

6. Mobile Phone Number:

[REDACTED]

7. Email Address:

[REDACTED]

GENERAL

8. What is the consent number(s) you wish to vary the lapse date for?

9. Please specify the date you wish to extend the lapse to:

10. Has substantial progress or effort been made, and continues to be, made towards giving effect to the consent? Please explain.

11. Will there be an environmental effect based on the extension of the lapse date? Please explain.

12. Was there anyone who was taken as an affected party to the original application?

13. Have you identified anyone you consider is likely to be adversely affected by the extension of the lapse date?

YES

NO

14. In respect to anyone as being adversely affected, have written approvals been attached?

YES

NO

POLICY ASSESSMENT

15. You must also provide a policy assessment relating to the effect of the extension on policies and objectives of any plan or proposed plan. Policy assessment attached?

YES

NO

(If you have any questions with regards to this, please get in contact with a Consents Planner at public.enquiries@orc.govt.nz)

CHECKLIST AND DECLARATION

Use the checklist below to ensure you've provided all of the relevant information to complete your application.

Fully completed this application form

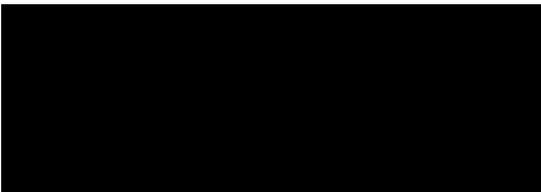
Attached a detailed site map

Paid your deposit

Declaration

I/we hereby certify that to the best of my/our knowledge and belief, the information given in this application is true and correct and undertake to pay all actual and reasonable application processing costs incurred by the Otago Regional Council

Name(s) and signature(s) and date:



OTAGO REGIONAL COUNCIL

BUCKLER BURN GRAVEL EXTRACTION

Application to Extend Consent Lapse Period

10 March 2026

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Appendix A: Approved Resource Consent



1. INTRODUCTION

The Otago Regional Council (“**ORC**”) holds a resource consent for gravel extraction activities for natural hazard mitigation purposes within the Buckler Burn River, Glenorchy. The location of the Buckler Burn, and the Glenorchy township to the north, is shown in Figure 1 below.



Figure 1: Location of the Buckler Burn.

Resource Consent RM20.338.01 (“**the resource consent**”) was originally issued to the Glenorchy Community Association by the Otago Regional Council (as consent authority) on 16 March 2021. The purpose of the gravel extraction was predominantly for flood protection. This resource consent was then transferred to the ORC on 26 October 2023 for a term expiring on 16 March 2031.

It is understood that the Glenorchy Community Association did not give effect to the resource consent before it was transferred to the ORC. The ORC has also not undertaken any gravel extraction activities since the consent was transferred into its ownership in 2023.

In accordance with section 125 of the Resource Management Act (“**RMA**”), if a resource consent is not given effect to, the consent lapses on the date specified in the consent, or if

no date is specified, 5 years after the date of commencement of the consent.¹ The existing resource consent does not specify a lapse date. As there is no evidence that the Glenorchy Community Association or the ORC has given effect to the resource consent, the lapse date for the resource consent is therefore 16 March 2026.

The purpose of this document is to support an application to the Otago Regional Council to extend the lapse period of the resource consent in accordance with section 125(1A)(b) of the RMA.

¹ Unless the activity relates to aquaculture activities undertaken in the coastal marine area or renewable energy activities.

2. EXISTING RESOURCE CONSENT

The gravel extraction activities in the Buckler Burn are authorised by the existing resource consent, which authorises the extraction of gravel from the true right bank of the Buckler Burn on land legally described as Section 24 Block IV Glenorchy and Crown Riverbed, which is currently managed on behalf of the Crown by LINZ. The gravel extraction activities authorised the resource consent are restricted to the black area shown in Figure 2 below.



Figure 2: Authorised Gravel Extraction Area in Buckler Burn.

The existing resource consent contains several conditions for the gravel extraction activities. This includes:

- > The gravel must not be extracted within 5 m of the water's edge nor below the level of water in the Buckler Burn at any location;
- > The gravel extracted must not exceed 20,000 m³ per year; and
- > The gravel must not be extracted between 1 September and 31 March to avoid the disturbance of bird nesting times and must not occur within 100 m of any birds nesting on the riverbed.

The resource consent also includes a performance monitoring condition, which requires the ORC to notify the Otago Regional Council (as consent authority) in writing at least 10 working days prior to the commencement of each extraction event and provide various information including the quantity of gravel to be extracted, the duration and location of extraction and the provision of photographs before and after extraction activities occur.

A copy of the approved resource consent is attached as **Appendix A**.

3. STATUTORY FRAMEWORK

Section 125(1A) of the RMA provides for an extension of a resource consent lapse period as follows:

- (1A) However, a consent does not lapse under subsection (1) if, before the consent lapses,—*
- (a) the consent is given effect to; or*
 - (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account—*
 - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and*
 - (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and*
 - (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.*

This report has been prepared in accordance with section 125(1A)(b) of the RMA to support an application to extend the lapse period of the resource consent to the Otago Regional Council (as consent authority).

The additional lapse period that is sought by the ORC is two years.

4. RESOURCE CONSENT PROGRESS

As noted in the section above, section 125(1A)(b)(i) of the RMA requires that a consent authority takes into account whether substantial progress or effort has been made towards giving effect to the resource consent.

As discussed in section 1 of this report, the Glenorchy Community Association did not give effect to the resource consent while it held the consent, and the ORC has not undertaken any gravel extraction since the consent was transferred to its name on 26 October 2023.

However, the reason the ORC has not given effect to the consent in the context of the RMA (i.e. has not extracted gravel) is largely due to the nature and purpose of the activity. In short, the gravel extraction is only required to be undertaken for natural hazard mitigation purposes to reduce erosion in the Buckler Burn and increase channel flow capacity in the river to minimise the flood risk for the Glenorchy township. The gravel extraction therefore only needs to be undertaken if the instream / upstream river conditions in the Buckler Burn dictate that gravel extraction is required to maintain its normal conveyance function (e.g. greater volumes of sediment / gravel deposition due to upstream conditions such as high rainfall, landslips or land instability).

While the ORC has not needed to extract gravel to-date, gravel extraction activities are likely to be necessary in the future for natural hazard mitigation / flood management purposes in response to any changes in the hydrological or geomorphological conditions of the Buckler Burn.

The continued need for the resource consent has been informed by various strategies and studies that the ORC has expended efforts and funds towards. The ORC has led a work programme between 2019-2025 to develop a natural hazards adaptation strategy for the area at the head of Lake Wakatipu. This strategy document was finalised and released in May 2025 and identifies possible future flood mitigation works in the Buckler Burn including small scale works to reduce erosion and / or flood risk.² The strategy development was supported by a large number of technical studies, with those related to the Buckler Burn including:

- > A preliminary geomorphic assessment of debris flood and debris flow potential undertaken by Massey University in 2021;
- > A flood hazard modelling study undertaken by Land River Sea Consulting Limited in 2023; and

² Tables 9-6 and 9-7 of [Head of Lake Whakatipu Natural Hazards Adaptation Strategy. Version 1 | May 2025.](#)

- > A detailed natural hazard risk assessment undertaken by Beca in 2024, which included assessment of risks from the Buckler Burn.

These assessments have resulted in an improved understanding of the natural hazard risks from the Buckler Burn on the Glenorchy township and where potential gravel extraction would be best undertaken

It is also noted that the Queenstown Lakes District Council (“**QLDC**”) are currently in early investigation and design stages for a possible upgrade of the Glenorchy Lagoon-Rees River floodbank and has expressed an interest in utilising this resource consent to obtain aggregate for use in the floodbank upgrade. These works are identified as a resilience investment in the QLDC Climate and Biodiversity Plan 2025 – 2028 and are listed as a project for the Glenorchy area.³ The extension of the lapse date for this resource consent will ensure that any gravel extracted from the Buckler Burn could be utilised for the Glenorchy Lagoon-Rees River floodbank in the future.

In addition to the above, it is noted that the ORC has only held the resource consent for part of the default five-year lapse period after acquiring the consent from the Glenorchy Community Association.

Overall, and taking into account the purpose and context of the resource consent, it is considered that ORC is making substantial progress towards giving effect to its resource consent and there is reasonable need for the ORC to retain the use of the resource consent.

³ [QLDC Climate and Biodiversity Plan 2025 – 2028](#).

5. PERSONS WHO MAY BE ADVERSELY AFFECTED BY THE GRANTING OF AN EXTENSION

Section 125(1A)(b)(ii) of the RMA requires a consent authority to take into account whether an applicant has obtained approval from persons who may be adversely affected by the granting of an extension to a lapse date for a resource consent.

Section 125(1A)(b)(ii) of the RMA is not concerned with the adverse effects of the activity itself. Rather, it is concerned with the adverse effects of the extension of time to give effect to the activity authorised by the consent.⁴ By way of example, there is a need for a consent authority to consider whether an extension may give rise to unacceptable uncertainty for those people living or working in the vicinity or whether there may have been changes to the physical environment or to the activities in the vicinity since the granting of the original consent.

The ORC has not sought the written approval of any persons in relation to this application to extend the lapse date of the resource consent for the following reasons:

- > The gravel extraction activities are for natural hazard mitigation purposes to manage erosion within the Buckler Burn and potential flooding risk to the Glenorchy township. These works will provide positive effects to the community through greater flood protection to surrounding dwellings by increasing the capacity of the Buckler Burn channel to convey flows;
- > The gravel extraction works will not have any adverse effects on other users of the river as the works will be located outside of the flowing water in the Buckler Burn and there are no current consent holders in the vicinity of the works area;
- > The Buckler Burn is not identified as a water body of significance to Kāi Tahu in Schedule 1D of the Regional Plan: Water for Otago (“**Regional Water Plan**”), the gravel extraction will be undertaken outside the wet bed of the river and the existing resource consent conditions include an accidental discovery protocol to manage any potential effects on any unidentified archaeological sites;
- > There have been no material changes to the physical environment or to the activities in the immediate vicinity of the gravel extraction site since the resource consent was granted in 2021. In this regard, no new residential dwellings have been established immediately adjacent to the area;

⁴ *Ngati Tama ki Te Waipounamu Trust v Tasman District Council* [2017] NZHC 1081, [2017] NZRMA 269.

- > The extension being sought is limited to a period of two years. This period of time is not considered to create unacceptable uncertainty for those living in the vicinity of the Buckler Burn; and
- > The existing resource consent conditions require that suitable notice and details of the gravel extraction activities be provided to the Otago Regional Council (as consent authority).

Given the above, no persons have been identified as being adversely affected by the extension of the lapse period sought by the ORC.

6. THE EFFECT ON THE POLICIES AND OBJECTIVES OF ANY PLAN OR PROPOSED PLAN

In accordance with section 125(1A)(iii) of the RMA, the consent authority is required to take into account the effect of the extension on the policies and objectives of any plan or proposed plan.

The Assessment of Environmental Effects that accompanied the resource consent application for the Buckler Burn gravel extraction activities (“**Buckler Burn AEE**”) include a fulsome statutory assessment – and it was concluded in the resource consent application decision (in March 2021) that the application passed the relevant gateways with respect to the relevant statutory planning documents.

The relevant statutory planning documents to the consideration of this lapse extension are as follows:

- > National Policy Statement for Freshwater Management 2020 (“**NPSFM**”);
- > Otago Regional Policy Statement 2019 (“**RPS**”);
- > Proposed Otago Regional Policy Statement 2021 (“**Proposed RPS**”)
- > Regional Water Plan; and
- > Kāi Tahu ki Otago Natural Resource Management Plan 2005 (“**NRMP**”).

Each of these statutory planning documents is discussed as follows.

6.1 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

The NPSFM came into effect on 3 September 2020 and sets out the objectives and policies for freshwater management under the RMA. While the NPSFM was last amended on 18 December 2025, none of the relevant objectives or policies have been amended since the granting of the resource consent for the Buckler Burn gravel extraction activities.

Nevertheless, the provisions of most relevance to this application seek to ensure:

- > Freshwater is managed in a way that gives effect to Te Mana o te Wai;⁵
- > The loss of river extent and values is avoided to the extent practicable;⁶ and

⁵ NPSFM – Policy 1.

⁶ NPSFM – Policy 7.

- > Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with the NPSFM.⁷

The analysis provided in the Buckler Burn AEE is considered applicable to the NPSFM. The gravel extraction activities are only authorised to take place outside the wet bed of the watercourse – therefore protecting the health of the freshwater body and not result in any loss of river extent or values – and will provide positive benefits for the community by actively managing potential flooding risks on the Glenorchy township. In addition, the extension of the lapse period by two years will also not have any adverse effects on freshwater values or river extent and will provide additional positive benefits by ensuring gravel extraction (if necessary) can continue to occur.

The NPSFM also contains no provisions regarding the appropriate lapse period of resource consents.

Overall, the proposal to extend the lapse period is not precluded by the objectives and policies of NPSFM.

6.2 OTAGO REGIONAL POLICY STATEMENT

The RPS provides high level direction for resource management in Otago and contains objectives, policies and methods to achieve integrated management of natural and physical resources. The RPS became partially operative at 14 January 2019 and was updated to approve remaining sections (except for provisions related to port activities) at 15 March 2021. The RPS then became fully operative on 4 March 2024.⁸ As such, there have not been any changes to the RPS of relevance to gravel extraction activities since the resource consent was granted.

Regardless, the relevant objectives and policies of the RPS are set out in Part B of the RPS and cover a range of topics of relevant to the gravel extraction activities. This including ensuring resources are used sustainability to promote the wellbeing of people and communities and the life-supporting capacity of freshwater is safeguarded, including by maintaining or enhancing good water quality, bank stability, the natural function and character of rivers, amenity values and ecosystem health and indigenous biodiversity.⁹

⁷ NPSFM – Policy 15.

⁸ To include provisions relating to port activities following the resolution of appeals and to include housing bottom lines under the National Policy Statement for Urban Development 2020.

⁹ RPS – Objectives 1.1 and 3.1 &, Policies 1.1.2, 3.1.1-3.1.2 and Policy 3.1.9.

Furthermore, the key objectives and policies relating to natural hazards and climate change are located in Chapter 4 of the RPS and seek to:

- > Manage and minimise natural hazard risk to people, communities, property and other aspects of the environment, including by enabling activities that result in no or low residual risk, and encouraging design that facilitates the mitigation of risk;¹⁰
- > Give preference to risk management approaches that reduce the need for hard protection structures;¹¹ and
- > Ensure people and communities can mitigate and adapt to climate change effects, and encourage activities that reduce or mitigate the effects of climate change.¹²

The analysis provided in the Buckler Burn AEE is considered applicable to the RPS. The gravel extraction activities will be undertaken outside the wetted bed, machinery will be cleaned and well maintained, and the activity will therefore not adversely affect the stability of the riverbank and bed, instream amenity, habitat values or water quality. The volume of gravel authorised to be extracted will also ensure the natural character of the Buckler Burn remains unaffected. The extension of the lapse period by two years will not have any adverse effects on instream freshwater values or natural character of the Buckler Burn as the extraction will be undertaken in accordance with the existing consent conditions, which includes restrictions on the location and volume of gravel to be extracted.

The gravel extraction activities also specifically seek to reduce the risk of natural hazard risk (i.e. erosion and flooding) without the need for hard protection structures and are part of broader measures at the head of Lake Wakatipu to enable the Glenorchy community to adapt to the effects of potential flooding, particularly taking not account the potential exacerbation of flooding risks due to climate change. The extension of the lapse period will only provide a greater duration of time for the natural hazard mitigation benefits of the gravel extraction activities to be realised (if required).

In addition, it is noted that the RPS does not include any provisions on the appropriate lapse duration that should be applied to resource consents.

Given the above, it is considered that the proposal to extend the lapse period is not precluded by the objectives and policies of the RPS.

¹⁰ RPS - Objective 4.1 & Policies 4.1.5-4.1.7.

¹¹ RPS – Policy 4.1.10.

¹² RPS - Objective 4.2 & Policy 4.2.2.

6.3 PROPOSED OTAGO REGIONAL POLICY STATEMENT

The Proposed RPS was notified post the grant of the resource consent for the Buckler Burn gravel extraction activities.

The Proposed RPS was notified in June 2021, and following a determination from the High Court, it was separated into two parts – a freshwater and non-freshwater planning instrument. Otago Regional Council decisions on both the freshwater and non-freshwater planning instruments of the Proposed RPS were publicly notified on 30 March 2024. A number of appeals were made to the High Court on the Freshwater Planning Instrument parts and the Environment Court on the non-freshwater parts, with the Proposed RPS currently in the mediations phase at the time of writing this report.

The relevant provisions of the Proposed RPS (both the freshwater planning instrument and non-freshwater provisions) cover a broad range of domains and topics, with those most relevant to the resource consent relating to freshwater and hazards and risks.

The key objectives and policies of the RPS relating to freshwater seek to:

- > Give effect to Te Mana o te Wai by firstly prioritising the health and wellbeing of water bodies and freshwater ecosystems, secondly the health needs of people, and thirdly the ability of people and communities to provide for their social, economic and cultural wellbeing;¹³
- > Recognise and give effect to Kāi Tahu rakatirataka in respect of freshwater;¹⁴ and
- > Preserve and protect the natural character of rivers and their margins from inappropriate use and development.¹⁵

The key relevant objectives and policies of the RPS relating to hazards and risks seek that:

- > Activities do not exacerbate natural hazard risks;¹⁶
- > People, communities and property are prepared for and able to adapt to the effects of natural hazards, including those exacerbated by climate change;¹⁷
- > Activities that reduce risk or reduce community vulnerability are encouraged;¹⁸ and

¹³ Proposed RPS - Policies LF-WAI-P1 and LF-WAI-P4.

¹⁴ Proposed RPS - Policy LF-WAI-P2.

¹⁵ Proposed RPS - Objective LF-FW-O10 & Policy LF-FW-P13.

¹⁶ Proposed RPS - Objective HAZ-NH-O1.

¹⁷ Proposed RPS - Objective HAZ-NH-O2.

¹⁸ Proposed RPS - Policy HAZ-NH-P4.

- > Prioritise risk management approaches that reduce the need for hard protection structures.¹⁹

The analysis provided in the Buckler Burn AEE is considered applicable to the Proposed RPS. As noted in the assessment for the RPS, the gravel extraction activities seek to reduce the risk of natural hazard risk (i.e. erosion and flooding) without the need for hard protection structures and are part of broader measures at the head of Lake Wakatipu to enable the Glenorchy community to adapt to the effects of potential flooding risks. The extension of the lapse period by two years will also not have any adverse effects on freshwater values or river extent as it will be undertaken in accordance with the existing consent conditions and will provide additional positive benefits by ensuring gravel extraction (if necessary) can continue to occur.

In addition, there are no objectives or policies in the Proposed RPS that provide guidance or direction on the appropriate lapse duration of resource consent.

Overall, the Proposed RPS is not considered to present any barriers to the lapse date for the resource consent being extended.

6.4 OTAGO REGIONAL WATER PLAN

The Regional Water Plan contains objectives and policies to address the use, development and protection of freshwater resources. Only one activity required resource consent under the Regional Water Plan – being the disturbance of the bed of a watercourse for the purpose of gravel extraction.

The relevant provisions of the Regional Water Plan have not changed since the resource consent application was granted in March 2021, and the plan does not include any constraints with respect to the lapse provisions that should apply to resource consents.

It is noted that while the Resource Management (Consenting and Other System Changes) Amendment Act 2025 extends the duration of short-term water permits by 5 years, and amends various provision of the Regional Water Plan, this does not extend the default lapse period for existing consents.

¹⁹ Proposed RPS - Policy HAZ-NH-P7.

6.5 KĀI TAHU KI OTAGO NATURAL RESOURCE MANAGEMENT PLAN 2005

The relevant provisions of the NRMP have not changed since the resource consent application was granted in March 2021, and the plan does not include any constraints with respect to the lapse provisions that should apply to resource consents.

Regardless, the following objectives and policies of the NRMP are considered the most relevant to this application:

- > To discourage instream extractions;²⁰
- > To require that all gravel-take applications include a report on the effects on aquatic ecosystems, fisheries, coastal processes and the sustainability of the gravel take in the area concerned;²¹ and
- > To require all gravel-take applications to include information on cumulative effects, replenishment rates, effects on aquatic ecosystems, effects on indigenous fisheries, proposed timing of works and effects on cultural values.²²

As noted throughout this report, no gravel extractions are authorised to be undertaken within the instream part of Buckler Burn, and the original gravel take application included an assessment of effects on aquatic ecosystems and the sustainability of the gravel taken from the location.

²⁰ NRMP – Overall Objective 52.

²¹ NRMP – Overall Objective 53.

²² NRMP – Clutha / Mata-Au Catchment Policy 13.

7. CONCLUSION

The ORC is applying to the Otago Regional Council (as consent authority) for an extension of the lapse period for Resource Consent RM20.338.01 associated with gravel extraction activities in the Buckler Burn River in accordance with section 125 (1A)(b) of the RMA.

Overall, it is considered that the statutory considerations under section 125(1A)(b) of the RMA have been met. Substantial progress or effort has been, and continues to be, made towards giving effect to the resource consents (noting there are clear reasons as to why the resource consent has not yet been given effect to). No persons are likely to be adversely affected by the granting of an extension for a further two years and the objectives and policies of the relevant statutory planning documents do not present any barriers to extending the lapse date for the resource consent.



APPENDIX A

Approved Resource Consent

Our Reference: A1447279

Consent No. RM20.338.01

LAND USE CONSENT

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

Name: ~~Glenorchy Community Association Incorporated~~ *transferred 26 October 2023*

Address: ~~876 Kinloch Road, Glenorchy~~

Name: *Otago Regional Council*

Address: *70 Stafford Street, Dunedin*

To disturb the bed of the Buckler Burn River for the purpose of extracting gravel

For a term expiring 16 March 2031

Location of the consent activity: Glenorchy, approximately 388 metres south west of the intersection of Oban Street and Shiel Street

Legal description of the consent activity: Section 24 Block IV Glenorchy and Crown Riverbed

Map Reference (NZTM2000) Start point: E1235189 N5022520
End Point: E1235359 N5022590

Conditions

Specific

1. The extraction of gravel from the true right bank of the Buckler Burn at E1235189 N5022520 to E1235359 N5022590 on land legally described as Section 24 Block IV Glenorchy and Crown Riverbed 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 RM20.338 and as shown on appendix 1:
 - a) Application form, and Assessment of environmental effects dated 2 October 2020.If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.
2. The gravel extraction activity must be undertaken in accordance with the following:
 - a) Gravel must only be extracted from the location illustrated in appendix 1.
 - b) Gravel must not be extracted within 5 metres of the water's edge nor below the level of water in the river at any location;

- c) The gravel extracted must not exceed 20,000 cubic meters per year; and
 - d) Gravel must not be extracted between the period 1st September to the 31st March to avoid the disturbance of bird nesting times.
3. Gravel extraction must not occur within 100 metres of any birds that are nesting on the riverbed.

Performance Monitoring

4. The Consent Holder must:
- a) Notify the Consent Authority in writing no less than 10 working days prior to the commencement of each extraction event and provide:
 - i. The quantity of gravel to be extracted;
 - ii. The duration of the extraction;
 - iii. A plan of the location/s of gravel to be extracted; and
 - iv. Photographs (looking upstream and downstream of the location of extraction sites and including date and location of photographs) of each proposed gravel extraction site.
 - b) Maintain a written record of the volume of the gravel extracted and provide this record to the Consent Authority by 30 April and 31 October each year; and
 - c) Notify the Consent Authority in writing no more than 10 working days after the completion of each extraction event and provide:
 - i. Photographs (looking upstream and downstream of the location of extraction sites and including date and location of photographs) of each gravel extraction site at the completion of extraction;
 - ii. The record of gravel extracted required by (b) above.

Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.

General

5. During the exercise of this consent:
- a) Any pits or holes formed during gravel extraction activities must be filled in with gravel from the surrounding dry bed, consistent with the adjacent beach areas, within 2 working days of their formation;
 - b) No vehicles or machinery may be operated within or cross flowing water except when expressly permitted in writing by any authorised officer of the Consent Authority;
 - c) No contaminants or sediment may be discharged into the river;
 - d) There must be no damage to trees on the riverbed or in riparian areas
 - e) The gravel extraction works do not cause any flooding, erosion, scouring, land instability or property damage;
 - f) There must be no stockpiling or creation of gravel banks in the bed of the river, or within a floodway;
 - g) There must be no washing or refuelling of machinery in the bed of the watercourse;
 - h) All extraction operations or associated works must only be undertaken between the hours of 7.00am and 7.00pm. No extraction or associated works must occur on Sundays and public holidays and during the Christmas – New Year period from 22 December until 8 January (inclusive).

6. The Consent Holder must take all reasonable precautions to minimise the spread of pest plants and aquatic weeds. In particular, the Consent Holder must:
 - a) Water blast all machinery to remove any visible dirt and/or vegetation prior to being brought on-site to reduce the potential for pest species being introduced to the bed of the watercourse. Machinery and equipment that has worked in watercourses must, prior to entering the site, also be cleaned with suitable chemicals or agents to kill didymo;
 - b) Avoid working in areas where aquatic weeds such as Lagarosiphon major are known to be present (for information, contact the Consent Authority's Biosecurity Team); and
 - c) To avoid the spread of the *Didymosphenia geminata* or any other pest plant, 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 the machinery has been thoroughly cleansed with a decontamination solution (for information on decontamination contact the Consent Authority's Biosecurity Team);
 - d) Remove any vegetation caught on the machinery at the completion of works;
 - e) Prior to leaving the site, water blast all machinery following the completion of works to reduce the potential for pest species being spread from the bed of the watercourse.
7. In the event that an unidentified archaeological site is located during works, the following will 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 Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Consent Authority must be notified.
 - c) If the site is of Maori origin, the Consent Holder must also notify the appropriate iwi groups or kaitiaki representative 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).
 - d) 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.
 - e) 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.
 - f) 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.
8. 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 1993 or Building Act 1991.

Review

9. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three months either side of the date of granting of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:
 - a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
 - b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
 - c) Reviewing the frequency of monitoring or reporting required under this consent;

Notes to Consent Holder

1. *The Consent Holder must comply with the Biosecurity Act 1993 and the rules of the Regional Pest Management Plan 2019 in relation to avoiding the spread of pest organisms.*
2. *The Consent Holder must also comply with all notices and guidelines issued by Biosecurity New Zealand, in relation to avoiding spreading the pest organism *Didymosphenia geminata* known as “Didymo” (refer to www.biosecurity.govt.nz/didymo)*
3. *Section 126 of the Resource Management Act 1991 provides that the Consent Authority may cancel this consent by written notice served on the Consent Holder if the consent has been exercised in the past but has not been exercised during the preceding five years.*
4. *Where information is required to be provided to the Consent Authority in condition/s [insert condition numbers] this is provided in writing to compliance@orc.govt.nz and the email heading is to reference RM20.338 and the condition/s the information relates to.*

Issued at Dunedin this 16th day of March 2021
*Reissued at Dunedin this 13th December 2023 to reflect a transfer of holder from
Glenorchy Community Association Incorporated to Otago Regional Council*



Simon Wilson
Manager Regulatory Data and Systems

Appendix 1

