

## LAND USE CONSENT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Otago Regional Council

Address: 70 Stafford Street, Dunedin

To alter a Defence Against Water for the purpose of flood protection

For a term expiring 20 November 2030

Location of consent activity: Contour Channel, West Taieri

Legal description of consent location: Section 18 Irregular Block West Taieri Survey District; Part Section 1, Part Section 3-5, Section 2 and Section 7 Block VI West Taieri Survey District; Part Section 3-6 and Part Section 9-12 Block VI West Taieri Survey District; Part Section 5-6 Block VI West Taieri Survey District; Part Section 12 Block II West Taieri Survey District; Part Section 7 Block III West Taieri Survey District; Lot 1 DP 20676; Section 5 and Part Section 6 Block III West Taieri Survey District and Part Section 38 Irregular Block West Taieri Survey District; Part Section 37 Irregular Block West Taieri Survey District; Section 33 Irregular Block West Taieri Survey District and Section 35 Irregular Block West Taieri Survey District and Part Section 32 Irregular Block West Taieri Survey District and Part Section 34 Irregular Block West Taieri Survey District; Section 1 - 4, 10 Block IV and Section 13 Block IV West Taieri Survey District and Section 27 Irregular Block West Taieri Survey District

Map Reference NZTM (2000): Between E1382447 N4918325 and E1381627 N4913091

### Conditions

#### Specific

1. The proposed works must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM25.331, including:
  - a. Application form, and assessment of environmental effects prepared by Mitchell Daysh Limited, dated July 2025.

b. Further information response, prepared by Mitchell Daysh dated 29 August 2025, including:

- i. Appendix A: Engineering Drawings prepared by Geosolve
- ii. Appendix B: Draft Design Summary Report prepared by Geosolve.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

### **Performance Monitoring**

2. Prior to commencing any work on site, Consent Holder must ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction.

Matters to be discussed include (at minimum):

- a. Timeframes for key stages of the works authorised under this consent
- b. Resource consent conditions
- c. The certified Construction Management Plan

A record of attendance must be kept and made available to the Consent Authority upon request.

3. No less than twenty (20) working days prior to the commencement of any works undertaken in accordance with this consent, a Construction Management Plan (**CMP**) prepared by a suitably qualified and experienced person must be submitted to the Consent Authority for certification that it has been prepared in accordance with the objective of condition (4) below.

4. The objective of the CMP is to confirm the earthworks methodology and the measures to be implemented to manage any actual or potential adverse effects. The CMP must include the following information as a minimum:

- a. The name, qualifications, relevant experience, mobile telephone number, email address and postal address for the site manager responsible for overseeing compliance with this resource consent;
- b. Construction methodology and staging, including sequencing of works and erosion risk management.
- c. Erosion and sediment control measures that demonstrate compliance with the *Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016* (Auckland Council Guideline Document GD2016/005), as relevant.
- d. Protocols for managing potential flooding during construction, including contingency measures to respond to flood events that may occur while earthworks are underway;
- e. The full text of the Accidental Discovery Protocol to be implemented in the event of any accidental discovery of archaeological material;
- f. The methods and management measures to stabilise and reinstate disturbed areas and embankments during construction and at the conclusion of earthworks; and
- g. Monitoring and reporting, including inspection schedules, incident reporting, and non-conformance procedures.

5. All works must be undertaken in accordance with the Certified CMP.

6. Within 20 working days of the completion of the construction activity, the Consent Holder must supply the Consent Authority with a complete set of 'as built' plans. The 'as built' plans must include a location plan, a plan which shows the structure specifications, and a typical cross section.

### **General**

7. For the duration of the earthworks subject of this consent:
  - a. All machinery must be clean, free of contaminants and in good repair, prior to entering the site;
  - b. No construction materials may be left in a position where they could be carried away by flood events;
  - c. The Consent Holder must take all practicable measures to prevent spills of hazardous substances being discharged into water or onto land in a manner that may enter water. Such measures may include, but not be limited to;
    - i. all practicable measures must be undertaken to prevent oil and fuel leaks from vehicles and machinery;
    - ii. fuel storage tanks and machinery must be maintained at all times to prevent leakage of oil and other contaminants;
    - iii. a spill kit, that is capable of absorbing the quantity of oil and petroleum products that may leak or be spilt must be kept on-site at all times.
  - d. The Consent Holder must inform the Consent Authority immediately and no later than 12 hours of an oil spill and must provide the following information;
    - i. the date, time, location and estimated volume of the spill;
    - ii. the cause of the spill;
    - iii. clean up procedures undertaken;
    - iv. details of the steps taken to control and remediate the effects of the spill on the receiving environment;
    - v. as assessment of any potential effects of the spill; and
    - vi. measures to be undertaken to prevent a recurrence.
  - e. All machinery, fencing, signs, chemicals, rubbish, debris and other materials must be removed upon completion of the earthworks.
8. If an unidentified archaeological site is located during works, the following must apply:
  - a. Work must cease immediately at that place and within 20 metres around the site.
  - b. All machinery must be shut down, the area must be secured and the Site Manager must be advised.
  - c. The Consent Holder must secure the site and notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Consent Authority.
  - d. If the site is of Maori origin, the Consent Holder must also notify the appropriate iwi groups or kaitiaki representative for Aukaha of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975).
  - e. If human remains (koiwi tangata) are uncovered the Consent Holder must advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police, the Consent Authority and the appropriate iwi groups or kaitiaki representative and the above process under (c) will apply. Remains are not to

be disturbed or moved until such time as iwi and Heritage New Zealand Pouhere Taonga have responded.

- f. Works affecting the archaeological site and any human remains (koiwi tangata) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Further assessment by an archaeologist may be required.
- g. Where iwi so request, any information recorded as the result of the find such as a description of location and content, must be provided for their records.

#### **Notes to Consent Holder**

1. *Where information is required to be provided to the Consent Authority in Conditions 3 and 6, it can be provided in writing to [compliance@orc.govt.nz](mailto:compliance@orc.govt.nz), and the email heading is to reference RM25.331.01 and the conditions the information relates to.*
2. *Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand (see Section 6). For pre-contact Maori sites this evidence may be in the form of Taonga (artefacts) such as toki (adzes) or flake tools as well as bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Pre-1900 buildings are also considered archaeological sites. Burials/koiwi tangata may be found from any historic period. Archaeological sites are legally protected under Sections 42(1) & (2) of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act or Building Act.*
3. *The Consent Holder will be required to pay the Consent Authority an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991. The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, will be charged at the relevant hourly rate applicable at the time.*

Issued at Dunedin this 27<sup>th</sup> day of November 2025



Allan Cubitt  
**Independent Decision Maker for Otago Regional Council**