require this information:

- because the map references given in the application do not appear to work;
- in order to understand the consent term requested;
- in order to better determine the layout of the gravel screening, crushing and stockpiling sites, and the extent to which dust-suppressing water is used;
- in order to better establish the natural character effects of the site from the bridge, campsite, and beach locations along the river;
- in order to more clearly assess the possible water quality effects of the activity, and understand how these effects will be avoided, remedied or mitigated;
- in order to determine whether an additional permit to discharge contaminants to water, or to land in circumstances where they may enter water, is required;
- to provide more clarity around the purpose and design of the bunding;
- to better understand the process and effects of constructing the habitat ponds;
- to determine whether the temporary bridge is a permitted activity or not;
- to ensure that the Applicant can comply with standard conditions;
- to better understand the measure proposed to mitigate the effects of the proposal on black-billed gull nesting sites; and
- to better understand the effects of the proposal on river morphology and function.

Notification of your application is postponed until receipt of this information.



Under Section 92A of the RMA you have until 15 working days from the date of this request, which we calculate to be 05 December 2017, to either provide the information, tell the Council, in writing, either that you agree to provide the information or that you refuse to provide the information.

If you refuse to provide the information requested, or if you do not respond to this request, the Council may decline the application on the grounds that it has inadequate information to determine the application.

Please contact me if you have any questions regarding this request.

Yours sincerely



**Matt Hoffman**  
**Senior Consents Officer**

---

[1] Under Section 92(1) of the Resource Management Act 1991 (RMA) the Council may, at any time before the hearing of an application, or if no hearing is to be held, before the decision to grant or refuse the application is made, request in writing that the applicant provide further information relating to the application.

For now  
& our future

